



Appeal Decision

Site visit made on 23 April 2024

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th May 2024

Appeal Ref: APP/U2235/D/23/3331294

Burnea Oast, Lower Road, West Farleigh, Kent ME15 0PF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs Fowles against the decision of Maidstone Borough Council.
- The application Ref is 23/503301/FULL.
- The development proposed is a loft conversion to roundel including the addition of staircase and Velux window.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was published by the Government on 19 December and updated on 20 December 2023 and accompanied by a written ministerial statement (WMS). I am familiar with the content of the revised Framework and the accompanying WMS and none of the revisions to the Framework would be material to this appeal. Having considered the revisions and in light of the principles of natural justice, in this instance I do not consider it necessary to invite any submissions from the parties on the revised Framework. Any references to the Framework hereafter in this decision are to the latest version.
3. The appellant has confirmed that the original applicant is Mr and Mrs Fowles. The Council has raised no objection to this, and as no parties' interests would be prejudiced, in the interests of clarity the appellant for the purposes of the appeal is Mr and Mrs Fowles as detailed in the heading above.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property a non-designated heritage asset (NDHA) and the surrounding area.

Reasons

Character and appearance

5. The appeal site is a traditional oast house associated with the Kent countryside. The property has been converted into a dwellinghouse and contains three distinctive circular kilns. The site is located in a prominent position close to the junction of Lower Road and Teston Lane in West Farleigh. The surrounding area has a general rural appearance with hedgerows and vegetated boundaries providing a verdant setting and good screening. The proposal seeks to convert the upper parts of the kilns to create a second floor of habitable space, and

also the inclusion of a modest lead covered flat roof dormer with “sun tube” to light an internal staircase. The proposal also provides a new rooflight to the largest kiln roof, which would be most visible on the southwest elevation.

6. The National Planning Practice Guidance advises that NDHAs are identified by plan-making bodies via a number of processes, which can include being designated as part of the decision-making process on planning applications¹. The Council has identified the site, through the application process, as a NDHA.
7. The appeal site makes a positive contribution to the character and appearance of the surrounding rural area through its architectural value, accentuated by its prominent position within the rural landscape, close to the roadside. The age of the oast house and the use of traditional materials and construction techniques, provide a historical and an attractive architectural interest to the area. As such the site contains a level of historical and architectural value that would be sufficient for this building to warrant being considered a NDHA.
8. The proposal is relatively small scale in the streetscape and has been designed to have as modest impact on the NDHA as possible. Whilst the discreet positioning would provide only small glimpses of the proposal from public vantage points, nevertheless, the proposal would be clearly identifiable as an extension to the oast house due to its physical relationship to the kilns. Whilst subservient in height, its contrasting shape to the round kilns would result in an extension that would jar with the existing features. The proposal would therefore have a harmful effect on the character and appearance of the surrounding area, including the effect on the NDHA.
9. Paragraph 203 of the Framework states that the effect of an application on the significance of a NDHA should be taken into account in determining that application. In weighing applications that directly or indirectly affect an NDHA, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
10. The proposed development would improve the quantity of internal living accommodation within an existing dwelling and, therefore, would lead to an improvement in the local housing stock, a benefit that would carry moderate weight in support of the scheme. However, based on the evidence before me, this benefit does not outweigh the harm that would be caused to the host property as a NDHA, and within the surrounding rural area.
11. As such, I find conflict with the requirements of Policies SP17, SP18, DM1, DM4, DM30 and DM32 of the Maidstone Borough Council Local Plan, adopted October 2017, the aims, and objectives of the Maidstone Borough Council Supplementary Planning Document – Residential Extensions, adopted May 2009 and the provisions of the Framework in so far as they relate to this main issue. Cumulatively, these policies seek well designed development which conserves and enhances the countryside, whilst also ensuring the quality, distinctiveness and diversity of heritage assets are protected and where possible enhanced, amongst other things.

Other Matters

12. The appellant draws my attention to other properties that have undertaken extensions in the local vicinity, and I had regard to these properties during my

¹ Paragraph: 040 Reference ID: 18a-040-20190723

site observations. However, I have been presented with little substantive evidence relating to their planning history, designations or any planning policy in place at the time when these developments were extended, thus I am unable to directly compare these examples. Furthermore, these limited examples do not provide an overriding influence over the character of the area. In my view, the proposal would harm the character, prominence, and interest of the NDHA. I have therefore dealt with the appeal proposal on its individual merits.

Conclusion

13. For the reasons given above the appeal should be dismissed.

Robert Naylor

INSPECTOR