
Appeal Decision

Site visit made on 14 October 2025

by **S F Barnes MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th November 2025

Appeal Ref: APP/L2250/D/25/3370841

Doghouse Farm, Stone Street, Petham, Kent CT4 5PU

- 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 Nadim Safdar against the decision of Folkestone and Hythe District Council.
 - The application Ref is 25/0659/FH.
 - The development proposed is described on the application form as: "Construction of a single-storey pool house to enclose an existing swimming pool. It is proposed that the pool enclosure is constructed from white timber and that class glazing is used to infill between the timbers. The enclosure uses a shallow pitched roof of 20 degrees and is approximately 129 square meters in area."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is proximate to Doghouse Farmhouse (referred to on the Historic England List Entry as 'Dog House Farmhouse', and hereafter referred to as 'the Farmhouse'), a grade II listed building, I am mindful of my statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving its setting.
3. The site is also within the Kent Downs National Landscape (KDNL). The statutory purpose of designation as a National Landscape is to conserve and enhance the natural beauty of such an area. In making this decision, I have a statutory duty to seek to further that purpose as set out in section 85(A1) of the Countryside and Rights of Way Act 2000 (as amended) (CRWA).

Main Issues

4. The main issues are:
 - whether the proposal would preserve the setting of the nearby listed building, the Farmhouse; and
 - the effect of the proposal on the character and appearance of the area, with particular regard to the landscape and scenic beauty of the KDNL.

Reasons

5. Doghouse Farm is an historic farmstead comprising the Farmhouse, scattered domestic garden outbuildings, and land used as vineyards and for livestock grazing. The Farmhouse, an annexe and entrance driveway are set within a large,

landscaped garden. The garden is visually isolated from Stone Street and from much of the surrounding farmstead by substantial hedges, mature trees and tall boundary gates at the highway.

6. Beyond the immediate and defined garden area is an outdoor swimming pool, together with its pool house and a tennis court. These are largely screened from views out of and immediately around the Farmhouse by an established hedge. The facilities are, however, seen in views from around the area of vineyard lying to the east of the pool house and from the livestock field.
7. The outer perimeter of the vineyards and livestock field are bounded in part by dense woodland or by lines of large established trees which effectively screen the farmstead from public vantages outside of its perimeter. A Public Right of Way (PROW) runs from Stone Street to a dense wooded area. Large trees and vegetation screen the Farmhouse and the location of the proposal from view along the full length of this PROW.

Setting of the listed building

8. The Farmhouse, a detached two-storey dwelling, dates from the 17th century with later alterations. Its significance is partly derived from its historic function as a farmhouse and the traditional materials and methods used in its construction.
9. Pertinent to this appeal, in relation to the settings of listed buildings and contribution they make to the special interest and significance of assets, I have had regard to the definition of setting within the National Planning Policy Framework (the Framework).
10. The enclosed grounds within which the farmhouse sits have an historic, visual and functional connection with the heritage asset. The rear garden, in particular, is formed of an open and verdant area laid to lawn. This forms the asset's immediate setting and it is from here that the asset is best appreciated as the principal domestic building within the farmstead. This immediate setting contributes positively to the asset's special interest and significance.
11. Beyond this, the surrounding area is made up of an extended garden area comprising a swimming pool and tennis courts, together with vineyards and open fields. This surrounding area forms part of the asset's wider setting. Although direct views of the heritage asset are, in part, screened by established landscaping and tree canopy, a clear visual connection remains. This is irrespective of whether this part of the site had historically formed part of the Farmhouse's curtilage, as argued by the appellant. The wider setting makes a positive contribution to the asset's special interest and significance.
12. The proposal would fully enclose the currently open swimming pool and its immediate surrounding area. The overall bulk, scale and massing of the structure would result in a considerable presence in this part of the site. It would dominate and harmfully urbanise its largely rural and open character. The frequent glazing bars at the roof level together with heavy supporting timbers would contribute to an incongruous solid appearance, particularly at its long flank facades. The use of lightly-coloured timber would further draw the eye, in contrast with more recessive colours of materials used in established garden structures which, to an extent, allow those features to blend with their verdant surroundings. The proposal would harmfully erode the historic and rural wider setting of the Farmhouse, compete

with the prominence of the Farmhouse against its surroundings and diminish the ability to fully appreciate the significance of the asset.

13. Paragraph 212 of the Framework states that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to their conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification.
14. Given the nature and scale of the proposal, I find it would result in a moderate level of less than substantial harm to the significance of the Farmhouse. Paragraph 215 of the Framework indicates such harm should be weighed against the public benefits of the proposal. Planning Practice Guidance on the Historic Environment sets out that public benefits should flow from a proposed development and should be of a nature or scale that is of benefit to the public at large.
15. The appellant does not dispute that the primary benefit secured by the proposal would be an indoor pool facility for use by the occupiers of Doghouse Farm. This would not form a meaningful benefit to the public at large. The appellant highlights that the proposal would support investment and conservation of the Farmhouse in general terms, including by sustaining its ongoing use. However, there is no substantive evidence before me to suggest that this use would be at risk were the appeal not to succeed.
16. It is suggested that the proposal would be reversible and that it avoids the need to alter historic fabric. However, permission has been sought for a permanent structure and I have considered the appeal on this basis. Moreover, even if I were to accept that the proposal would be reversible, this is highly unlikely to occur once erected. The lack of harm to historic fabric is acknowledged, but this would not lessen the harm to the listed building's special interest and significance overall.
17. I accept that additional soft landscaping could, in principle, be employed to screen the proposal from certain views. No landscaping scheme is before me, however, and I cannot be certain that any such screening would result in a harmonious relationship with the surrounds and the Farmhouse. In any event, soft landscaping could not be relied upon in perpetuity to provide the mitigation required.
18. In the absence of sufficient public benefits to outweigh the considerable importance and weight that I attach to the harm I have found, I conclude that the proposal would fail to preserve the setting of the grade II listed building, the Farmhouse. Consequently, it would harm the significance of this designated heritage asset. This would conflict with the requirements of section 66(1) of the Act, paragraph 215 of the Framework and with relevant provisions of Policy HB1 of the Folkestone and Hythe District Places and Policies Local Plan (September 2020). In summary, this policy expects proposals to make a positive contribution to its location and surroundings through their design and to integrate proposals with heritage assets.

Character and appearance, including National Landscape

19. The special qualities of the KDNL are set out in the Kent Downs Area of Outstanding Natural Beauty (AONB) Management Plan 2021-2026. So far as

relevant to this appeal, they include its well-ordered, farmed landscapes, the contribution made by woodland landscapes and trees, its sporadic farmsteads and distinctive architecture making use of local materials. These qualities are all in evidence within the surrounding area. Doghouse Farm as a whole is a positive contributor to these distinctive qualities.

20. The proposal would broadly occupy an area of existing hard surface. It would be single-storey in nature and would consolidate a group of outbuildings closely associated with Doghouse Farm. The site and its surrounding landscape are relatively flat and I accept that it does not lie within a prominent or exposed ridgeline or key view 'corridor' across the wider landscape. However, the design, scale and appearance of the proposal would result in a degree of visual harm when seen in views within and across the farmstead. It would introduce a highly domestic and incongruous feature to this part of the site. All of this land contributes to the special qualities of the KDNL. Overall, and taking into account the mitigating factors of the proposed development, I find there would be a low degree of harm to the National Landscape.
21. I appreciate that consideration has been given to minimising the impact of the proposal through its siting. At my site visit, I observed extensive and tall screening along the perimeter of the farmstead. This limits views from public vantage points towards the site both from the PROW and other adjoining land. Despite this, and as already set out above, this screening cannot be relied upon in perpetuity to mitigate the potential lasting, harmful effect of the development in wider views, including across the KDNL.
22. Although I find the harm to be localised, paragraph 189 of the Framework directs that great weight is to be given to conserving and enhancing landscape and scenic beauty in National Landscapes. Likewise, the statutory duty is to seek to conserve and enhance such areas, which is a high threshold. For these reasons, I have attributed considerable importance to this harm.
23. Concluding on this main issue, I find the proposal would harm the character and appearance of the area, with particular regard to the landscape and scenic beauty of the KDNL. This would fail to accord with the relevant provisions of Policy HB1 of the Local Plan, particularly as it relates to integrating proposals with green infrastructure. I find the proposal would also conflict with the duty set out in the CRWA and with relevant provisions of Policy CSD4 of the Folkestone and Hythe District Council Core Strategy Review (2022), which align with the objective of the Framework in seeking to conserve and enhance landscape and scenic beauty of the KDNL.

Other Matters

24. In making this decision, I am obliged by the Public Sector Equality Duty¹ to have due regard to the need to eliminate discrimination against persons with protected characteristics, to advance equality of opportunity for those persons and to foster good relations between persons who share a relevant protected characteristic and persons who do not.
25. The appellant has explained that the proposal would enhance the amenity and recreation value of the existing outdoor pool, including for disabled family

¹ As set out in section 149 of the Equality Act 2010.

members. The appellant states that the benefit to these persons is enabling year-round access to the facility provided by the pool. This is a matter to which I give moderate weight in assessing the proposal.

26. Whilst I recognise that this facility would be of benefit to occupiers with protected characteristics, the available evidence does not persuade me that this benefit could not be achieved through an alternative or less harmful form of development. As I have set out above, the proposal would result in harm to the significance of a heritage asset as well as harm to the character and appearance of the area, including an area designated as National Landscape. The Framework directs that harm in these respects should carry great weight. Therefore, I conclude that this factor is not sufficient to outweigh the harm I have found in respect of the main issues.
27. My attention has also been drawn to the Council's previous decision to grant permission for a hard surface and fence to provide a tennis court in the area adjoining the pool. Whilst only limited details are before me, it appears that the appeal proposal is a distinctly different form of development from that scheme in terms of its appearance and siting. Accordingly, this has not led me to a different conclusion on the main issues.
28. I appreciate that the Parish Council raised no objection to the proposal. However, the lack of objection is a neutral matter.

Conclusion

29. For the reasons given, the proposal would conflict with the development plan taken as a whole and there are no material considerations that outweigh this conflict. I therefore dismiss the appeal.

S F Barnes

INSPECTOR