
Appeal Decision

Site visit made on 10 January 2017

by David Reed BSc DipTP DMS MRTPI

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

Decision date: 20 January 2017

Appeal Ref: APP/X2220/W/16/3157696

Land at Barnsole Road, Staple, Kent CT3 1LE

- 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 Mr A Barker against the decision of Dover District Council.
 - The application Ref DOV/16/00470, dated 21 April 2016, was refused by notice dated 29 June 2016.
 - The development proposed is the erection of four houses.
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Decision

1. The appeal is allowed and permission is granted for the erection of four houses on Land at Barnsole Road, Staple, Kent CT3 1LE, in accordance with the terms of the application, Ref DOV/16/00470, dated 21 April 2015, subject to the following conditions:
 - 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
 - 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.

Preliminary Matter

2. The application was submitted in outline with all matters reserved for later determination. I have dealt with the appeal on this basis.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and the sustainability of the location.

Reasons

4. The proposal is for four detached houses on a rectangular site on the western side of Barnsole Road within the hamlet of Barnsole. The site is currently an unused grass paddock, with hedgerow/tree screening on the boundaries, but lies within an area of scattered built development. To the north lies a detached house set in a large plot, to the west a garden centre together with a dwelling, and to the south a further property with associated commercial premises.

There are further scattered houses to the north and south, and opposite the site a row of terraced houses together with some open land.

5. Barnsole forms a single community with nearby Staple, with which it is linked by two roads with further scattered housing. Illustrating this point, the two settlements share the same 30 mph speed limit area to improve safety within the developed area. The combined village also shares facilities including the parish church in Staple, a public house (near the appeal site) in Barnsole and the village hall and recreation ground halfway between the two. In addition to these facilities, there are limited public transport services through Staple, so the combined village represents a relatively sustainable location not totally reliant on use of the private car.
6. Staple is recognised as a village suitable for limited development within the Dover District Core Strategy 2010 but the defined settlement boundary is drawn tightly around the most concentrated area of housing along The Street, School Lane and Durlock Road. As such, the appeal site lies in the countryside for policy purposes and Policy DM1 applies, which restricts new housing to that which functionally requires a rural location. However, the Council accept that it cannot demonstrate a five year supply of deliverable housing sites and therefore Policy DM1 is out of date and can only be given limited weight.
7. In order to maintain Staple's role in the settlement hierarchy, the Dover Land Allocations Local Plan 2015 states that additional housing will be required over the plan period to 2026. However, only a small extension to the defined settlement boundary has been made which is only expected to accommodate one or two dwellings. With 232 dwellings in the parish, four additional houses on the appeal site would assist in maintaining the role of the combined village as well as making a modest contribution towards housing land in the district.
8. The appeal site lies within an area of scattered built development rather than open countryside. Being well screened from all sides, the impact of four new houses on the wider countryside would be limited. The trees along the road frontage would be affected by the site access, but these form a single uniform line of relatively recent trees with no depth. Whilst the scheme would erode the existing verdant character of the area, with suitable replacement planting and other landscaping within the site¹ there is no reason why the new houses would not assimilate into their surroundings within a reasonable timescale. The detailed form of the development would be within the control of the Council through the submission of reserved matters.
9. With policies for the supply of housing out of date, the relevant test in paragraph 14 of the National Planning Policy Framework is that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Whilst there would be a limited impact on the semi-rural environment in the vicinity, the social and economic benefits of four additional houses, not least to the village community, would be significant and these outweigh the adverse impacts in this case.
10. For these reasons the effect of the proposal on the character and appearance

¹ Thus satisfying saved Policy CO8 of the Dover District Local Plan 2002 which precludes development which would adversely affect a hedgerow unless suitable native replacement planting is provided.

of the area would be limited and outweighed by the social and economic benefits of providing four additional houses. The proposal would conflict with Policy DM1 but, as explained above, this can only be given limited weight. Given the small number of houses involved and the relatively sustainable location there would be no material conflict with Policy DM11 which seeks to limit travel demand, and given the surrounding development there would be no material conflict with Policy DM15 which seeks to protect the character and appearance of the countryside.

11. The site is not served by footpaths but this is true of the numerous houses in Barnsole. The unique characteristics of the site mean that a precedent for other undeveloped sites would not be set. There may be possible alternative uses but this does not preclude housing development on the site, and the Council does not dispute that four houses would be a suitable number. It does not appear that an affordable housing scheme on an exception site is currently being pursued in the combined village. Finally, any conflict with public sewers across the site can be resolved at reserved matters stage and surface water drainage issues through the building control process.
12. As an outline application three conditions need to be attached to require the approval of the reserved matters and the commencement of the development within the standard time limits.

Conclusion

13. Having regard to the above the appeal should be allowed.

David Reed

INSPECTOR