
Appeal Decision

Site visit made on 20 July 2016

by P Jarvis Bsc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08 August 2017

Appeal Ref: APP/K2230/D/17/3175533

Coles Grove, Chandlers Road, Meopham, Gravesend DA13 0DB

- 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 M James against the decision of Gravesham Borough Council.
 - The application Ref: 20161200 dated 9 December 2016 was refused by notice dated 3 March 2017.
 - The development proposed the construction of a single-storey rear extension to replace the existing conservatory with balcony over accessed by wrought iron staircase with first floor side extension to existing en-suite bathroom.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are
 - (a) whether, having regard to development plan policy and national policy in the National Planning Policy Framework (the Framework), the proposal comprises inappropriate development in the Green Belt
 - (b) the effect on Green Belt openness, the Kent Downs Area of Outstanding Natural Beauty (AONB) and rural character and appearance, and
 - (c) whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations

Reasons

3. The appeal site occupies an isolated rural location in open countryside in a sloping hillside location. The existing large detached house is set towards the higher end of the spacious grounds of the property and is screened by a number of tall mature trees, though the flank elevation of the dwelling can be seen from Dean Lane, viewed through the eastern entrance to the site. The site lies in the Green Belt and Kent Downs Area of Outstanding Natural Beauty.

Whether the proposal would be inappropriate development

4. The Framework at para. 89 states that the construction of buildings in the Green Belt should be regarded as inappropriate, subject to the exceptions set out. These include 'the extension or alteration of a building provided it does not result in disproportionate additions over and above the original building'.
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5. Policy C13 of the Gravesham Local Plan First Review (1994) (LP) relates to extensions to dwellings in the countryside, and indicates, amongst other things, that they will be limited to an overall limit of one third of the gross floor area of the original dwelling (measured externally) unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling. This is generally taken to provide guidance as to what is considered to be disproportionate additions in the context of Green Belt policy. It also states that the appearance, massing, scale, form and materials of any extension shall be appropriate to the existing dwelling and the Green Belt setting. In addition, Policy CS02 of the Gravesham Core Strategy (2014) (CS) seeks to support developments outside settlements that are compatible with national Green Belt policy.
6. The Council has provided details of what it considers to be the original dwelling (as existing at 1st July 1948) by reference to the planning history. Information has also been provided which shows that further extensions have been undertaken since that time, both with and without permission. This demonstrates that the proposal would result in an overall increase in the floor area of the original dwelling of just under 149%. This clearly exceeds the limit set by policy C13.
7. The appellant has not provided any alternative calculations nor confirmed whether the Council's calculations are agreed, but it seems to me that the information provided is a reasonable assessment based on the information provided. The appellant suggests that any further additions, which did not benefit from planning permission, are now 'lawful'. That may be the case but they are nevertheless additions to what was the original dwelling. Therefore, in terms of this factor, that is the increase in size of the building compared to its original size, I consider that the proposal would result in disproportionate additions and therefore the proposal comprises inappropriate development.
8. LP Policy C13 also includes a further caveat, as noted above, which seeks to compare the proposal with the bulk and appearance of the existing dwelling. It seems to me that this element of the policy is not consistent with the approach in the Framework, which only refers to disproportionate additions in the context of the original building. However, it is my view that the proposed additions, which replace an existing 'wrap around' conservatory of relatively lightweight construction and appearance, would introduce a noticeably larger and more bulky rear addition with further additional bulk at first floor level as a result of the roof addition. Thus, in this respect, the proposal would not satisfy LP Policy C13 or Policy CS02.
9. I am of the view that the proposal would result in disproportionate additions over and above the size of the original dwelling and would therefore comprise inappropriate development in the Green Belt. As stated in paragraph 87 of the Framework, such development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Green Belt openness, Kent Downs AONB and rural character and appearance

10. The proposed extensions would, as indicated above, in part replace an existing conservatory extension, but would be of greater height and length. In addition, the first floor extension would in my view introduce greater volume at first floor level. However, the dwelling is largely screened by a belt of existing mature trees such that this increased bulk would not be readily seen in public

views. Overall, therefore, whilst there would be some impact on Green Belt openness, I consider it would be limited.

11. With regard to the impact on the Kent Downs AONB and the wider rural character of the site, I note that the design of the proposed extensions would be in keeping with the existing dwelling and as mentioned above would in any event be largely screened in views from the wider area. In terms of its overall design, I note that the existing dwelling is of somewhat mixed style and appearance and from this point of view there is some merit in the proposed design which would result in a more cohesive design. Therefore, with respect to the impact on the wider site and its surroundings, I find no conflict with Policies CS12 and CS19 of the Gravesham Core Strategy (2014) which seek to ensure that the overall landscape character and valued landscapes are conserved, restored and enhanced and that local built and natural environments are conserved and enhanced.

Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations

12. In accordance with Framework paragraph 88, substantial weight is to be given to any harm to the Green Belt.
13. The appellant has referred to a number of benefits associated with the development which would result in a reduction of built form and which would be an enhancement of the ecological value of the site. However, it is unclear what these specific benefits are nor how they would be secured. It is suggested that the wrought iron staircase could be deleted, but I consider that this would be only a minor change of very limited weight.
14. In my view the substantial harm by reason of inappropriateness and harm to openness of the Green Belt is not outweighed by these other considerations. Therefore, no very special circumstances have been demonstrated.
15. Overall, I conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR