



Appeal Decision

Site visit made on 14 October 2019 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th November 2019

Appeal Ref: APP/X2220/W/19/3234938

The Lodge, Fleming Road, Staple CT3 1LG

- 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 Penfold against the decision of Dover District Council.
 - The application Ref 19/00515, dated 24 April 2019, was refused by notice dated 3 July 2019.
 - The development proposed is the redevelopment of existing industrial site to provide 6 dwellings.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issue is whether the proposal would be suitably located having regard to local policy, its accessibility and its effect on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal site lies on the edge of the small hamlet of Barnsole, on the northern side of Fleming Road. Although the appellant states that the site is within the village of Staple, as demonstrated by road signs, it is clear that the site lies outside of the boundary of the village of Staple as shown in the extract of Policy LA45 of the Dover District Land Allocations Plan (DDLAP) provided by the appellant.
 5. The proposal therefore would conflict with Policy DM1 of the Dover District Core Strategy (DDCS) which generally seeks to contain development within settlement boundaries. The appellant highlighted that policy DM1 conflicts with the DDLAP, and specifically policy LA45, in that the DDLAP recognised the need for additional housing in Staple. However, the DDLAP sought to address that need to provide more housing in Staple by releasing land for housing in 2015. The settlement boundary was thus modified to allow for development at Orchard Lea, The Street. Though this is only a small allocation, DDCS Policy CP1 defines Staple as a 'Village' which is significantly low down the identified settlement hierarchy and is considered only suitable for a scale of development
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that would reinforce its role as a provider of services to the immediate community.

6. The Council consider that policy DM1 is out of date as it relates to settlement boundaries that were based on a housing target figure that has since been revised from 505 dwellings per year to 629 across the district. However the policy can still be given some weight as the latest Monitoring Report for the district, published in March 2019, stated there was a supply of 3494 units, which is still in excess of a five years supply.
7. The appellant refers to other sites outside the identified boundary of Staple to support the case for development outside of the village confines. An Inspector, in allowing appeal reference APP/X2220/W/16/3157696 in January 2017, reasoned that, as the Council could not demonstrate a five-year supply of deliverable housing sites, policy DM1 was out of date and could only be given limited weight. Also, due to the particular circumstances involved, the proposed development could assimilate into its surroundings. The Inspector concluded that the effect on the character and appearance of the area would be limited and outweighed by the social and economic benefits. As such, consistent with the advice within the Framework that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, the appeal was allowed. Further to this, the appellant makes reference to the redevelopment of Summerfield Nursery, located approximately 500 metres as the crow flies to the south west of the appeal site, for 16 dwellings in December 2018 (ref DOV/18/00242). Notwithstanding the fact each case is dealt with on its individual planning merits, as the Council can now demonstrate a 5-year supply of housing there is less pressure to allow land for development outside of settlement boundaries.
8. Furthermore, due to the limited number of amenities available in Staple, a pilot community 'taxi-bus' service with only four return journeys to Sandwich per day, and the lack of footpaths or streetlights along Fleming Road, the future occupiers of the proposed dwellings would be reliant on their individual private vehicles. It can therefore be expected that the proposal will increase the amount of car travel in the area contrary to DDCS policy DM11.
9. Turning to its effect on the character and appearance of the area, the site currently consists of a large warehouse and associated yard used for the storage of caravans and various other vehicles. A large open gravelled area at the entrance of the site off Fleming Road leads to a gravelled driveway which gives access to the western corner of the site which is occupied by a bungalow, a mobile home, caravans, and sheds. The gravelled area is also used as an access by the occupiers of the neighbouring property at Barnsole Barn.
10. To the north, northeast and across Fleming Road to the south is open countryside. To the south, the site abuts the boundaries of Barnsole Barn and Barnsole Farm. To the east there is a large warehouse occupied by Barnsole Vineyard. There is mature hedging and tall trees along the northern and north western boundaries, and a tall solid green painted fence along the southern boundary.
11. The existing properties in the immediate area are clustered around the junction of Fleming Road, Barnsole Road and Church Lane. There is no clear structure to the grain of development. It appears unplanned and sporadic, composed of farmhouses, cottages and more recent dwellings. Most properties are two-

storey dwellings set within large garden plots. There is a mix of external finishes to the dwellings with some featuring timber boarding and thatched roofs, whilst other properties are finished with brick or white render. There is a strong rural feel to the area with numerous agricultural buildings dotted around the hamlet. The wider landscape is predominantly open farmland, with arable and grazing pastures, fragmented by areas of woodland.

12. I find that the combined bulk of six new two-storey dwellings would appear prominent when viewed from the east, on the approach to Barnsole on Fleming Road. Currently, only the roof of the existing warehouse within the appeal site is visible in the gap between the road and the neighbouring metal building associated with the Barnsole Vineyard. The change of view, as a result of the proposed development, from what is an unobtrusive low-lying and agricultural-looking building to six new pitched roofs would detract from the existing rural setting and result in a detrimental impact on the character of the countryside. Whilst the removal of the hardsurfacing and solid metal fencing visible from the site entrance would improve the appearance of the site, the introduction of covered parking bays and erection of a row of new dwellings visible from the road, built in close proximity to each other, would give the impression of a dense suburban street. Also, the proposed close-knit layout with plots 2-6 arranged symmetrically in a linear fashion and oriented towards the new lane combined with the relatively small size of the gardens would dramatically depart from the low-key and ad-hoc rural grain of development in the immediate area. As such, the proposal would appear dominant, visually intrusive and incongruous in this rural setting.
13. I conclude the proposal would not be suitably located having regard to local policy, its poor accessibility and its harmful effect on the character and appearance of the area. I therefore consider that the proposed development conflicts with Policies CP1, DM1, DM11, DM15 and DM16 of the Dover District Core Strategy as well as the National Planning Policy Framework which together seek to ensure proposals are appropriately located and do not result in harm to the character and appearance of the countryside.

Other Matters

14. The appellant states that the appeal site is a 'brownfield' site which does not contribute to the economy or environment and that the haulage business could be re-instated which would thus constitute a 'fall-back' position. I acknowledge the site is previously developed. However, the site is currently used for the storage of caravans and mobile homes and would require planning permission to revert to a haulage business. In any case, the prospect of a re-instated haulage business would not outweigh the harm that I have identified.
15. The site abuts a small part of the listed curtilage of 'Rose Cottage' to the southwest. The Council did not identify any harmful impacts and I have no reason to consider otherwise.
16. Furthermore, the site is located within the Thanet Coast and Sandwich Bay Special Protection Area (SPA). As I am dismissing this appeal based on issues relating to the location of the proposal and its effect on the character and appearance of the area, I need not consider the effect of the proposal on the SPA.

Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR