



Appeal Decision

Site visit made on 4 October 2022

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 November 2022

Appeal Ref: APP/E2205/W/21/3286075

Twixus, Bedlam Lane, Smarden TN27 8PG

- 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 L Thompson against the decision of Ashford Borough Council.
 - The application Ref 20/01794/AS, dated 21 December 2020, was refused by notice dated 4 June 2021.
 - The development proposed is replacement of an existing dwelling and associated out-buildings with a new two storey dwelling with garage including part land change of use from agricultural to residential.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the banner heading above I have used the property name given on the application form. The appeal site is also referred to in the evidence as Bedlam House (formerly Twixus), but there is no dispute as to its geographical location.
3. The proposed development includes extension of the existing residential curtilage and construction of a new garage. However, I note that the Council's Officer Report concludes that these aspects of the development would be acceptable. Based on the evidence before me, I see no reason to reach a different conclusion. Therefore, in my reasoning I have focussed on the effect of the proposed replacement dwelling, which is the focus of the reason for refusal.

Main Issue

4. The main issue is the effect of the proposed dwelling on the character and appearance of the surrounding landscape.

Reasons

5. The appeal site is located in a rural area, outside any defined settlement, but in a location where the development plan allows for replacement dwellings in principle. It currently contains a single detached bungalow and domestic outbuildings, set towards the front of the plot. The residential curtilage is surrounded on three sides by open fields in the same ownership, within a wider landscape of level, low-lying farmland.
6. Although the roof of the existing bungalow is visible in the wider landscape, much of the ground floor is screened by boundary vegetation. The proposed

replacement dwelling would be a more imposing, two storey dwelling of substantial proportions. It would significantly increase the extent of building mass on the site and would be more conspicuous along the lane in both directions. Its position further back on the site would intrude to a greater extent into the surrounding open fields.

7. Although the sporadic farmsteads and dwellings along Bedlam Lane are part of the established character and appearance of the area, the expansive, open farmland is the dominant landscape characteristic. The development plan does not place specific limits on the scale of replacement dwellings. Nevertheless, introducing a dwelling of significantly larger scale will increase the intrusion of built development into what is a predominantly undeveloped, rural landscape.
8. The external materials and detailing would incorporate features found in the local vernacular, such as vertical hanging tiles. However, the massing of the dwelling would depart from these more traditional building forms. This would be particularly the case at roof level, where in order to accommodate the considerable depth of the dwelling, the outer pitched roof slopes would rise to a flat crown. This gives the dwelling rather bulky proportions, which are not typical of the local rural vernacular.
9. While some of the nearby dwellings are also of substantial scale, they are more traditionally proportioned. Roof forms generally rise to a narrow ridge, sometimes employing projecting gables to provide additional building depth. This results in a less bulky massing and a greater degree of visual interest, not successfully replicated on the proposed dwelling.
10. The additional tree planting proposed in the front garden would not adequately mitigate the additional intrusion of built development.
11. The two dwellings which informed the proposed design are both some distance away and the evidence does not reveal the extent to which they share a similar landscape setting. A number of other planning permissions have also been brought to my attention, but with limited evidence as to the approved designs, their immediate landscape setting, or the policy context for those predating the current Local Plan.
12. In any event, since the circumstances surrounding individual sites are rarely identical, the existence of other dwellings which may share some similar characteristics does not outweigh my assessment of the relationship between the proposed dwelling and its particular landscape setting, as set out above.
13. I conclude that the proposed dwelling would be harmful to the character and appearance of the surrounding landscape. As such, it would be contrary to policies SP1, SP6, HOU7 and ENV3a of the Ashford Local Plan 2030 adopted February 2019 and relevant paragraphs in the National Planning Policy Framework July 2021 (the Framework). These policies amongst other things require that proposed development has regard to landscape characteristics including the scale, design and detailing of vernacular buildings, that replacement dwellings do not harm the character and appearance of the area and that they are suitable in terms of their scale, bulk and massing.

Other Matters

14. I have noted that there is an alternative scheme for upwards extension of the existing dwelling under permitted development rights and that an application

for such extension was under consideration at the time of submitting the appeal. I have not been provided with any drawings detailing this option. However, since the form of any such extension would be dictated by the shape of the existing building footprint it does not appear that it would have a similarly bulky massing. It would also be located on the existing footprint, not projecting out into the surrounding open fields to the same extent. As such, while I have had regard to this potential fallback position, it does not outweigh my conclusions on the main issue, as set out above.

15. Absence of objection from Smarden Parish Council does not outweigh the harm identified to the character of the area, as set out above. Although support was expressed by a third party for modernisation of the existing dwelling, this could equally be achieved through an alternative design, better integrated with the surrounding landscape.
16. There would be no net benefit to the supply of family housing, since the existing bungalow already provides family accommodation. Measures to improve energy efficiency and avoid intrusive external lighting could equally be incorporated in an alternative, more suitable design. Similarly, it has not been clearly demonstrated that the proposed design is the only means of achieving facilities for home working or more flexible residential accommodation.
17. Any benefits to the local rural economy would be intrinsically limited, given that the proposal is for a one-for-one replacement dwelling. The proposed development does not include any clear measures to make the location more sustainable. It has also not been clearly demonstrated that proposed landscaping would enhance biodiversity, particularly as the plans imply that existing hedgerows would be removed to expand the residential curtilage.
18. While the evidence indicates the proposed development would be in an area of low flood risk, would not affect any nearby heritage assets or public rights of way and there are no Tree Preservation Orders on the site, these are neutral considerations not relevant to the main issues as set out above.
19. The site is outside any Area of Outstanding Natural Beauty, and therefore not subject to the policies or statutory duties associated with that designation. However, this does not negate the need for planning policies and decisions to ensure that developments are sympathetic to their landscape setting, in line with paragraph 130 of the Framework.
20. Consequently no other matters outweigh the clear harm that would result from the proposal, as set out in the foregoing main issues.

Conclusion

For the reasons given above, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Jane Smith

INSPECTOR