



Appeal Decision

Site visit made on 22 October 2024

by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2024

Appeal Ref: APP/K2230/D/24/3341586

Sunnyview, Carters Hill Lane, Meopham, Gravesend, Kent DA13 0UG

- 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 Mrs Faye Howlett against the decision of Gravesham Borough Council.
 - The application Ref is 20231204.
 - The development is a wooden cabin to form a gym, with gym equipment storage area and shower room.
-

Decision

1. The appeal is allowed and planning permission is granted for a wooden cabin to form a gym, with gym equipment storage area and shower room at Sunnyview, Carters Hill Lane, Meopham, Gravesend, Kent DA13 0UG in accordance with the terms of the application, Ref 20231204, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos: Site Location Plan, Pre-Existing Block/Site Plan, Existing Block/Site Plan and MAD-486-02.

Preliminary Matters

2. The application was submitted retrospectively, and I saw during my site visit that the wooden cabin had been fully constructed. I have therefore considered the appeal on a retrospective basis.

Main Issues

3. The main issues are:
 - whether the development is inappropriate development in the Green Belt having regard to the revised National Planning Policy Framework (the 'Framework') and relevant development plan policies; and
 - the effect of the development on the character and appearance of the surrounding area.

Reasons

Whether it is inappropriate development

4. The appeal site, containing a single storey detached dwelling, is located in a semi-rural residential area within the Green Belt. A detached garage

outbuilding is located to the front of the main dwelling, along with another outbuilding, used as a gym, which is the subject of this appeal.

5. Paragraph 154 of the Framework indicates that the construction of new buildings in the Green Belt are inappropriate subject to a number of exceptions. Under 154 (c) of the Framework, these exceptions include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policy CS02 of the Gravesham Local Plan Core Strategy (the CS) 2014 states that development outside of settlements will be supported where it is compatible with national policies for protecting the green belt. This policy is therefore generally consistent with the Framework's approach.
6. The Framework does not make any specific reference to ancillary outbuildings within the curtilage of a dwelling or other buildings. However, although the appeal development is not physically attached to the main dwelling, it is in relatively close proximity to it and is used as a normal domestic adjunct. Therefore, it would be reasonable to consider the outbuilding subject to this appeal as an extension for the purpose of paragraph 154 (c) of the Framework.
7. The Council have confirmed that the main dwelling has not been extended since its construction. The outbuilding provides approximately an additional 22.5m² of floorspace and the floor area of the main dwelling is approximately 108m². Saved Policy C13 of the Gravesham Local Plan (the LP) 1994 states that extensions to dwellings will have an overall limit of one third of the gross floor area of the original dwelling (measured externally) prior to any later extension or alteration. The appeal development complies with this requirement and therefore is not considered to result in a disproportionate addition over and above the size of the original building in accordance with the exception outlined above.
8. Therefore, the development is not inappropriate development in the Green Belt as it would fall under the exception listed in paragraph 154 (c) of the Framework. It also accords with Policy CS02 of the CS which seeks to protect the Green Belt.
9. The Council contend that the development should also be considered under Paragraph 154 (g) of the Framework relating to limited infilling or the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development. However, as the development has found to be not inappropriate under the exception in paragraph 154 (c) of the Framework, the consideration against other exceptions is not necessary and there is no requirement to assess the impact of the development on the openness of the Green Belt.

Character and Appearance

10. The appeal site is located within the Meopham Downs Landscape Character Area, which is characterised, in part, by gently undulating topography with a mix of arable and pasture farmland, narrow lanes and roads lined with hedgerows and traditional architecture surrounding village greens providing local vernacular. Whilst residential in nature, the area in which the appeal site is located is semi-rural and verdant in appearance. Carters Hill Lane is a narrow private road with dwellings set well back from the road frontage at an

elevated position due to the topography. Although there are some garage outbuildings located to the front of neighbouring dwellings, including on the appeal site, front gardens on this side of the road have limited built form.

11. Nevertheless, the area has an enclosed feel due to the rising land on either side of the narrow road, extensive tree coverage and the presence of various boundary treatments to the front of the properties. Therefore, whilst not wholly in keeping with the character of the surrounding area, the development does not result in a particular loss of openness. It is also set against the backdrop of the existing development and landscaping features within the area and thereby does not appear overly prominent in the streetscene. The design of the development gives the appearance of a traditional timber cabin which is not urban in nature and sits well within the rural surrounds. It is also modest in scale and therefore, even alongside the existing garage outbuilding, does not result in an excessive level of built form on the appeal site, which has a substantial front garden to accommodate such development.
12. Therefore, for the reasons above, the development does not harm the character and appearance of the surrounding area and does not conflict with Policies CS12 and CS19 of the CS or Policy C13 of the LP. These policies collectively seek to ensure that the overall landscape character will be conserved and that new development will be well designed, fit for purpose and locally distinctive, conserving and enhancing the character of the local built and natural environment and integrating well with the surrounding local area, being subservient to the scale of the main dwelling on the plot. It also complies with the general design objectives of the Framework.

Conditions

13. I have attached a condition requiring the development to accord with the approved plans, as this provides certainty and precision. A condition to restrict the development to incidental use only is not necessary, as residential accommodation is not proposed and a future change of use to create an annexe or a separate dwelling would require another grant of planning permission. Similarly, a condition to remove permitted development rights for gates, fences and any other means of enclosure is not necessary to prevent the development from being used as a separate dwelling. Furthermore, as I have found that the development is not detrimental to the character and appearance of the area, a condition relating to the submission of a landscaping scheme is not necessary to make the development acceptable.

Conclusion

14. It has been found that the development is not inappropriate development in the Green Belt, falling under the exception in paragraph 154 (c) of the Framework. Furthermore, the development does not harm the character and appearance of the surrounding area. Therefore, for the reasons given above, I conclude that the appeal should be allowed.

E Grierson

INSPECTOR