



Appeal Decision

Site visit made on 2 February 2023

by Rory MacLeod BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 March 2023

Appeal Ref: APP/K2230/W/22/3301808

1 Southfield Shaw Park Homes, Harvel Road, Meopham, Gravesend, Kent DA13 0RH

- 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 Markus Blythe against the decision of Gravesend Borough Council.
 - The application Ref 20220183, dated 29 April 2022, was refused by notice dated 23 June 2022.
 - The development proposed is erection of single storey side extension to form entryway/utility room.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposal above is taken from the Council's decision notice as this is more concise than that on the application form.

Main Issues

3. The main issues are
 - (a) whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and to any relevant development plan policies,
 - (b) the effect of the proposal on the openness of the Green Belt,
 - (c) whether the proposal would set a precedent for similar development, 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 appeal relates to a mobile home located at the southern end of a residential caravan park near to the site entrance in Harvel Road. There is a vehicular access to the southern side of the mobile home serving a pumping station and parking spaces for the appeal site. The surrounding area is characterised by mobile homes of varying size and design and is within the Green Belt.

5. The mobile home at no.1 has been enlarged previously by the addition of a rear extension to its north-eastern end. There is a raised deck to its south-eastern flank by the entrance to the dwelling. The proposed extension would be erected over the decking and would be finished in matching materials.
6. The only local plan policy quoted in the Council's decision notice is Policy CS02 of the Gravesham Local Plan Core Strategy (2014) (GLPCS) on the scale and distribution of development. This states that in rural areas development outside of defined rural settlements will be supported where it is compatible with national policies for protecting the Green Belt and other policies in the GLPCS. It provides no detailed local guidance on Green Belts but inasmuch as the policy adheres to national policies, it is compatible with the Framework.
7. The Framework, at Paragraph 149 states that the construction of new buildings should be regarded as inappropriate in the Green Belt subject to listed exceptions. The Council contends that the appeal property as a mobile home relates to the use of the land rather than to a "*building*" and therefore does not meet any of these exceptions. The planning history for the site refers to the use of land for a residential caravan site. Both the mobile home and the raised deck upon which the extension would be built have brick surrounds, but these conceal metal frames and are capable of being moved. Exception 149 (b) includes the change of use of land, but this is in relation to the provision of facilities for outdoor sport, outdoor recreation, cemeteries and allotments, and so does not apply.
8. The Council states that as a result of the proposed development, the width of the property would increase from 5.8m to 8.1m. As such, it would exceed 6.8m, the width limitation for a caravan in legislation and so would no longer meet the definition of a caravan. It would therefore become a building. Exception 149 (c) states "*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*". According to the Council's calculations on the submitted details, the property has an original floor area of 81 square metres, 8.3 square metres for the existing extension and that the proposed extension would add 16.5 square metres. Total additions to the property would be 24.8 square metres or 31% above the original floor area.
9. In assessing whether this would be over and above the size of the original building, the Council has referred to guidance in Policy C13 of the Gravesham Local Plan First Review (1994). However, this policy is not expressly referred to in the Council's decision notice, pre-dates the Framework and its compatibility with the Framework is uncertain. Greater weight should be given to the Framework itself which emphasises the "*size*" of the original building. The proposal would result in significant cumulative additions amounting to almost a third of the size of the original building in relation to floor area, and volume as there would be consistent floor to ceiling heights. In my judgement the proposal would result in disproportionate additions over and above the size of the original building.
10. My findings are that the proposal would amount to inappropriate development in the Green Belt. This is firstly because the original and existing structure do not represent a "*building*" and therefore the exceptions do not apply. But even if I were to regard the proposed structure as a building, the extension now proposed would result in disproportionate additions.

Openness

11. Paragraph 137 of the Framework states that "*the essential characteristics of Green Belts are their openness and their permanence*". There are spatial and visual aspects to openness. In relation to the spatial aspect, the extension would clearly add mass to that of the existing mobile home. In relation to the visual aspect, the proposed extension would be a conspicuous addition. It would be visible from the site entrance in Harvel Road and a prominent feature progressing from there along the site access road as it relates to the facing flank wall of the first plot in the caravan park. The proposal would thereby have a harmful effect on the openness of this part of the Green Belt.
12. My attention has been drawn to appeal decision APP/K2230/D/18/3207576 for a porch at 24 Southfield Shaw Park Homes in which the Inspector concluded that the development then proposed would not have any material impact on openness. This decision relates to a smaller development within the heart of the estate. It does not change my findings on the adverse impact on openness arising from the extension now proposed.

Precedent

13. There are a considerable number of extensions and porches added to the mobile homes within the caravan park. These are of varying size and design, and some are close to the appeal site. They form part of the character and appearance of the area. The proposal would not set a precedent for modest enlargements elsewhere in the caravan park.
14. The Council's precedent concerns relate to the "*creation of a permanent new dwelling*" in the Green Belt. The resultant width of the development would exceed the definition of a caravan. The appellant points out that the extension would be on the existing metal frame and therefore capable of being moved. Whilst this is correct, it would be unwieldy to move a structure 8.1m wide, a width significantly exceeding the 6.8m accepted for the width of a caravan. The appellant points out that the raised deck frame upon which the extension would be built could be moved as a separate entity to the existing mobile home. But this would be impracticable, severing it from the remainder of the living accommodation. The plans do not provide details on how the extension would relate to the eaves and the projecting gable by the front entrance, both of which currently overhang the raised deck, but there would need to be some form of attachment and weather proofing for the extension to form satisfactory living accommodation. These points add weight to the Council's contention that the development would be a "*permanent and substantial*" construction.
15. Each proposal needs to be considered on its individual planning merits, but if permission were to be granted for the current proposal, exceeding the accepted width of a caravan, then there could be some encouragement for the construction of similar extensions, wider than those generally permitted to date, across the caravan park. The cumulative effect of this would be an adverse impact on the openness of the Green Belt.

Other Considerations

16. The appellant has not formally set out very special circumstances but has made points in favour of the proposal.

17. Firstly, the brickwork underneath the raised deck is not permanently attached to the mobile home; its purpose is to conceal the mobile home framework, to increase insulation and provide a pleasing aesthetic similar to the treatment on many other mobile homes nearby. I acknowledge that the brick surround is not attached and enhances the mobile home's overall appearance. This would not change as a result of the development. It is the development above the raised deck and the brick surround that must be the subject of the assessment.
18. Secondly, the point is made that the extension would be erected on the base provided by the Council and which has not been extended. Whilst this may be correct, the extension would nonetheless add to massing above the base which would have an impact on the openness of the Green Belt. These points can only attract limited weight in favour of the proposal.

Conclusion

19. I have found that the proposal would amount to inappropriate development in the Green Belt. It would also detract from the openness of the Green Belt. The Framework at Paragraph 148 states that substantial weight should be given to any harm to the Green Belt. Only limited weight in favour of the proposal can be attributed to the facts that the extension would be constructed on an existing detachable base and that the brick surround is not a permanent attachment.
20. Accordingly, the harm resulting from the proposal is not clearly outweighed by other considerations and very special circumstances therefore do not exist. The proposal is at odds with guidance in the Framework and also in conflict with Council Policy CS02. For the reasons given above I conclude that the appeal should be dismissed.

Rory MacLeod

INSPECTOR

