



# Appeal Decision

Site visit made on 30 January 2024

**by E Grierson BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 14.02.2024**

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**Appeal Ref: APP/L2250/W/23/3321115**

**Station House, Sandling Road, Hythe CT21 4HG**

- 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 Dean Horlock against the decision of Folkestone and Hythe District Council.
  - The application Ref 22/2067/FH, dated 23 December 2022, was refused by notice dated 17 February 2023.
  - The development proposed is the construction of new unit on the land to the east of the existing dwelling for the sole purpose of holiday letting and a new double garage on the land to the northwest of the existing dwelling.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was published on 19 December 2023 and updated on 20 December 2023, which I have had regard to as a material consideration in my decision making. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.
3. On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales became 'National Landscapes'. Nevertheless, the Framework still refers to AONBs and their legal designation and policy status remain unchanged. Therefore, I will still refer to the Kent Downs AONB within this decision.

## Main Issues

4. The main issue in the appeal is the effect of the proposed development on the character and appearance of the host dwelling, the surrounding area and the Kent Downs AONB.

## Reasons

5. The appeal site is occupied by a two storey detached dwelling on a relatively large and spacious plot adjacent to Sandling train station and its associated car park. Located within the Kent Downs AONB, the site's surroundings are open and rural in nature, characterised by sporadic residential development on large plots interspersed by expanses of green fields and woodland. Although located adjacent to the train station, the open and spacious environment surrounding

- the dwelling and the traditional residential form cause the appeal site to sit comfortably within its rural AONB surroundings.
6. The proposed development would introduce a two-storey detached structure between the existing dwelling and the neighbouring train station entrance and car park, which would provide holiday accommodation for those visiting the area. The proposal also includes a detached double garage to the northwest of the existing dwelling.
  7. Whilst it would have a residential use, the appellants indicate that the new holiday unit has been designed with a style and materials to replicate the appearance of a traditional signal box in relation to the railway. However, whilst Sandling train station and the trainline may have previously been served by a signal box, no evidence has been provided to suggest that it was ever located on the appeal site. Furthermore, although next to and built in connection with the train station, Station House and its surrounds are now an independent residential unit which has a domestic character and appearance with no visual links to the neighbouring land use. Therefore, the addition of a large signal box style building on this residential plot would appear contrived and would be an incongruous addition, at odds with the current use of the site and the appearance of the host dwelling.
  8. The significant size of the proposed holiday unit and its prominent location, between the host dwelling and the train station entrance, would make it a highly visible addition within the surrounding area. Although development in the area is sporadic and varied in design, surrounding residential properties are traditional in appearance and in keeping with the rural surrounds. The proposed holiday unit would wholly contrast with the style of the surrounding residential development and the rural character of the AONB. Whilst intended to improve the appearance of the site, the design and prominence of the holiday let would appear as an uncharacteristic addition which poorly reflects the prevailing form of development in the area and would be detrimental to the character and appearance of the site, the surrounding area and the scenic beauty of the AONB.
  9. The scale and design of the proposed garage would appear as a subservient outbuilding to the main dwelling, which would be set back from the main road and in keeping with the surrounding style of residential development. Therefore, this aspect of the proposed development would not harm the character and appearance of the host dwelling, surrounding area or the AONB.
  10. However, for the above reasons, I find that the proposed holiday unit would be harmful to the character and appearance of the host dwelling, the surrounding area and the Kent Downs AONB. It would therefore conflict with Policies HB1 and NE3 of the Folkestone and Hythe District Places and Policies Local Plan (2020) and Policy CSD4 of the Core Strategy Review (2022). These policies collectively seek to ensure that proposals make a positive contribution to its location and surroundings, enhancing integration while also respecting existing buildings with planning permission being granted where it can be demonstrated that the natural beauty and locally distinctive features of the AONB and its setting are conserved and enhanced and that the design, scale, setting and materials of new development must be appropriate to the AONB.
  11. The proposal would also conflict with the Framework which states that great weight should be given to conserving and enhancing landscape and scenic

beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues and that the scale and extent of development within this designated area should be limited.

### **Other Matters**

12. It is noted that the Council accepts the principle of the proposed development and that the proposed holiday unit would be in a sustainable location, close to transport links. However, these are neutral factors which would not weigh in favour of the appeal proposal. The proposed holiday unit would also contribute to the local economy during construction and once in use. However, due to the scale of the development as a single unit, this is given limited weight in my consideration of the appeal. Therefore, these factors would not outweigh the harm identified above.

### **Conclusion**

13. Therefore, for the reasons given above and having had regard to all other matters raised, the proposal would conflict with the development plan taken as a whole and I conclude that the appeal should be dismissed.

*E Grierson*

INSPECTOR