
Appeal Decision

Site visit made on 10 September 2019

by Neil Smith BA Hons BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2019

Appeal Ref: APP/U2235/W/19/3232201

**Cossington Fields Farm North, Bell Lane, Boxley, Maidstone, Kent
ME14 3EG**

- 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 Mr E Moore against the decision of Maidstone Borough Council.
 - The application Ref 18/500535/FULL, dated 23 January 2018, was refused by notice dated 31 January 2019.
 - The development proposed is a garage, store, workshop, detached building.
-

Decision

1. The appeal is dismissed

Procedural Matter

2. I saw from my site visit that a building has been constructed at the appeal site. The building reflects the plans that were considered by the Council at planning application stage and 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 Area of Outstanding Natural Beauty.

Reason

4. Cossington Fields Farm North lies within the Kent Downs Area of Outstanding Natural Beauty (AONB) and the Dry Valleys and Downs Landscape Character Area (LCA). In line with paragraph 172 of the National Planning Policy Framework (the Framework), great weight should be given to conserving and enhancing the scenic beauty of AONBs which have the highest status of protection in respect of those matters.
5. According to the Maidstone Landscape Character Assessment (2013) (the LCA) is characterised by open and expansive downland, interspersed with woodland. On the North Downs plateau there is a tendency for larger arable fields. The settlement pattern is one of small settlements and isolated farmsteads scattered widely. The landscape in the vicinity of the site corresponds to that description. It is remote, on top of a plateau, where there are wide-open views and is clearly visible from public vantage points. Therefore, notwithstanding the commercial nature of parts of the site, the overall appearance of the site is one with a mix of differently designed buildings sufficiently spaced away from each

- other to give the farm complex a sense of openness. I am mindful of the policies contained within the Kent Downs AONB Management Plan (2014-2019) requiring development to conserve and enhance natural beauty of AONB to which I attach substantial weight.
6. The appeal site is a rectangular plot and accommodates an “L” shaped two-storey detached building. The site is in a prominent position at the entrance to the farm complex which is accessed via a single-track lane.
 7. I note from the Design and Access Statement that the building has been designed to display a similar form, height and scale of a rural single storey dwelling with dormers in the roof slopes. It has an overtly residential character due to the fenestration and size of the door openings and is located on a prominent corner adjacent to the entrance to the site. I find that the building, by virtue of its size and scale has significantly changed the appearance of the site. The domestic scale and design appears incongruous in the rural setting. Moreover, the prominent position of the appeal proposal, near to the barn building to the north, significantly erodes the openness of the land having an urbanising effect upon it. As noted above, openness is a key characteristic of this part of the AONB. I find that the lack of any landscape screening to the south and west boundaries results in an abrupt, hard edge to the adjacent fields and the proposal fails to successfully integrate into the local landscape.
 8. I note reference to former storage containers on the site, but I am not satisfied that their scale or subsequent visual impact within the landscape would have been comparable to that of the current building. Moreover, containers by their very nature would represent a less permanent intrusion into the landscape. In addition, I cannot rule out the possibility of containers being sited elsewhere on surrounding land if permission is granted for the structure. The Council have recommended a condition to prevent open storage at the site, but the red line boundary of the application is drawn tightly round the building and the access track and I am not satisfied that such a condition would necessarily prevent other storage buildings being brought onto land outside the application site.
 9. For all of those reasons, I conclude that the proposal represents a significant incongruous form of built development that reduces the open character of the site and causes significant visual harm to the intrinsic character and appearance of the AONB.
 10. Accordingly, the proposal conflicts with SS1, SP17, DM1, DM3, DM30, DM37 of the Maidstone Local Plan (2017); Policies SD1, SD2, SD3 and SD9 of Kent Downs AONB Management Plan (2014-2019); the Maidstone Landscape Character Assessment & Supplement (2012) and Landscape Capacity Study: Sensitivity Assessment (2015). These policies, amongst other things seek to ensure that proposals either conserves or enhances the character and appearance of the natural environment. It is also contrary to the aims of paragraphs 170 and 172 of the Framework which seek to protect valued landscapes and identify that great weight must be given to conserving or enhancing the landscape and scenic beauty of AONBs.

Other matters

11. I am aware that objections have been raised from neighbouring properties in relation to the suitability of the access road for the appeal proposal. I note that the highways authority do not object to the proposal and on the evidence

before me I am satisfied that no undue impact on highways safety would arise as a result of the proposal. The appellant states that the building is required to enable the expansion of his rural business on previously developed land. Whilst the Framework offers support for the expansion of rural enterprises, little information is before me with regard to the scale of the business at the site to demonstrate that additional floorspace is necessary. There are a number of existing buildings within the vicinity on land that appears to be in the control of the appellant, given the extent of the blue line on the application site plan. In the absence of any detailed justification I attach little weight to the arguments in that respect.

Conclusion

12. For the reasons given above the development has caused significant harm to the landscape and scenic beauty of the AONB and I am required to give great weight to that harm. No material considerations have been put forward that would outweigh that harm and I conclude that the appeal should be dismissed.

Neil Smith

INSPECTOR