
Appeal Decision

Site visit made on 1 July 2019

by Hilary Orr MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2019

Appeal Ref: APP/H2265/W/18/3215498

Land adjacent to Teston Road, Wateringbury ME18 5BG

- 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 and Mrs Brian Head against the decision of Tonbridge & Malling Borough Council.
 - The application Ref TM/18/01877/FL, dated 3 August 2018, was refused by notice dated 15 October 2018.
 - The development proposed is the erection of building to provide covered sand school for animal training.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the building on the character and appearance of the area.

Reasons

Character and appearance

3. The appeal site lies to the north of Wateringbury. The site comprises a triangular paddock with a gated access from Teston Road. The land forms part of a larger holding which includes a number of stables and outbuildings together with the main dwelling where the Appellant currently resides. Teston Road is a small narrow road that is predominantly rural in character. Fields and woodland lie to either side, interspersed with a small number of large detached residential properties. The site is currently screened with existing hedges and mature trees.
4. At present the site is laid to grass with the adjacent paddocks set out with dog agility equipment and training hides. It is located within the countryside and the appeal therefore needs to be considered within this policy context.
5. The proposed building would be sited centrally within the paddock. The Appellant confirms that it would be some 40 metres long by 20 metres wide, with an eaves height of some 5 metres and with a pitched roof over. The

Council opines that the overall height would be approximately 8 metres, including the dome roof light. It would be provided with timber cladding and has been designed to reflect agricultural buildings often found in rural areas.

6. The building is sought to provide a covered sand school for the private and recreational agility training of the Appellants' dogs to competition level. There would be no commercial activity associated with the proposed building.
7. The design and materials of the proposed building would reflect similar equestrian indoor sand schools and modern agricultural barns. I also recognise that when training dogs to competition level, they may benefit from comparable space and working surface to competition venues.
8. I acknowledge that the building has been sited to minimise any impact on the host and neighbouring properties. Nonetheless, this results in a building that appears visually disconnected from the dwelling and other buildings on the site. Moreover, the proposal introduces a very large building into an otherwise undeveloped paddock. Despite the hedge screening, the proposed building would be clearly visible to those using Teston Road. Its central siting within the paddock highlights its isolated position, height and scale.
9. I acknowledge that the ability to use training areas at home, in all weathers and at all times of the year, might help to provide some continuity to the animals training and would be both convenient and desirable. However, I am not persuaded, on the evidence before me, that a building on the scale of that proposed, could reasonably be considered essential for the private and recreational training of dogs.
10. Overall, I am not satisfied that the proposed building represents essential built infrastructure for an open recreational use. Moreover, the scale, design and siting of the building would significantly detract from the open, rural character of the countryside and would thus be inappropriate to the locality. The proposal would therefore conflict with Policy CP14 and Policy CP24 of the Tonbridge and Malling Borough Council, Local Development Framework, Core Strategy (2007) (TMBCS) and Policy DC4 of the Managing Development and the Environment Development Plan Document (2010). In summary these policies seek to restrict development in the countryside. New development for essential built infrastructure for predominantly open recreation will only be permitted where it is appropriate in scale and design to the locality and does not detract from the character of the countryside.

Other matters

11. I appreciate that the building would have a number of additional benefits, allowing agility equipment to be stored out of sight and minimise any resultant noise. I have also considered the various conditions suggested to restrict the use of the building and provide additional landscaping. However, these are not sufficient to overcome the significant harm I have found to the character and appearance of the countryside.

12. I am aware that the Council provided pre-application advice prior to the submission of this proposal. However, planning authorities are not bound by any informal advice given by officers. My assessment is therefore based on the circumstances of the case and the evidence before me.

Conclusion

13. For the reasons set out above the appeal is dismissed.

Hilary Orr

INSPECTOR