



Appeal Decision

Site visit made on 13 July 2021

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2021

Appeal Ref: APP/E2205/W/21/3267989

Romden, Romden Road, Romden, Smarden, TN27 8RA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs D Kelly against the decision of Ashford Borough Council.
 - The application Ref 20/01389/AS, dated 10 October 2020, was refused by notice dated 8 December 2020.
 - The development proposed is the provision of annexe accommodation in existing machine shed.
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Decision

1. The appeal is allowed and planning permission is granted for the provision of annexe accommodation in existing machine shed in accordance with the terms of the application, Ref 20/01389/AS, dated 10 October 2020, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Romden, Romden Road, Romden, Smarden, TN27 8RA.

Main Issues

2. The main issues in this appeal are:
 - Whether the proposal would function as a subordinate residential annexe; and
 - The effect on the character and beauty of the surrounding countryside.

Procedural Matters

3. Since Ashford Borough Council's (the Council) refusal of the application Ref 20/01389/AS the Government published a revised National Planning Policy Framework. In line with Planning Practice Guidance, my consideration of the issues of this appeal has, therefore, been on the basis of the National Planning Policy Framework (2021) (the Framework) and the Ashford Local Plan (2019) (the Local Plan). Neither the appellant nor the Council have indicated that this is prejudicial to their cases.

Reasons

Whether a subordinate residential annexe

4. The appeal site is a two storey four door garage and storage building sitting within the curtilage of the substantial Grade II listed dwelling on a large rural property with extensive grounds, with existing residential annexe and outbuildings. The appeal site sits between the main house and Romden Road, both of which are set back from the road and substantially screened by trees. The appeal site is accessed by vehicles and pedestrians from Romden Road, using a drive that services the main house and other outbuildings and existing ancillary residential annexe.
5. Although the garage and store that forms the appeal site is not closely adjacent to the main house, it is closely associated with a residential annexe and outbuildings on the opposite side of the driveway. The nature of the house as a substantial country residence with grounds, annexes and outbuildings, makes it visually apparent that the surrounding residential annexes and outbuildings are part of the same complex and are a single house with associated and subordinate buildings. This is reinforced by the shared driveway that also provides pedestrian access.
6. The proposal is for half of the ground floor of the existing garage and store nearest to the main house and the first-floor storage area to be converted to a two storey 2 bedroom residential annexe. This would remove the two of the four garage doors that are closest to the main house, proposed to be replaced by areas of glazing and a door at ground level. Apart from the removal of a first-floor access door and stair to the first floor, the building otherwise remains very much the same as existing. The building that forms the appeal site would, therefore, remain in appearance as a Kentish barn, reflective of the local vernacular with a larch lap walls and clay pantile roof.
7. I find that the limited nature of the external changes and the location of the appeal site with other annexe and outbuildings on the shared drive, would result in it appearing as a subordinate residential annexe, the use of which would be for purposes ancillary to the residential use of the main house.
8. Even if the development could be used as a separate dwelling, there is no proposal for a separate dwelling before me. I am satisfied that the application of a suitable condition requiring the proposed annexe to be used for purposes ancillary to the residential use of the dwelling would be in line with Paragraph 55 and 56 of the Framework, in that it would be necessary, relevant to planning and to the development, enforceable, precise and reasonable in this regard.

Character and Beauty of Countryside

9. As I have identified, the proposed changes to the existing garage and store would not substantially alter its outward appearance and its part conversion to a residential annex, would result in it continuing to appear subordinate to the main house and would not appear as a stand-alone dwelling.
10. From views from the road, surrounding countryside and the land associated with the main house, the building that forms the appeal site, would continue to appear as a barn like structure, appropriate to its rural surroundings and

settings, sitting harmoniously with the main house and the other associated annexes and outbuildings.

11. For these reasons, the alterations that the proposal would make to the building that forms the appeal site, would not have any significant impact on the character and beauty of the surrounding countryside and not to a degree that would result in any harm in this regard.
12. I conclude that the proposal would not appear as an independent detached residential unit without functional relationships with the main house, nor would it cause harm to the character and beauty of its countryside setting and would not therefore be in conflict with Policies SP1, SP6, ENV3a and HOU9 of the Local Plan or with paragraph 174 of the Framework.

Other Matters

13. In my consideration of this appeal, I have had regard to my statutory duties under sections 66(1) Planning (Listed Building and Conservation Areas) Act 1990 and find that the proposal does not harm the listed building or its setting.

Conditions

14. I have had regard to the conditions suggested by the Council in the event of the appeal being allowed. To avoid duplication, I have not included a separate condition regarding materials, as these are detailed on the submitted plans. Along with the standard condition relating to the timing of implementation, and in the interests of clarity, I have included a condition relating to the use of the permitted ancillary residential accommodation.

Conclusion

15. For the above reasons I conclude that the appeal should be allowed.

Victor Callister

INSPECTOR