



Appeal Decision

Site visit made on 9 June 2003

by **Jonathan Bore** BA(Hons) DipUD MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0147 372 6372
e-mail enquiries@planning-inspectorate.gsi.gov.uk

Date

4 JUL 2003

Appeal Ref: APP/K2230/A/03/1111235

"Rosalie", Meadow Lane, Culverstone Green, Meopham

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission
- The appeal is made by Mr T Hooper against the decision of Gravesham Borough Council
- The application (Ref GR/20020795), dated 20 September 2002, was refused by notice dated 22 November 2002
- The development proposed is described as a replacement dwelling

Decision

- 1 For the reasons given below, and in exercise of the powers transferred to me, I dismiss the appeal

Reasons

- 2 The appeal site is a partly overgrown piece of land within the Green Belt and in the Culverstone Valley Area Policy C14 of the adopted Gravesham Local Plan First Review and Policy RA8 of the emerging Gravesham Local Plan 2nd Review (Deposit Version) allow for replacements to 'authorised' caravans and chalets in the Culverstone Valley Area, but one of the important qualifications is that the caravans or chalets must not have become derelict or abandoned. There was formerly a small chalet on the site which appears to have had permission in 1952 and lasted until around the late 1980s or early 1990s. The appellant argues that it was not abandoned and that there was an intention to return to it. However, there has been no chalet on the site for some years now. The evidence indicates that rates were paid until 1987, electricity was maintained until 1989 and the site has been wooded and overgrown since 1995. I therefore consider that there is no 'authorised' structure on the site within the terms used by the adopted or emerging plans.
- 3 Consequently, despite the terms of the application, I do not regard the scheme as an application for a replacement dwelling, but for a new dwelling in the Green Belt. Government guidance as set out in PPG 2 contains a strong presumption against the erection of new buildings in the Green Belt. The proposal would run counter to the aims of this guidance and would amount to inappropriate development. Similarly, the scheme would conflict with the objectives of PPG 2, Kent Structure Plan Policy MGB3, adopted Local Plan Policy GB2 and Policy RA2 of the emerging Local Plan, which seek to protect the Green Belt from new buildings.
- 4 The site also lies within the North Downs Special Landscape Area. Whilst some replacement dwellings have been permitted in the locality, the proposed dwelling would amount to an undesirable consolidation of sporadic development in this attractive rural area.

It would conflict with Policies ENV4 and RS1 of the Structure Plan, Policy C4 of the adopted Local Plan and Policy NE2 of the emerging Local Plan which aim to give long term protection to the Special Landscape Area

- 5 The access to most of the Culverstone Valley Area, including this site, is very poor indeed. Without extremely good reason it would be inappropriate to allow a further dwelling which would bring further traffic onto these narrow lanes with blind bends and unmade badly drained and potholed tracks. The scheme would conflict with Policy T1 of the adopted Local Plan and T1 of the emerging Local Plan.
- 6 I have considered the various arguments put forward in favour of the proposal on behalf of the appellant. It is stated that the repair of the property and subsequently the ability or intention to pursue a replacement dwelling were impeded by ill health, failure to be appraised of policy and alleged policy misapprehension. However, these matters fall far short of constituting the very special circumstances needed to outweigh the strong presumption against inappropriate development in the Green Belt.

Janet Bon

INSPECTOR