
Appeal Decision

Site visit made on 14 March 2017

by AJ Steen BA (Hons) DipTP MRTPI

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

Decision date: 4 April 2017

Appeal Ref: APP/V2255/W/16/3162312

The Paddock, 76 Horsham Lane, Upchurch, Sittingbourne, Kent ME9 7AP

- 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 Kathleen Marguerite Johns of The Brown Jug against the decision of Swale Borough Council.
 - The application Ref 16/503680/FULL, dated 9 May 2016, was refused by notice dated 9 September 2016.
 - The development proposed is parking a mobile home in the grounds.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The development has been completed and the mobile home is located within the paddock such that I was able to view it when I visited and I have taken this into account when coming to my decision.
3. I note that the draft Swale Borough Local Plan Part 1 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 National Planning Policy Framework (the Framework). Consequently, I am only able to give it limited weight in my decision.

Main Issue

4. The main issue is the effect of the stationing of the mobile home on the intrinsic character and beauty of the countryside.

Reasons

5. Horsham Lane is a rural road with sporadic development that allows views between development and over the surrounding countryside. The Brown Jug Public House is located at the end of a short terrace of houses. Adjacent to the pub and fronting the road is a triangular shaped area of land, comprising the car park beside the pub that provides access to a garage at the rear of the land and a grassed area closest to the residential development at Woodruff Close. This space forms a predominantly open area with views over it toward the farmland beyond that contributes toward the sporadic character of development along the road.
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6. The mobile home is located on the grassed area, approximately in the position marked on the site plan provided by the appellant, and introduces additional development into the gap between the pub and Woodruff Close, alongside the existing garage. This reduces the gap between the pub and housing estate, consolidating development in this location and affecting the view of the open countryside from the road. I accept that an alternative location on the site may reduce the effect of the development on the countryside, although I do not consider that this would wholly overcome the harm caused by the stationing of a mobile home on this site.
7. For these reasons, I conclude that the proposed development harms the intrinsic character and beauty of the countryside. As such, it is contrary to Policies E1, E6, E7, H2 and RC3 of the Swale Borough Local Plan and the Framework that seek to protect the quality, character and amenity value of the countryside.
8. The appellant suggests that the mobile home provides living accommodation for a staff member at the pub who would not otherwise be able to afford accommodation in the locality, with no available alternative accommodation for low paid workers in the area. However, limited evidence as to the availability or affordability of housing in the area in comparison to the living wage paid to the staff member concerned is provided to substantiate this. Consequently, while I have sympathy to the circumstances described, they are not sufficient to outweigh the harm and policy conflict identified.
9. I note reference to other sites used for the stationing of mobile homes, but I have not been provided with information as to their location or whether they would be subject of the same planning policies. Consequently, I have assessed the scheme before me on its individual merits. The mobile home is located away from the boundary with neighbouring residential properties and is separated by substantial boundary planting, such that it would not reduce the privacy of occupiers of the nearest dwellings. I understand that a supporting letter from a neighbouring occupier was provided to the Council, but I have not been provided with a copy.
10. On the basis of the above considerations, I conclude that the appeal should be dismissed.

AJ Steen

INSPECTOR