



Appeal Decision

Site visit made on 18 October 2006

by **L Rodgers** BEng CEng MICE MBA

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

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Date: 14 November 2006

Appeal Ref: APP/K2230/A/06/2020177

‘Greenacres’, Lockyers Hill, Great Buckland, Luddersdown, Nr Meopham, Kent, DA13 0XF

- 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 P.R. Underwood against the decision of Gravesham Borough Council.
- The application Ref GR/20051048, dated 28 November 2005, was refused by notice dated 26 January 2006.
- The development proposed is a new build chalet bungalow.

Decision

1. I dismiss the appeal.

Procedural matter

2. Although shown on the application as ‘Luddersdown’, as confirmed in subsequent correspondence, the correct address is ‘Luddesdown’.

Main Issue

3. Whether the proposal would constitute inappropriate development harmful to the Green Belt, and if so, whether there are other considerations sufficient to clearly outweigh the harm.

Reasons

4. The appeal site comprises an area of mostly open field some 1.8 hectares in size and located close to the junction of Lockyers Hill and Luxon Road. The site contains several small structures clustered close to the entrance which are generally in a poor state of repair and appear to have been used for storage or shelter. There are other residential properties in the locality of the site but the site is largely surrounded by trees and there are no clear views of the other dwellings. The appeal site lies within the Metropolitan Green Belt, an Area of Outstanding Natural Beauty (AONB) and a Special Landscape Area (SLA).
5. *Planning Policy Guidance: Green Belts* (PPG2) states that the construction of new buildings inside a Green Belt is inappropriate unless it is for certain specific purposes, one of which is the limited extension, alteration or replacement of existing dwellings, provided that the new dwelling is not materially larger than the dwelling it replaces. Inappropriate development is, by definition, harmful to the Green Belt. PPG2 goes on to say that

development plans should make clear the approach local planning authorities will take. For the Green Belt in Gravesham, Policy GB1 of the Gravesham Local Plan 1994 says that the Green Belt policies as set out in the Approved Kent Structure Plan will be applied. From the information before me, the Kent Structure Plan has been replaced by the Kent & Medway Structure Plan, adopted during 2006. Policy SS2 of this latter plan states that new building within the Green Belt should accord with the provisions of PPG2.

6. My attention has also been drawn to Policy RA5 of the Gravesham Local Plan Second Review Deposit Version which states that the replacement of existing dwellings in the Green Belt will only be permitted subject to satisfying certain criteria, including that the 'existing dwelling must be an "original dwelling" in permanent use as a dwelling'. Whilst work on this plan was suspended at an early stage and it can be given little weight, it nevertheless indicates the direction of the Council's thinking.
7. The proposed development consists of a large chalet bungalow. Although one of the existing structures is also described as a bungalow, it has a stable like appearance and, as I saw on site, there is little evidence to suggest it has been recently occupied. I note from the Council's submission that an enforcement notice was issued some considerable time ago by the then Strood Rural District Council, following the construction of an unauthorised bungalow on the site. However, the notice was never pursued as the owners at the time converted the bungalow into agricultural use. I therefore conclude that the existing structure has no authorised residential use.
8. Although the appellant suggests that the application was made in order to expand an existing agricultural enterprise, in my view, the proposed building would be a residential dwelling, not a building for the purpose of agriculture. The proposed bungalow would not replace an existing dwelling and would be considerably larger than any structure currently on site. Against this background, I conclude that the proposed building constitutes inappropriate development in the Green Belt. I am in no doubt that the proposed development would also be detrimental to the openness of the Green Belt as a result of both its large size and the likely domestic usage of land associated with the building.
9. Although considerable thought has been put into the design of the proposed building, it would nevertheless represent an intrusion of the built environment into an Area of Outstanding Natural Beauty and a Special Landscape Area and its large size would be significantly more obtrusive than the existing single storey, rural buildings. No conclusive evidence has been presented to show that the proposed development is essential to meet local social or economic needs and I find the proposal would be contrary to Policies C4 of the Gravesham Local Plan 1994 and EN4 and EN5 of the Kent & Medway Structure Plan 2006 which seek to give long term protection to the landscape unless outweighed by essential local needs.
10. I have carefully considered the matters drawn to my attention by the appellant in order to assess whether there are any factors which would clearly outweigh the harm I have identified. The most significant matter is the proposal to consolidate the existing range of buildings which, as described by the appellant, represent a 'sprawling eyesore'. However, whilst agreeing that the removal of these structures would improve both the look and openness of the site, these are small, single storey structures and the proposed building would, in my view, be far more obtrusive and harmful to the openness of the Green Belt and the appearance of the landscape.

11. The appellant's intention is that the proposed bungalow would be both eco-friendly and, by the use of local materials, sympathetic to Kentish design. It is also suggested that the development would support the emergency services in their work and would support the maintenance of the surrounding flora and woodland. I have also noted the letters of support and the appellant's contention that the general security of the area would be improved. However, the proposed development would be secluded and I find that there would be little improvement to the security of the general locality, although I acknowledge that the security of the site itself could be improved by a regular presence.
12. Whilst I accept that a viable small holding may not be possible on the site and that there would be security concerns over unattended stabling, the site could be used in conjunction with the surrounding land and the arguments could be repeated too often to the overall detriment of the Green Belt. I have also noted the appellant's personal circumstances concerning her mother but, whether taken together or separately, I do not consider that the matters above clearly outweigh the harm I have identified and as such do not amount to very special circumstances.

Conclusions

13. Overall, I consider that the harm caused by reason of inappropriateness and that caused to the openness of the Green Belt, together with the harm to the AONB and SLA would not be clearly outweighed by any matters which would amount to very special circumstances. I therefore find that the proposal would not be acceptable having regard to the strict control over development in the Green Belt contained in both national and local policies, and the effect on the AONB and SLA. I have noted the appellant's views on the currency and continued relevance of the local and national plans and policies, but, having taken into account other material considerations, I must make my decision on the basis of the current development plan. Having had regard to all other matters I find nothing to change my decision to dismiss the appeal.

Lloyd Rodgers

Inspector