



Appeal Decision

Site visit made on 10 February 2026

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2026

Appeal Ref: 6001663

Clijon Farm, Whitehill Road, Meopham, Gravesend, Kent DA13 0NY

- 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 Mr Louis Sehmbi against the decision of Gravesend Borough Council.
 - The application Ref is 20250572.
 - The development proposed is described as retrospective building works to convert ancillary residential building for use as a home office and home gym .
-

Decision

1. The appeal is allowed and planning permission is granted for building works to convert ancillary residential building for use as a home office and home gym at Clijon Farm, Whitehill Road, Meopham, Gravesend, Kent DA13 0NY in accordance with the terms of the application, Ref 20250572, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. In allowing the appeal I have amended the description of development, by removing words that are not acts of development.
3. In November 2023, Areas of Outstanding Natural Beauty (AONBs) were renamed National Landscapes (NL). I have therefore referred to the National Landscapes in my decision, except where legislation or policy documents continue to refer to AONBs.
4. At the time of my visit, I observed the proposal to be substantially complete in accordance with the application drawings.

Main Issues

5. The main issues are:
 - i) whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - ii) the effect of the proposal on the openness of the Green Belt;
 - iii) the effect of the proposal on the character and appearance of the Harvel Wooded Downs Landscape Character Area (*HWDLCA*) and the Kent Downs National Landscape (*KDNL*); and

- iv) whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances to justify it.

Reasons

Whether inappropriate development

6. The Government attaches great importance to the Green Belt. Its fundamental aim is to prevent urban sprawl by keeping land permanently open; the essential characteristics of the Green Belt is their openness and permanence.
7. The Framework states that inappropriate development is, by definition, harmful and should not be approved except in very special circumstances. It further establishes that the construction of new buildings should be regarded as inappropriate, subject to the exceptions set out in paragraph 154. The appellant contends that two exceptions are relevant to this appeal: criterion 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; and criterion d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
8. Having regard to case law¹ the proposed building would have a functional connection to the main house, as well as a relatively close physical and visual relationship to it. Accordingly, the proposal would appear as a normal domestic adjunct and can be considered an extension. This is not disputed between the parties.
9. Policy C13 of the Gravesham Local Plan First Review (1994) (LPFR) applies a 30% increase in floor area for extensions to be acceptable within the Green Belt. This policy is more prescriptive than the Framework which does not provide a definition of 'disproportionate additions'. Whilst floorspace calculations may be used as a guide in determining whether a proposal would be a disproportionate addition, in my view, it is a matter of planning judgement and cannot be solely based on numerical thresholds.
10. The original property has already been extended. The Council submits that the inclusion of the appeal building would result in a net increase in overall footprint of 519% over the original, thereby significantly exceeding the limit in Policy C13 of the LPFR.
11. The Appellant submits that the Council has failed to take account of the volume of the pre-existing building when assessing the cumulative change in built form and that had it done so any increase in the built footprint would be marginal.
12. However, the Framework defines 'original building' as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. The floorspace created would significantly exceed the limit stipulated by the development plan policy, and even when applying a broader judgement on what constitutes a disproportionate addition, in my view the proposed development amounts to a disproportionate increase. The proposal therefore does not fall within exception 154 c) of the Framework.

¹ *Warwick DC v SSLUHC [2022] EWHC 2145 (Admin)*

13. Turning to exemption 154 d) of the Framework the appeal site had previously been occupied by a chicken shed. While the parties dispute whether the structure was subject to repair and maintenance the application seeks to regularise the building works. The roof profile differs; however, the parties do not dispute that the proposed building is not materially larger than the one it replaces. Based on the evidence before me, I have no reason to reach a different conclusion in this regard. However, to meet the exception the use of the building must remain the same.
14. Five signed affidavits submitted with the appeal state the former building was used as a gym, storage and social space ancillary to the main dwellinghouse in excess of 10 years. The Council has been given the opportunity to comment on these submissions and remain of the view that the use of the replacement building differs.
15. I have carefully considered the evidence before me. The accounts are consistent and the Council has no evidence to the contrary. On the balance of probability, I am satisfied that the former building has been used for domestic purposes ancillary to the main dwellinghouse and on this basis, the proposal would meet exception 154 d) of the Framework.
16. The Council contends that the proposal does not meet any of the exceptions set out in Paragraph 155 of the Framework. This is not disputed. However, in light of my conclusion above, it is not determinative to the appeal proposal before me.
17. I therefore conclude that the proposal is not inappropriate development in the Green Belt having regard to the Framework. Accordingly, there would be no conflict with Policies CS01 and CS02 of the Gravesham Local Plan Core Strategy 2014 (CS) that amongst, other things, applies the policies in the Framework to local decision making, including protecting the Green Belt.

Openness

18. As I have found that the appeal proposal is not inappropriate development in the Green Belt, in line with the relevant exception in the Framework, no consideration of openness is required.

Harvel Wooded Downs Landscape Character Area and Kent Downs National Landscape

19. The appeal site lies within the HWDLCA. The Gravesham Landscape Character Assessment (May 2009) (LCA) describes a key characteristic of the HWDLCA as a haphazard mosaic of residential plots and small holdings set within the woodland. The LCA explains that the uncharacteristic and sporadic settlement of small plots within coppice woodland is a dominant feature within the area, creating an incoherent landscape. It also notes that the combination of vegetation and topography create a very enclosed landscape of visual sensitivity with a high capacity for the landscape to absorb inconsistencies within its woodland.
20. The site also lies in the KDNL, an area designated for its landscape and scenic beauty. During my site visit, I observed that the wider area in which the development would be appreciated is generally characterised by rolling countryside, including some steeper valleys, of a pastoral nature, punctuated by areas of woodland and individual buildings, farmsteads or small groups of

buildings. The Framework requires that great weight be given to conserving and enhancing the natural beauty of the NL.

21. The existing property is substantial, set within a large plot. The proposal is on a similar alignment, and is not materially larger than the building it replaces. It is single storey with a low-pitched roof and is wooden clad. Although the building incorporates areas of glazing its appearance is not uncharacteristic of buildings within semi-rural settings. Furthermore, the building is set against a heavily landscaped embankment, and the dark stained cladding helps the building appear recessive, particularly, in longer range views.
22. Although for a domestic use, for the reasons stated, I do not consider that the proposal is unduly suburban or incongruous in its context. Due to topography and landscaping its impact on the overall landscape character is very limited, and in my view does not detract from the special qualities of the landscape.
23. I therefore conclude the proposal does not have a harmful effect on the character and appearance of the HWDLCA or KDNL. Accordingly, I find no conflict with Policies CS12 and CS19 of the CS, which require development to conserve and enhance overall landscape character and integrate well with the surrounding local area. I also find no conflict with the Framework, where it seeks development that is sympathetic to local character, including the surrounding landscape setting.

Whether very special circumstances exist

24. As the appeal proposal is not inappropriate development in the Green Belt it is not necessary to consider whether very special circumstances exist.

Conditions

25. The Council suggests several conditions. I have included those which meet the six tests set out in the Framework and the Planning Practice Guide, rewording, where necessary, for clarity.
26. As the development has commenced, it is not necessary to impose the standard time limit for implementation. A condition requiring the development be carried out in accordance with the approved plans is needed for certainty and to ensure proper planning. A condition requiring a lighting plan is necessary in the interests of preserving the character and appearance of the area and protecting biodiversity.
27. Having regard to the nature and scale of the proposal I do not consider a soft landscaping condition is reasonable or necessary. The Council suggests a condition limiting the use of the building in connection with the property. However, as the proposal is submitted as a householder application any independent, or alternative, use of the building would require planning permission. I therefore consider that such a condition would fail the test of necessity and is therefore not required.

Conclusion

28. For the reasons given above, I conclude that the proposal is not inappropriate development in the Green Belt. The proposal accords with the development plan and Framework and should therefore be allowed.

R. Gee INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location and Block Plans - Drawing no. 3567-002 and Existing and Proposed Plans and Elevations - Drawing no. 3567-001 - Rev. A.
2. Within three months of the date of this decision, a lighting design plan for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The plan should include the type and locations of external lighting. All external lighting shall be installed in accordance with the specifications and locations set out in the plan and maintained as such thereafter.

*****End of Schedule*****