
Appeal Decision

Site visit made on 15 March 2017

by Grahame Gould BA MPhil MRTPI

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

Decision date: 5th April 2017

Appeal Ref: APP/K2230/W/16/3165704

Poundgate, White Horse Road, Harvel, Gravesend DA13 0UF

- 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 and Mrs Carslaw against the decision of Gravesham Borough Council.
 - The application Ref 20160476, dated 4 August 2016, was refused by notice dated 17 November 2016.
 - The development proposed is conversion of existing redundant barn into 2 no. four bedroom dwellings and including the demolition of metal framed building.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The development would involve the conversion of a vacant barn (the barn) into two dwellings with the associated demolition of an open fronted barn. The development would therefore involve a change of use of the retained building and the land on which it stands. The application was initially submitted to the Council in May 2016 and was made in outline form. However, the Council treated the originally submitted application as being invalid because outline applications cannot be made for changes of use. The application was amended on 4 August 2016 so as to seek full planning permission, however, the description of development used continued to make reference to all matters being '... reserved with the exception of siting, layout and means of access ...'.
3. The amended description of development used by the appellants and the Council in part suffers from the shortcoming of the originally submitted outline application, because matters of design cannot be reserved. This procedural matter has been raised with the appellants and the Council and they are agreeable to me disregarding the reference to any matters being reserved and I have therefore proceeded on that basis. The description of development I have used in the banner heading above therefore makes no reference to any matters being reserved.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development within the Green Belt;
-

- the effect of the development on the character and appearance of the Kent Downs Area of Outstanding Natural Beauty (the AONB); and
- whether the location would provide acceptable access to retail, education and community facilities by a range of transport modes.

Reasons

Whether inappropriate development within the Green Belt

5. Poundgate Farm is within the Green Belt and the National Planning Policy Framework (the Framework) states at paragraph 87 that inappropriate development in the Green Belt is harmful by definition and should not be permitted. However, paragraph 90 of the Framework indicates that the re-use of a building can be considered as being not inappropriate development provided the building is a permanent structure and is of substantial construction and the openness of the Green Belt would be preserved and there would be no conflict with the purposes of including land in the Green Belt. The purposes for including land in the Green Belt being those referred to in paragraph 80 of the Framework.
6. Policy CS02 of the Gravesham Local Plan Core Strategy of 2014 (the Core Strategy) indicates that development within the Green Belt will be supported when it is 'compatible with national policies for protecting the Green Belt'.
7. I consider that the reference to '... the partial or complete redevelopment of previously developed sites ...' in the Council's first reason for refusal is not relevant to this case. That is because that text is from the sixth bullet point (exception) listed in paragraph 89 of the Framework, a paragraph that addresses development in the Green Belt that involves the construction of new buildings. The appeal development by contrast is for a change of use and therefore should only be assessed against the provisions of paragraph 90 of the Framework and I shall proceed on that basis.
8. The barn to be converted is of fairly recent construction and given its scale and the reliance on a concrete frame for support, I consider that this is a permanent building that is of substantial construction. The demolition of the barn behind the one to be converted would mean that there would be a reduction in the amount of built development at this site and that change would give rise to a slight increase in openness. I consider that slight increase in openness would assist in safeguarding the countryside from encroachment and that there would therefore be no conflict with the purposes of including the land within the Green Belt.
9. I have found that this development would involve the re-use of a building of a permanent and substantial construction, that the openness of the area would be slightly improved and that there would be no conflict with the purposes of including the land within the Green Belt. Taking those factors into account I conclude that this scheme would not be inappropriate development in the Green Belt for the purposes of paragraph 90 of the Framework and Policy CS02 of the Core Strategy.
10. The first reason for refusal cites conflict with Policy C11 of the Gravesham Local Plan First Review of 1994 (the Local Plan), a policy that addresses the conversion of farm buildings to other uses. However, Policy C11 makes no reference to the Green Belt and I am therefore of the opinion that Policy C11

is not relevant to consideration as to whether this scheme would be inappropriate or not inappropriate development within the Green Belt.

Effect on the AONB

11. The site is within open and gently rolling countryside in the AONB. Poundgate Farm for the most part is surrounded by pasture and arable fields, with some interspersed blocks of woodland, and where there is built development it is of a sparse nature, with a tendency to be focused on farmsteads. The area within the vicinity of the site is typical of the Luddesdown Downs Character Area (LDCA) identified in the Council's Landscape Character Assessment of 2009. The barn has a very utilitarian appearance and it possesses no architectural merit or historic interest and is readily visible from White Horse Road and the Weald Way public right of way, with the latter running parallel to the site's western boundary. I consider the barn does not make a positive contribution to the scenic beauty of the AONB.
12. With respect to the development's appearance, while only details for the front elevation have been provided with the application, the proposed floor plans suggest that multiple domestic scale door and window openings would be formed in all of the elevations, with some of the window openings being at first floor level following the installation of a mezzanine floor. The need to provide so many windows would appear to be a by-product of this barn's design not readily lending itself to being converted into dwellings. I accept that some improvement to the barn's appearance would arise from making changes to the wall and roof coverings, however, I consider that the conversion scheme would nevertheless leave this building with an overtly contrived domesticated appearance. This development would therefore do little to improve the appearance of what is inherently an undistinguished building.
13. I consider that this barn conversion does not bear comparison with the conversion of 'Poundgate Barn', with that building appearing to be a vernacular barn, of considerable age, making it worthy of conversion.
14. Few details have been provided as to how the external areas of the dwellings would be handled. However, there can be little doubt that some sub-division of the site would be required so that the dwellings' external spaces could be occupied independently of one another. That sub-division would be likely to involve the reinforcement of the site's external boundaries and the creation of internal boundaries, which would contribute to this site taking on a domesticated appearance that would be incompatible with the AONB's character.
15. While the demolition of one of the barns would provide some visual improvement, I consider that benefit of the development would not outweigh the harm to the appearance of the AONB that I have identified.
16. I therefore conclude that the development would cause unacceptable harm to the character and appearance of the AONB. There would therefore be conflict with Policy CS12 of the Core Strategy and Policies SD1, SD2 and SD9 of the Kent Downs Area of Outstanding Natural Beauty Management Plan of 2014 - 2019 because the development would neither conserve nor enhance the landscape and natural beauty of the AONB, having regard to its qualities and local distinctiveness. There would also be conflict with paragraphs 109

and 115 of the Framework because the development would fail to enhance or preserve the AONB's landscape beauty.

Whether a suitable location for dwellings

17. The site is located beyond a recognisable settlement boundary. There are very few houses within the immediate area and there are no retail, education or community facilities close at hand, with Vigo being approximately 1.5 Km away¹. The Council has also stated that no bus services use White Horse Road and walking to Vigo would involve the use of a rural road without footways.
18. Having regard to the above mentioned locational characteristics, I consider that this would be an isolated location for new homes, and that there would be a high dependency upon private motor vehicle usage amongst the occupiers of this development to gain access to retail, education and community facilities. In this respect I am of the opinion that the locational characteristics of Poundgate Farm are not comparable with those of the Willoughby on the Wolds appeal case² drawn to my attention. That is because for the Willoughby on the Wolds case a church was within a hundred metres, while the village school was a little more distant³.
19. A consequence of this being an isolated location for housing would be the making of quite long and frequent vehicular trips by the occupiers of and visitors to the dwellings. The making of those trips would be inconsistent with protecting the environment by minimising the need to travel by motor vehicle.
20. Paragraph 55 of the Framework promotes sustainable development in rural areas and advises that housing should be located where it will enhance or maintain vitality in rural communities, with development in one village in some instances having the potential to support services in others nearby. Paragraph 55 further advises that isolated homes in the countryside should be avoided unless special circumstances apply, such as re-using redundant or disused buildings. While the development would involve the re-use of a disused building, I attach limited weight to that benefit because of the harm that would be caused to the character and appearance of the AONB.
21. Paragraph 55 is underpinned by the social role of sustainability referred to in paragraph 7 of the Framework. Paragraph 7 states, amongst other things, that new housing should be provided so that it is accessible to local services that reflect the community's needs and supports its health, social and cultural well-being. This development would involve the provision of a very modest amount of housing and I therefore consider that it would do little to enhance or maintain the vitality of the settlements in the area, in terms of supporting local services and businesses and that the poor access to every day local facilities would, in any event, outweigh any benefits to the area's vitality.
22. For the reasons given above I conclude that there would be unacceptable access to retail, education and community facilities by a range of transport modes and that the resulting dependency on motor vehicle usage would be harmful to the environment. There would therefore be conflict with

¹ As recorded in the Council's officer report

² Appeal APP/P3040/A/13/2191142

³ Paragraph 12 of the appeal decision

paragraph 55 of the Framework and Policy CS01 of the Core Strategy because this would be an isolated and thus unsustainable location for housing.

Other Matters

23. Given the nature of the harm that I have identified, I consider that this development could not be made to be acceptable by the imposition of reasonable planning conditions.
24. As part of the appeal the Council has sought to introduce a fourth reason for refusal concerning the loss of employment space. As the appeal is to be dismissed for other reasons, I consider there is no need for me to address the matter of the loss of employment space.

Conclusions

25. While I have found that this scheme would be not inappropriate development within the Green Belt, this development would be harmful to the character and appearance of the AONB and would provide its occupiers with poor access to retail, education and community facilities by a range of transport modes. This scheme would therefore be an unsustainable form of development, when the development plan and the Framework are read in the round.
26. The appeal is therefore dismissed.

Grahame Gould

INSPECTOR