



The Planning Inspectorate

Appeal Decision

Site visit made on 8 May 2019

by **A Thompson BSc BTP MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 19th June 2019

Appeal Ref: APP/V2255/W/18/3210087

1 Boughton Field Cottages, Canterbury Road, Faversham, ME13 8YW

- 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 Paul Messenger against the decision of Swale Borough Council.
 - The application Ref 18/502770/FULL, dated 22 May 2018, was refused by notice dated 8 August 2018.
 - The development proposed is demolition of existing outbuilding and erection of 2no. new semi-detached 3 bedroom dwellings and 1no. detached 3 bedroom dwellings on land adjacent to Boughton Field Cottages.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I note that when the application was first submitted, the Council requested the description of development be amended to include reference to the demolition of an existing outbuilding. As the Council's description is more accurate and has been adopted by the applicant when making the appeal, I have amended the banner heading above to follow the Council's wording and determined the appeal on that basis.

Main Issue

3. The main issue is whether the site would provide a suitable location for housing, having regard to the development plan and the scheme's implications for the countryside and accessibility to services and facilities.

Reasons

4. The site is located outside the built-up area of Faversham defined in Bearing Fruits 2031: The Swale Borough Local Plan, adopted in 2017 (the local plan). The land and buildings outside the identified settlement boundary areas are defined as areas of open countryside in the local plan. The settlement strategy for Swale set out in Policy ST 3 of the Local Plan seeks to prevent development in the open countryside, other than when it is supported by national policy and achieves other policy objectives designed to protect and enhance the countryside.

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5. The Council has an up to date local plan and considers it can demonstrate an adequate supply of housing land. Thus, I have determined the appeal on basis of the current development plan and the specific planning evidence before me.
6. The appeal site is not an allocated development site in the local plan and the thrust of Policies ST3 and CP3 of the local plan, in line with paragraphs 68 and 118 of the National Planning Policy Framework (the Framework), is to encourage the redevelopment of suitable windfall sites, such as previously land, within existing settlements.
7. Although most of the appeal site comprises previously developed land, the site is some distance, and separated by open fields, from the edge of Faversham. There are no local services or facilities nearby, apart from two bus stops, one on each side of the A2 Trunk Road.
8. Notwithstanding the proximity of the bus stops and the provision of a footpath alongside the A2 towards Faversham, it is likely that future occupiers of the development would be largely reliant on the car trips to meet their day to day needs.
9. Furthermore, aside from the outbuilding and some limited storage, the site is largely open and, when viewed from the A2, is set against a backdrop of mature trees that line the railway cutting behind the site. Redevelopment of the site to provide three new dwellings, with associated parking, hardstanding and other features would substantially reduce the openness of this land and introduce a significant element of urbanisation that would materially harm the character and appearance of the open countryside in this location.
10. There is no substantive evidence to suggest that the development might be justified on the basis of maintaining or enhancing the vitality of existing rural communities, nor is it proposed that the dwellings would provide affordable housing which meets identified local needs.
11. In the light of these findings, I find no basis for concluding that development of the site might meet the requirements of Policy ST3 for allowing development exceptionally within the open countryside. Nor do I consider that the proposal would accord with objectives for achieving sustainable development set out in the Framework.
12. To conclude on this issue. Development of the site would be contrary to the settlement strategy of the local plan. Occupiers of the development would have poor access to services and facilities. Redevelopment of the site would materially harm the character and appearance of the open countryside. Accordingly, the proposal would conflict with Policies ST3 and CP3 of the local plan, which amongst other things, seek to steer new development to within settlements of appropriate scale and restrict development in the open countryside.

Other Matters

13. I accept that there is a strong need to boost housing supply in England and, although modest in number, I give weight to the benefit the development would offer in terms of providing additional housing, however this does not outweigh the harm I have identified above.

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14. I note that there were no objections from some consultees, including Faversham Town Council or Kent County Council, but that does not alter my conclusion in this case. I also note that the applicant was aggrieved at the Council's handling of the application. This is not a matter that can be resolved through the S78 appeal process. It is open for the appellant to take up his concerns with the Council. My assessment has been made on an impartial assessment of the planning merits of the case and the evidence before me.
15. I have had regard to site's location in relation to European designated sites afforded protection under the Conservation of Habitats and Species Regulations 2017. Although not identified as a formal reason for refusal, the Council have stated that application should not be approved, unless a financial contribution is secured to mitigate the effect on the designated sites. As any consideration of this matter would not affect my finding on the main issue and as the appeal would, in any case, be dismissed, it is not necessary for me to give any further consideration to this matter.

Conclusion

16. For the reasons set out above, and having regard to all other matters that have been raised, I conclude that the appeal should be dismissed.

Anthony Thompson

INSPECTOR