

Appeal Decision

Site visit made on 30 June 2021

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 06 August 2021.

Appeal Reference: APP/G2245/W/20/3263254

Land at 'Sealcroft Farm', Childsbridge Lane, Seal TN15 0BY

- 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 R Dalton against the decision of Sevenoaks District Council.
 - The application (reference 20/02286/FUL, dated 10 August 2020) was refused by notice dated 5 October 2020.
 - The development proposed is described in the application form as follows: *"Erection of a Timber frame, timber clad agricultural storage building with goose wing grey roof; 15.4m Long, 3.4m High"*.
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Decision

1. The appeal is dismissed.

Main issues

2. The first main issue to be determined in this appeal is whether the proposal is "inappropriate development" in terms of Green Belt policies. If so, it is necessary to consider whether the harm by reason of inappropriateness together with any other harm that might be caused (including the effect of the development on the openness of the Green Belt and the purposes of including land within it) would be clearly outweighed by other considerations.
3. If the proposed development is to be categorised as "not inappropriate", it is nonetheless necessary, in this case, to consider the impact of the proposed development on the surroundings.

Reasons

4. The appeal site lies to the north of the main part of the village of Seal, in a locality that is largely rural in character, and it is clearly outside the built up limits of the settlement. Childsbridge Lane runs approximately from north to south, towards Seal, and, in the vicinity of the appeal site, the eastern frontage of the road is built up with a ribbon of development, while the land immediately to the west of the road is generally undeveloped.
5. 'Sealcroft Farm' is located behind a row of dwellings known as 'Sealcroft Cottages', on the road frontage, and is reached by a private surfaced driveway that is also signposted as a public footpath. At the eastern end, the driveway provides access to a compound of workshops and similar buildings, ranged

- around a central manoeuvring area and enclosed by a metal palisade fence. The largest of the buildings, which bears the sign "Dalton Joinery", backs on to the fence that marks the northern boundary of this compound.
6. To the east and north of the industrial compound there is a large but irregularly shaped field with a separate gateway and it is this field that comprises the application site, although the industrial area is shown to be under the same ownership or control.
 7. The field of grass is closely mown and it contains a large chicken run (adjoining the eastern boundary of the industrial compound) and an elaborate children's play installation. In addition, there is an area of land that is itself enclosed by a palisade fence and surfaced with hardcore, adjacent to the northern boundary of the industrial compound. This fenced area of the appeal site is occupied by a container and various pieces of equipment, among other things, and is evidently used as a secure storage area. At first sight, much of the equipment within it could be used in the maintenance of the field.
 8. The field as a whole has the appearance of being a separate unit from the industrial complex, with the character of an amenity space, primarily for recreational use.
 9. It is now proposed that a new storage building should be constructed within the fenced part of the field, on an 'L-shaped' plan.
 10. The 'National Planning Policy Framework' makes it plain, as explained at paragraphs 144-145, that the construction of new buildings is not normally acceptable in the Green Belt and that they should only be permitted in "very special circumstances", subject to certain exceptions. Such exceptions to the generality of Green Belt policy include "buildings for agriculture or forestry".
 11. The provisions of the 'National Planning Policy Framework' are reflected in the Development Plan, notably in the 'Local Development Framework Core Strategy Development Plan Document' (adopted in February 2011) and the 'Allocations and Development Management Plan' (adopted in February 2015). Policy LO8 of the 'Core Strategy' has a particular relevance, of course.
 12. The Council's 'Supplementary Planning Document: Development in the Green Belt' (also adopted in February 2015) is relevant but it does not carry the same weight as the Development Plan.
 13. Various Policies in the 'National Planning Policy Framework' promote well designed and sustainable development, as do local policies in the Development Plan. In this case, however, Green Belt Policies are of primary significance.
 14. The application site essentially comprises the field at 'Sealcroft Farm' but it is not an agricultural unit either in terms of its size or its character. It is relatively small, for realistic agricultural use, and is not primarily in use for agricultural purposes, notwithstanding the presence of the free-range chickens within an enclosure on part of the land. Moreover, the proposed building would be considerably larger than would be needed to store the existing machinery and would seem to be unnecessarily large in relation to the area of land to be serviced.

15. The proposed building is described as an "agricultural storage shed" but, in reality, it does not benefit from legislation or planning policies that apply to buildings that are needed for agricultural purposes and there is no convincing agricultural justification for it. I have concluded that the proposed building does amount to "inappropriate" development in the Green Belt and that, therefore, the policy presumption referred to above applies in this case.
16. The proposed development would be well screened from public viewpoints but it would have some impact on the character and appearance of the countryside and would reduce the "openness" of the Green Belt, since it would involve the construction of a new building. These considerations add to the "harm by reason of inappropriateness" that would arise from the project.
17. On the other hand, it is argued in support of the proposal that the building is needed to store maintenance machinery for the management of the land and it is pointed out that the proposed building would be discreetly sited and designed. These factors, however, do not amount to "very special circumstances" in terms of Green Belt Policies.
18. It has also been indicated that other developments have taken place or are planned in the vicinity of the appeal site, though information about those is limited and circumstances may well be different. In any case, this appeal is to be determined on its own merits.
19. It is acknowledged that the proposed new building would be useful but, nevertheless, the harm by reason of inappropriateness (derived from planning policies) and the effect of the building on the character, appearance and openness of the countryside are not outweighed by the benefits of the scheme. It follows that the proposed development conflicts with planning policies that are intended to protect the Green Belt and that it ought not to be allowed.
20. I am convinced, therefore, that the appeal must fail and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR