

Appeal Decision

Site visit made on 1 December 2016

by AJ Steen BA (Hons) DipTP MRTPI

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

Decision date: 23 December 2016

Appeal Ref: APP/J2210/W/16/3155443

Sondes House, Station Road, Bekesbourne, Kent CT4 5DD

- 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 Drs M & A Hudson Peacock against the decision of Canterbury City Council.
 - The application Ref CA/16/00042/FUL, dated 7 January 2016, was refused by notice dated 4 April 2016.
 - The development proposed is a new dwelling house with associated access, parking and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address refers to the site as being in Bekesbourne, but other documents refer to it as closer to the neighbouring settlement of Patrixbourne.
3. I note that the emerging Canterbury District Local Plan (emerging LP) has been submitted for examination but I am not aware of the exact stage it has reached and the extent of outstanding objections or whether the policies concerned will be considered as consistent with the Framework. Consequently, I am only able to give it limited weight in my decision.

Main Issues

4. The main issues are:
 - whether the proposal would be considered sustainable development with specific regard to a) the character and appearance of the rural area, b) its location in respect to adjacent settlements and c) the reliance on motor vehicles; and
 - whether the proposed dwelling would preserve or enhance the character or appearance of Bifrons Park Conservation Area and the setting of the listed building at Sondes House.
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Reasons

Sustainable development

5. The National Planning Policy Framework (the Framework) sets out a presumption in favour of sustainable development, defined as development in accordance with the Framework as a whole. This includes approving development proposals that accord with the development plan, including the Canterbury District Local Plan (LP), without delay. Sustainable development has three dimensions that must be considered together, being economic, social and environmental.
6. Sondes House is a large listed building set within a substantial garden on the edge of the village of Patrixbourne. The village comprises a cluster of development with limited services and facilities. The site of the proposed dwelling is located to the rear of Sondes House and other neighbouring dwellings that front Bifrons Road, separated from those by the large gardens that surround the properties. It comprises an open area with some children's play equipment that forms an informal part of the garden to, and within the curtilage of, Sondes House.
7. As a result of the location away from neighbouring built development, the proposed dwelling would appear as an isolated dwelling beyond the edge of the village such that the proposed dwelling would not comprise infilling within the village. Other than the public footpath and cycle way that pass the site, there are limited transport options in the immediate vicinity that would result in occupiers being reliant on the private car for access to services and facilities.
8. The Framework confirms that new isolated homes in the countryside should be avoided unless there are special circumstances, of which none of those listed would apply to the proposed development. As a garden in the rural area, the site comprises previously developed land, but is currently open such that the proposal would introduce a new and substantial building into the open countryside. Consequently, the proposed dwelling would adversely affect the character and appearance of the rural landscape surrounding Patrixbourne.
9. For these reasons, I consider that the proposal would be located outside the nearest settlement, would not be essential to its countryside location, would be reliant on motor vehicles and would be harmful to the character and appearance of the rural area. As such, it would be contrary to Policy BE1 of the Canterbury District Local Plan and the Framework that have regard to accessibility of the proposed development, seek to protect the landscape character of the locality and have regard to the way the development is integrated into the landscape.

Conservation area and listed building

10. Sondes House is a large grade II listed building within the Patrixbourne Conservation Area, set within a substantial garden. The formal areas of the garden are located within that conservation area, but the more informal area that forms the location of the proposed development is located within the Bifrons Park Conservation Area. That conservation area is largely open with limited built development.
11. The proposal would comprise a large dwelling of traditional design within the curtilage of Sondes House, such that it would affect the setting of the listed

building. The main part of the proposed dwelling would be a two storey building, with single storey link to the garage at the rear of the property. The size of the building, including the link between the house and garage, results in a very substantial building that would compete with the main listed building such that it would not preserve or enhance its setting.

12. The proposed development would introduce built development into a presently open area that would alter the character and appearance of this part of the conservation area. As a consequence, it would not preserve or enhance the open character and appearance of the conservation area.
13. The Framework advises at Paragraph 132 that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Accordingly, the substantial harm of the proposed development to the conservation area and listed building, referred to in Paragraph 133 of the Framework, would require substantial public benefits to outweigh that harm or loss.
14. The only public benefit in this instance is the addition of a single dwelling to the supply of housing. However, that benefit is minimal and cannot outweigh the substantial harm to the conservation area and setting of the listed building.
15. I conclude that the proposed dwelling would not preserve or enhance the character or appearance of Bifrons Park Conservation Area, nor the setting of the listed building at Sondes House. As such, it would be contrary to Policy BE7 of the LP and the Framework that seek to preserve or enhance features that contribute positively to the character or appearance of conservation areas and the contribution made by the setting to the listed building.

Other matters

16. Ecology surveys were submitted with the original planning application and further information was submitted in support of the appeal that set out the effects of the proposed development on protected species and their habitats, and ecological enhancements to the site. The Council accept that the additional information submitted addresses their concerns and I see no reason to disagree with their conclusions on this matter.
17. I note the reference to the private need for the proposed dwelling and the support from the Parish Council, but I do not consider that these matters overcome the harms that I have identified above.

Conclusion

18. The proposed development would contribute a single dwelling toward local housing needs and residents are likely to contribute toward the local community, providing social benefits. There would be limited economic benefits during the construction of the development and future residents may support services and facilities in Patricbourne and surrounding settlements. However, the environmental impact of the poor location of the proposed development in relation to the settlement and in terms of access to local services and facilities, the harm to the character and appearance of the surrounding rural area and that it would not preserve or enhance the character or appearance of Bifrons

Park Conservation Area and the setting of Sondes House listed building would outweigh the identified benefits. As such, the development would not comprise sustainable development and, as a result, I conclude that the appeal should be dismissed.

AJ Steen

INSPECTOR