



Appeal Decision

Site visit made on 8 October 2024

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th October 2024

Appeal Ref: APP/U2235/D/24/3338307

**Little Hawkenbury Cottage, Hawkenbury Road, Hawkenbury, Kent
TN12 0DU**

- 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 Hawkins against the decision of Maidstone Borough Council.
 - The application Ref is 23/505120/FULL.
 - The development proposed is erection of a detached garage and garden store with storage area above.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a detached garage and garden store with storage area above at Little Hawkenbury Cottage, Hawkenbury Road, Hawkenbury, Kent TN12 0DU in accordance with the terms of the application, Ref 23/505120/FULL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the building hereby permitted shall match those used in the existing dwelling.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - HA/22/101.01 Rev A, Proposed Floor Plans, Elevations & Site Section
 - HA/22/101.02 Rev A, Location Plan, Existing & Proposed Block Plan

Preliminary Matters

2. The Maidstone Borough Council Local Plan Review 2021-2038 (LPR) was adopted in March 2024 and its policies supersede those listed in the reason for refusal. Both parties have had an opportunity to comment on relevant policies in the LPR, and I have had regard to the adopted development plan when considering the appeal.

Main Issues

3. The main issues are the effect on the character and appearance of the countryside, and whether the proposal would preserve or enhance the significance and setting of the Grade II Listed Building.

Reasons

Character and Appearance

4. Little Hawkenbury Cottage is a brick and weatherboarded cottage, with steep plain clay tiled roof and prominent chimney. It stands in a spacious garden plot, in a rural location. On one side is a traditional barn, converted to a dwelling and there is a range of modern agricultural buildings to the rear. The proposed garage/store would be within a gravelled area which was being used for parking and outdoor storage at the time of my site visit. This part of the site is screened behind a hedge, separating the parking and storage from the planted garden. However, it appears to remain intimately connected with the cottage and its garden, by the intervening gates and garden path.
5. The garage/store would be set well back, behind the cottage and also behind the hedge. In this position, it would be clearly associated with the host dwelling, while not being so close as to compete with it. In views from the road, it would be seen in conjunction with both the cottage and the modern agricultural buildings to the rear. Consequently, while the building would be visible from the lane, above the hedge, it would relate well to the existing collection of buildings and would not harmfully intrude into open countryside.
6. The hipped roof form and steep pitch would reflect the detailing of the cottage and would be comparable to other timber framed outbuildings nearby. Whereas the cottage is on two storeys with pitched roof above, the upper floor of the garage/store would be within the roofspace. Consequently, the eaves and ridge line would be significantly lower than those of the cottage, particularly on the more visible front elevation. There would be no dormer windows. The two modest rooflights would not dominate the roof slope and the garage doors and open fronted storage area would have a quiet, simple appearance. Although the building would be relatively tall, these aspects of the design, together with its rearward siting, are sufficient to ensure that it would be understood as an ancillary building, subservient to the host dwelling.
7. The amount of garaging would be in reasonable proportion to the requirements of a single dwelling. While ancillary buildings are often on a single storey, having concluded that the scale and form of the building would be visually acceptable, use of the roofspace for purposes incidental to the dwelling, such as storage, would not in itself be harmful.
8. For the above reasons, I conclude that the proposed development would not be harmful to the character and appearance of the countryside. It would not conflict with relevant requirements in Policies LPRSP9, LPRSP15, LPRHOU11 and LPRQD4, which include that residential outbuildings should be well designed and sympathetically related to the existing dwelling, subservient in scale, location and design and visually acceptable in the countryside. The proposal would also respond satisfactorily to the guidance in the Residential Extensions SPD 2009, in relation to scale, design, ancillary function and siting and to relevant paragraphs of the National Planning Policy Framework (the Framework) regarding good design.

Effect on Listed Building

9. Little Hawkenbury Cottage is a Grade II listed building, described on the statutory list as a farmhouse, dating back to the 17th Century or earlier. Its

significance derives both from the surviving vernacular timber framed architecture, and its historic function as a farmhouse. Consequently, the nearby farmyard, converted barn and surrounding countryside contribute positively to the setting of the listed building, since they enable its historic role as a farmhouse to be appreciated.

10. The position of the garage/store would not compromise the clear distinction between the dwelling in its garden plot and the adjacent farmyard. Nor would the development detract from appreciation of the cottage's vernacular architecture and detailing, given the distance between the two buildings and the use of harmonious detailing on the proposed garage/store.
11. The introduction of a domestic outbuilding would not in principle prevent the listed building's historic function as the farmhouse from being understood, since it is not uncommon for farmhouses to benefit from outbuildings for domestic use. Although there has been other development nearby, including conversion of the adjacent barn, the cottage would not appear overcrowded or overwhelmed. It would continue to be the most prominent building within its spacious plot, and clearly identifiable as the original farmhouse, in front of and alongside associated agricultural buildings.
12. I therefore conclude that the proposed development would preserve the significance and setting of the Grade II Listed Building. There would be no conflict with relevant requirements in Policies LPRSP14(B) and LPRENV1 of the LPR which require that development conserves and where possible enhances the significance of heritage assets and their setting. Nor would there be any conflict with relevant paragraphs of the Framework regarding development affecting heritage assets, or the statutory obligations in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Other Matters

13. The application was for works to an existing dwelling and the building is described as providing garaging and garden storage. There is no indication that it would be severed from the host dwelling or used as a separate unit of accommodation, and I have considered the proposal as submitted. Should any material change of use be proposed in future, that would require a separate grant of planning permission which would be for the Council to consider, taking account of the development plan and all relevant material considerations.

Conditions

14. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance (PPG). As a result, I have amended some of them for consistency and clarity and have omitted others.
15. I have imposed a condition requiring compliance with the approved plans, in the interests of certainty. The proposed facing brick, roof tiles and timber cladding are specified in the application and reflect the equivalent materials on the existing dwelling. External materials for other building elements are not so clearly specified, although the Design and Access Statement confirms that they would match equivalent details on the cottage. I have accordingly

imposed a condition requiring that all external materials match those on the existing dwelling, for the avoidance of doubt.

16. While the site is in the countryside, there is no indication that existing vegetation or other features of biodiversity value would be affected. While Policy LPRSP15 of the LPR includes a general requirement that development should protect and enhance any on-site biodiversity features, no such on-site features have been brought to my attention. As such, it has not been established that a condition requiring approval and implementation of biodiversity enhancements would be relevant to the proposed development, or that such a requirement would be necessary to make it acceptable in planning terms. On that basis, I have not imposed the condition recommended by the Council, since based on the evidence before me it would not satisfy the tests in the Framework.

Conclusion

17. The proposed development would accord with the development plan and no material considerations indicate that a decision should be made otherwise than in accordance with the development plan. Therefore, the appeal is allowed.

Jane Smith

INSPECTOR