



Appeal Decision

Site visit made on 16 August 2023

by A Wright BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2023

Appeal Ref: APP/U2235/D/22/3310565

Pollyfields Farm, The Barn, Scragged Oak Road, Detling, Kent ME14 3HL

- 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 Paul Thomas against the decision of Maidstone Borough Council.
 - The application Ref 22/503351/FULL, dated 6 July 2022, was refused by notice dated 12 September 2022.
 - The development proposed is the erection of an ancillary outbuilding (partially retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description from the appeal form and decision notice in the banner heading above. This is different from what was originally applied for, but the parties agreed to change the description of the development during the Council's consideration of the application.
3. Planning permission was previously granted for a 3 bay garage (ref 19/506427/FULL) and I have had regard to this in my decision. However, it was not implemented in accordance with the approved plans and the current proposal would involve changes to the unauthorised building. I have determined the appeal on the basis of the submitted plans.
4. The Council's Draft Local Plan has been submitted and the examination process is continuing. Given this, I attach limited weight to the new Local Plan's emerging policies and shall consider the appeal on that basis.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the area, having particular regard to conserving and enhancing the landscape and scenic beauty of the Kent Downs Area of Outstanding Natural Beauty (AONB).

Reasons

6. The site comprises a traditional barn and agricultural building converted to residential use facing Scragged Oak Road approximately 80-90m away. There is a large gravel parking area in front of the buildings, beyond which are paddocks with a public footway running through the eastern part of the site. To the south are the buildings of Pollyfields Farm which operates as a stables and livery with paddocks between them and Scragged Oak Road to the east and

Hermitage Lane to the south. The grade II listed Pollyfields Manor lies to the north.

7. The site is within the AONB where great weight should be given to conserving the landscape and scenic beauty in accordance with the National Planning Policy Framework (the Framework). The AONB is characterised by its dramatic south-facing scarp, far-reaching views, secluded dry valleys, network of tiny lanes, isolated farmsteads, churches and oasts, orchards, dramatic cliffs, ancient woodlands and chalk grassland, and its ancient, remote and tranquil qualities. As part of an isolated farmstead accessed from a narrow country lane, the site makes a positive contribution to the landscape and scenic beauty of the AONB.
8. The proposal would result in an outbuilding with a false-pitched roof, incorporating one rooflight on the west facing slope and two in the flat top section of the roof. Although the proposed materials would be appropriate in this rural context and the height would be acceptable, lower than the garage previously approved, its roof form would be significantly different to the approved scheme. The development would have the same footprint and position as the previously approved garage, located close to and subservient to the existing buildings which would form a backdrop to it, but the introduction of a large flat top roof would fail to reflect the prevailing hipped and pitched roof design of the buildings in the farm complex. It would result in a discordant addition in this traditional group of buildings.
9. The structure would not be located forward of Pollyfields Manor, but it would be sited in front of the host dwelling. Whilst garage outbuildings are not uncommon features associated with residential uses, and some landscaping is proposed, the development would be clearly visible from the public footpath to the east, from gaps in the planting along Scragged Oak Road and in more distant glimpses from Hermitage Lane. Although it would not be more visible than the approved garage, the ungainly false pitched, flat top roof design of the building would be incongruous in public views of the farm complex.
10. My site visit was during the daytime, and I was unable to observe the night skies in this part of the AONB. There are no streetlights along the nearby lanes, but artificial light will already emanate from windows in the existing dwellings at night times. The Council is concerned about upward glare and light spillage from the two proposed rooflights on top of the flat section of the roof. However, I have limited evidence that the light emanating from these would have a greater impact than the light spill from existing buildings in the complex or adversely affect the night skies in this location. Therefore, I find no harm in this respect and no conflict with principle SD7 of the AONB Management Plan which seeks to conserve dark night skies.
11. Overall, I conclude that the proposal would harm the character and appearance of the area, having particular regard to conserving and enhancing the landscape and scenic beauty of the AONB. This would be contrary to Policies SP17, DM1, DM30 and DM32 of the Maidstone Borough Local Plan 2017. Together, these give great weight to the conservation and enhancement of the Kent Downs AONB, requiring development to respond to the natural character and landscape value, maintain local distinctiveness and be unobtrusively located. The proposal would also conflict with the Framework where it seeks to

protect and enhance valued landscapes and where it states that development that is not well designed should be refused.

12. The proposal would also be contrary to principles SD1, SD2, SD3, SD8, SD9 and LLC1 of the Kent Downs AONB Management Plan 2021-2026. Together these seek to ensure that the AONB landscape including its local character, qualities and distinctiveness are conserved and enhanced. It would also conflict with the Council's Residential Extensions Supplementary Planning Document 2009 where it states that garages and outbuildings should not have a detrimental impact on the character of the countryside by virtue of their form.

Other Matters

13. The site lies in proximity to the grade II listed Pollyfields Manor. I agree with the Council that the degree of separation between the proposed building and this heritage asset means that the proposal would not harm its significance. Therefore, this is a neutral factor in the planning balance.
14. The appellant's general dissatisfaction with their interactions with the Council during the application process is a matter between those parties and it cannot have any bearing on my determination of this appeal.

Conclusion

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

A Wright BSc (Hons) MRTPI

INSPECTOR