



Appeal Decision

Site visit made on 18 July 2023

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 September 2023

Appeal Ref: APP/K2230/D/22/3309288

Woodstock Farm, Priestwood Road, Meopham, Gravesend, Kent DA13 0DA

- 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 & Mrs A P Smith against the decision of Gravesham Borough Council.
- The application Ref 20220755, dated 1 July 2022, was refused by notice dated 14 October 2022.
- The development proposed is conversion of existing outbuilding to an annex for family member.

Decision

1. The appeal is allowed and planning permission is granted for conversion of existing outbuilding to an annex for family member at Woodstock Farm, Priestwood Road, Meopham, Gravesend, Kent DA13 0DA in accordance with the terms of the application, Ref 20220755, dated 1 July 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 22020BS-PP-S-(13)01 a: Site Location Plan; 22020BS-PP-S-(13)02 a: Existing Block Plan; 22020BS-PP-E-(01)01 Rev. a: Existing Plans; 22020BS-PP-E-(02)01 Rev. a: Existing Elevations; 22020BS-PP-S-(13)03 a: Proposed Block Plan; 22020BS-PP-P-(03)01 Rev. a: Proposed Plans; and, 22020BS-PP-P-(04)01 Rev. a: Proposed Elevations.
 - 3) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Woodstock Farm, Priestwood Road, Meopham, Gravesend, Kent DA13 0DA.

Main Issues

2. The main issues are:
 - i) whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies, and the effect of the proposed development on the openness of the Green Belt and the purposes it serves;
 - ii) the effect of the proposed development on the character and appearance of the area; and,

- iii) if the proposal is inappropriate development, would any harm by reason of inappropriateness and any other harm, be clearly outweighed by other considerations as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate development and openness

3. The appeal site comprises of a detached dwelling, which is sited within a large plot. This appeal relates to a single storey outbuilding, which is located close to the existing dwelling and adjoins the northern boundary of the site. To the rear of the site are other outbuildings, a manège and stables. The proposal seeks to convert part of the outbuilding to an annex for a family member. The outbuilding is constructed of brick and has a tiled roof. The part of the outbuilding which is proposed to be converted appears domestic in character and has casement windows, domestic style doors and solar panels on the roof. There is a large area of hardstanding to the front of the site, which is used for parking. The outbuilding is currently used for purposes ancillary to the main dwelling and incorporates a games room and store.
4. 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. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm, and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
5. Policy CS02 of the Gravesham Local Plan Core Strategy (CS) September 2014 requires that development in the Green Belt conforms with national policies. The Framework is clear that development within the Green Belt is inappropriate unless it falls within one of the exceptions set out in paragraphs 149 and 150, which I turn to further below.
6. Paragraph 149 of the Framework refers to the construction of new buildings within the Green Belt. The proposal is for the conversion of an existing building and not a new building. The proposal does not include any extensions or external alterations. Paragraph 149 is therefore not applicable to this appeal.
7. Paragraph 150 of the Framework lists certain forms of development that are not inappropriate in the Green Belt, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. One of the exceptions is the re-use of a building, providing that it is of permanent and substantial construction. Both parties agree that the existing building is of a permanent and substantial construction and based on my site visit and the evidence before me, I have no reason to reach a contrary conclusion on this matter. The conversion of the existing building to an annex would accord with paragraph 150 d) of the Framework. My decision therefore turns on whether the proposal would preserve the openness of the Green Belt and whether there would be any conflict with the purposes of including land within it.
8. The proposal is for internal alterations only. The proposed annex would share the access, parking area and garden for the main dwelling. As the outbuilding

adjoins the northern boundary of the appeal site and there is an access track to the front of the building, there would be limited opportunity to subdivide the plot and create a separate curtilage. The outbuilding is already being used for purposes ancillary to the main dwelling house. It is intended that the proposed annex would be used by a family member, who currently resides in the main dwelling. As a result, any residential activity, vehicular movements and parking demand would be similar to existing.

9. The Council and the Dickens' Country Protection Society raise concerns that the proposal would be tantamount to providing a new dwelling within the Green Belt. I acknowledge that the proposal would provide self-contained accommodation and exceed the minimum space standards for a one bedroom dwelling set out in the Nationally Described Space Standards 2015. However, given the shared access, garden and parking arrangements and its siting adjacent to the existing dwelling, there would be a clear functional link to the principal dwelling.
10. I am satisfied for the reasons set out above that the proposal would be used as an annex to the principal dwelling. The Council has suggested a planning condition be attached to any grant of permission requiring the annex to be occupied for purposes ancillary to the principal dwelling. I concur such a condition would be appropriate. Whoever uses the annex, be it the daughter of the appellants, it is clear that it will remain ancillary to the principal dwelling and Condition 3 will secure it as such.
11. The Council finds conflict with purpose c) of Paragraph 138 of the Framework, which seeks to safeguard the countryside from encroachment. The proposal would not extend the existing building nor result in any increase in parking demand or residential activity at the site. Consequently, the proposal would not encroach into the countryside and would preserve the spatial and visual openness of the Green Belt.
12. For the reasons given above, I conclude that the proposal is not inappropriate development in the Green Belt. The proposal would also preserve the openness of the Green Belt and not conflict with the purposes it serves. The proposal would comply with Policy CS02 of the CS, which requires that development in the Green Belt is compatible with national policies. It would also comply with paragraph 150 d) of the Framework, which states that the re-use of an existing building within the Green Belt is not inappropriate development provided that it is of a permanent and substantial construction and the development preserves the openness of the Green Belt and does not conflict with the purposes of the Green Belt. In light of this conclusion, it is not necessary to carry out an assessment in relation to the third main issue.
13. As the proposal does not seek to provide a new building within the Green Belt, I find no conflict with paragraph 149 of the Framework.

Character and appearance

14. The appeal site lies within the Harvel Wooded Downs Landscape Character Area (LCA). The Harvel Wooded Downs LCA is characterised by its rolling topography with steep valley sides and plateaux. The area is rural in character and contains sporadic residential and equestrian development. The proposal is for internal alterations only and as a result there would be no impact on the landscape character of the area. The proposal would not result in any increase in

vehicular movements or activity when compared to the existing use or previously consented commercial office use. As a result, the proposal would preserve the spacious nature of the appeal site and the character and appearance of the area.

15. I conclude that the proposal would preserve the character and appearance of the area and would comply with Policies CS12 and CS19 of the CS. These policies among other things require that the landscape character of the borough is conserved and that development respects the local distinctiveness of the area. The proposal would also comply with paragraph 130 c) of the Framework, which requires that development is sympathetic to local character, including the surrounding built environment and landscape setting.

Conditions

16. In addition to the standard time limit condition and in the interests of certainty, I have included a condition requiring the development to be carried out in accordance with the approved plans. I have also attached a condition requiring the annex to remain as ancillary accommodation to accord with the terms of the application and ensure it is not used as an independent dwelling.
17. A condition requiring the laying out of 2 parking spaces is not necessary given that the proposal is for ancillary accommodation and there is a large area of hardstanding to the front of the site. There is no clear justification before me to demonstrate why it is necessary to remove permitted development rights and accordingly such a condition would fail to comply with paragraph 54 of the Framework.

Conclusion

18. For the reasons given above, having regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed, subject to conditions.

A James

INSPECTOR