



The Planning Inspectorate

Appeal Decision

Site visit made on 14 October 2019 by C Brennan BAE (Hons) M.PLAN

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2020

Appeal Ref: APP/V2255/W/19/3234060

Land adjacent to Ambleside, Maidstone Road, Borden, Sittingbourne, Kent ME9 7QA

- 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 Mrs. Apps, Coleman & Hopkins against the decision of Swale Borough Council.
 - The application Ref 19/500589/FULL, dated 12 February 2019, was refused by notice dated 30 April 2019.
 - The proposed development is construction of a three bedroom chalet bungalow with integral garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the site represents an appropriate location for the proposed development having regard to the Council's settlement strategy.

Reasons for the Recommendation

4. The appeal site is situated on the eastern side of Maidstone Road, near the junction with Wormdale Hill. It is covered in shrubs and brambles. The site lies between the plots of Ambleside to the north and Merlewood to the south. There are houses of varying scale and architectural style along Maidstone Road. There is a caravan site for gypsies and travellers on the opposite side of the road from the appeal site. The M2 motorway is around 600m to the south.
 5. Although the proposed dwellinghouses would be sited alongside other dwellinghouses, it would be sited at a significant distance outside of the settlement boundaries referred to in Policy ST3 of Bearing Fruits 2031: The Swale Borough Local Plan (2017). While there are regular half-hourly bus services which provide access to Faversham, Maidstone, Sittingbourne and Sheerness, it is likely that future occupants would nonetheless be heavily reliant on the use of a car, particularly as the nearest of these, Sittingbourne, is a relatively short drive. Furthermore, walking and cycling to the more proximate facilities identified, within 2 miles, would still mostly require lengthy journeys by these modes and would also be discouraged by the lack of cycle
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lanes, the lack of footpaths along some stretches of Maidstone Road and the busyness of the road by vehicles moving at high speeds, notwithstanding that the range of services is very limited. It is therefore considered that the site would not represent an appropriate location for the proposed development by reason of its isolated position from established settlements and day-to-day services and facilities.

6. The appellant has drawn my attention to various applications in the surrounding area. In relation to Ref 18/504222/FULL, the appellant states that no mention was given as to whether the site was in a sustainable location. However, as this application relates to the stationing of caravans, it would have been assessed on a much different policy basis and therefore cannot be compared to the proposal. In relation to Ref 15/507804, the approved scheme concerned the development of 11 dwellinghouses. Clearly, the benefit of 11 houses is much greater than that of the proposal before me. Moreover, the officers in that case found that its design, including open space, contributed to their conclusion that overall the site was sustainable. This is distinctly different from the current proposal and so does not provide a comparable precedent. Furthermore, as the application was determined prior to the adoption of the 2017 Local Plan, it was appraised under a different local policy framework.
7. A proposal for two houses on Woodgate Lane (application ref 18/505545/FULL) was refused by the Council and subsequently dismissed at appeal (Ref APP/V2255/W/19/3232325) a copy of which was provided by the Council. Both parties comment on this decision, though mistakenly reference it as APP/V2255/W/19/3217204. I acknowledge that that site is further from the main road than the current appeal site, but its access to services is similar.
8. The appellant has suggested that improvements to the M2 Junction 5 Stockbury Roundabout will provide the site with better links to nearby services. However, on the basis of the evidence provided, it is not considered that this junction would be appealing for walking or cycling, and the context of the appeal site would remain unfavourable in both respects. It is also considered that an improved junction would further encourage future occupants to use a car rather than walk or cycle, so any benefit in this regard would be minimal.
9. For the above reasons, I conclude that the site would not represent an appropriate location for the proposed development having regard to the Council's settlement strategy. The proposed development would therefore conflict with Policies ST1, ST3, DM14 and DM24 of Bearing Fruits 2031: The Swale Borough Local Plan (2017) and the National Planning Policy Framework (2019) (the 'Framework'), which together require that proposals should support the aims of sustainable development, adhere to the Council's settlement strategy, and preserve the setting of the Borough's countryside and landscapes.

Other Matters

10. The appellant asserts that the development of the site would appear as a natural infill between Ambleside and Merlewood and would have an acceptable appearance as part of the wider streetscene. However, this would be expected of all development and so carries neutral weight.
11. The appellant states that applications for housing development on allocated sites have been recently refused by the Council's planning committee, and so

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there is a need for the development of small windfall sites in order for the Council to meet its housing requirements. No evidence of the recent decisions of the planning committee has been provided and, though I recognise the support given in the Framework for development of small sites, this does not negate the need for the development to be appropriately located.

12. I understand that there is only a 4.6-year supply of housing land at present. However, I consider that the shortfall of 0.4 years is minimal. Furthermore, I do not consider that the provision of a single dwellinghouse would make a significant contribution to this shortfall. Overall, the adverse conflict with the Council's settlement strategy would clearly and demonstrably outweigh this benefit.
13. I note that the appellant has submitted a unilateral undertaking to mitigate any impact which the proposal might have upon the Swale Special Protection Area (SPA). However, as I have found against the appellant on the main issue, there is no need to consider this matter any further.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR