
Appeal Decision

Site visit made on 27 February 2017

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 March 2017

Appeal Ref: APP/K2230/W/16/3161653

Land west of Wrotham Road, Culverstone Green, Kent DA13 0RF

- 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 Brett against the decision of Gravesham Borough Council.
 - The application Ref 20160136, dated 10 February 2016, was refused by notice dated 17 May 2016.
 - The development proposed is construction of a 3 bedroom detached dwelling and garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are as follows;
 - Whether the proposal amounts to inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies
 - The effects on the landscape character of the area
 - Whether the appeal site is in an accessible location.

Reasons

Whether the proposal amounts to inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies

3. The appeal relates to part of this open paddock which is located adjacent to Wrotham Road. At the time of my site visit the site was used for the grazing of horses, was open apart from some minimal fencing and was free from buildings. The wider open area outside the appeal site contains a small stable building.
4. The site is within the Green Belt and much of the substance of the cases put forward by the appellant and the Council rests on the interpretation of the fifth bullet point of paragraph 89 of the National Planning Policy Framework (the Framework). Paragraph 89 states that the construction of new buildings in the Green Belt should be regarded as inappropriate and then sets out a number of

- exceptions. The fifth exception includes “*limited infilling in villages...*”, although none of the terms are defined.
5. Culverstone Green is defined in the Council’s Core Strategy (CS) 2014 as a 3rd tier settlement and it is inset from the Green Belt boundary. Paragraph 4.2.6 of the CS states that where settlements have been inset, the boundaries do not define the full extent of each settlement but relate to a coherent and established built-up area where infilling would not adversely affect local character and identity or impact on the openness of the Green Belt. From what I have seen and read, it seems to me that Culverstone Green may be regarded as a ‘village’ for the purposes of this aspect of this appeal.
 6. The Council set out that their view is that the inset/Green Belt boundary is to be taken as the village boundary for the purposes of this appeal, although they acknowledge that there are some buildings associated with the village that lie within the Green Belt. In respect of this locality, they identify that the development on the east of Wrotham Road (within the village/inset) is of a different and more urban character than the land on the west side (within the Green Belt and including the appeal site) where a more open form of development is present. The appellant points out that the boundary is illogical in this respect as a number of facilities of the settlement, including the petrol station/shop, the school and the village green, are not in the inset but form part of the settlement; they then assert that these are within the village for the purposes of Green Belt policy.
 7. At my site visit I observed much of Culverstone Green and looked at the areas referred to by the appellant. Whilst it is not for me to undertake any kind of review of the inset boundary for Culverstone Green, I have assessed the justification for the Council’s case in relation to this site only. I consider that the openness and complete absence of buildings on the appeal site and the context within the larger open area means that it performs a valuable open area which sets a limit for the settlement here. Within its immediate context, I agree with the Council, that the form of development and the openness displayed by it on the west side of Wrotham Road justifies the inclusion within the Green Belt and exclusion from the defined limit of the settlement, for the purposes of Green Belt policy. Although there are a number of residential buildings, there is a large degree of openness of the surrounding land which performs a valuable function in relation to the Green Belt. As a consequence, I regard the appeal site as falling outside the village/settlement boundary of Culverstone Green.
 8. Although now partially academic, the question arises as to whether the proposal represents limited infilling. In my consideration it is notable that whilst the proposed house would sit next to the existing property at ‘Hill House’, there would then be a sizeable open area separating the proposed house from ‘The White House’ to the south and this area would remain as a paddock. In my consideration, this would mean that the proposal could not be seen as ‘limited infilling’ as it would partially fill a much wider gap between 2 houses.
 9. As a result of my findings, I conclude on this issue that the proposal represents inappropriate development in the Green Belt, which is, by definition, harmful to the Green Belt. I give substantial weight to the harm to the Green Belt in the determination of this appeal.

The effects on the landscape character of the area

10. The appeal site sits within the Meopham Downs Landscape Character Area (LCA) and the Meopham Plateau Local Landscape Character Area (LLCA). Policy CS12 of the CS states, amongst other things, that overall landscape character will be conserved, restored and enhanced and account will be taken of the Landscape Character Assessment. The appeal site is within a larger area of rolling landscape and sits within the local plateau at the edge of the village. The sensitivity of the LCA and LLCA is assessed as being moderate.
11. The appellant's submitted assessment identifies a number of detractors on the landscape, including modern housing on the east of Wrotham Road and also the road itself. It also points out that the appeal site and the proposed dwelling would be only small components within the wider landscape. I have noted the appellant's assessment against the Guidelines for the LCA and I find that the proposal would not conserve and reinforce the landscape structure as it would mean the loss of an open parcel of land which would be replaced by a house, garage and domestic setting; I do not consider that a landscaped garden would compensate for this. In relation to reinforcing village identity, I find that the proposal would bring about a lack of definition here as it would bring more development on the western side of Wrotham Road. With regard to the visual effects, I agree that there are few long-distance views that would be affected by the proposal. However, I consider that the closer-range views from the public footpath immediately to the north and those experienced by pedestrians using Wrotham Road would be adversely affected by the proposal as their experience would be detrimentally affected by the presence of the proposal in what is currently an open, rural edge to the village. In this sense, I consider that the proposal is contrary to Policy CS12.

Accessible location

12. The appeal site is at the edge of the settlement of Culverstone Green. From my assessment it is within walking distance of a number of its facilities which include shops and a school. Whilst I note that the village does not boast a large range of facilities, I do not consider that the location of the site would place an unreasonable reliance of the private car for access to services and facilities.

Other Matters and Overall Conclusions

13. The appellant sets out a number of circumstances which they consider weigh in favour of the proposal. Some of these relate to its location at the edge of the village and I have addressed this already. The design of the proposal is said to be of high quality and that it would be appropriate to the area, reinforcing the local vernacular. Taken in isolation, this is a matter that may be expected of any proposal, regardless of its specific location and I do find it such that it outweighs the harm to the Green Belt or landscape.
14. The footpath to the north of the site would be enclosed between the existing dwelling to the north and the proposed residential plot. Whilst the appellant sees this as a positive feature, I consider that the overall effect on people using the footpath would be negative, as set out above. In addition, the appellant considers that the proposal would lead to a reduction in vehicle movements to and from the site. Although this is not quantified, I consider that it would be insufficient to outweigh the harm that I set out above. I have also

acknowledged that the proposal would make a contribution to the provision of housing in the area, but a limited one and where the Council appear to be able to demonstrate a suitable supply of housing sites; I give this only limited weight in my consideration of the appeal.

15. I have taken account of all other matters but find that there are no issues which taken individually or collectively that are sufficient to clearly outweigh the harm to the Green Belt that I have identified. As a result of this and the unacceptable effects on the landscape character, the proposal is contrary to policies CS02 and CS12 of the CS and the advice in the Framework. Whilst acknowledging that the provision of one house could contribute to social aims, as a result of the failure to achieve the environmental role of development, I conclude that the proposal does not represent sustainable development. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR