

Appeal Decision

Site visit made on 22 November 2016

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 5th December 2016

Appeal Ref: APP/K2230/W/16/3157994

Knights Cottage, Knights Place Farm, Rochester, Kent ME2 3UB

- 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 Dave Foord against the decision of Gravesham Borough Council.
 - The application Ref 20150215, dated 21 January 2015, was refused by notice dated 8 February 2016.
 - The development proposed is described as 'convert existing stable block into habitable accommodation'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal plans include Knights Cottage and its gardens within the appeal site. However, I am determining this appeal, in accordance with the description of development above and the evidence and plans before me.

Main Issues

3. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt (GB) for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - The effect of the proposal on the openness of the GB;
 - If the proposal would be inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development;
 - Whether it would preserve the landscape and scenic beauty of the Kent Downs Area of Outstanding Natural Beauty (AONB) and the Ashenbank and Cobham Parkland Landscape Character Area (LCA); and
 - Whether the appeal proposal would be sustainably located, with regard to its proximity to local services, facilities and public transport.
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Reasons

4. The appeal site includes some stables and hardsurfaced area along with a paddock which abuts them. It is located within the GB, the AONB and the locally designated LCA.

Whether Inappropriate Development and Openness

5. The appeal proposal would include the conversion of existing stables into a residential dwelling. It would include some additional hardsurfacing and the appeal site includes a paddock which sits adjacent.
6. The existing structures are timber framed buildings that sit on a concrete base. They are finished with a lightweight corrugated sheet roof and shiplap boarding. Generally, they appear to be structurally sound, a finding that accords with that of the appellant's structural expert, John Watkins and Associates, dated 16 September 2015. However, they are lightweight and insubstantial in their construction and finish. They would require significant structural alteration to facilitate the proposed enlargement and conversion to modern day living accommodation that would comply with the Building Regulations.
7. Furthermore, the proposed development would result in some development where none was previously. When seen from the front, the appeal building would appear larger and it would increase the amount of hard standing. The proposal would therefore inevitably, materially erode the openness of the GB. As the proposed garage would be small, it would be difficult to conveniently accommodate a modern vehicle. This indicates that vehicles would be likely to be parked on the proposed hardstanding, which adds to my concern for the effect on the openness of the GB. For these reasons, I consider that it would not fall within the exclusions to inappropriate development set out in paragraph 90 of the Framework.
8. I conclude that the appeal proposal would constitute inappropriate development in the GB, as set out in paragraph 89 and 90 of the Framework. Inappropriate development is, by definition, harmful to the GB, a matter to which I accord substantial weight.

AONB and LCA

9. The existing stables are located on the outskirts of the collection of dwellings at Knights Place. They abut open countryside and the stable blocks and the land around, including the paddock adjacent, together, have a generally rural character and appearance, which blends into the landscape and scenic beauty of the AONB.
10. Its rural character and appearance would be significantly eroded by the appeal proposal, which would include additional hard surfacing and some inevitable domestication of the stables and surrounding land. Even though the proposed design would retain many of the stables' existing features, the kennels and floodlights would be removed, the timber cladding would be dark stained and the opaque roof panels replaced, the appeal development would result in a much more urban form of development that would appear out of place in this location. It would be in a prominent, open and publically visible location, notwithstanding the existing planting on some of the appeal site boundaries,

which adds to my concern for the effect on the character and appearance of the locality.

11. I conclude that the appeal proposal would fail to conserve the landscape and scenic beauty of the AONB and LCA. It would therefore be contrary to Gravesham Local Plan Core Strategy (2014) (CS) Policy CS12. That policy aims to conserve, restore and enhance the overall landscape character and valued landscapes. It would also fail to accord with paragraph 115 of the Framework, which states that great weight should be given to conserving the landscape and scenic beauty in AONBs.

Location

12. The appeal development would be located on the edge of a small group of dwellings in the countryside. It would not be within easy walking distance of services, facilities or public transport. Further, the appeal site's entry drive leads onto a very busy road that connects with the M2 motorway. For all these reasons, it is likely that the future occupiers would have a high dependence on private motorised modes of transport. For this reason, it would not be sustainably located. It would result in a new isolated home in the countryside, which would be contrary to paragraph 55 of the Framework, which indicates that such development should be avoided and would fail to accord with Gravesham Local Plan First Review (1994) (LP) Policy C11. That policy states that conversion of farm buildings to other uses will be permitted where, amongst other things, the building is a substantial one, of permanent construction and in an appropriate location in relation to roads and services.

Other Considerations

13. I have had regard to the suggestion that the appellant would site a mobile unit in the garden if the appeal were unsuccessful. However, the details of such a proposal are not before me and in any event it would not have the same impact on the GB, the locality or AONB as the appeal development. I therefore attach limited weight to this matter.
14. Whilst not a reason for refusal, the Council suggests that the appeal dwelling would be small and would fail to meet the Nationally Described Space Standard. I agree that it would provide limited space but it would be well proportioned and laid out usable space and there would be access to outdoor private open space. On balance, therefore, this matter does not weigh against the appeal.
15. I acknowledge the personal circumstances of the appellant and his family and recognise their requirement for additional space. I also acknowledge that the appeal would make a more efficient use of the appeal site, by reusing an existing building and would result in an additional unit of accommodation, with dual aspect, which would make a small contribution to the Borough's housing supply. However, the weight I attach to those benefits is reduced by the proposed dwelling's unsustainable location. It would also remove some of the existing features of the site which would improve its appearance. To all these considerations, I accord moderate weight in favour of the appeal.

Very Special Circumstances

16. The proposal would be inappropriate development, would reduce the openness of the GB and would cause harm to its visual amenities. The Framework

advises that substantial weight should be accorded to harm to the GB when considering an appeal. I have also found that harm would result to the AONB, to which I attach great weight, in accordance with paragraph 115 of the Framework. I have also found that harm would result to the locality generally and due to its location, which would be likely to result in future occupiers having a heavy reliance on private modes of motorised transport. When taken together, the other considerations referred to by the appellant do not, in this case, clearly outweigh the harm identified. Consequently, it has not been demonstrated that the very special circumstances necessary to justify the proposed development exist. The proposal would therefore be contrary to section 9 of the Framework, which aims to protect GB land. For the same reason, it would also fail to accord with CS Policy CS02 and LP Policy CS11 which, together promote sustainable development. Further, it would not fall within the definition of sustainable development as set out throughout the Framework.

Conclusion

17. For the above reasons, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

R Barrett

INSPECTOR