
Appeal Decision

Site visit made on 22 May 2025

by **B Pattison BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 JUNE 2025

Appeal Ref: APP/U2235/W/24/3353101

Frith Cottage, Dean Street, East Farleigh, Kent ME15 0PR

- 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 & Mrs Colin Abbott against the decision of Maidstone Borough Council.
 - The application Ref is 24/501346/FULL.
 - The development proposed is Demolition of existing stable block, erection of single storey 3 bedroom dwelling and erection of 3 No. stable block with associated hardstanding.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On 12 December 2024, the Government published a revised National Planning Policy Framework (the Framework). Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal and that proceeding without further consultation with the main parties would not be prejudicial to their respective cases.

Main Issues

3. The main issues are:
 - whether the proposed equestrian stables are suitable having regard to the development plan policies;
 - whether the site is a suitable location for housing, having particular regard to the accessibility of services and facilities; and
 - the effect of the proposal on the character and appearance of the countryside.

Reasons

Equestrian stables

4. Policy LPRCD7 of the Maidstone Borough Council Local Plan Review (2024) (MLPR) allows for domestic stables and associated equestrian development subject to specific criteria. Specifically, in relation to this appeal, stables will only be permitted where the conversion of existing buildings would be used in preference to new built development.
5. In this instance, the appellant indicates that one of their horses frequently hits their head as a result of the existing stables' low eaves, which has caused distress and

required veterinary care. I am sympathetic to these circumstances and acknowledge that the new stables would have higher eaves and provide more comfortable conditions for the horses. However, it has not been demonstrated that sufficient improvements to the stables could not be achieved through appropriate design alterations or conversion of the stables in their existing location.

6. I acknowledge that the proposal would involve the replacement of the existing stables with a new dwelling. However, it is implicit that suitable re-use of existing buildings is prioritised by the policy in order to prevent additional new build-development where possible.
7. Other criteria within policy LPRCD7 require new stables to be grouped with existing buildings wherever possible, and that the cumulative impact of the development be considered and mitigated.
8. The location of the proposed stables is well screened by the existing storage barn and tall, mature trees on the appeal site's boundaries, which provide good visual containment of the site. For this reason, the cumulative impact of the development has been sufficiently considered and would be reasonably mitigated.
9. Given the proposed stables proximity to the existing equestrian menage and adjacent to an existing storage barn, it would clearly be grouped with existing built development.
10. However, I have found that the proposal would not accord with the first criteria of Policy LPRCD7 which prioritises the conversion of the existing buildings, in preference to creating additional built form. Consequently, the proposal would undermine the approach of the MLPR in relation to domestic stables.

Suitable location

11. The appeal site forms a parcel of land, near but to the rear and separate from ribbon development of residential properties along Dean Street. In that context the site cannot reasonably be described as 'isolated' within the terms of Framework paragraph 84. Nevertheless, the main parties agree that it falls outside any settlement boundary, and it is therefore within the open countryside.
12. Policy LPRSS1 of the MLPR sets out that Maidstone will be the principal focus for development in the borough, with the secondary focus on the rural service centres of Coxheath, Harrietsham, Headcorn, Lenham, Marden and Staplehurst.
13. Due to the site's location outside of a defined settlement there would be a tension with Policy LPRSS1. However, whilst the Framework is clear that sustainable transport should be promoted, it does recognise at paragraph 110 that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in decision making.
14. The application site lies approximately 1km from the defined rural service centre of Coxheath. In addition, the proposal is within comfortable walking distance to the Forge Lane bus stop, which the submitted evidence indicates, provides fairly frequent bus services to Maidstone daily, with the exception of Sundays. Future occupiers would therefore be able to access Maidstone's wide range of shops and services without needing to travel by private car. The Horseshoes public house is also within easy walking distance from the appeal site.

15. Given the close proximity to Coxheath, future occupiers would be able to cycle to the settlement which would also be a particularly short drive. Therefore, the appeal site is accessible to the rural service centre. I have reached this conclusion even though future occupiers would likely find walking the route to Coxheath an unattractive option due to the lack of footpath and street lighting and accepting that weather conditions and lighting would influence the level of cycling through the year.
16. As a result, I do not find overall conflict with Policy LPRSS1 of the MLPR. Neither do I find conflict with the principles of the Framework which promote sustainable development in rural areas where housing should be located where it will enhance or maintain the vitality of rural communities.

Character and appearance

17. The appeal site is an area of land to the rear of Frith House which contains a stable, storage barn and garage. It is accessed by a track from Dean Street which runs to the side of Frith House. The appeal site is located within the Farleigh Greensand Fruit Belt. The Maidstone Landscape Character Assessment (2013) (MLCA), identifies this as being in very good condition with high sensitivity. The local area is characterised by flat to gently undulating mixed farming land dominated by orchards and shelterbelts with pasture.
18. Guidelines for the Farleigh Greensand Fruit Belt include requirements for new development to respect local vernacular in terms of scale and materials and to conserve the special landscape quality provided by the rural valley location.
19. The scale and form of the proposed dwelling would be comparable to the stable building which it would replace. The proposed materials, which include black timber weather boarding and slate roof tiles follow the local vernacular. The central glazed lantern would not be a characteristic feature of a traditional rural building, however given its recessed position within the roof form it would not be prominent. Overall, the building would appear more like a converted rural building than a purpose built residential property. In this regard, it would not appear as an incongruous feature in this part of the countryside.
20. Whilst located to the rear of Frith House, the proposed dwelling would be located close to existing built form. The appeal site is surrounded by areas of dense and mature boundary planting which would provide significant filtering of views of the stable and dwelling, and which would be retained. For these reasons the appeal site's backland location would not be harmful to the character of the area.
21. I have not been provided with specific examples of the type of domestic paraphernalia which the Council consider to be harmful. However, the appeal site is currently in use for equestrian purposes which can often involve relatively large equestrian paraphernalia. It seems to me that future domestic paraphernalia 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 surrounding countryside.
22. As a result, I do not find overall conflict with Policies LPRSP9, LPRSP15, LPRQD4 of the MLPR, the MCLA or the provisions of the Framework insofar as they require, amongst other matters, development to be of high-quality design

respecting local, natural and historic character and not to cause significant harm to the character and appearance of the countryside.

Other Matters

23. The appellant has identified development plan policies and Framework paragraphs relating to matters including making the best use of land, which it is contended that the proposed development would accord with. The proposed dwelling would contribute to the Council's housing land supply. The Framework also outlines that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly.
24. The proposal would provide a high-quality family sized home which meets internal and external space standards and would not harmfully affect the living conditions of neighbouring occupiers. However, the absence of other planning harms are only neutral factors and the contribution of one home, which is a modest addition to the local housing stock, leads me to consider that the public benefits would be limited.
25. The addition of a single household would, in a small way, contribute to the social vitality of the local community and the viability of local businesses. Additional soft landscaping and biodiversity enhancement are proposed. However, due to the small scale of the proposal these factors are afforded limited weight.
26. I am sympathetic to the appellant's personal circumstances and their desire to find alternative living accommodation. The single storey dwelling would provide an accessible form of accommodation for future occupiers. The proposal would also provide improved stable facilities for the appellant's three horses.
27. Whilst these are all merits of the proposed development, I have found that, the proposal would not meet the criteria for domestic stable buildings in Policy LPRDC7 of the MLPR. I attach significant weight to the conflict with the policy, and this would not be outweighed by these benefits.

Conclusion

28. The proposal does not accord with the development plan as a whole and there are no other considerations, including the Framework, that outweigh this finding. Therefore, I conclude that the appeal should be dismissed.

B Pattison

INSPECTOR