



Appeal Decision

Site visit made on 10 January 2024

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th January 2024

Appeal Ref: APP/K2230/D/23/3326626

Greenwood, Carters Hill Lane, Meopham, Kent, DA13 0UG

- 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 and Mrs Nerijus and Sandra Brazys against the decision of Gravesham Borough Council.
 - The application Ref 20230188, dated 28 February 2023, was refused by notice dated 2 May 2023.
 - The development proposed is described as 'Part One: Erection of one storey front extension including 2 No of skylights. Part Two: Existing side extension alteration constructing bigger entrance hall.'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A revised National Planning Policy Framework (the Framework) was published by the Government after the determination of the planning application. It does not raise any new considerations in relation to this appeal.

Main Issues

3. The main issues are:
 - a) whether the proposed development would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - b) the effect of the proposal on the openness of the Green Belt;
 - c) the effect of the proposed development on the character and appearance of the existing dwelling; and
 - d) whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

4. The Framework advises that in the Green Belt, development should be regarded as inappropriate. However, Paragraph 154(c) of the revised Framework states that the extension or alteration of a building is not

inappropriate development in the Green Belt provided it does not result in disproportionate additions over and above the size of the original building.

5. The Framework explains that the “original building” shall mean the building as it existed on 1 July 1948, or if constructed after that date as originally built. Thus, for the purposes of this appeal, the original building is that which was constructed in accordance with the outline and reserved matters applications approved in 1991 and 1992 respectively. The Framework does not explain what is meant by ‘disproportionate’, which is therefore a matter of planning judgement.
6. Policies CS01, CS02 and CS19 of the Gravesham Local Plan Core Strategy 2014 (LPCS) broadly seek to ensure that development accords with national policies, and more specifically ensure that development is appropriately located and that the Green Belt is protected. Although the LPCS pre-dates the Framework, these policy objectives, whilst not overly instructive in this appeal, are not incompatible with the Framework’s wider objectives for the Green Belt.
7. Saved Policy C13 of the Gravesham Local Plan First Review 1994 (LPFR) specifically relates to extensions to dwellings in the countryside, including the Green Belt. Both main parties reference the one third increase in gross floor area permitted by the policy. The Council indicates that the proposal is contrary to this policy as an additional storey to the building was approved in 2001 and this has subsequently added approximately 89.5% to the floorspace. The current proposal is said to take the increase to just over 107%. The Appellants do not dispute these figures.
8. However, Policy C13 does not reflect the more wide-ranging scope for alterations allowed under Paragraph 154 (c) of the Framework, which refers to ‘size’, a term which encompasses more than simply a comparison of floorspace figures. The ‘size’ of a building can reasonably be taken to include such factors as volume, height, external dimensions, visual perception etc. and not just footprint or floorspace. Therefore, given that Policy C13 pre-dates the Framework and is not wholly consistent with it, only limited weight can be applied to it and the approach of the Framework is to be preferred.
9. When taken in that context, and having regard to the resulting scale, form and bulk of the building, there would be a substantial increase in its size when compared to the relatively modest original building. Therefore, as a matter of judgement, I conclude that the overall size of the building as now proposed cannot reasonably be considered to result in anything but disproportionate additions over and above the size of the original building.
10. Thus, having regard to the Framework, I am unable to conclude other than that the extension would be inappropriate development in the Green Belt.

Openness

11. Paragraph 142 of the Framework states: ‘the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence’. Openness is not defined in the Framework but in determining the nature and extent of any impact on Green Belt openness it is necessary to assess both spatial and visual impacts.

12. The site is in a fairly secluded location and the house is set back from the road. The works would be single storey and to the front of the building. Thus, the existing building would provide an immediate backdrop. Views of the extension from Carters Hill Lane would be somewhat fleeting and in parts blocked by other buildings and landscaping. Nevertheless, given its position and the surrounding topography it would clearly be possible to view the proposed addition and discern that there was a physically larger building than that which currently exists.
13. Thus, not only would there be a visual loss, but the openness of the Green Belt would also be reduced in spatial terms. Whilst this loss would be small and thus the overall effect on openness would be limited and localised, harm to the openness of the Green Belt would nevertheless occur.

Character and Appearance

14. The existing building is a two-storey detached dwelling. The extension would be single storey and finished in brick and tile to match the existing building and accord with the surrounding palette of materials.
15. The proposed alterations would undoubtedly alter the appearance of the property. Aside from making the building larger, the shallower roof pitch to the extension and extensive glazing to the road facing (south-east) elevation would be notable features of the extension. However, I do not find that these changes would result in the property becoming unsightly or unduly prominent. Furthermore, the alterations would not result in the property appearing incongruous with its surroundings.
16. For these reasons the proposal would not cause harm to the character or appearance of the building. The appeal scheme would comply with Policies CS12 and CS19 of the LPCS insofar as they require development to be visually attractive and to conserve landscape character. I do not find conflict with the design objectives of the Framework.

Other Considerations

17. The proposed extension would be subordinate to the existing building. It might also be less than a 30% increase in floorspace to the existing building. However, these factors do not alter my conclusions when the extension is considered in the context of the original building and the Framework's policies in relation to development in the Green Belt.
18. There may be opportunities to enhance the site's landscaping. Furthermore, the site's boundaries and wider context would remain unaltered. However, these would similarly not alter the size of the extension or resulting building and thus would not alter my conclusions in regard to the impact upon the Green Belt.
19. The Council raises no concerns in relation to the enclosing of the porch and I see no reason to conclude otherwise. However, this does not alter my findings and conclusions in relation to the single storey extension.
20. Whilst the proposal might not conflict with the purposes of including land within the Green Belt, this would equate to an absence of harm. As such, this would be a neutral factor within the overall balance. Similarly, that there is an

absence of any heritage assets is not necessarily indicative of an overall lack of harm.

Green Belt Balance

21. The proposal is inappropriate development in the Green Belt which by definition is harmful. It would also result in a small loss of openness of the Green Belt. As per Paragraph 153 of the Framework, any harm to the Green Belt should be given substantial weight and inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is not just outweighed but clearly outweighed by other considerations.
22. The weight I could ascribe to those considerations in favour of the proposed development would be limited and insufficient to justify the proposed development, owing to the substantial weight that should be attached to any harm to the Green Belt. Very special circumstances do not therefore exist.

Planning Balance

23. I have not found the development to harm the character and appearance of the building. However, compliance with development plan policy in this regard equates to an absence of harm and as such would be a neutral factor within the overall balance.
24. Conversely there would be an overall conflict with policies in the LPCS and LPFR when taken as a whole and the proposal would be contrary to the provisions of the Framework in relation to the protection of the Green Belt. Collectively, these weigh heavily against the proposal and there are no other considerations which outweigh them.
25. Therefore, having regard to the development plan and all other material considerations, including the Framework, the appeal should not succeed.

Conclusion

26. For the reasons given above, I conclude that the appeal should be dismissed.

Stewart Glassar

INSPECTOR