
Appeal Decision

Site visit made on 27 June 2019

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 August 2019

Appeal Ref: APP/X2220/W/18/3219255

Westcliffe Farm, Dover Road, Westcliffe, Dover CT15 6EN

- 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 Trevor Restell against the decision of Dover District Council.
 - The application Ref DOV/18/00475, dated 22 February 2018, was refused by notice dated 28 June 2018.
 - The development proposed is a two bed detached timber barn type dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would be in a suitable location and with regard to access to services and facilities; and
 - the effect of the proposal on character and appearance of the area and the Kent Downs Area of Outstanding Natural Beauty.

Reasons

Suitability of location

3. The appeal site comprises an open field to the north of existing dwellings, barns and various outbuildings on Dover Road. St Peter's Church lies to the east and there are other sporadic residential properties and farm buildings in the vicinity. The site is surrounded by open countryside that forms part of the Kent Downs Area of Outstanding Natural Beauty (AONB).
4. The nearest village of St Margaret's at Cliffe is some 0.7 miles away by road from the site and has some local facilities including a village shop, pub and school. There is a bus service in the area however this appears to be infrequent. Whilst it would also be possible to walk or cycle to the village, the journey would only be practical via Dover Road, which is a country lane that has no pavements and no street lighting. Within this context I do not consider that the closest services or facilities are within a distance of the site that makes them readily convenient by sustainable modes of transport.

5. Accessibility to services, facilities and employment from the site other than by private car would therefore be poor, and it is likely that those occupying the dwelling would rely heavily on this mode of transport. Whilst I recognise that there is generally a greater reliance on the private car in rural areas, it remains the case that there would be a lack of sustainable transport choices available to enable future residents to conveniently access services and facilities. To my mind this weighs heavily against the development.
6. Paragraph 78 of the National Planning Policy Framework (the Framework) sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. However, the contribution one additional dwelling and its occupants would make to the vitality of the rural community would be small. Whilst the development would therefore make a limited contribution to the local economy and social well-being of the area, these factors would not outweigh my concerns over the location of the proposal.
7. I conclude that the scheme would not provide a suitable location for housing. It therefore would conflict with Policies CP1 and DM1 of the Dover District Core Strategy February 2010 of the Medway Local Plan 2003 (LP) which state that development will not be permitted on land outside the urban boundaries and rural settlement confines. Whilst not included on the Council's decision notice, the proposal would also be contrary to Policy DM11 of the LP which sets out that development that would generate travel will not be permitted on land outside the urban boundaries and rural settlement confines.
8. The development would also be inconsistent with the Framework which identifies that housing in rural areas should maintain or enhance the vitality of rural communities and promote sustainable transport.

Character and appearance

9. The existing appeal site comprises a grassed field. Open countryside abounds to the north and west. In my opinion although the appeal site adjoins other dwellings and farm buildings to the south fronting Dover Road, its undeveloped qualities have more natural affinity with the predominant surrounding rural landscape.
10. The result of the proposal would be to extend development into the open countryside. The appeal scheme would also result in the creation of a new residential curtilage, subdividing the field. Residential development of this order with a garden and any associated domestic paraphernalia, such as washing lines, children's play equipment and barbecues, would significantly increase the prominence of the proposal in comparison to the existing situation. This would be to the detriment of the verdant setting, and lead to the urbanisation of an essentially rural environment, harming the intrinsic character and beauty of the countryside and the AONB.
11. I conclude that the scheme would harm the character and appearance of the area and the AONB. It would conflict with Policy DM15 of the LP, which requires protection of the countryside. The scheme would also be inconsistent with the advice in the Framework which states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs.

Other matters

12. I acknowledge those matters that have been advanced in support of the development, including the creation of a new starter home and that no objections have been raised with regard to design, noise, waste, traffic, trees, contamination, heritage or ecology. These however do not outweigh the harm that I have identified above.
13. The appellant states that evidence supporting policies DM1 and CP1 is due for review and this affects the weight to be applied to the policies. For completeness, I consider that all the policies relevant to this proposal are broadly consistent with the Framework in so far as they seek to protect the character of the countryside, promote access by a range of transport modes and conserve and enhance the natural beauty of the area's landscape. They therefore carry significant weight.
14. In commenting on the Council's statement, it remains the appellant's view that the Local Authority cannot demonstrate a five-year supply of deliverable housing sites. Amongst other things, the appellant's stance is that the Council has not yet fully tested its evidence base and the updated Land Allocations Local Plan has yet to be adopted.
15. Even if I were to conclude there is a shortfall in the five-year housing land supply on the scale suggested by the appellant, having regard to Framework paragraph 11 d) i and footnote 6, the application of policies in the Framework that protect areas or assets of particular importance, including AONBs, provides a clear reason for refusing the development proposed, regardless of the scheme's benefits from the provision of additional housing.
16. As I have found that the proposal would be unacceptable on the substantive matters which would result in its dismissal, I need not consider in further detail any evidence in respect of the Thanet Coast and Sandwich Bay Special Protection Area.

Conclusion

17. For the reasons set out above I conclude that the appeal should be dismissed.

C Hall

INSPECTOR