



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: 02 December 2019

Appeal Ref: APP/X2220/W/19/3234844

Land to the rear of Cropstone, East Stourmouth, Canterbury CT3 1HY

- 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 Ms K. Vickers against the decision of Dover District Council.
 - The application Ref DOV/18/00167, dated 14 February 2018, was refused by notice dated 8 February 2019.
 - The development proposed is the erection of a detached dwelling with attached garage/store and formation of vehicular access (existing barn to be demolished).
-

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.

Procedural Matter

3. The description of development used in the header above is that used on the appeal form and the Councils' decision notice and is agreed by both parties. During the consideration of the application amended plans were submitted. Although the appellant suggests both the original and amended plans could be considered, I have based my assessment on the amended plans upon which the Council's decision was based.

Main Issues

4. The main issues are whether the site would be an appropriate location for the development, having regard to:
 - the spatial strategy of the development plan;
 - its effect on the character and appearance of the area; and
 - its proximity to services and facilities.

Reasons for the Recommendation

The spatial strategy of the development plan

5. The appeal site is located in the small hamlet of East Stourmouth, to the west of The Street and accessed via a single access track lane. It consists of a parcel
-

of garden land to the rear of an existing property known as 'Cropstone'. A dilapidated outbuilding lies close to the heavily vegetated south eastern boundary which separates the appeal site from 'Cropstone'. There are also a number of trees and bushes that pepper the middle of the site and mature hedging and tall trees along the north eastern and south western boundaries. The site is relatively open towards the north west with views of agricultural land and polytunnels beyond.

6. Policy CP1 of the Dover District Core Strategy (DDCS) states that the location and scale of development in the District must comply with the Council's Settlement Hierarchy. This spatial policy defines East Stourmouth as a hamlet which is at the bottom of the identified settlement hierarchy and is considered 'not suitable for further development unless it functionally requires a location'. Similarly, DDCS policy DM1 seeks to contain development within settlement boundaries unless the development functionally requires being located on land outside of rural settlement confines, or is ancillary to existing development. The site is a significant distance from Preston which I understand is the nearest settlement with an identified boundary for planning policy purposes.
7. The appellant states that the proposed erection of the detached three bedroomed dwelling to replace the derelict barn outbuilding on-site would support the appellant's business of producing preserves made from locally sourced produce and from crops grown on a nearby trapezoidal shaped parcel of land at the rear of properties in School Lane, extending to just over 0.1 hectares. The appellant currently resides in Margate, where the production of the preserves takes place within the appellant's domestic kitchen. The planning statement submitted with the application states that the proposal would allow for "a significant enhancement to the efficiency of the business, in terms of being able to transport larger quantities of produce from the field; immediate access to ample storage space, chilled where necessary; and the ability to process larger amounts of produce to create the sale goods." It is contended that the development would consolidate all crop cultivation and goods production on the site, so would save on travel time, increase work time, and increase production workspace. The reduction in car journeys would result in a reduction in CO₂ emissions. The appellant emphasises the business has operated for five years and has provided turnover figures showing a sustained modest income. Also, evidence is provided detailing the benefits of consolidating the business in a centrally-located position within East Kent giving better access to markets and a wider client base.
8. Whilst I agree that the proposal would enhance the logistics of the existing business, I do not find that this amounts to substantive evidence to justify the functional need for the construction of a dwelling in this location. The efficiency savings made from consolidating the business onto this site and running it from here could still, mostly, be achieved without a dwelling being provided. Indeed, although the appellant states that a number of crops were lost due to a lack of site attendance, I am not convinced this means it is necessary that the appellant lives near the crops. Furthermore, the appellant states that there are no available properties within walking distance of the cultivated land and with the adequate kitchen space required. However, I have not been provided with any evidence of this. In addition, the proposed kitchen as indicated on the proposed floor plans (drawing no. 17.1022.MB.PL11) is not especially large nor is there any provision for storage of produce. Overall the business is of a

nature that does not realistically generate an essential functional need for the proposed dwelling.

9. Similarly, with respect to the other part of policy DM1, I do not consider that the development would be ancillary to the existing use of the land. The size and layout of the proposed dwelling, as mentioned above, is not particularly proportionate or suited to the agricultural use, appearing more as a conventional residential dwelling. Also, as pointed out by the Council, whilst relatives of the appellant reside in the neighbouring property to the south of the site, the proposed detached house would function entirely independently of this dwelling and is therefore not considered to be ancillary to Cropstone.
10. Accordingly, the site would not be an appropriate location for the proposal having regard to the spatial strategy of the development plan and would conflict with policy DM1 of the DDCCS which seeks to limit development outside the confines of rural settlements.

Character and appearance

11. Whilst the removal of the dilapidated outbuilding would marginally improve the appearance of the site, the introduction of a conventionally designed two-storey dwelling, with chimney, and externally finished with brick would be visually intrusive on the edge of this rural hamlet. Although the proposed design includes a cat slide roof off the rear elevation, which is a common feature within this area, it does not harmonise with its countryside setting.
12. I have also had regard to the scale analysis plan submitted by the appellant (drawing no. 17.1022.MB.PL10). According to the approximate figures provided, the proposed ridge height of the development would surpass existing properties in the vicinity. Due to the site's sensitive location on the edge of the settlement and open towards the north west, the proposed dwelling would appear prominent from this direction. It would detract from the existing rural setting and result in a detrimental impact on the character of the open countryside.
13. I acknowledge that there are properties of varying sizes and designs, containing a wide range of materials and architectural features in East Stourmouth and in the immediate area to the application site. This was demonstrated in the appellant's visual character assessment. Although the visual assessment relates to the original barn design which has now been superseded by the amended version, I agree that the proposed dwelling would not have an adverse impact on the appearance of The Street or would appear incongruous from other vantage points to the south of the site.
14. Nonetheless, I conclude that, overall, the proposal would harm the established character and appearance of the area. I therefore consider that the proposed development conflicts with Policy DM15 of the DDCCS as well as paragraphs 127 and 130 of the National Planning Policy Framework (the 'NPPF') which together seek to ensure proposals are well designed and do not result in harm to the character and appearance of the countryside and the area in which they lie.

Proximity to services and facilities

15. The closest village is Preston, approximately 1 mile to the south west of the site. It has a small shop, a butcher's, a public house and a school. Other services and facilities are available in the larger settlements of Sandwich,

Ramsgate and Canterbury. Although there is a bus service available in East Stourmouth, it is not very frequent and there are a limited number of amenities available in the hamlet itself. Also, because of the lack of footpaths or streetlights along The Street, it is likely the future occupiers of the proposed dwelling would be very reliant on their individual private vehicles.

16. The appellant does suggest that the proposal could result in a reduction of travel whereby the appellant's current car journeys to and from Margate and the cultivated land would cease. In this regard, the proposal may well result in a reduction in trips. However, it is likely that car journeys from this particular site would increase as the appellant seeks to access outlets for the produce. Indeed an additional family dwelling in this location, notwithstanding the business journeys, would rely heavily on the private car for other day to day activities.
17. It can therefore be expected that the proposal will increase the amount of car travel in the area, albeit to a small degree, and would thus be contrary to DDCCS policy DM11 which seeks to limit development which generates travel, and the NPPF which seeks to ensure development is located in sustainable locations.

Other Matters

18. The appellant refers to a different case at Little Stour Orchard. In this case, it was found that the functional need for the dwelling in a location outside of a settlement confine had not been justified and that the proposed house was not ancillary to the scale of an associated glamping use. I have come to a similar conclusion in this case. Also, although the appeal site may be closer to an infrequently served bus stop than Little Stour Orchard, it is further from Preston and the range of services therein. In any event, each application and appeal should be determined on its individual merits, and this is the approach that I have adopted.
19. Whilst I acknowledge that the proposal would improve the appellant's family life in terms of proximity to elderly relatives, this personal circumstance carries very little weight.
20. The site is located within the Thanet Coast and Sandwich Bay Special Protection Area (SPA). As I am dismissing this appeal for the reasons given above, I need not consider the effect of the proposal on the SPA.

Planning balance and Recommendation

21. The Council suggest they can now demonstrate a 5-year supply of housing, though accept that Policies DM1 and DM15 are in conflict with the aims of the NPPF so should have reduced weight. Nonetheless, they are not irrelevant and I give moderate weight to the proposal's conflict with them.
22. The proposal would boost the supply of housing and contribute to a small degree to the vitality of the rural economy. A landscaping scheme could also provide a small benefit. However, the harm resulting from the proposal's conflict with the policies would still significantly and demonstrably outweighs the benefits.
23. 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

24. 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