



Appeal Decision

Site visit made on 12 March 2024

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2023

Appeal Ref: APP/G2245/W/23/3325672

The Coppice, Main Road, Knockholt, Kent TN14 7NT

- 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 Ward against the decision of Sevenoaks District Council.
 - The application Ref is 22/02567/FUL.
 - The development is described as 'placement of a single storey stable with three compartments.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant advises that the description of the development is incorrectly worded on the application form. I have therefore taken the description of the development from the appellant's Statement of Case.
3. Since the Council issued its decision notice, the National Planning Policy Framework (the Framework) has been revised, with the latest version published on 19 December and updated on 20 December 2023. Those parts of the Framework most relevant to this appeal remain broadly the same, albeit there have been some changes to the paragraph numbering. As a result, I have not sought further submissions on the revised Framework, and I am satisfied that no party has been prejudiced by my approach.
4. The stable, which is the subject to this appeal was in situ at the time of my site visit.
5. The appellant argues that the stable is not a permanent structure, nor a building. However, the stable appears of a substantial construction and there is limited evidence before me to suggest that the stable is moveable. The appellant is also not seeking a temporary planning consent, so should permission be granted, it would allow for the retention of the stable permanently. I have therefore considered the stable as a new building for the purposes of my decision.

Main Issues

6. The main issues are:
 - whether the development would be inappropriate development in the Green Belt and the effect of the development on the openness of the Green Belt and the purposes it serves, having regard to the National

Planning Policy Framework (the Framework) and any relevant development plan policies;

- the effect of the development on the character and appearance of the area;
- whether the development provides adequate parking to accommodate the needs of the development and the effect of the development on highway safety; and,
- if the development is inappropriate development, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations as to amount to the very special circumstances required to justify the development.

Reasons

Green Belt

7. The appeal site relates to a sloping parcel of land, which lies within the Green Belt. The area is rural in character and comprises of a mix of uses, including agriculture, residential and equestrian. The field is roughly triangular in shape and is bordered by a road, access track and public right of way (PRoW).
8. The appeal seeks consent for a stable with 3 compartments. The construction of new buildings is deemed to be inappropriate development within the Green Belt, unless it falls within one of the exceptions set out in paragraphs 154 and 155 of the Framework. The appellant refers to exceptions 154 a) and b) in their submission. The stable is for equestrian use, as opposed to agricultural. As a result, I do not find that the development falls within exception 154 a) but does fall within 154 b). However, paragraph 154 b) requires an assessment to be made in respect to the openness of the Green Belt and the purposes it serves, which informs whether or not the development would be inappropriate.
9. Policy LT2 of the Sevenoaks District Council Allocations and Development Management Plan February 2015 (ADMP) states that proposals for equestrian development in the Green Belt will be permitted where the scale of the development does not harm the openness of the Green Belt. This is consistent with the Framework.
10. Openness is an essential characteristic of the Green Belt that has visual as well as spatial aspects. Spatially, while the stable building is modest in size, it results in development and massing on a site which was previously free from built development. Accordingly, it results in a loss of spatial openness to the Green Belt, which carries substantial weight.
11. The stable is sited on lower level land than the highway and partially screened by existing soft landscaping. Nevertheless, at the time of my site visit, the trees were not in leaf and the stable was visible through the boundary vegetation from the highway. There is an access track off the highway, which leads to a small number of properties. The appeal site lies on higher level land than this access track. While the stable has been painted grey to help it blend in with its surroundings, given its elevated position, it is prominent in views from the access track and the adjacent PRoW. Consequently, the development also results in harm to the visual openness of the Green Belt.

12. The stable results in development on a previously open area of land. As a result, the development conflicts with one of the purposes of the Green Belt set out at paragraph 143 c) of the Framework, which seeks to safeguard the countryside from encroachment.
13. For the reasons given above, I conclude that the development is harmful to the openness of the Green Belt and the purposes it serves and therefore is inappropriate development in the Green Belt. The development conflicts with Policy LT2 of the ADMP, which seeks to preserve the openness of the Green Belt and paragraph 154 of the Framework, as set out above.

Character and appearance

14. The appeal site lies within a rural area, which is characterised by sporadic residential development, which is surrounded by agricultural land and woodland. The open and verdant character of the appeal site makes a positive contribution to the character and appearance of the area.
15. While there are other stable and agricultural buildings in the locality and residential development on the opposite side of the road, the stable does not relate well to any existing buildings. Although the stable is modest in size, of a functional design and has been painted to help it blend into the landscape, it is sited in an elevated position within the site and appears as a prominent feature, particularly when viewed from the access track and PRoW. For the reasons set out above, the appeal scheme results in new development on the site, which harms the open character of the landscape. Consequently, the development is harmful to the character and appearance of the area and conflicts with Policies LT2 and EN1 of the ADMP. These policies among other things require that development respects the character of the site and does not harm the character of the landscape.

Parking and highway safety

16. I noted on my site visit that the site access was located in a different place than shown on the existing and proposed plans. Nevertheless, I am required to determine the appeal based on the plans before me.
17. The existing and proposed plans show an area of hardstanding, which would be sufficient in size to accommodate a large vehicle, such as a horse box. Given that the parking demand for the development is likely to be low, I find that the appeal scheme provides an adequate level of parking on site. Vehicles could be parked on site, without causing an obstruction to the highway or access track. As a result, I do not find that the proposal would be harmful to highway safety.
18. For the reasons given above, I conclude that the development provides sufficient parking on site and is not harmful to highway safety. The development therefore accords with Policy T2 of the ADMP, which requires that adequate off-street parking is provided to accommodate the needs of a development.

Other considerations

19. The appellant has drawn my attention to other developments in the area, where planning permission has been granted. Example 1 relates to a new dwelling and is materially different than the scheme before me. While the other examples relate to stable developments, there is limited information before me

of the circumstances of these cases and I therefore give them limited weight in my decision. In any event, I am required to determine this appeal on its own merits.

20. While the Framework seeks to promote the effective use of land in meeting the needs for homes and other uses, it also seeks to safeguard and improve the environment, in which I have found conflict. The Framework also requires that substantial weight is given to any harm to the Green Belt.

Green Belt Balance and Conclusion

21. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm, and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the development, is clearly outweighed by other considerations.
22. The development is harmful to the openness of the Green Belt and the purposes it serves. It is therefore inappropriate development in the Green Belt. Paragraph 153 of the Framework is clear that substantial weight should be given to any harm to the Green Belt. The development is also harmful to the character and appearance of the area. Overall, I afford the other considerations advanced in this case limited weight in favour of the development. Accordingly, very special circumstances do not exist that clearly outweigh the harm to the Green Belt, by reason of inappropriateness and harm to the openness of the Green Belt.
23. The appeal scheme conflicts with the development plan as a whole and there are no other material considerations, including the Framework, that would outweigh that conflict. Therefore, I conclude that the appeal should be dismissed.

A James

INSPECTOR