



Appeal Decision

Site visit made on 4 November 2024

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th December 2024

Appeal Ref: APP/T2215/W/24/3340803

North End Farm, Park Corner Road, Southfleet, Kent DA13 9LJ

- 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 J Beslee against the decision of Dartford Borough Council.
 - The application Ref is DA/23/00791/FUL.
 - The development proposed is the demolition of 1 no. existing agricultural building and erection of 1no. residential dwelling with associated access, amenity space, landscaping and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On 22 April 2024, the Council adopted the Dartford Local Plan to 2037 (LP), which supersedes the Dartford Core Strategy 2011 and the Dartford Development Policies Plan 2017 and now forms part of the statutory development plan. Policies CS1, CS10, CS13, DP2, DP6, DP22 and DP25, as referred to on the decision notice, are therefore no longer relevant. Policies S5, M1, M2, M9, M10, M12, M14, M15 and M16 of the LP are, however, relevant and the appellant has had an opportunity to comment on these.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of development plan policy and the National Planning Policy Framework (the Framework);
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposed development on the character and appearance of the area;
 - whether the site is a suitable location for housing having regard to development plan policy and accessibility to services and facilities; and
 - if it is inappropriate, whether the harm to the Green Belt by reason of inappropriateness, or any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal is inappropriate development

4. The Framework explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Policy M12 of the LP states that inappropriate development will be resisted in accordance with national planning policy. Paragraph 154 of the Framework regards the construction of new buildings as inappropriate in the Green Belt.
5. The main parties agree that the proposal would be inappropriate development in the Green Belt. I see no reason to disagree with that position. Therefore, the proposal would be inappropriate development which is, by definition, harmful to the Green Belt. Consequently, the proposal would conflict with Policy M12 of the CS and with the Framework, which seeks to protect the Green Belt from harm.

Openness

6. The Framework identifies the essential characteristics of Green Belts as being their openness and their permanence. The site comprises an existing building with a lean-to element to one end. The building has a modest footprint, but the width and depth in combination with the overall height results in a building of considerable mass. Although a hedge encloses part of the site, the building is visible from a distance across the field to the rear. The building is also visible on the access road between the properties at North End Farm but is largely obscured in views from Park Corner Road.
7. The proposal is for a dwelling, which would be located broadly in the position of the existing building. The dwelling would be longer and would have a similar overall height to that of the existing building. However, its narrower width would limit its footprint and volume, which would be less than that of the existing building. Consequently, due to the reduction in the amount of built form, there would be a limited increase in the spatial openness at the site.
8. The proposed dwelling would be visible from a distance to the rear and to the front of the site. The building would be screened in views from Park Corner Road by the existing buildings. Nevertheless, the proposal would lead to residential development spreading beyond the footprint of the existing building. The proposed amenity and parking areas would incorporate additional land into the proposed residential curtilage leading to a potential for a spread of domestic paraphernalia that would harm the visual openness of the Green Belt. However, given the presence of the existing surrounding buildings and structures, including the large electricity pylon, the level of harm would be limited.
9. For these reasons, I find that the proposal would harm the openness of the Green Belt. The development would therefore conflict with Policy M12 of the LP and the Framework in this regard.

Character and appearance

10. The appeal site is accessed from Park Corner Road through a residential development of large dwellings. The parking areas serving further residential properties are located beyond an existing hedge that forms part of the boundary of the site. The existing building has a utilitarian design, finished

with metal cladding above a brick plinth. The site is in a primarily rural area, but the presence of dwellings close to the site, including those under construction either side of the access, provides a domestic context to the site.

11. The proposed dwelling would reflect the agricultural history of the site through the utilitarian design of the building. Although the building would extend beyond the footprint of the existing building, this encroachment would be limited and would be viewed within the context of the existing development adjoining the site, including the substantial electricity infrastructure.
12. The proposal would include part of the agricultural field into the site and would form the amenity and parking areas. The enclosure of the site and its use in association with the proposed dwelling would erode the open character of the field and would further domesticate the area. The visual effect of the development would be restricted through the planting of trees and a hedgerow to the boundary of the site. Nonetheless, the proposal would represent a small but harmful encroachment of development into the countryside.
13. I find that the proposal would harm the character and appearance of the area. The development therefore conflicts with Policy M1 of the LP, which requires development to respond to, reinforce and enhance positive aspects of the locality.

Suitable location

14. Policy S5 of the LP sets out that in other locations than those set out in section 1 of the policy, residential development will be supported where the benefits of the proposal outweigh the disbenefits, including the sustainability of the site's location.
15. The site is detached from the nearest settlements and is remote from everyday services and facilities. Paragraph 109 of the Framework acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural locations. However, there is a lack of suitable footways and street lighting, which may discourage walking and cycling. In addition, there is no indication as to the proximity of bus stops at or near the site or the service provision available. Accordingly, the likelihood is that future occupiers would be highly reliant on private vehicles to access facilities and services in larger settlements.
16. The appeal scheme would provide one dwelling, making a positive contribution to housing supply and delivery within the Borough. There would also be associated social and economic benefits during the period of construction and once the dwelling is occupied. The Framework explains that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. However, the contribution of one dwelling to meeting housing need in the Borough and the associated benefits would be restricted by the scale of the development proposed.
17. I find that the proposal would not be a suitable location for housing having regard to development plan policy and accessibility to services and facilities. The development therefore conflicts with Policy S5 of the LP, as set out above.

Other considerations

18. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to harm to the Green Belt and “very special circumstances” will not exist unless the potential harm to the Green Belt by reasons of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
19. There is an extant Class Q prior approval under reference DA/23/00139/P3Q for the change of use of the building to a dwellinghouse. In the absence of evidence to the contrary, there is a greater than theoretical possibility that the Class Q scheme might take place as a fallback position should this appeal fail. In view of the real prospect of the fallback development being implemented, I give considerable weight to it as an alternative to the appeal scheme and I find that it is a material consideration sufficient to outweigh the conflict with Policy S5 of the LP on account of the location of the development and its accessibility to services and facilities.
20. While the proposed dwelling would be longer than the Class Q scheme, it would have a smaller footprint and lower volume. Nevertheless, the Class Q scheme has a smaller site area than the proposed scheme. With a smaller site area, less of the site would be developed under the Class Q scheme. The amenity and parking areas would be smaller with less scope for a spread of domestic paraphernalia and associated visual intrusion into the countryside. Therefore, the Class Q scheme would be overall less harmful than the appeal scheme in respect of the openness of the Green Belt and the character and appearance of the area. Consequently, the Class Q scheme attracts limited weight and does not offer significant support for the proposal.
21. The appellant has highlighted that the proposal would improve the appearance of the site, including the setting of the Grade II listed building at North End Farm. I have a statutory duty under Sections 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the setting of this listed building. Given the distance between the site and the listed building and the intervening buildings and landscape features, the proposed development would not harm the setting of North End Farm.
22. The dwelling would be of an appropriate design and is of a scale that would preserve the significance of the heritage asset, particularly given the separation distance and intervening features. However, having regard to the amount of development proposed, the benefits would be small and therefore have limited weight in favour of the scheme.
23. The proposal would deliver a single dwelling, which would provide a boost to the supply of housing in the Borough through the efficient use of land. In addition, the proposal would deliver social and economic benefits both during construction through the creation of jobs, and following occupation through the use of facilities and services in the surrounding settlements. However, the contribution of a single dwelling and the associated benefits are restricted by the scale of development proposed. Accordingly, the weight I attribute to this consideration is limited.
24. The proposal would not harm the living conditions of the occupants of neighbouring properties and would not have an unacceptable impact on

highway safety. Moreover, the proposal would provide an environmentally efficient dwelling and would enhance biodiversity at the site. Nevertheless, the small scale of the proposal restricts these benefits and therefore the weight that I can apportion to these considerations.

25. For these reasons, I find that the other considerations in this case, as set out above, do not clearly outweigh the totality of the harm to the Green Belt that I have identified. Consequently, the very special circumstances necessary to justify the proposal do not exist. Therefore, the proposal would conflict with Policy M12 of the CS and with the Framework, which seeks to protect the Green Belt from harm.

Conclusion

26. The proposal conflicts with the policies of the development plan. The other considerations in this case do not indicate that the appeal should be decided other than in accordance with the development plan. For the reasons given above I conclude that the appeal should be dismissed.

J Pearce

INSPECTOR