
Appeal Decisions

Site visit made on 22 November 2016

by Nicola Davies BA DipTP MRTPI

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

Decision date: 28 November 2016

Appeal Ref: APP/T2215/W/16/3155561

Land Adjacent High View, New Barn Road, Longfield, Kent DA3 7LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Lay Construction (Kent) Ltd against the decision of Dartford Borough Council.
 - The application Ref DA/15/01827/OUT, dated 7 December 2015, was refused by notice dated 3 February 2016.
 - The development proposed is a five bedroom dwelling with garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline with all matters reserved with the exception of access. I have dealt with the appeal on this basis, treating the site plan, floor plans and elevations as illustrative, with the exception of the proposed access.

Main Issues

3. The main issues are:
 - Whether the proposal is inappropriate development in the Metropolitan Green Belt for the purposes of the National Planning Policy Framework and development plan policy;
 - The effect of the proposal on the openness of the Green Belt and the character and appearance of the area; and,
 - If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Inappropriate development

4. Paragraph 89 of the National Planning Policy Framework (the Framework) sets out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions. New buildings in the Green
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Belt are inappropriate unless, amongst other things, they represent limited infilling in villages.

5. New Barn Road leads north of the main built up area of New Barn Village into the open countryside. Up to a development known as Ridgewood the development comprises close knit housing but the character changes to the north of this and is markedly different. To the east of New Barn Road is open farmland. To the west side of New Barn Road there is an established ribbon of large dwellings set within relatively large grounds with woodland beyond. There is space between and around houses. This spaciousness gives this ribbon of houses a verdant rural feel. The open appeal site, with its relatively wide frontage, comprises a long regular shaped open gap between the large dwellings to the north and south of the site.
6. By reason of its loose knit character and spacious plots this northern area is considered as lying with the countryside rather than forming part of the urban village to the south. I would not describe the appeal site as being located within the village, notwithstanding it is relatively close to the more densely laid out development that forms the village.
7. Accordingly the proposal would comprise inappropriate development in the Green Belt as it would not represent infilling in the village.

Openness and character and appearance

8. A fundamental aim of Green Belt policy, as set out in paragraph 78 of the Framework, is to keep land permanently open. The appellant suggests that the site could only accommodate a single dwelling of similar size to the existing properties on the west side of New Barn Lane. To reflect this, the proposals would, therefore, entail the construction of a two-storey dwelling on the site, similar to those existing dwellings. This would result in built development where there is presently none. Whilst the proposal is in outline the footprint of the building, its bulk and the accompanying domestic accoutrements including the garage, hardsurfaced driveway access, would inevitably lead to the loss of openness. This is particularly the case as the site currently has no buildings or other development upon it, despite some previously being present. Notwithstanding the robust landscaping to three of the boundaries, the site is part of an open vista visible from the road and the open countryside to the east. I observed the site to be a furrowed field at the time of my visit and clear views across the site with the woodland trees in the backdrop could be achieved from the road and the open countryside.
9. On the basis that I have characterised the site as open countryside rather than as part of the village. The development would, therefore, lead to encroachment of development into the countryside and would negatively impact on the primary purpose of the Green Belt.
10. The development would erode the contribution that this field makes to the countryside around the village. Contrary to the appellant's view, this harm would be more than negligible. Whilst a design of the dwelling could be achieved that would match that of the local vernacular and be of high quality, the very presence of development would have a negative impact on the existing openness and character of the undeveloped appeal site.

11. I conclude that the development would harm the openness of the Green Belt which is contrary to the fundamental aim of the Green Belt policy to prevent urban sprawl by keeping land permanently open. It would also harm the rural character and appearance of the area, contrary to Policy CS13 of the Dartford Core Strategy (the Core Strategy) and Policies S4 and B1 of the Borough of Dartford Local Plan (the Local Plan). These policies require the protection of designated areas, such as the Green Belt, from inappropriate development and the amenity value of the countryside. Paragraph 88 of the Framework is clear that substantial weight should be given to any harm to the Green Belt and I conclude that harm would occur. I note the Council's decision refers to Policy DP22 of the emerging Dartford Development Policies Plan (the emerging Local Plan), however given the draft status of this Plan I give this policy limited weight.

Other Considerations

12. I acknowledge the site is close to village facilities. There is a train station in Longfield with trains to central London and a bus route that provides access to larger settlements, such as, Dartford and Gravesend. Although future occupants could cycle to the village, the pavement leading from the village does not extend to the appeal site, therefore, although the site may be in walking distance from the village this would be hazardous and unpleasant on this busy road. However, the sustainable attributes of the appeal site are relatively limited and carry minimal weight in favour of the proposed development.
13. I have also considered the point that there are no historic properties in the vicinity thus there would no conflict in this regard. I recognise that the site is well defined and has the characteristics and appearance of a development plot serviced by electricity, drainage and water and that it could be said to be the only plot that has remained undeveloped. The appeal site could be a windfall site near an urban settlement that satisfies many of the policies in the Local Plan. I give these matters limited weight.

Conclusions

14. The harm caused by the inappropriateness of the development and its effect on openness and the character and appearance of the area combined carry substantial weight. In contrast, the other considerations carry minimal or limited weight and are not sufficient to clearly outweigh the harm to the Green Belt. Very special circumstances therefore do not exist as the harm, by reason of inappropriateness, and the other harm that has been identified above, is not clearly outweighed. There are, therefore, no very special circumstances to justify the new five bedroom dwelling with garage. It would conflict with Policy CS13 of the Core Strategy and Policies S4 and B1 of the Local Plan, and the advice in the Framework.
15. For the reasons given above I dismiss this appeal.

Nicola Davies

INSPECTOR