

09 April 2025



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**NOTIFICATION OF DECISION OF THE LOCAL PLANNING AUTHORITY  
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

<b>Case Reference</b>	<b>PA/2025/0178</b>
<b>Site Address</b>	<b>Chestnut Barn, Crocken Hill Road, Egerton, Ashford, TN27 9EG</b>
<b>Proposal</b>	<b>Conversion of existing stable building into new self-build dwelling with change of use of the land to form associated garden land, parking, landscaping and biodiversity enhancements</b>

**DECISION: Planning Permission is REFUSED for the following reasons:**

**Refusal Reasons:**

- 1 The proposed development, if permitted, would result in the creation of new dwellings outside the built confines of Egerton or any other identified town or village within the Ashford Local Plan 2030, the need for which has not been demonstrated sufficiently to override normal restraint policies. It would constitute unsustainable unjustified residential development in this rural location resulting in additional vehicle movements and the need to travel by private car contrary to policies SP1, SP6 and HOU5 of the Ashford Local Plan (2030) and paragraphs 83, 84, 110 and 117 of the National Planning Policy Framework (2024).
- 2 The proposal, by reason of the over-domestication of the site generally would result in an unacceptable and visually intrusive form of development that would be detrimental to the rural character and appearance of the site and the wider landscape, together with the established pattern and nature of development in the area. Therefore, it would be contrary to the aims and objectives of Policies SP1, SP6, HOU5 and ENV3a of the Ashford Local Plan 2030 and paragraphs 135 and 187 of the National Planning Policy Framework (2024).

**Informatives:**

**Working with the Applicant**

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In accordance with paragraph 39 of the NPPF, Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions.

ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate. updating applicants/agents of any issues that may arise in the processing of their application,
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision.

In this instance, the applicant/agent was notified that the proposal was recommended for refusal.

- The following drawings and documents have been marked as refused as part of this determination

<b>Description</b>	<b>Date</b>
PROPOSED PLAN - 4850 - 11	29 January 2025
PROPOSED BLOCK - 4850 - 10A	5 February 2025
PROPOSED ELEVATIONS - 4850 - 12A	5 February 2025
SITE LOCATION - 4850 - 01A	12 February 2025

**Signed**



Simon Cole  
Assistant Director - Planning and Development

## **REFUSAL OF PLANNING PERMISSION**

### **Notes for the Applicant Appeals**

1. If you are unhappy with the disclosed Decision to refuse permission, you may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. Any appeal must be made within 6 months of the date of decision, or 6 months from the expiry of the period which the LPA had to determine the application. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate at least 10 days before submitting the appeal. You can notify the Planning Inspectorate via email at:-([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)). Further details are available on [www.gov.uk](http://www.gov.uk) However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is: .28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made. .28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months). NB – the LPA determination period is usually 8 weeks (13 weeks for major developments and 28 days for non-material amendment applications). If you have agreed a longer period with the LPA, the time limit runs from that date. The necessary form is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or by telephoning on:-0303 444 5000 or via their website: [www.planning-](http://www.planning-)

[inspectorate.gov.uk/pins/index.htm](http://inspectorate.gov.uk/pins/index.htm) A longer period for the giving of notice of an appeal may be allowed by the Planning Inspectorate but normally asks what special circumstances there are which excuse the delay in giving notice of an appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Borough Council.

### **Beneficial Use**

2. If permission to develop land is granted subject to conditions, whether by the Borough Council or by the Secretary of State and you, as owner of the land, claim that it has become incapable of reasonable beneficial use, you may serve on the Borough Council a Purchase Notice requiring the Borough Council to purchase your interest in the land in accordance with the provision of Part IV of the Town and Country Planning Act 1990. Before following this course of action it is suggested that you seek the advice of a Planning Consultant or a Solicitor.