The Planning Inspectorate

Appeal Decision

Site visit made on 3 June 2024

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th July 2024

Appeal Ref: APP/L2250/W/23/3325597
Philippine Village Craft Centre, Cafe, Beckett Road, Brookland, Kent TN29 9TF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Tony Jones against the decision of Folkestone and Hythe District Council.
- The application Ref is 22/1936/FH.
- The development proposed is described as 'the owners of Jo's cafe have sought permission by the landowner to site a static caravan adjacent to the cafe. The Caravan is already sited so this application is retrospective. The Static is to be used occasionally by the owners to stay in to help the running of the cafe and improve security'.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The caravan is present on the site. Consequently, the proposal is retrospective and I have determined the appeal on this basis.

Main Issues

3. The main issues are:

    - whether the site would be a suitable location for the proposed development, with regard to development plan policy; and
    - the effect of the proposed development on the character and appearance of the area.

Reasons

Suitable location

4. The appeal site is part of a larger parcel of land, which includes a café, racing track and a car parking area. The static caravan is located between the café building and the racing track. Access to the site is gained from Beckett Road, close to the junction with the A259. The site is detached from the nearest settlement and is within the countryside.

5. Policies SS1 and SS3 of the Core Strategy Review 2022 (CSR) set out the Council's spatial strategy for the District and states that development is directed towards existing sustainable settlements. Policy CSD3 states that development in locations outside the settlements may be allowed if a rural location is essential.

6. The caravan is required to provide occasional accommodation for late working staff to assist in the operation of the café. The appellant indicates that the café is open until late on days when the racing track is in use and early in the mornings. Nonetheless, the appellant has not specified what hours the café operates. While overnight accommodation at the site allows for a more convenient operation of the café, there is limited information before me to demonstrate why the previous arrangement, which has appeared to be in operation for several years, was not workable. Consequently, I cannot be certain that the caravan is essential for the ongoing operation of the café.

7. The appellant and the supporting representations indicate that there have been security issues at the café and within the wider site. The caravan allows for a presence on the site to act as a deterrent to criminal activity and improve security at the café. However, there is no substantive evidence before me specifying the extent of criminal activity, including the provision of police report references and photographs of criminal damage. While a regular presence would assist with security at the site, there is no information before me of the existing security measures and why other means, such as CCTV cameras, are not suitable. Moreover, given that the caravan is for occasional use, I cannot be certain that the scheme would significantly improve security at the site.

8. I conclude that the site is not a suitable location for the proposed development. The development therefore conflicts with Policies SS1, SS3 and CSD3 of the Core Strategy Review 2022 (CSR), Policy HB1 of the Folkestone & Hythe Places and Policies Local Plan 2020 (LP), and the Framework, which collectively seek to protect the open countryside by allowing development exceptionally, including where accommodation would provide for an essential need for a rural worker.

Character and appearance

9. The static caravan is located close to the café building and adjacent to the racing track. The wider site is typically open with single-storey buildings dispersed around the site. The caravan is small in scale and is discreetly positioned close to an area of dense planting, between the wider site and the A259 and Beckett Road. A row of mature trees runs alongside the boundary with the racing track, screening the caravan from views outside of the site.

10. The visual intrusion of the caravan is minimal given its size and positioning adjacent to the area of planting. Moreover, the presence of other buildings and structures on the wider site, including the associated café building, ensures that the caravan does not appear incongruous within the context of the site.

11. I conclude that the development does not harm the character and appearance of the area. The scheme therefore accords with Policy HB1 of the LP, which requires that a proposal makes a positive contribution to its location and surroundings, enhancing integration while also respecting existing buildings and land uses.

Other Matters

12. The scheme would assist in the operation of the café and support other activities at the wider site. Nevertheless, there is no indication caravan is essential to the running of the business and that the café would close in the

event of the removal of the caravan. In addition, the popularity of the café would not outweigh the harm identified.

13. The appellant has identified two other caravans positioned on the wider site and two further caravans on the opposite side of Beckett Road. I have not been provided with the full details in respect of these caravans, including whether they have planning permission for residential purposes or have become lawful through the passage of time. I cannot therefore make a reasonable comparison between the siting of these caravans and the appeal scheme before me.

Conclusion

14. The scheme conflicts with the development plan as a whole. Material considerations do not indicate that a decision should be made other than in accordance with the development plan. For the reasons given above the appeal should be dismissed.

J Pearce

INSPECTOR