



Appeal Decision

Site visit made on 22 September 2020

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2020

Appeal Ref: APP/J2210/W/19/3242988

Oast House at Yockletts Farm, Church Lane, Waltham CT4 5QH

- 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 Mr M Izard against the decision of Canterbury City Council.
 - The application Ref 18/02077, dated 9 October 2018, was refused by notice dated 3 May 2019.
 - The development proposed is 'Rebuilding of the existing Oast house to be used as a Holiday let'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal site would constitute a suitable location for tourist accommodation, having regard to national and local planning policy.

Reasons

3. The appeal site lies approximately 1.5km away from the village of Waltham, within an area of rural character where sporadic development is evident in most views. The site comprises the ruins of a former oast house which was historically used in connection with Yockletts Farmhouse, a Grade II listed building located on the opposite side of Church Lane.
4. Policy SP4 of the Canterbury District Local Plan¹ (LP) sets out the Council's strategic approach in respect of the location of development. Policy SP4 adopts a strict policy in respect of development proposals in the open countryside, which are only permitted if required for agriculture and forestry purposes. The proposed development would not meet any of these exceptions.
5. Policy TV8 of the LP permits the development of tourist accommodation, attractions and facilities in the countryside and villages, subject to a number of conditions. As detailed within the supporting text to Policy TV8, the Council seeks to support tourism initiatives which are appropriate in scale to their surroundings and reuse existing buildings, in order to prevent the proliferation of buildings in the countryside.
6. Having regard to its present condition, the appeal building would not be capable of being converted without major rebuilding works. The extent of the demolition and construction works required as part of the proposal would be so

¹ Adopted July 2017.

significant that the appeal scheme would in effect amount to new development in the countryside.

7. In respect of new buildings, Policy TV8 seeks to ensure that the development proposal is related to an existing settlement and is not isolated in the open countryside, to ensure that it does not have an adverse impact upon its character and appearance, and reduce the need for travelling by car. Insofar as is relevant to this appeal, the LP policies are considered broadly consistent with national policy relating to development in the countryside.
8. The appeal site lies some distance away from local facilities and services, including those in nearby villages, and there is no suggestion that the site is well connected to public transport links. Furthermore, it is of note that the proposed development would be accessed via narrow, unlit rural roads. Accordingly, and in the absence of substantive evidence to the contrary, I find it highly likely that most visitors would be largely reliant on private motor vehicles, not just to access the appeal site but also visit local shops, facilities and tourist attractions whilst staying there.
9. The proposal would support the local economy to some degree and would, in that regard, accord with the aims of the National Planning Policy Framework (the Framework) to enable the growth and expansion of businesses in rural areas. However, having regard to the available evidence, the benefits to the local economy would be likely to remain modest in scale, for the reasons detailed above. Additionally, I am not satisfied that the proposed development would constitute a sustainable form of rural tourism, notably by reason of its secluded location, away from existing settlements.
10. The proposed development would enable the restoration of the former oast house, which is regarded as a non-designated heritage asset forming part of the historic Yocketts Farm complex. While I recognise its local historical importance, the remaining fabric of the appeal building is in very poor condition and does not constitute a well-preserved example of its type. Although it seeks to respect the historic nature of the appeal site, the proposal would, as detailed above, require significant demolition and construction works which, to my mind, would detract from its remaining original form and would not be consistent with its conservation. Accordingly, I ascribe limited weight to the argument that the proposal would enable the re-use of a non-designated heritage asset.
11. I conclude that the appeal premises would not be capable of conversion without major rebuilding, by reason of the extent of the works required as part of the proposed development, and the site would not constitute a suitable location for the provision of tourist accommodation. It would therefore conflict with LP Policies SP4, TV8 and SP1, which emphasises the presumption in favour of sustainable development contained in the Framework.

Other Matters

12. As noted above, the appeal site lies within the setting of the Grade II listed Yocketts Farmhouse, and forms part of a landscape designated as the Kent Downs Area of Outstanding Natural Beauty (AONB) and an Area of High Landscape Value (AHLV). No concerns have been raised by the Council in these respects. Having regard to the available evidence, I concur with this view, and

- consider that the proposal would preserve the setting of Yocketts Farmhouse, but also the landscape and scenic beauty of the Kent Downs AONB and AHLV.
13. Since the determination of the planning application, Natural England has issued revised advice in respect of the effect of development proposals on the Stodmarsh designated sites. Stodmarsh is a site of national and international importance, and is thus recognised as a Special Protection Area, a Ramsar site, a Special Area of Conservation and a Site of Special Scientific Interest (SSSI). Some parts are also designated as a National Nature Reserve.
 14. High levels of nitrogen and phosphorous have been found within this sensitive water environment, and there is sound evidence that these nutrients are causing a dense of certain plants, otherwise known as eutrophication, which is impacting on Stodmarsh protected habitats and bird species. Natural England therefore consider that likely significant effects on the internationally designated Stodmarsh sites cannot be ruled out, by reason of the increases in wastewater entering the Stodmarsh catchment.
 15. As I am dismissing this appeal on other substantive grounds, this is not a matter which needs to be considered further here. However, had the development been considered acceptable in all other respects, I would have sought to explore the necessity for undertaking an Appropriate Assessment, to ensure the proposal's compliance with Habitats Regulations.

Conclusion

16. For the reasons detailed above, and having regard to all other matters raised, the appeal is dismissed.

S Edwards

INSPECTOR