
Appeal Decision

Site visit made on 3 May 2022

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th June 2022

Appeal Ref: APP/U2235/W/21/3286828

Stable at Stud Farm, Dunn Street Road, Bredhurst, Kent, ME7 3NA

- 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 Mrs N Hood against the decision of Maidstone Borough Council.
 - The application Ref 21/503146/FULL, dated 17 June 2021, was refused by notice dated 12 August 2021.
 - The development proposed is conversion of an existing stable at Stud Farm to provide a new two bedroom dwelling with associated parking, landscaping, private amenity space and external store.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed residential use would be appropriate;
 - the effect of the proposed development on the character and appearance of the area; having particular regard to the location of the site within the Kent Downs Area of Outstanding Natural Beauty (AONB); and
 - whether the proposed development would provide a suitable location for housing, having regard to the accessibility of services and facilities

Reasons

Appropriate Use

3. Policy DM31 of the Maidstone Borough Local Plan 2017 (LP) permits the conversion of rural buildings in the Countryside, subject to a number of detailed criteria. This includes at 3 (i) for residential uses of existing rural buildings that every reasonable attempt has been made to secure a suitable business re-use for the building.
4. Even if I accepted the appellants case that it would not be viable to convert the building to tourist accommodation or a rural business unit (Class E), this evidence does not fully meet the policy requirement for every reasonable attempt to be made to secure a suitable business use for the building. There is nothing in the evidence before me to indicate that the appellant has considered any other options, beyond those set out within the viability assessment, including an alternative equine use, the suitability of which would be for the Council to consider in any future application.

5. I have taken into account the support offered within the Framework for the reuse of rural buildings. I have had regard to Paragraph 152 of the Framework which encourages the reuse of existing resources, including the conversion of existing buildings, however paragraph 84 clearly advises that the reuse of existing buildings can help support a prosperous rural economy and this also includes growth and expansion of all types of business in rural areas. Therefore, the Framework does not alter my findings on the main issue.
6. In conclusion the proposed residential use would be inappropriate and would conflict with policy DM31 (3)(i) of the LP which only permits the re-use and adaptation of buildings in the countryside into dwellings where every reasonable effort has been made to secure a suitable business re-use for the building.

Character and Appearance

7. The site is located within the Kent Downs AONB where policy SP17 of the LP states that great weight should be given to its conservation and enhancement. In addition, the National Planning Policy Framework places great weight on protecting and enhancing landscape beauty in AONB's which have the highest status of protection in relation to these issues.
8. I have been referred to the Kent Downs AONB Management Plan (MP). This plan echoes the requirements of the Framework, in seeking to ensure that AONBs are conserved and enhanced. Policy SD2 of the MP requires the local character, qualities and distinctiveness of the AONB to be conserved and enhanced in the design, scale, setting and materials of new development.
9. The scheme seeks to convert an existing stable building to a dwelling. It is located to the rear of existing dwellings fronting Dunn Street Road which is predominately residential and characterised by a mix of dwelling styles evenly spaced in a generally linear pattern. The access to the site passes alongside an existing parking area serving a number of those dwellings and other ancillary outbuildings. The existing building has a simple, utilitarian and typical equestrian appearance, which is characteristic of its use and rural location. The building is set back from the frontage of Dunn Street Road which contributes to its appearance as a subservient ancillary building within the street scene.
10. The conversion of the building would require the introduction of windows and doors and this would lead to a domestication of the building. The open frontage of the building would be infilled as a result of the proposed conversion works and this, in combination with the introduction of the doors with large panes of glazing to serve the living room, would alter the character and appearance of the building and would mark a stark contrast from the existing simple and low key form of the building.
11. It has been put to me that an enhancement would result from the upgrading of the existing materials from breeze block to timber weatherboarding and the use of slate roof tiles, which would be compatible with the buildings semi-rural character. Whilst these materials would help to soften the appearance of the existing building, I do not consider this would outweigh the overall harm arising from the proposal as a whole.

12. In addition, the proposed dwelling would lead to a more intensive use of the site. This would include an associated increase in domestic paraphernalia, with the effect of eroding the open and rural character of the immediate area. For these reasons the introduction of a dwelling in this location would alter the character and appearance of this rural site, resulting in an urban form that would intrude into the countryside.
13. This, taken together with the physical changes to the appearance of the building, would lead to further urbanisation within the countryside, leading to harm to the intrinsic character of the area and fail to conserve and enhance the AONB. The proposed development would be contrary to LP policies SS1 and SP17 which set out the spatial strategy for development in the countryside and LP policies DM1, DM30 and DM31, which together set out the principles of good design for development, including those in the countryside and in particular the conversion of rural buildings.
14. The development would also fail to accord with policies SD2, SD7 and SD9 of the MP which offer the highest levels of protection to the AONB and requires local character to be conserved and enhanced to retain and improve tranquility, whilst requiring new development to be complementary to settlement pattern.
15. Whilst the Framework encourages the re-use of redundant buildings, it requires development to result in an enhancement to the buildings immediate setting. It also highlights the need for development to be sympathetic to local character. Therefore the Framework does not alter my findings on the main issue.

Suitable location

16. The site is located outside of any defined settlement boundary and is therefore within the countryside for planning policy purposes. The settlement of Bredhurst, has a village hall, public house and primary school is approximately 0.4 miles from the site. It can be accessed from the site by walking along Dunn Street Road, which does benefit from a continuous footpath. Despite these facilities I accept that occupiers would have to travel onward to the services and facilities within Maidstone which is approximately five miles away.
17. The parties now agree that the site is reasonably well located in terms of access to services, facilities and amenities and that there is sufficient choice of travel by modes other than the private car. Given the sites location close to the village of Bredhurst and the services within the nearby town of Maidstone, I have no reason to disagree with this assessment.
18. I therefore conclude that the site represents an appropriate location for the proposed dwelling, having regard to the settlement strategy and access to services and facilities. Consequently, the development accords with policy DM5, SS1 and SP17 of the LP in this regard.

Other Matters

19. A similar proposal at Channing Farm Barn, ref 17/501784/FUL, has been brought to my attention by the appellant. However, from the limited information provided this building was considered by the Council to be a traditionally built structure. Therefore, whilst the Council may not have required alternative uses to be considered, the case does not appear directly comparable to the case before me.

Conclusion

20. The development would give rise to some economic benefits during the construction phase and provide limited support to local services. There would be modest social benefits arising from the contribution to the Council's housing supply, noting the Framework highlights the contribution small and medium sized sites can make to meeting the housing requirement in the area. However, these benefits are not of sufficient magnitude to outweigh the harm I have identified and the significant weight I afford to the conflict with the development plan in this instance.
21. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. For the reasons given above, I conclude that the appeal should be dismissed.

G Pannell

INSPECTOR