



Appeal Decision

Site visit made on 4 December 2025

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal Ref: APP/E2205/W/25/3374390

Land 100m east of Homestall Farm, Ashford Road, High Halden, Ashford, Kent

- 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 Mrs Phyllis Jewell against the decision of Ashford Borough Council.
 - The application Ref is PA/2025/0791.
 - The development proposed is erection of 2no. residential dwellings, associated parking and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address above from the appeal form as it more clearly identifies the location of the site. I have taken the description of development above from the planning application form, removing wording that does not form an act of development, in the interests of clarity.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area including the setting of the adjacent Grade II listed Blackborne Cottage; and
 - whether the site is in a suitable location for the development proposed having regard to the Council's spatial strategy and the accessibility of services and facilities.

Reasons

Character and appearance

4. The appeal site comprises the central part of an open grass field which is bound by hedgerows. It currently has a distinctly rural character. Beyond the rear boundary vegetation is a fairly large pond and further grass fields. Opposite the appeal site is a detached dwelling of rural appearance which sits within a spacious plot alongside a grass field. To the west is an area of hardstanding which I am told forms a commercial storage yard, of which part is not a regularised use, with the dwelling of Homestall Farm located beyond. Directly adjacent to the east is the Grade II listed Blackborne Cottage (referred to in the listing description as 'Black Cottage'). The appeal site is not located within the Green Belt or an area designated as a National Landscape.

5. The appeal site sits within a ribbon of development along the southern side of the road. Other than the appeal site which remains undeveloped, there is continuous built form to either side of it along this part of Ashford Road. The area surrounding the appeal site, particularly along the southern side of the road appears more semi-rural in character, mainly due to the existing development that is present. Built form in this area is loosely arranged within spacious verdant plots and dwellings are generally of a more rural vernacular. The more spacious verdant plots and the layout and design of built form contribute positively to the character and appearance of the area.
6. Blackborne Cottage is an 18th Century two storey dwelling, which is constructed of red brick at ground floor level with hung tiles above. It is formed of two parallel ranges and has a half hipped roof at one end to the front. Its significance lies in its architectural and historic merit as a rural dwelling. The more semi-rural character and appearance of its surroundings also contribute to its significance. The appeal site is situated outside of the land that directly surrounds Blackborne Cottage but it is viewed alongside it and I find that the undeveloped and rural characteristics of the appeal site do form part of its wider setting.
7. The Council assert that development on the appeal site would remove an open area of land that plays an important role in the sensitive transition between the settlement and the countryside as well as an important visual break between the village of High Halden and Durrant Green which was once a small hamlet. It also considers that the development of the appeal site would have a detrimental effect on the setting of Blackborne Cottage.
8. Following my site visit, I find that the existing ribbon development that has already occurred along the southern side of the road has resulted in a change in character over time from rural to more semi-rural. I find that whilst the verdant and open character of the appeal site is a positive feature, it does not necessarily play a significant role as a transitional space between the settlement and the countryside. I also do not find that the proposal would be overly harmful in terms of eroding a visual break between the two settlements, given the additional built form that has been introduced in the surrounding area and how this has affected the pattern of development.
9. However, whilst I consider that the proposal would not result in a development of cramped appearance, I do find that the proposed layout would appear more suburban than semi-rural. This is mainly due to the more regimented layout of the two dwellings and the overall design approach taken. This consistency in siting and design approach would be at odds with the surroundings and would harmfully dilute the semi-rural character of the area.
10. I note that development has occurred adjacent to Blackborne Cottage both to the east and to the southeast which has reduced the visual connection between the listed building and the more rural landscape that once surrounded it. However, the more suburban design approach would further erode the connection between Blackborne Cottage and its wider setting which retains a semi-rural character. Despite the separation identified between the built form of the proposal and the boundary with Blackborne Cottage, they would be clearly seen alongside each other in views from the road, above the hedgerow. The proposed development would therefore result in harm to the wider setting of the listed building which in turn would not preserve its significance.

11. There is an existing vehicular access from Ashford Road which would be used for the development. However, it appears that a significant part of the hedgerow would need to be removed or reduced to allow for sufficient visibility. I note the appellant's assertion that an appropriate landscaping scheme could be secured by condition. However, based on the information before me, it is not clear what level of removal or reduction works would be needed, the proposed landscaping that might be required to mitigate for the loss or what effect this might have on the established boundary treatment which currently makes a positive contribution to the semi-rural character of the area.
12. The garden areas proposed for the two dwellings would be more limited with the remainder of the existing field being used for off-site ecological enhancements which would include additional planting. Space would also be provided between the two dwellings and to either side and they would be set back from the road. Nevertheless, these features would not overcome my concerns regarding the more suburban layout.
13. Paragraph 212 of the National Planning Policy Framework (the Framework) sets out, when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 goes on to state that, significance can be harmed or lost from development within its setting and that this should have clear and convincing justification.
14. Given the nature and extent of the development proposed, I find the harm to the significance of the listed building to be less than substantial. I find that the harm would be towards the lower end of the scale, however, this should not be equated with a less than substantial planning objection. Paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
15. The proposal would result in two additional dwellings on a small site in an area where the Council cannot currently demonstrate a sufficient housing land supply. There would be economic benefits during the construction phase and after with future occupants supporting the local economy. Environmental benefits would also result from the use of renewable technologies, biodiversity net gain and ecological enhancements. Nevertheless, given the scale of the development, the public benefits carry only limited weight in favour of the proposal. Therefore, I find that the public benefits are insufficient to outweigh the great weight afforded to the preservation of the designated heritage asset.
16. Consequently, I find that the proposal would result in harm to the character and appearance of the area and would fail to preserve the wider setting of the adjacent Grade II listed building. I have found that the public benefits would be insufficient to outweigh the harm to the designated heritage asset. The proposal would therefore be contrary to Policies SP1, SP6, ENV3a, ENV13 and HOU5 of the Ashford Local Plan 2030 Adopted February 2019 (LP). These policies seek, amongst other things, that developments respond positively to character, distinctiveness and sense of place, demonstrate particular regard to the setting and layout of vernacular buildings and the retention of local landscape character features and that they conserve or enhance designated heritage assets and where it would cause less than substantial harm, the harm is weighed against the public benefits.

Location

17. There is no dispute between the parties that the appeal site falls outside of any defined settlement boundary as identified in the LP and is therefore considered as being in the countryside for the purposes of the development plan.
18. Policy HOU5 of the LP states that proposals for residential development adjoining or close to the existing built up confines of certain settlements, including High Halden, will be acceptable subject to a number of criteria, including criterion b), that the site is within easy walking distance of basic day to day services in the nearest settlement, and/or has access to sustainable methods of transport to access a range of services and criterion d) that development is located where it is possible to maximise the use of public transport, cycling and walking to access services.
19. The appeal site is located outside of the main built up area of High Halden but nevertheless, it does not appear to be significantly removed from it. I noted during my site visit that a continuous pavement runs from the appeal site frontage into High Halden where there is a primary school, shop, public house, park, village hall, church and barber shop. There is also a bus stop a relatively short walk from the appeal site which would provide access to the local bus service. Interested parties suggest that the bus service has reduced, nevertheless it would still provide an option alongside the services and facilities available within High Halden.
20. I note that there is no formal crossing point for pedestrians and users would have to cross the road to access the village services and facilities and the bus stop. However, the visibility is good in both directions, and the road is restricted to 30mph within the centre of the village and 40mph between the appeal site and the edge of the village. The justification text to Policy HOU5 suggests a walking distance of 800 metres, nonetheless, it also states that the distance that might be appropriate will depend on the specific local context. Whilst the distance to the services and facilities in High Halden would be more than 800 metres, most of them could be accessed from the appeal site within approximately a 15 - 20 minute walk.
21. I acknowledge that there are no safety barriers separating users of the pavement from the road nor are specific traffic calming measures present. Nevertheless, the pavement appeared to be of a useable width, and I noted that there were streetlights located along the full stretch of the road from the appeal site to the centre of the village. Therefore, I find that it would be an accessible option for many. Future occupants would also be able to cycle into the village in a shorter timeframe. Given the road has speed restrictions and the journey by cycle would be direct and relatively short I consider this may be an option for some. I do not find that the distance to the bus stop, or the need to cross the road, would be likely to significantly disincentivise future occupants from using the bus service.
22. In conclusion, I find that the appeal site would be in a suitable location for the proposed development, taking into account the Council's spatial strategy and the accessibility of services and facilities. The proposal would therefore comply with Policies SP2 and the relevant criteria of HOU5 of the LP which seek, amongst other things, that developments are sited in accordance with the spatial strategy and that occupiers of new development can access services and facilities using sustainable methods of transport.

Other Matters

23. It is asserted that the site is not at risk of flooding and that sufficient parking and turning, outdoor amenity space and living conditions would be provided for future occupants. It is also stated that there would be no unacceptable harmful impacts on the living conditions of neighbouring occupiers. Even if I were to agree, a lack of harm or policy compliance in these respects would be a neutral consideration that would weigh neither for nor against the proposal.
24. I note that the scheme before me now has been revised following a previous proposal being refused by the Council and that the appellant has sought to resolve the issues previously raised. Nevertheless, I must consider the appeal scheme before me based on its individual merits.
25. I acknowledge the letter of support from an interested party, provided in response to the planning application. Nevertheless, for the above reasons I have taken a different view in this case.
26. The Council has confirmed that it cannot currently demonstrate a sufficient housing land supply. In such circumstances, paragraph 11 d) of the Framework advises that planning permission should be granted, unless policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. I have found that the proposal would fail to preserve the setting of the Grade II listed Blackburne Cottage. Consequently, the application of policies in the Framework that protect assets of particular importance provide a strong reason for refusal. As a result, the presumption in favour of sustainable development does not apply in this case.

Conclusion

27. For the reasons given above, the proposal would conflict with the development plan as a whole and there are no other material considerations, including the Framework, that would outweigh that conflict. Therefore, I conclude that the appeal should be dismissed.

G Dring

INSPECTOR