



Appeal Decision

Site visit made on 24 October 2024

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th November 2024

Appeal Ref: APP/U2235/W/24/3344940

Woodfield, White Hill Road, Detling, Kent ME14 3HH

- 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 Mrs Janet Woodrow against the decision of Maidstone Borough Council.
 - The application Ref is 23/505640/FULL.
 - The development proposed is re-use of an existing former stable building as a holiday-let, with associated external alterations, biodiversity enhancements and parking provision.
-

Decision

1. The appeal is allowed and planning permission is granted for re-use of an existing former stable building as a holiday-let, with associated external alterations, biodiversity enhancements and parking provision in accordance with the terms of the application, Ref 23/505640/FULL, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. Since the Council issued its decision on the planning application, the new Maidstone Borough Local Plan Review 2021-2038 (MLPR) was adopted on 20 March 2024. As such, I have taken it into account in my decision. In regard to this appeal the Council has clarified the relevant MLPR policies reflected in the reasons for refusal are LPRSS1, LPRSP9, LPRSP15, LPRQD4 and LPRQD5. The appellant has provided comments on these policies.
3. On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales were renamed "National Landscapes". For this reason, I have referred to the Kent Downs National Landscape throughout the decision.

Main Issues

4. The main issues are:
 - Whether the existing building is suitable for conversion having regard to the relevant development plan policies; and
 - The effect of the proposal on the character and appearance of the Kent Downs National Landscape and the surrounding countryside.

Reasons

Whether the existing building is suitable for residential conversion

5. The appeal site is located in a rural location within the Kent Downs National Landscape. The area contains limited built form other than occasional buildings and farmstead structures. The appeal site comprises a parcel of land to the south of White Hill Road with an existing gated vehicular access. In addition to the appeal building, within the wider holding there is a second stable building, a hay and equipment store, areas of hardstanding, a horse ménage and associated paddock land.
6. Policy LPRQD5 of the MLPR allows for the conversion of rural buildings subject to specific criteria set out within parts 1.i – 1.vi of the policy. The Council's reason for refusal refers to the existing building not being a listed or unlisted building of quality and traditional construction, or a building which contributes to landscape character or which exemplifies the historical development of the Kentish landscape. However, these specific requirements are outlined within additional criteria at 3.ii of the policy which are applicable solely to proposals involving the conversion of rural buildings for residential purposes.
7. As the proposal before me is not for a conversion for residential purposes the criteria at 3.ii do not apply. Instead, the proposal should also be assessed against the additional criteria at 2.i and 2.ii of the policy which are relevant to the conversion of rural buildings for a variety of uses, including tourism. Criteria 2.ii specifically refers to self-catering accommodation, such as the current appeal proposal.
8. Policy LPRQD5 requires that existing rural buildings to be converted are of a form, bulk, scale and design which take account of and reinforce landscape character. The appeal building is a small stable block with a concrete floor, solid masonry elevations and mono-pitch corrugated metal sheeted roof. Its design is typical of many equestrian buildings which are commonly found within the local area, and in this way its form, scale and design reinforce the local landscape character of the area. The building is not prominent within the local landscape, being filtered by Ancient Woodland in views from White Hill Road and screened by the site's sloping topography in more open views from the south.
9. The proposal would not alter the size of the building, but proposes vertical timber weatherboarding to the elevations, whilst retaining and repairing the corrugated sheet roof. These materials are commonly used within the surrounding area and would be in keeping with the landscape and building character.
10. Consequently, the proposal would comply with the criteria of Policy LPQD5 relating to the conversion of rural buildings and the effect on landscape character. Therefore, it would not undermine the approach of the MLPR in restricting conversions in the countryside. The proposal would also comply with the aims of Policy LPRSP9 of the MLPR which outlines that proposals in the countryside will not be permitted unless they accord with other policies in the plan and will not result in significant harm to the rural character and appearance of the area.

Character and appearance of the Kent Downs National Landscape and the surrounding countryside

11. Since the appeal site is within a National Landscape, great weight should be given to conserving and enhancing its landscape and scenic beauty, as set out in paragraph 182 of the National Planning Policy Framework (2023) (Framework). The Maidstone Landscape Character Assessment (2012) (MLCA) identifies that the site is within the Bredhurst Dry Valleys landscape character area. The MLCA notes that this landscape is in 'poor' condition and of 'moderate' sensitivity.
12. The submitted evidence indicates that the vehicular access and hardstanding area within the site has been in existence for over ten years. The proposal does not seek any changes to the vehicular access and consequently this element will not have any effect.
13. The existing hardstanding parking area is already large, and at the time of my site visit contained equestrian paraphernalia and vehicles, including a large horse carrier. Whilst the proposal may result in the parking area taking on a slightly more formalised appearance, the evidence indicates that grassed areas surrounding the appeal building and invertebrate log piles for foraging would be introduced. Overall, this would result in limited visual enhancement.
14. The existing building is modest in scale, and the conversion would retain the buildings' existing form and bulk. The proposed vertical timber weatherboarding reflects the rural Kentish vernacular and would not harmfully erode the buildings' original character. Glazing is not a traditional rural building material, however the extent of new glazing has been minimised such that it would harmonise with the more traditional form of the building.
15. The site is relatively concealed in respect of longer views and makes limited contribution in itself to the rural character of its wider surroundings. I acknowledge concerns raised in respect of domestic paraphernalia associated with the proposed use of the building. This, like the existing equestrian paraphernalia at the site, would not be readily visible from nearby public vantage points, would generally be moveable and would not have a harmful effect on the character and appearance of the area. As such, the proposal would at the very least conserve the landscape and natural scenic beauty, visual qualities and essential characteristics of the Kent Downs National Landscape, and the character and appearance of the surrounding countryside.
16. Accordingly, I conclude that the proposal would be acceptable in terms of the effect on the character and appearance of the area, including the Kent Downs National Landscape. It would, therefore, comply with MLPR Policies LPRSS1, LPRSP9, LPRSP15, LPRQD4 and LPRQD5, and Policies SD1, SD2, SD7 and SD9 of the Kent Downs AONB Management Plan 2014 to 2019 (Second Revision) (2014) and the Framework. These policies collectively seek, amongst other things, development that is high quality design, respecting local, natural and historic character, appropriate to local landscape character, including the experience of dark skies at night, and that conserves and enhances the landscape and scenic beauty of the Kent Downs National Landscape.

Other Matters

17. Whilst I have noted the consultation response from the Forestry Commission, the appeal building which would be converted is located over 3 metres from the boundary with the protected trees. The proposed works are to an existing building. There are no changes proposed to the building's foundations, and there is sufficient space for the storage of any construction materials and associated vehicles within the existing hardstanding at the site.

Conditions

18. The Council has provided conditions that it suggests should be applied in the event that the appeal is allowed. I have assessed those with reference to the advice in the Framework and Planning Practice Guidance and have amended the wording of some without altering their fundamental aims.
19. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interests of certainty.
20. A condition requiring a detailed scheme of lighting is necessary in the interests of the amenity of the Kent Downs National Landscape and the surrounding countryside. I have modified the wording of this condition as it is not necessary for the lighting details to be submitted prior to the commencement of development.
21. A condition is necessary to restrict the occupation of the unit in order to support the tourism industry and prevent its occupation as a permanent dwelling.

Conclusion

22. The appeal scheme would accord with the development plan, when read as a whole and the Framework. Having considered all material considerations and other relevant matters raised, I therefore conclude that the appeal is allowed.

B Pattison

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P.3138.010.B Site Location Plan; P.3138.020.B Existing Block Plan; P.3138.030.B Proposed Block Plan; P.3138.040.A Existing Plans and Elevations and P.3138.060.A Proposed Plans and Elevations
- 3) No external lighting shall be installed until a detailed scheme of lighting has been submitted to and approved in writing by the Local Planning Authority. This scheme shall take note of and refer to the Institute of ILP Guidance Note 01/21 The Reduction Of Obtrusive Light (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The scheme of lighting shall be installed, maintained, and operated in accordance with the approved scheme.
- 4) The development hereby permitted shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence.

END OF SCHEDULE