



Appeal Decision

Site visit made on 16 October 2023

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd November 2023

Appeal Ref: APP/E2205/D/23/3321294

Mai Barn, Romden Road, Romden, Smarden TN27 8QZ

- 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 Mrs J Taylor against the decision of Ashford Borough Council.
 - The application Ref PA/2022/2390, dated 5 September 2022, was refused by notice dated 7 February 2023.
 - The development proposed is the erection of oak framed garden room (revision to lapsed planning permission 15/00743/AS).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The garden room has been constructed. However, the proposal differs from what has been constructed in that the roof lantern would be removed and the frame would be stained a darker colour. I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

4. The appeal site was the subject of an earlier appeal¹ for a similar development. The Inspector for the previous appeal described the property as being located in the Haffenden Quarter Farmlands Landscape Character Area (the LCA), an area of countryside with flat to gently undulating landform, a strong framework of hedgerows, plantations and small woodland blocks, where much of the built development respects the local vernacular. The site and its surroundings have not altered and this description adequately reflects the current circumstances of the site and the locality.
5. Although the buildings have been converted for residential purposes, I concur with the previous Inspector that they retain much of their original form and the strong architectural character as vernacular Kentish timber weatherboarded agricultural buildings. The buildings lend significant character to this area of countryside, adding to its beauty. Furthermore, whilst I note that the site is not in a Conservation Area and the barn is not listed, I agree that the buildings represent and should be considered as non-designated heritage assets by

¹ APP/E2205/D/21/3266605

virtue of their age, form and character as Kentish vernacular agricultural buildings.

6. The proposal differs from the previous scheme because of the proposed dark staining of the timber frame and the removal of the roof lantern. The darker stained frame would be less of a contrast with the timber weatherboarding of the barn and annexe, whilst the removal of the roof lantern would slightly lessen the mass and ornate detailing of the garden room and its contrasting form and mass with the agricultural character of the barn.
7. Notwithstanding the removal of the roof lantern and the dark staining of the timber frame, the garden room would continue to have an uneasy relationship with the barn. The ornate style of the extension would jar with the traditional character of the barn, and this would be emphasised by the misalignment between the eaves of the extension and the barn resulting in the extension appearing out of character and out of scale with the main building.
8. The development as amended would appear as an incongruous addition to the barn and its annexe, which would be visually intrusive and cause significant harm to their character and appearance as historic rural Kentish vernacular buildings, thereby also diminishing their significance as non-designated heritage assets. The harm identified would be apparent from the locality, in particular from Romden Road where views into the site are afforded.
9. It is acknowledged that the earlier planning permission was for a larger footprint. However, that scheme was not technically feasible and the certificate of lawfulness had not taken into account that permitted development rights had been removed for such development. Furthermore, although the proposal would provide improved living space this is largely a private benefit. The appellant suggests that by adding and improving the building its life will be extended. I have little evidence that improvements to extend the building's life could not be achieved without the garden room extension and I give limited weight to this matter.
10. I conclude that the proposal would harm the character and appearance of the host property and the area. The development therefore conflicts with policies, SP1, SP6, HOU8, ENV3a and ENV13 of the Local Plan, which collectively seek to ensure that developments, including extensions, are of high-quality design and do not cause significant harm to the character and appearance of the local area, and conserve or enhance designated landscapes and the Framework, which requires regard to be had to the significance of non-designated heritage assets.

Other Matters

11. I acknowledge the circumstances which have led to this point including the certificate of lawful development, the advice provided by the company who erected the garden room and the possibility that the development may result in enforcement action with the potential cost implications for the appellant. However, it is acknowledged that the property does not enjoy permitted rights under the GPDO and I have consequently considered the development on its own merits.

Conclusion

12. The proposal would conflict with the development plan as a whole and there are no material considerations, which would indicate that a decision should be made otherwise. For the reasons given above I conclude that the appeal should be dismissed.

J Pearce

INSPECTOR