



Appeal Decision

Site visit made on 15 January 2019

by **Jonathan Price BA(Hons) DMS DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28th January 2019

Appeal Ref: APP/V2255/W/18/3206165

**Stable block rear of 1 Chiddingfold Close, Minster, Sheerness,
Kent ME12 3SL**

- 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 Mr and Mrs J Butler-Hills against the decision of Swale Borough Council.
 - The application Ref 18/501298/FULL, dated 7 March 2018, was refused by notice dated 14 May 2018.
 - The development proposed is an existing stable block to be converted into 1 no. residential dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On 24 July 2018, since this appeal was made, Government published the revised National Planning Policy Framework (the Framework). Having granted the parties an opportunity to make further comment, my decision reflects this.

Main Issue

3. The main issue is whether the proposal would be appropriate with regard to development plan policy and any other material considerations

Reasons

4. The proposal is on the edge of Minster which is one of the main residential areas on the Isle of Sheppey and is defined as a third tier *Other Urban Local Centre* in Bearing Fruits 2031: The Swale Borough Local Plan (LP) adopted in July 2017. The existing stable block is situated within the corner of a grassed field located on an elevated site that rises beyond the rear boundaries of the dwellings fronting Chiddingfold Close. The site access is from a track which runs from between dwellings on Scocles Road and up to the stables along the rear boundary of the frontage houses.
5. The building was granted planning permission in 1977, conditionally as stables for the private use of the residents of 1 Chiddingford Close and is located immediately to the rear of this property. The building has evidently not been used for the stabling of horses for many years.
6. The rear boundaries of the dwellings along Chiddingfold Close and Scocles Road define the built-up area boundary and, situated immediately beyond this, the

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proposal is within an area considered as open countryside in the LP. In this location development will not be permitted under Policy ST 3 unless supported by national planning policy and able to demonstrate that it would contribute to protecting and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings and the vitality of rural communities.

7. The stables are solidly constructed with rendered masonry walls on foundations and have a tiled pitch roof and a number of existing openings. The main alterations would be to the elevation facing open fields and away from the boundary with the adjacent housing. Here there would be a new roof finish to the rear section with skylights and a series of full-height and patio windows inserted along the currently blank, weather-boarded side. These would face onto a rear terrace with central steps up to a raised lawn area within the proposed back garden.
8. There would be little change to the size of the building and no significant extensions are proposed, with the existing building accommodating the layout of rooms required. Although converting conveniently to a bungalow, the further external changes to the building, the creation of a garden and an upgraded access, along with the fencing and likely further domestic paraphernalia would significantly alter the rural character of the site. The scheme would expand a suburban form of housing development into countryside beyond the established built-up edge of the settlement.
9. The appeal site is concealed by planting from the points along near edge of the built-up area but the proposal would nonetheless alter the intrinsic character of the site and the changes would be evident from more distant views. The proposal would lie beyond and to the rear of the adjacent housing which comprises a fairly regular pattern of quite closely-spaced dwellings, all fronting the main highway to a consistent building line. The conversion would create a dwelling situated in a relatively isolated position, served by a long, angled access, which would be harmfully out-of-character with the prevailing arrangement of housing in this location.
10. The conversion to residential use would erode the open, rural nature of the site and the clearly defined edge to the built-up area would be blurred, causing significant harm to the character and appearance of the area. The proposal would therefore not demonstrate the particular requirements for development in the countryside specified in LP Policy ST 3 and conflict with the Swale settlement strategy this supports. National policy would not weigh against this since the Framework lends strong support to a plan-led system aimed at the achievement of sustainable development.
11. Sustainable development is sought through the over-arching aims of LP Policy ST 1, the settlement strategy in LP Policy ST 3 and the housing delivery objectives of Policy CP 3. Collectively these focus new residential development in defined built-up areas and specific allocations to make maximum use of previously-developed land and safeguard the undeveloped character of the countryside.
12. Stables are an appropriate built feature of the countryside and, although not required by the appellants, this building might help meet a longer-term need for this purpose. Although the proposal makes a small contribution to the general requirement for more homes, with the benefit of converting an existing

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building, this would not outweigh the harm identified through the conflict with LP policy. The appellants refer to the conversion of an agricultural building at land south of Little Ride Farm in support of this proposal. However, the suffix to the planning reference provided indicates that in this case the Council granted its prior approval to development allowed in principle under the Town and Country Planning General Permitted Development Order, where the LP policy considerations would not have applied.

Conclusion

13. The Framework endorses a plan-led system whereby planning law requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise. The significant harm resulting from the effects on the character and appearance of the area and the conflict with LP policy would outweigh the more limited benefits of this proposal. The material considerations would therefore not indicate this appeal be decided otherwise than in accordance with the development plan, where conflict has been found with LP policies ST 1, ST 3 and CP 3. I therefore conclude that the appeal should be dismissed.

Jonathan Price

INSPECTOR