

Delegated Report

Householder Planning Application

Application No:	20250572
Location:	Clijon Farm, Whitehill Road, Meopham, Gravesend, Kent, DA13 0NY
Description:	Retrospective building works to convert ancillary residential building for use as a home office and home gym.
Applicant:	Mr Louis Sehmbi
Site Visit:	02 April 2025

Positive and Proactive Decision Making

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 39 of the National Planning Policy Framework (NPPF) (2024), the Local Planning Authority has approached the assessment and determination of this application in a positive manner.

The Local Planning Authority engaged with the applicant regarding plan discrepancies and to clarify the works undertaken seeking any evidence of the purported refurbishment. The applicant provided explanation for the plan discrepancies, however was unable to present any evidence to support that the development was a refurbishment. These discussions are set out within the report, however in this case the proposed development, and lack of evidence provided, is contrary local or national planning policy requirements, and the application cannot be supported.

Submitted Documents/Plans

- Application Form – dated 07 June 2025;
- Planning Statement by George Nelson (dated June 2025);
- Supplementary Information – Gravesham Delegated Report (20240729 / 20240733);
- Drawing no. 3567-001 – Rev. A – Existing and Proposed Plans and Elevations;
- Drawing no. 3567-002 – Site Location and Block Plans.

Relevant Planning History

Reference	Description	Decision	Decision Date
20160252	Application for the approval of condition 3 attached to planning permission ref. no. 20151252 relating to the external finishes.	Approval of details	13.04.2016
20151252	Retention of storage building.	Permitted	10.03.2016
20150595	Application for a Lawful Development Certificate in respect of the existing storage building attached to the existing stable block used for storage associated with the dwelling.	Certificate Refused	25.08.2015

20130484	Erection of single storey rear extension to form playroom, two bedrooms and bathroom/wc and single storey front extension to form study.	Permitted	17.10.2013
20120501	Retention of access to the highway including new entrance gates and associated walls and fencing.	Permitted	08.10.2012
20110263	Retention of the raised patio area incorporating retaining walls.	Permitted	23.12.2011
20110262	Retention of the external staircase and raised decking/patio area at the rear of main dwelling; retention of the open fronted gazebo, boundary walls, fences and gates together with stepped landscaping to east of main dwelling.	Permitted	01.08.2011
20100770	Retention of widened access to Whitehill Road incorporating erection of walls and gates and internal roadway.	Permitted	06.10.2010
20080869	Erection of a detached building to provide double garage and stores with a playroom in the roof space.	Application Refused	21.11.2008
19480048	Erect a dwelling.	Permitted	18.10.1948

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- C13 – Extensions to Dwellings in the Countryside
- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-Designed Places
- Section 13 – Protecting Green Belt Land
- Section 15 – Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – Nationally Described Space Standard (2015)
- SPG 4 – KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)
- Kent Downs) Management Plan (2021-2026)

Consultations, Publicity and Representations

External Consultees

Dickens Protection Society –

Neighbouring properties

A notice was displayed on site 02 July 2025.

In addition, three surrounding properties were consulted and seventeen representations received, with seven registering objection to the proposal.

The supportive representations raised the following considerations:

- In-keeping with the area
- Improvement on previous dilapidated/derelict building
- Re-use of an existing structure

The objections raised the following material considerations:

Material Planning Considerations

- Inappropriate development in the Green Belt
- Failure to preserve the openness of the Green Belt
- Impact on the National Landscape
- Development is not a conversion or refurbishment
- Former building was never an ancillary residential building – it was a chicken shed
- New building is larger than the previous building

The consultation period expired 14 July 2025.

Preliminary Matters

Incorrect Description

The description of the development is incorrect and should read as follows:

‘Retrospective application for the demolition of agricultural chicken shed and construction of a new residential outbuilding’.

This delegated report will address the demolition and construction of a new outbuilding, as well as the inaccuracy of the use of the former chicken shed.

Plan Inaccuracy

The Local Planning Authority do not consider the 'existing' plans for the original chicken shed shown on 'drawing no. 3567-001 (Rev. A)' to be accurate. These plans show the original building to be the same size as the constructed building, however review of previous plans from other application on the site clearly show the size of the original building to be considerably smaller, with approximate dimensions of:

- Length – 18m
- Depth – 4.8m

These have been taken from the following plans (application numbers listed):

- 20080869 – Block Plan – Garage (drawing no. 1298/10)
- 20130484 – Proposed Site Plan (drawing no. 3454/P002 – Rev. B)
- 20151252 – Proposed Plan (drawing no. 3049-001 – Rev. C)

The applicant was contacted by the Local Planning Authority regarding the discrepancy, and confirmed that the measurements are different however stated that the previous applications did not relate to the building and that it was never accurately surveyed. Therefore, the ordnance survey data used to form the historic plans would be inaccurate, and the applicant presented evidence from Google Earth demonstrating that the building measured approximately 27m in length.

Officer's Analysis

Site Description

Clijon Farm is a property located on the eastern side of Whitehill Road, Meopham. The site is within the Metropolitan Green Belt and the Kent Downs National Landscape.

Development Proposal

This application seeks retrospective planning permission for the retention of a building located to the east of the dwellinghouse, for use as a home office and gym. The works have been undertaken without planning consent, with the shell of the building complete:



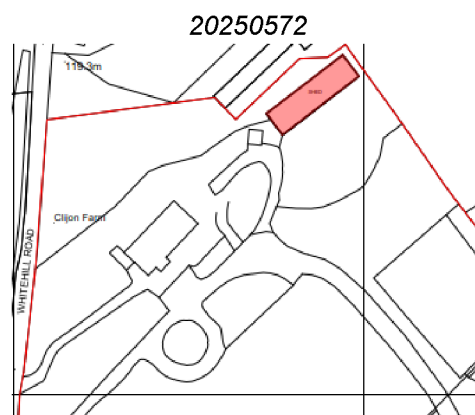
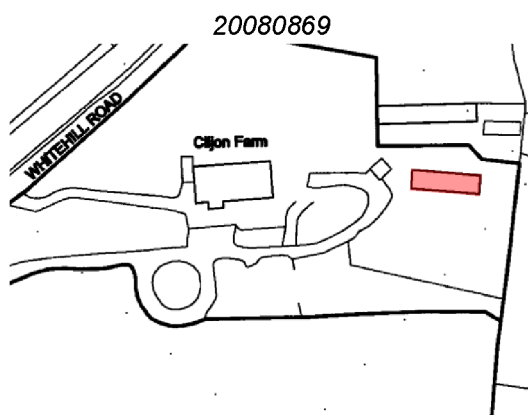
The building has a dual pitched roof at a maximum height of 3.3m and eave height of 2.55m, with a length of 27.6m and depth of 7.88m. The overall footprint of the building is 217.5m². It contains a number of windows on doors on the southern and western elevations.

As part of the development, land has been cleared to the front of the building and an area of hardstanding formed. The retention of hard standing and any associated engineering operations do not form part of this application.

Former Outbuilding

The former building is shown to have been a chicken shed, and is shown in the site photographs from 2008. It was in the same general area as the constructed building

20080869



The Local Planning Authority contend the applicant's assertion that the development is a refurbishment of the chicken shed building, due to the internal and external materials being new. As demonstrated in the images below, the building is constructed on a new concrete subbase and contains no original materials.



The applicant has provided no evidence to support their position of a 'bit-by-bit' replacement, such as photographs or structural reports to confirm that it was converted. As such, the application cannot be considered a refurbishment and the original building has been completely removed, with an entirely new building being constructed.

Assessment

The application site is located in the Green Belt and as such Policy CS02 of the Gravesham Local Plan Core Strategy (LPCS) (2014) is relevant. Development in the urban area is prioritised as the sustainable location for development. In the rural area, Policy CS02 states that development will be supported within rural settlements that are inset from the Green Belt and defined on the policies map. Development outside those settlements, i.e. in the Green Belt, will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS.

There are five principle issues in determining this application;

1. Is the proposed development appropriate in the Green Belt?
2. The effect of the proposal on the openness of the Green Belt;
3. Any very special circumstances?
4. Impact on the Landscape;
5. The effect on the character and appearance of the area; and
6. Other matters.

1. Is the proposed development appropriate in the Green Belt?

Green Belts are of great importance. The fundamental aim of Green Belt policy is to prevent urban sprawl by preserving the open and permanent characteristics of Green Belts (paragraph 142 of the NPPF 2024), with the Green Belt serving five purposes (paragraph 143):

- a) *to check the unrestricted sprawl of large built-up areas;*
- b) *to prevent neighbouring towns merging into one another;*
- c) *to assist in safeguarding the countryside from encroachment;*
- d) *to preserve the setting and special character of historic towns; and*
- e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

Paragraph 153 of the NPPF (2024) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. A Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt unless it falls within the specified exceptions of paragraphs 154 and 155 of the NPPF (2024).

The NPPF (2024) sets out a number of exceptions to certain types of development that are not 'inappropriate' under paragraph 154:

- (a) *buildings for agriculture and forestry;*
- (b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- (c) *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;*
- (d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*

- (e) *limited infilling in villages;*
- (f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- (g) *limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
- (h) *Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
 - i) *mineral extraction;*
 - ii) *engineering operations;*
 - iii) *local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
 - iv) *the re-use of buildings provided that the buildings are of permanent and substantial construction;*
 - v) *material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
 - vi) *development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

In the case of this proposal, the following paragraphs 154 exception (c) and (d) have been emphasised by the applicant in the planning statement. To ensure that the assessment follows a coherent structure, the assessment of para. 154 exceptions will begin with consideration of (c):

c) 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;

As aforementioned above, following an enforcement inspection of the development, the development is not considered to be a refurbishment or extension of the former chicken shed, but a demolition and replacement of the original building, albeit in the approximate position of the new building. The Local Planning Authority position is supported by Section 55 of the Town and Country Planning Act (1990) (as amended), which addressed development of land:

(2) The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—

- (a) the carrying out for the maintenance, improvement or other alteration of any building of works which—*
 - i) affect only the interior of the building, or*
 - ii) do not materially affect the external appearance of the building,*

Therefore, given that the works affect the exterior of the building and materially alter the appearance, the proposal constitutes development in its own right and is not the original building, with exception para 154 (c) is not relevant to this proposal.

Saved Policy C13 of the Local Plan First Review (LPFR) (1994) is not directly relevant to outbuildings, however, applies a 30% increase in floor area for extensions to dwellings to be acceptable within the Green Belt. In this case, the 30% allowance is considered to be a guide for a proportionate extension. While the outbuilding is significantly larger, based on the evidence provided by the applicant, within case law it was considered that paragraph 154(c) is not confined to physically attached structures, and an “extension” can include detached structures (in *Warwick DC v SSLUHC* [2022]). Therefore, it is important to consider if the unauthorised replacement outbuilding is an extension to the dwelling.

The Warwick judgement references Sevenoaks’ approach to the NPPF and the installation of domestic adjuncts to dwellinghouses within the Green Belt, concluding that a building can be regarded as an adjunct without being physically connected to another building, and therefore can be considered extensions of other buildings without the physical connection. It is summarised that, “in the domestic setting it is not artificial to describe garages or other outbuildings as being extensions of the principal dwelling house”. The use of ‘not artificial’ in this instance can be interpreted as not false or unnatural, and therefore it is correct and natural

to consider a gym/office building to be an extension to the principal dwelling house. As such, using the Warwick judgement, the outbuilding would be a domestic extension to the dwelling and would increase the overall footprint by 217.5m². The original property has already been significantly extended and therefore the proposed outbuilding would result in a net increase in overall footprint of 519% over original, significantly exceeding the one third limit of saved policy C13 (LPFR) and is disproportionate.

Notwithstanding the disagreement between the applicant and Local Planning Authority on exception (c), the consideration of para. (d) would be considered a more suitable exception for the proposed development:

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

The new building has been constructed in the same area as the original chicken shed. Although the historic plans show the building to be considerably smaller than the current plans, an explanation has been provided by the applicant that OS accuracy and the building not being accurately surveyed in the previous application be the reason for the smaller size. Notwithstanding this discrepancy, the satellite imagery provided by the agent suggests that the former chicken shed was approximately 27m. Therefore, it could be considered that the new building is not materially larger at 27.6m by 7.88m, however, to meet the requirement of exception (d) the use of the building must remain the same.

The former building is shown on the plans as a chicken shed, however the applicant purports that the most recent use was as a storage building. However, there is no evidence presented to support this position and as such the Local Planning Authority will consider the use of the original building as a chicken shed (as shown on the supporting plans - 'Drawing no. 3567-001 – Rev. A'). The applicant sets out that the new outbuilding gym and home office are the same use as the former chicken shed, by virtue of both being within the incidental buildings within the residential curtilage. This position is challenged by the Local Planning Authority.

A chicken shed can be considered domestic or agricultural use within UK planning law, and is subject to factors such as scale, location and the context of its use. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) sets out that outbuildings incidental to the enjoyment of the dwellinghouse can be constructed without planning consent, and allows for the keeping of animals, including poultry. However, in this instance, the scale of the original chicken shed at 27m in length is grossly out of proportion with a hobby or personal use that would be incidental to the enjoyment of the dwelling and more akin to a commercial building for egg or meat production.

Given that the site is a former farm, and the chicken shed is visible on satellite imagery from 1990 (see below), and the scale of the building would associate with the use as a farm and an agricultural commercial use.



Google Earth (December 1990)

As such, exception 154 (d) is not applicable to this proposal, with the use of the replacement building being different to the agricultural use of the former chicken shed.

Therefore, the proposed development does not meet any exceptions under paragraph 154 of the NPPF (2024).

Having considered all of the exceptions above, paragraph 155 of the NPPF (2024) provides further exceptions to inappropriate development, but specifically relates to development of homes, commercial and other development in the Green Belt. This development, being for a residential outbuilding, does not meet the requirements of paragraph 155 and is inappropriate development.

Overall, the proposal is inappropriate development within the Green Belt and does not meet any exception of paragraph 154 or paragraph 155 of the NPPF (2024).

2. The effect of the proposal on the openness of the Green Belt

Paragraph 142 of the NPPF (2024) states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also states that the essential characteristics of Green Belts are their openness and permanence.

The openness of the Green Belt has both spatial and visual aspects, and any new built form of development is harmful to its open character. The Courts have identified a number of factors to be taken into account when assessing the impact of a proposed development on the openness of the Green Belt (PPG Paragraph: 001 Reference ID: 64-001-20190722), which include both spatial and visual consideration.

Visually, the replacement building has a domestic appearance with a number of windows and door facing out onto the valley. The former chicken shed was a simple structure with no flank openings and a flat roof. Within the Green Belt agricultural buildings are not inappropriate development and as such the former chicken shed would have a negligible impact on the openness, however the large pitched roof, timber clad building with extensive glazing, would have a visual impact on the openness through its domestic appearance within a prominent position on the side of the valley.

In spatial terms, the building is a similar size and located on the proximate location to the former agricultural chicken shed, which has been demolished and replaced by a new building for residential purposes, which is inappropriate development. Notwithstanding this, the associated works for the replacement building have involved additional development, forming an area of hardstanding to the front of the building (see satellite images below). This has a negative impact on the spatial openness by virtue of introducing additional development within Green Belt, over and above the original chicken shed. Furthermore, the formation of the hardstanding has involved the removal of trees which causes further harm to the visual openness.



August 2022



August 2025

Overall, the development is considered to have a negative impact on the openness of the Green Belt contrary to paragraph 142 of the NPPF (2024).

Reference back to paragraphs 153 of the NPPF (2024) informs us that inappropriate development in the Green Belt should not be approved except in very special circumstances and that very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Whether the development causes any other harm and whether there are any other relevant considerations to balance the overall planning argument, should now be considered.

3. Very Special Circumstances

No specific arguments have been put forward by the applicant in relation to the assessment of 'very special circumstances'.

4. The Effect on the Character and Appearance of the Area and Landscape

In addition to being within the Green Belt, the site is located within the Kent Downs National Landscape and the Harvel Wooded Downs Landscape Character Area (LCA) (2009). This area is characterised by varied topography, ancient wood and haphazard mosaic resident plots and small holdings. Paragraph 189 of the NPPF (2024) states that great weight should be given to conserving and enhancing landscape and Policy CS12 (LPCS) seeks to protect the Green infrastructure within the Borough and states at 5.7.26 the overall landscape character and valued landscapes will be conserved, restored and enhanced.

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well-designed places) of the NPPF (2024) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

Gravesham's newly published Householder Extensions/Alterations Design Guidance SPD (2021) set out key principles for developments. Generally, the SPD highlights the importance of new development complimenting and corresponding to existing character and the wider context. In this case, the rural character of the area and other surrounding dwellings should be considered. This is corroborated by the Borough's recently adopted design code; Design for Gravesham (2024), which expects new development to reflect the prevailing pattern of built form in rural villages and pay close attention to materiality amongst other key design concepts.

The new outbuilding detracts from the visual quality of the landscape, by virtue of its scale, domestic appearance and prominent position on the valley side. The proposal would significantly harm the rural character of the area, thereby contrary to the objectives of the landscape character area. The Local Planning Authority acknowledge that black timber cladding is accepted within a rural setting, however the extent of glazing and modern appearance would be at odds within the landscape. Furthermore, as referenced above and shown in the image below, the previous chicken shed blended into the landscape and at times was reclaimed or screened by nature and trees, however the development has removed screening and fails to achieve this.



The proposed development is therefore considered to be unacceptable on the grounds of the failure to conserve or enhance the rural character of the site and surroundings. The proposal would therefore fail to comply with the requirements of the Policies CS12 and CS19 (LPCS), paragraphs 135 and 187 of the NPPF (2024) and the Kent Downs Area of Outstanding Natural Beauty (AONB) Management Plan (2021-2026).

5. Other Matters

Amenity of Future Occupiers

Policy CS19 (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines' (RLG) (2020).

The outbuilding would safeguard future occupier amenity in accordance with Policy CS19 (LPCS).

Neighbouring Amenity

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring properties and land and Section 12 of the NPPF (2024) requires development to have a high standard of amenity for existing users (in this case surrounding properties).

There is not considered to be any detrimental impact on the amenity of surrounding properties.

Parking and Highways

The development would have no impact on parking or highways. The property benefits from a large driveway with sufficient space for off-street parking.

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

The site lies within the Metropolitan Green Belt where the construction of new buildings is inappropriate development unless it is for one of the excepted forms of development set out in paragraph 154 or 155 of the National Planning Policy Framework (2024). The proposal is for an existing building, which is of a different use to the former building, and would cause harm to the openness of the Green Belt by virtue of its scale, bulk and domestic appearance. The development does not, in the opinion of the Local Planning Authority, fall within the exceptions to inappropriate development in the Green Belt in the National Planning Policy Framework (2024) and results in substantial harm to the openness. No very special circumstances have been put forward to outweigh the harm to the Green Belt or any other identified harm and therefore the proposal is contrary to

Policy CS01 (Sustainable Development) and Policy CS02 (Scale and Distribution of Development) of the Gravesham Local Plan Core Strategy (2014) and Sections 13 (Protecting Green Belt Land) of the National Planning Policy Framework (2024).

The building is out of character with its natural, rural surroundings and would therefore appear completely incongruous and detrimental to the visual and spatial characteristics of the site through its scale, bulk and domestic appearance. The development would fail to protect or enhance the Harvel Wooded Downs Landscape Character Area or Kent Downs National Landscape. The development is therefore contrary to the requirements of paragraphs 135 and 187 of the National Planning Policy Framework 2024, Policies CS12 (Green Infrastructure) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014), the Gravesham Landscape Character Assessment 2009 and the Kent Downs Area of Outstanding Natural Beauty (AONB) Management Plan (2021-2026).

Recommendation

Refusal

(For detailed reasons for refusal and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	21 st August 2025	Dated:	21 st August 2025