



Appeal Decision

Site visit made on 20 April 2021

by David Smith BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th April 2021

Appeal Ref: APP/Z2260/W/20/3260061

The Field, Down Barton Road, St Nicholas at Wade, CT7 0QA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Melvin Walker against the decision of Thanet District Council.
 - The application Ref OL/TH/20/0466, dated 3 April 2020, was refused by notice dated 3 July 2020.
 - The development proposed is outline application for the erection of a single storey detached dwelling with all matters reserved.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Illustrative plans accompanying the application show a dwelling designed to appear as an agricultural building together with hedgerow planting and specimen and orchard trees. Whilst these details are not part of the appeal, they nevertheless indicate the type of development that could take place.

Main Issues

3. These are whether the proposed dwelling would be in a suitable location having regard to relevant development plan policies and the effect on the character and appearance of the area.

Reasons

4. The proposal would be outside the village confines of St Nicholas at Wade and therefore in the countryside for planning policy purposes. According to Policy SP01 of the Thanet Local Plan the urban area is the primary focus for new housing development. Subject to other policy requirements, housing of a size and scale commensurate with the village will be permitted within, rather than outside it, as confirmed by Policy HO1 2). Whilst not physically isolated from the main part of the settlement the proposal does not fall into any of the exceptions identified in Policy SP24 for development in the countryside.
5. Therefore the proposal would be contrary to the strategic policies that govern the location of housing. Allowing development to proceed would undermine the spatial strategy for the District which seeks to direct most new housing to the urban areas with only limited development within the smaller settlements themselves. Consequently the proposed dwelling would not be in a suitable location having regard to relevant development plan policies.
6. The appeal site is part of a larger paddock used for horse grazing. There are open fields on the opposite side of Down Barton Road to the south and the land

immediately to the north is also free of buildings. There is development at Huckleberry Farm in connection with the glamping activities and stables to the east which have permission for residential use. Other buildings nearby are visible from Down Barton Road and would provide the context for the proposed dwelling. However, the prevailing character is rural.

7. The proposal would lead to an urbanising incursion into the paddock that would detract from its inherent undeveloped character. Furthermore, a single dwelling here would appear out of place given the clear separation of the site from the village core and other development on its periphery. As it would be divorced visually from St Nicholas at Wade the proposal would amount to a sporadic form of development. The negative effect of this would not be mitigated by the presence of the new dwelling at Huckleberry Farm or by any boundary vegetation that could be secured.
8. The line of conifers to the east would be too far away to effectively screen the proposal from inward views. Indeed, it would be clearly seen from the road. Whilst landscaping could be required at reserved matters stage there are no existing natural features along the southern and eastern boundaries. As such, and even if smaller than the house at Huckleberry Farm, the dwelling would be a discordant feature in its setting. The site is within an undulating chalk farmland Landscape Character Area. The openness and undeveloped character of the farmland contributes to the area's essentially rural character and dark skies. Because of its comparatively modest scale the proposal would have a limited impact on long distance views and the local distinctiveness of Thanet. However, by its very nature, it would not respect open landscape character and so would conflict with Local Plan Policy SP26.
9. Overall the proposal would harm the character and appearance of the area. As it would not be well related to surrounding development or respect the character of the area it would fail to conform to the general design principles in Policy QD02.

Other considerations

10. The recently permitted dwelling at Huckleberry Farm was judged not to be isolated even though it is slightly further away from the village. That decision of the Council is not binding on this appeal. However, that site is surrounded by earth banks and vegetation and there is also reference to existing permitted stable buildings on the site. Because of these physical differences and particularly the pre-existing screening, the proposal can be distinguished from that development in any event.
11. Other developments, both permitted and dismissed at appeal, have been highlighted on nearby sites. However, none of these are identical to the proposal in terms of scale and location and therefore they have a limited bearing on the outcome of this appeal.
12. Policy SP03 commits the Council to an early Local Plan review in the light of changing circumstances including the housing requirements for the District. That process has begun and the appellant's land has been put forward as part of the call for sites. The type and location of future housing should be settled through plan-making rather than through ad hoc appeal decisions. The need for a review is therefore not something that, in itself, favours the proposal.

13. The 2020 Housing Delivery Test results show a measurement of 54% for Thanet. Therefore housing development should be subject to the presumption set out in paragraph 11 d) of the National Planning Policy Framework. This is because over the previous 3 years the delivery of housing was substantially below the housing requirement. The presumption operates where delivery of less than 75% of the requirement has been achieved. As the percentage for Thanet is some way under this figure the provision of additional housing in the District is, in general terms, a matter that should be given considerable weight.
14. There is no information about the ease of constructing this proposal but no reason to assume that it could not be delivered quickly. Nevertheless, as it is only for one house the difference it would make to overall delivery rates would be minimal. Similarly, the other social and economic benefits associated with building and occupying a single new property would be small.

Final balance

15. The adverse impacts arising from the proposal relate to the unsatisfactory location of the development and its harmful effect on local character and appearance. It would also conflict with relevant development plan policies.
16. In deciding the importance to give to these considerations in the final balance it is significant that the Local Plan is recently adopted. The planning system should be genuinely plan-led. The proposal would dilute the overall strategy for the pattern of development which is also contrary to the expectations of the Framework. On the other hand, the Government's objective is to significantly boost the supply of homes. Whilst in some cases the housing delivery position might require a different approach to development outside village confines this proposal would be poorly related to the settlement and would have a modest positive impact on total supply. The Framework also recognises the intrinsic character of the countryside.
17. Given that the policies concerned are broadly consistent with the Framework the conflict with the agreed spatial strategy for Thanet and the harm to the character and appearance of the area are matters of considerable weight. These therefore significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result the presumption in favour of sustainable development does not apply.
18. A unilateral undertaking has been provided offering a contribution towards mitigation measures to avoid adverse impacts on the Thanet Coast and Sandwich Bay Special Protection Area. However, as the appeal is to be dismissed, there is no need for further consideration to be given to this or to the provisions of the Conservation of Habitats and Species Regulations.

Conclusion

19. The proposed development would be contrary to the development plan and there are no other material considerations, including the provisions of the Framework, which outweigh this finding. Therefore the appeal should fail.

David Smith

INSPECTOR