



Appeal Decision

Site visit made on 12 September 2023

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2023

Appeal Ref: APP/E2205/D/23/3319684

Costa Cottage, Bromley Green Road, Ruckinge, Ashford, Kent TN26 2EQ

- 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 Hodger Hilden against the decision of Ashford Borough Council.
 - The application Ref PA/2022/2085, dated 29 June 2022, was refused by notice dated 23 February 2023.
 - The development proposed is a double garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area; and
 - whether the proposal would adversely affect nearby trees.

Reasons

Character and appearance

3. Costa Cottage lies at the end of a group of detached dwellings and adjacent to woodland. The host building has a modest form and appearance but sits in a prominent position that marks the edge of the village and the transition to open countryside. There is currently a fenced off area of hardstanding between the dwelling and the adjacent woodland that, at the time of my site visit, was used for vehicle parking and the open storage of materials and household items. Notwithstanding the road alignment, the hardstanding is visible from Bromley Green Road.
4. The proposed garage would have a smaller footprint and a slightly lower ridge height than Costa Cottage, and its materials and fenestration would reflect the local context. It would nonetheless be a substantial structure that would occupy a large proportion of the cottage's frontage. Taken together, the height of the garage, along with its bulk and mass, would be disproportionate to the host dwelling, and it would lack subservience.
5. The development would sit forward of the building line of the host dwelling and, notwithstanding the hipped roof structure and its orientation, would be of a scale that would dominate views from Bromley Green Road when exiting the village and would detract from local distinctiveness. In this regard, the design

of the development would fail to follow the guidance for domestic garages and outbuildings contained in the Supplementary Planning Guidance Note 9 which, whilst not planning policy, is relevant to the appeal.

6. In support of the appeal, my attention has been drawn to other garages and outbuildings in the local area. On my site visit I saw that some of these developments are large structures, and some sit forward of the building line of the host dwelling. However, I do not find them directly comparable to the appeal scheme, which would be sited in a unique position at the edge of the village and within the curtilage of a bungalow.
7. I conclude that the proposed development would cause harm to the character and appearance of the host dwelling and the surrounding area. This would be contrary to policies SP1 and SP6 of the Ashford Local Plan 2030 (the ALP) insofar as they expect development to respond positively to local character. It would also conflict with paragraphs 130 and 134 of the National Planning Policy Framework (the Framework) which, amongst other things, expect developments to respond to local character and to take account of local design guidance.

Trees

8. It is a matter of dispute between the parties as to whether or not the woodland adjacent to the site is Ancient Woodland. Nevertheless, the trees have verdant street value. Notwithstanding the distance between the site and the nearest trees, the proposed development may encroach into root protection areas. In the consideration of an appeal against a former iteration of the development (appeal reference APP/E2205/D/21/3283043), the Inspector concluded that the trees could be adversely affected. I have been provided with a report, dated 2011, which sought to determine whether or not the survey area was once part of Little Hurst Wood. The report does not, however, assess the impact of the proposed development on the adjacent trees.
9. In the absence of an up-to-date tree survey and arboricultural report specific to this proposal to indicate otherwise, it remains the case that the trees could be harmed. I therefore conclude the proposal would be contrary to policy ENV5 of the ALP, which protects important landscape features. It would also be contrary to paragraph 180(c) of the Framework which resists development that would result in the loss or deterioration of irreplaceable habitats including Ancient Woodland.

Other Matters

10. There would be some clear benefits arising from the appeal scheme, and it has some local support. The garage would enable the secure storage of vehicles and materials within the existing curtilage of Costa Cottage and in a residential area. It would therefore make more effective use of land without encroaching into the open countryside. It would also provide some local jobs during its construction and make use of locally sourced materials.
11. The development would preserve the living conditions of the occupants of Costa Cottage and neighbouring dwellings. Additionally, no harm has been identified in respect of biodiversity or highway safety, and there would be no increase in vehicle movements arising from the proposal.

12. These are however neutral matters that do not outweigh the harm that would be caused to local character and appearance.

Conclusion

13. The proposed development would be contrary to the development plan when read as a whole and there are no material considerations that outweigh that harm. For the reasons given above, I conclude that the appeal should be dismissed.

E Catcheside

INSPECTOR