
Appeal Decision

Site Visit made on 24 August 2021

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2021

Appeal Ref: APP/X2220/W/20/3272227

Greenwood Farm, Chalksole Green Lane, Alkham, DOVER, CT15 7EE

- 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 J Huggins against the decision of Dover District Council.
 - The application Ref DOV/20/00618, dated 12 June 2020, was refused by notice dated 6 August 2020.
 - The development proposed is the erection of a single storey two-bedroom chalet for holiday accommodation and two parking spaces.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposal is in a suitable and sustainable location; and whether the proposal is of a design and scale that preserves the scenic beauty of the Kent Downs Area of Outstanding Natural Beauty (AONB).

Reasons

Location

3. The proposal is for a bungalow to be used as tourist accommodation within the front garden area of Greenwood Farm, which is a large house. There is no building on this part of the site currently and so it would be a new build development.
4. The site is within the countryside, a considerable distance from the nearest village of Alkham. Policy DM1 of the Dover District Council Core Strategy (2010) restricts development on land outside of urban boundaries and the confines of rural settlements unless justified through other policies or it functionally requires a rural location or is ancillary to existing development. In the circumstances proposed the tourism development would not comply with this policy as it is not an ancillary development (there is no substantive tourism use already on site) and it is of a development type that does not need to be in such a remote rural location.
5. The policy DM1 does pre-date the National Planning Policy Framework (the Framework) and is also more restrictive to countryside development than this national policy. This reduces the weight I attach to this policy. However, the Framework, under paragraph 80, states that isolated homes in the countryside should be avoided unless it is for a circumstance listed by this paragraph. Whilst not completely isolated, with some other dwellings nearby for example,

it is remote from settlements and various shops and services future occupants may need. The proposal is for a tourism let rather than a home, but it would be a form of residential accommodation. Furthermore, the proposal does not fit with any of the circumstances that the Framework under paragraph 80 includes as potentially permissible in the countryside, especially as this is a new build dwelling and not a conversion.

6. The tourism let would be highly dependent on the use of private vehicles to access the village or probably elsewhere that future occupants would want to visit. These would be additional trips as this is a new build development. I recognise that sustainable transport solutions will vary between urban and rural areas, but this is a location which is particularly remote for this proposed development type. This would not be a form of sustainable rural tourism.
7. Overall, the proposal is contrary to policy DM1 and DM11 of the Core Strategy, which requires that development outside urban boundaries and rural settlements would not be permitted if it would generate travel, for example. The proposal is also in conflict with the Framework policies, as described above.

AONB impact.

8. The site is within the Kent Downs AONB. The Framework (paragraph 176) states that great weight should be given to conserving and enhancing landscape and scenic beauty Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.
9. The proposal would introduce a new bungalow into what is currently an open part of the site. Whilst it would be used for tourism use and be subservient in scale to the main house on site, it would appear as a building within the landscape. Part of the particular scenic beauty of this part of the AONB is the openness and lack of built development away from the settlements. However, this positive aspect would be eroded by the proposed building which would simply appear as a new dwelling.
10. Furthermore, whilst acknowledging the proposed external materials the bungalow would not appear reflective of the local vernacular I observed in the area, including along Chalksole Green Lane. The form and layout of the bungalow, with the 'H' shape arrangement, would make it appear more suburban in character than the simpler form of most rural dwellings.
11. The proposed development would be largely screened from most public views by the surrounding trees and other forms of vegetation. However, I am not convinced that the bungalow would be totally screened from view. Furthermore, the surrounding landscaping could change over time to reveal more of the new building in the landscape. Therefore, I am of the opinion that there should not be an over-reliance on existing and proposed landscaping in this situation to screen a development to make it visually acceptable in this countryside setting.
12. Overall, the proposal does not preserve the scenic beauty of the AONB and so would be contrary to the relevant sections of the Framework (Chapter 15) and the Kent Downs AONB Management Plan, particularly policy SD9 which requires that new development complements local character and its contribution towards settlement patterns.

Other Matters

13. The proposal would result in an additional tourism unit of accommodation within this area, where there appears to be a drive to enhance the tourism sector. This could potentially provide an economic boost for the wider area, both through its construction and also for local businesses that would serve future tourists. However, as this is just a single unit with two bedrooms the benefits are likely to be limited.
14. However, I have found that the location for the tourism accommodation is inappropriate and that it would not conserve the AONB. For these reasons the benefits would be significantly and demonstrably outweighed by the harm from the proposed development.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

Mr S Rennie

INSPECTOR

