
Appeal Decision

Site visit made on 16 May 2017

by AJ Steen BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 June 2017

Appeal Ref: APP/U2235/W/17/3169812

Land at Harple Lane, Detling ME14 3EU

- 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 F Ford against the decision of Maidstone Borough Council.
 - The application Ref 16/506764/FULL, dated 8 September 2016, was refused by notice dated 28 November 2016.
 - The development proposed is the change of use of land at Harple Lane, Detling to include parking and landscaping and to allow for the siting of a mobile home holiday let.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed development would comprise the stationing of a caravan up to the maximum size set out in the Caravan Sites and Control of Development Act 1960. A site plan has been provided demonstrating a possible position for the mobile home, but I note that it would not necessarily be located in that position and limited information as to the appearance of the mobile home has been provided. These matters could be required by condition if the appeal were to be allowed. I have taken this into account in coming to my decision.
3. I note that the draft Maidstone Borough Local Plan (MBLP) has been submitted for examination and the interim findings have been provided, along with copies of the proposed main modifications that have recently been subject of additional consultation. The extent of outstanding objections or whether the policies concerned will be considered as consistent with the National Planning Policy Framework (the Framework) is not clear. For clarity, I will refer to policies within the proposed main modifications rather than the plan as originally submitted. I will return to the weight to be attached to relevant policies contained within the MBLP in my reasoning.

Main Issue

4. The main issue is whether the proposed mobile home with parking and landscaping would conserve the landscape and scenic beauty of the Kent Downs Area of Outstanding Natural Beauty and Special Landscape Area.

Reasons

5. Harple Lane comprises a narrow lane that leads from the A249 dual carriageway, within an area defined as a Strategic Gap. There is limited
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development close to the junction, with a single dwelling to one side a short distance along the road, with woodland alongside the road as it leads up the hill from that point. Opposite is an open field, with a triangular area that forms the appeal site surrounded by trees before the first house on that side of the road, with linear development of houses from that point toward the village of Detling that provides a number of services including a public house. The A249 is located to the opposite side of that field, beyond a treed embankment. Harple Lane rises up the side of the hill within the Kent Downs Area of Outstanding Natural Beauty (AONB), where the Framework confirms that great weight should be given to conserving landscape and scenic beauty, and within a Special Landscape Area (SLA).

6. The proposed change of use of the appeal site would allow the stationing of a mobile home to be used as a holiday let, along with parking and landscaping. This would extend development further down the hill toward the junction with the A249, such that it would encroach further into the rural landscape and intrude on the scenic beauty of the area, rather than appearing as a transition from countryside to the built development of the settlement. Additional planting may soften this impact and existing landscaping would limit the effect on wider views within the AONB and SLA. However, these factors would not wholly overcome the harm resulting from the development on the landscape and scenic beauty.
7. As a result, the proposed mobile home with parking and landscaping would not conserve the landscape and scenic beauty of the Kent Downs AONB and SLA. As such, it would be contrary to Policies ENV28, ENV33 and ENV34 of the Maidstone Borough Wide Local Plan (MBWLP) and the Framework that resist development that harms the character and appearance of the countryside, conserve the natural beauty of the landscape within the AONB and protect and conserve the scenic quality and distinctive character of the area. These policies confirm that priority will be given to the landscape over other planning considerations. Policies SP17, DM1, DM3 and DM30 of the MBLP also seek to protect the appearance and character of the landscape, such that they are broadly consistent with the policies contained within the MBWLP and support my conclusions. Taking that into account, along with the stage of preparation of the MBLP, I have given them significant weight.
8. I note that the proposed development would provide a single mobile home for use as a holiday let such that Policy ED20 of the MBWLP and Policy DM38 of the MBLP that refer to the use of land for caravan and camping sites are relevant. Both policies confirm that sites for the stationing of caravans should not be an intrusive feature in the landscape or detrimental to the visual amenities of the surrounding area by reason of siting or appearance, albeit that the policies themselves do not preclude such uses within the AONB and SLA. Given the degree of consistency between the policies and the stage of preparation including that Policy DM38 of the MBLP has not been altered in the proposed main modifications, I attach very significant weight to this policy. Given my conclusions above that the proposed development would be intrusive within the landscape and detrimental to the visual amenities of the area, the proposed development would also be contrary to these policies.
9. I note that the Council conclude there would not be an adverse effect on highway safety from the proposed new access. Landscaping could be provided to ensure the proposed stationing of a mobile home would not adversely affect

the living conditions of residents of neighbouring dwellings. I see no reason to disagree with their conclusions in these regards.

10. The benefit of a mobile home to be used as holiday accommodation would be outweighed by the effect of the proposed development on the landscape and visual amenity of the area, including the landscape and scenic beauty of the AONB and SLA, contrary to relevant policies of the MWBLP and MBLP. As such, I conclude that the proposed mobile home with parking and landscaping would be contrary to the development plan as a whole. For these reasons and taking into account all other matters raised, I conclude that the appeal should be dismissed.

AJ Steen

INSPECTOR