

## Appeal Decision

Site visit made on 15 July 2019

**by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 12 September 2019**

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### **Appeal Ref: APP/Z2260/W/19/3226373**

### **Manor Farm Equestrian, Gore Street, Ramsgate CT12 4LL**

- 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 & Mrs Carpenter against the decision of Thanet District Council
  - The application, Ref. F/TH/18/1354, dated 20 September 2018, was refused by notice dated 20 February 2019.
  - The development proposed is demolition of stable block; partial change of use and creation of new log cabin style residential dwelling.
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### **Decision**

1. The appeal is dismissed.

### **Main Issues**

2. The main issues are (i) the principle of a new dwelling in this rural location, and (ii) the effect upon the character and appearance of the countryside and its landscape.

### **Reasons**

3. On the first issue, the Council's Notice of Refusal refers to the location of the dwelling resulting in an unsustainable and isolated form of development within the countryside. As these disadvantages are not sufficiently outweighed by economic, social or environmental benefits it is considered that the proposal would be contrary to Policy H1 of the Thanet Local Plan 2006 ('the Local Plan') and paragraphs 78 & 79 of the National Planning Policy Framework 2019 ('the Framework'). This is an update of the 2018 version but there have been no changes that materially affect this appeal.
  4. The thrust of the appellants' case as regards location is that as Policy H1 includes provisions to restrict the supply of housing within the countryside, and as the Local Planning Authority are unable to demonstrate a 5 year housing supply (a point accepted by the Council), the appeal application should be determined primarily with regard to the policies of the Framework.
  5. Accordingly, reference is made in particular to paragraphs 11 (the presumption in favour of sustainable development) and 79 (avoidance of isolated homes in the countryside unless one or more of five sets of circumstances apply, including a) an essential need for a rural worker and c) re-use of redundant or disused buildings).
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6. I have carefully considered the Council's refusal of permission and the appellants' case within the objectives and detailed provisions of these policies. Firstly, as regards paragraph 79 I saw on my visit that the appeal site is positioned well to the south of the group of buildings adjoining the Gore Street / A253 Ramsgate Road junction, with another gap to the village of Monkton further to the east.
7. Although there are other buildings at closer quarters to the north and south along this section of Gore Street in the form of a converted barn and the gas pressure station respectively, these do not alter both the fact and perception of the appeal site being distinctly separate from other development in this rural locality. I therefore consider that this clear separation means that the proposed dwelling would be 'isolated' for the purposes of interpreting paragraph 79 of the Framework.
8. As regards exception a), a dwelling on the site would be convenient for day to day management of the business and undoubtedly increase security, particularly at night time, above the level that might be achieved through the deployment of alarms and lighting sensors. However, the use of the term 'essential' in this context has a long history through the application of Government policy in PPS7 and its predecessor PPG7.
9. It is well established through these documents and the Framework that security on its own is rarely if ever sufficient to justify an on-site dwelling and must therefore be supplemented by other demonstrably essential needs before a permanent dwelling for a worker at a rural business can be justified. Furthermore, these justifications normally relate to agricultural holdings rather than equine establishments and also form just part of an overall appraisal of financial viability. And nothing I have seen or read in this case is persuasive that a dwelling can reasonably be regarded as a justifiable exception under exception a) of paragraph 79. Exception c) is also mentioned by the appellants, but there is no clear evidence as to how the re-use of redundant or disused buildings at the site would either actually occur or indeed enhance the immediate setting in the manner that is intended by the policy.
10. In respect of the more general argument of the benefit of an additional dwelling that would make a contribution to the shortfall of housing in Thanet, in order to avoid harm to the countryside this would need to comprise sustainable development for the presumption in paragraph 11 of the Framework to apply. However, the non-compliance with paragraph 79 in terms of a countryside location isolated from any settlement does not suggest a sustainable location given the inevitable reliance on the private car. And the deciding issue as to sustainability is whether the proposal would be a sufficient contribution to the Framework's interdependent economic, social and environmental objectives.
11. The grounds of appeal address these three basic principles as identified in paragraph 8 of the Framework. I agree that the construction of the dwelling would provide an economic benefit to the local economy through the supplies of materials and employment, but in itself this short term effect would be insufficient to justify a permanent building. Nor do I accept that the presence of a dwelling, certainly at this stage of the business, would be necessary to achieve its sustainable growth in terms of turnover and employment. As regards the social benefits, I do not regard the construction of another dwelling

to assist with security and on-site management as making any clearly identifiable social contribution. On the environmental aspect, the tidying and landscaping of the site can be argued to be a benefit, but this is a matter more appropriately considered under the second issue below.

12. On the first issue, I conclude that the principle of a new dwelling in this location would be unacceptable. It would be in conflict with Policy H1 of the Local Plan and with paragraphs 78 & 79 and the principles of sustainable development in the Framework.
13. Turning to the second issue of the effect of the proposed dwelling on the character and appearance of the countryside and its landscape, the design of the building is appropriate for the site and in keeping with the existing stables. To the extent that it would be positioned against the roadside hedge its prominence would be reduced, albeit I agree with the Council that the upper parts of the building would, in the short term at least, be visible from Gore Street.
14. However, the more fundamental point is that a residential use of the site would comprise a noticeable and permanent change of character in this location away from other dwellings and in the open countryside. As the Council says, this would be due to a combination of the domestic paraphernalia, the increased activity on the site and light spillage during the evenings and particularly in the winter months.
15. The tidying and landscaping referred to in paragraph 11 above could, subject to acceptable details of the planting, potentially mitigate the adverse effect to a limited extent. But I do not consider that it would sufficiently negate the site's change to a residential character to avoid the development having an intrusive effect in the open countryside and being harmful to the Landscape Character Area.
16. On balance on this issue I conclude that the appeal proposal would have an unacceptable effect on the character and appearance of the countryside and its landscape. This would be in harmful conflict with Local Plan Policies CC1, CC2 & D1 and would not be consistent with the environmental objective that contributes towards the definition of sustainable development in the Framework.
17. I have had regard to all other matters raised for the appellants but have found nothing that outweighs my conclusions on both main issues.
18. For the reasons explained above the appeal is dismissed.

*Martin Andrews*

INSPECTOR