
Appeal Decision

Site visit made on 25 May 2023

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th June 2023

Appeal Ref: APP/X2220/W/22/3306708

Wentways Farm, Strakers Hill, East Studdal, Kent CT15 5BS

- 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 Andrew Hodges against the decision of Dover District Council.
 - The application Ref 22/00530, dated 23 April 2022, was refused by notice dated 16 June 2022.
 - The development proposed is the erection of an agricultural barn.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council refers to policies of the New Dover District Local Plan. This is currently at the examination stage and has not yet been adopted by the Council as part of its development plan. Accordingly, I can only give such policies limited weight in the decision-making process.

Main Issue

3. The main issues are:
 - whether an agricultural need for the proposal has been demonstrated sufficient to justify development within the open countryside; and
 - the effect of the proposed development on the character and appearance of the site and the surrounding area.

Reasons

Justification

4. The appeal site consists of a farmhouse and associated buildings on the junction between Down Road, Strakers Hill and Stoneheap Road. The adjoining land is bounded by hedgerows and mainly comprises paddocks with a small number of trees. The Council indicates that the site is located outside of the settlement confines of East Studdal; as such it would be identified as being situated within the countryside.
 5. Policy DM15 of the Dover District Core Strategy (CS, 2010) does not quantify or define the nature or extent of development that may be reasonably necessary for the purposes of agriculture. The policy provides no distinction between commercial and hobbyist agricultural activity.
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6. The appellant states that the barn will initially be used to store machinery and equipment, and then potentially the housing of livestock during the winter months. Although there currently appears to be no evidence of livestock being elsewhere kept on the appeal site, I am aware that such activity could occur in the future. As such, the scheme could be classed as being reasonably necessary for the purposes of agriculture within the unit.
7. I acknowledge the Council's concerns regarding the justification for the building in relation to its size. Furthermore, there is no indication that there is a County Parish Holding Number for the site issued by the Rural Payments Agency. Nonetheless, I have no robust evidence from any other party to counter the appellant's position, for example from an independent agricultural consultant.
8. Taking into account the available evidence, in particular the lack of any definition or quantification of agricultural development in the CS, I have no other reason but to conclude that the proposed development would accord with Policies DM1 and DM15 and the provisions of the National Planning Policy Framework (the Framework).

Character and appearance

9. Overall, the surrounding area is that of a mature rural landscape interspersed with residential properties and established farm buildings. The area to the north comprises of open fields separated by hedgerows and areas of woodland. I have no evidence to suggest that the appeal site is subject to any landscape designation. However, its undeveloped nature makes an important contribution to the character of this part of the countryside.
10. Whilst there are trees within the site and boundary hedgerows along Downs Road and Stoneheap Road which would offer some degree of screening, the appeal site is visible in the context of the wider rural landscape from the south. Owing to its mass, bulk and height, the agricultural barn would dominate the area of the land in which it would be located. In views from the vicinity to the south, the structure would appear as a conspicuous and isolated structure.
11. Consequently, the proposed building would appear as an incongruous, stand-alone feature that would erode the open setting of this part of the countryside. The prominence of the building would be exacerbated by the elevated ground level of the site relative to the adjacent public highways, and would adversely affect the contribution that the site makes to the character of the local landscape.
12. I note the appellant's contention that to position the barn within the existing cluster of buildings would be likely to harm the living conditions, health and well-being of the occupants of the farmhouse. Nevertheless, I have not been provided with any compelling evidence to demonstrate why this might be the case. For example, the appellant has not examined whether noise suppression measures could be installed in the building, or if appropriate farming practices or ventilation systems would assist in reducing odour exposure. To my mind, positioning the barn some distance from the main farm complex would also run contrary to the need for security on site.
13. I acknowledge that an agricultural barn has been approved in the local area under Council reference 18/00178. However, this building is situated in the corner of a field against a backdrop of mature trees, and as such is not directly comparable to the appeal proposal before me. In any event, development at

other sites would be neutral considerations in any balance against planning harm, and I am mindful that each case must be assessed on its own merits.

14. For the above reasons, the proposed development would unacceptably harm the character and appearance of the site and surrounding area. Accordingly, the proposed development would fail to meet policies DM1 and DM15 of the CS, which seek to reduce harmful effects on the countryside. It would also be inconsistent with the advice in the Framework, which states that good design is a key aspect of sustainable development,

Conclusion

15. Having regard to all matters raised and the arguments above, the appeal is dismissed.

C Hall

INSPECTOR