



Appeal Decision

Site visit made on 23 October 2025

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2025

Appeal Ref: APP/T2215/W/25/3370294

Jacksons Little Hawklands, Clement Street, Swanley BR8 7PF

- 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 Ms S Scott against the decision of Dartford Borough Council.
 - The application Ref is DA/25/00235/FUL.
 - The development proposed is change of use of land to allow a mixed use for the keeping and exercising of horses and residential to include the siting of 1no mobile home and 1no touring caravan and their use as two residential units.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of land to allow a mixed use for the keeping and exercising of horses and residential to include the siting of 1no mobile home and 1no touring caravan and their use as two residential units at Jacksons Little Hawklands, Clement Street, Swanley BR8 7PF in accordance with the terms of the application, Ref DA/25/00235/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. At time of my site visit, the mobile home and touring caravan were in situ. The proposal has therefore been implemented. This weighs neither for nor against the proposal which I have determined on the basis of the submitted plans.
3. Prior to the Council's determination of the application, the development description was revised to remove reference to commercial activities. Paragraph 6.42 of the appellant's statement of case indicates the site operates on a non-commercial basis. Therefore, in the interests of accuracy I have omitted "commercial breeding of horses" from the development description. To do otherwise would permit activities on the site which were not assessed by the Council.

Main Issues

4. The main issues in this appeal are:
 - Whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - The effect of the proposed development on the character and appearance of the area; and
 - Whether the proposed development would be in a suitable location having regard to the local development strategy.

Reasons

Whether inappropriate development

5. The appeal site is an existing equestrian facility, situated behind a row of cottages to the north of Clement Street. The site is within the Green Belt.
6. Policy M12 of the Dartford Local Plan 2024 (DLP) identifies the Green Belt's essential characteristics being its openness and permanence. As set out at paragraph 142 of the Framework, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Policy M12 resists inappropriate development in the Green Belt in accordance with national planning policy, permitting it only in very special circumstances.
7. In addition, Policy M12 identifies certain exceptions to inappropriate development which broadly reflect the provisions of paragraph 154 of the Framework. However, its criterion for infilling or redevelopment of previously developed land¹ is inconsistent with the Framework since it requires proposals not have a greater impact on the openness of the Green Belt than existing development. This is a more stringent test than that imposed by Framework paragraph 154(g) which requires limited infilling or partial or complete redevelopment of previously developed land not cause substantial harm to the openness of the Green Belt.
8. The proposed change of use would regularise the siting of the two caravans within the existing equestrian site. The Council do not dispute the equestrian elements of the proposal which reflect the site's existing lawful use relating to the keeping of horses, on the basis that such uses would not be inappropriate development. I have focussed my assessment on the effects of the siting of the caravans on Green Belt openness.
9. The front portion of the site comprises a hardstanding area for parking and turning, stables, pole barn, and other structures such as field shelters, and parked trailers. Beyond the sand menage, the rear section of the site comprises paddocks divided by post and rail fences. The parties agree the area in which the caravans are sited is previously developed land.
10. The static caravan has two bedrooms, an en-suite bathroom, separate bathroom, and kitchen/living/dining area. Wooden decking has been erected around the static caravan but does not significantly increase its footprint. Even with the attached awning, the touring caravan is a small structure. Both the static caravan and touring caravan meet the statutory definition of a caravan and are of modest scale and volume. Therefore, the siting of the caravans represents a modest increase in built form on the site.
11. The site is distant from the highway, set back by a long access track, and obscured from view by existing buildings, boundary treatments, and vegetation. Therefore, the siting of the caravans has no visual impact from the public highway of Clement Street.
12. To the north of the site is a public bridleway and public right of way² (PROWs). Views into the site from the PROWs are generally obscured by intervening hedgerows, such as those at surrounding fields and paddocks and which enclose

¹ Criterion 8, Policy M12

² PROW refs: DR54 and DR55

the appeal site's side and rear boundaries. Therefore, views of the caravans from the PRow's are infrequent and limited, and where hedgerow gaps exist, the caravans appear distant and set down in the landscape.

13. The caravans are sited between the pole barn and a parking area used for horse trailers and are set back against the tall close-boarded fence at the southern boundary. From the vantage point of the PRow's, the caravans are beyond the paddocks, sand menage, and hardstanding, and are viewed within the context of stables, barns, structures, boundary treatments, and vehicles associated with the site's equestrian use. Visible within the surrounding landscape are dwellings, and equestrian and agricultural buildings at neighbouring sites. Within the context of surrounding built form, the caravans do not appear visually intrusive.
14. Due to the extent of vegetation screening, distance of views, and context of surrounding built form, the siting of two caravans has a modest adverse visual impact on Green Belt openness, as perceived from the PRow's.
15. Paragraph 143 of the Framework sets out the Green Belt's purposes including, at paragraph 143(c), to assist in safeguarding the countryside from encroachment. The caravans are enclosed by existing built form, namely the pole barn, sand menage, and stables, which provide separation from the surrounding countryside. Therefore, the siting of caravans would not result in countryside encroachment and would not undermine the purposes of the Green Belt.
16. The siting of two caravans on previously developed land would have a greater impact on Green Belt openness than existing development and the proposal would not comply with criterion 8 of Policy M12. However, as discussed above, this criterion is inconsistent with the Framework. Paragraph 223 of the Framework indicates that due weight should be given to existing development plan policies according to their degree of consistency with the Framework. Therefore, the weight afforded to the proposal's conflict with the policy is diminished.
17. For the reasons set out above, the scale of adverse spatial and visual impacts on openness would be modest and would not cause substantial harm to the openness of the Green Belt. Consequently, the proposal would comply with the exception set out at Framework paragraph 154(g) and would not be inappropriate development in the Green Belt. The proposal would therefore comply with DLP Policy M12 insofar as it resists inappropriate development in the Green Belt in accordance with national planning policy.
18. Since the proposal would not be inappropriate development, it is not necessary to consider whether very special circumstances exist, nor whether the provisions for development of grey belt land at Framework paragraph 155 apply.

Character and appearance

19. The caravans are sited between the hardstanding area and pole barn, close to the fenced boundary, and therefore do not appear cluttered within the site.
20. As discussed above, the site is set down in the landscape and enclosed by existing boundary treatments. The caravans are generally obscured from view from publicly accessible vantage points by existing landscape features, and therefore the siting of the caravans is not visually prominent.

21. Where views exist from the PRowS, the caravans are seen against the backdrop of the boundary fence and within the context of buildings, structures, and vehicles associated with the site's equestrian use, and built form within the wider landscape. The caravans are similar in scale and form to surrounding equestrian buildings and are not an atypical feature of the rural area. Therefore, siting of the caravans does not detract from the quality of the landscape's rural character for users of the PRowS.
22. The equestrian features of the proposal reflect the site's existing use and have a neutral impact on character and appearance.
23. For these reasons, the proposed development would not harm the character and appearance of the area.
24. The proposal would therefore comply with DLP Policy M1 which requires development be suitable in terms of its height, mass, form, scale, orientation, and siting, and be sympathetic to local landscape.

Whether in a suitable location

25. DLP Policy S1 directs growth principally to strategic allocations and sites in the identified housing land supply and which accord with the economic strategy. The appeal site is not within a location prioritised or allocated for growth by Policy S1.
26. In addition, Policy SP1 directs development to (a) brownfield land not within the Green Belt, and (b) sites with good access by public transport and walking/cycling to a range of local supporting services/infrastructure.
27. Whilst containing previously developed land, the site is in the Green Belt. Therefore, Policy SP1(a) does not support development in this location.
28. Clement Street is a narrow, rural lane, generally enclosed by trees and hedgerows except for occasional accesses and dwelling frontages. There are no pedestrian footways, street lighting, or nearby bus stops. The area is interspersed with dwellings, agricultural buildings, and equestrian uses. However, the site is distant from local services with no schools, shops, health facilities, or recreation facilities within walking distance. Therefore, the location would not satisfy Policy SP1(b).
29. Policy SP1 does not positively support development in this location, and the proposal would conflict with Policy S3 which requires development reduce the need for unsustainable travel with the use of sustainable and active travel modes embedded into developments, designing for walking/cycling, public transport and low carbon motorised personal transport.
30. However, at other locations outside of specific areas identified for growth, DLP Policy S5 indicates residential development will be supported where the benefits of the proposal outweigh the disbenefits, including the sustainability of the site's location. Therefore, the suitability of the site's location must be determined through a balancing exercise, which I have set at the 'Planning Balance' section, below.

Other Matters

31. Local residents raised concerns regarding a potential increase in business activities on the site. Since proposed commercial activities have been removed from the development description, the proposal is not expected to result in

business activity on the site. Furthermore, I have no compelling reason to consider use of the access by occupants would harm living conditions of neighbours.

32. Some residents objected to the effect of equestrian activities on living conditions and local amenity. However, the evidence before me does not suggest there would be an increase in intensity of equine activities so as to necessitate mitigation. Since the site has an existing lawful use for keeping of horses, even if I were to dismiss the appeal, equestrian activity would continue.
33. The Preliminary Ecological Assessment recommends control of external lighting to avoid harm to protected bat species. This would also maintain amenity and local character through avoidance of light pollution.
34. Concerns were raised regarding the quality of the touring caravan accommodation. I have no evidence to suggest the caravan is not fit for purpose. Moreover, the proposal relates to the use of the land, and a grant of planning permission would provide certainty thus enabling a replacement caravan to be sited if necessary.
35. The proposal contains limited information regarding drainage infrastructure, and such matters would be secured through planning conditions.
36. It is my understanding that some activities and buildings on site do not have planning permission. These do not form a part of the proposal and are understood to be the subject of enforcement action by the Council.
37. Whilst a similar proposal was refused planning permission at another equestrian site, I have not been provided full details of the scheme. Rather, I have determined the appeal proposal against the policies of the development plan and other material considerations.

Planning Balance

38. As discussed above, DLP Policy S5 supports residential development where the benefits of the proposal outweigh the disbenefits³. The supporting text provides guidance on the balancing of benefits and disbenefits and makes clear that it applies to sites of all scales, including small sites⁴.
39. For windfall developments comprising one to four dwellings, the DLP advises the acceptability of the proposed location for sustainable development should be demonstrated in terms of net benefits, considering all applicable strategic and development management policies, for instance, weighing the increase in the type and number of new homes against total local and wider environmental impacts arising from their location and design⁵.
40. The DLP places particular importance on new residential development being located close to schools, shops, health facilities, and recreation facilities, and access to good public transport services providing access to employment sites or destinations with a range of services will also need to be demonstrated⁶. Good access to facilities, frequent public transport, and the provision of good quality pedestrian and cycling opportunities linking to facilities underpins the DLP's central principle of encouraging a modal shift from car use to more sustainable forms of

³ Criterion 2 of Policy S5

⁴ Dartford Local Plan 2024, paragraph 2.79

⁵ Dartford Local Plan 2024, paragraph 2.80

⁶ Dartford Local Plan 2024, paragraph 2.81

transport, as set out at DLP Policies S2 and S3. In addition, all developments need to show that the location is well integrated into safe walking and cycle routes.

41. As discussed above, the site would have limited pedestrian, cycle, and public transport access, and the parties agree that the site's occupiers would be reliant on the use of a private car to meet their day-to-day travel needs. Whilst the proposal would not embed the use of sustainable and active travel modes into the development, paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
42. Without onsite residential accommodation, the site's existing equestrian use would continue to generate daily trips to the site. The appellant estimates 12 daily trips relating to the keeping of horses based on two persons travelling to and from the site three times per day. The proposed residential use would therefore eliminate the need to travel to the site for the purpose of keeping horses.
43. The proposed residential use would generate daily trips, such as accessing employment, education, shops, and services. However, if the occupants lived off-site, they may also make car journeys to meet day-to-day needs, in addition to frequent travel to the appeal site. The parties dispute whether the proposed residential use of the site would generate a greater or lesser number of daily trips than the lawful equestrian use. Nonetheless, there is certainty that the co-location of residential and equestrian uses would reduce travel associated with the keeping of horses. Taking into account the volume of car journeys associated with the existing equestrian use, I consider the proposed residential use would not significantly increase the number of daily car journeys to/from the site.
44. Since the proposal would not materially increase unsustainable travel, the location of the proposed development would not have significant local or wider environmental impacts. For this reason, I afford limited weight to the conflict with Policy S3.
45. The DLP requires the balancing exercise place a strong imperative for development to be focussed on brownfield land⁷. The caravans would be sited on previously developed land and would contribute positively to achieving the 80% brownfield land target set out at DLP Policy S4. Acknowledging the small scale of the proposal, I afford moderate weight to the positive environmental impact of the proposed development's location on previously developed land.
46. In addition, through the provision of two additional dwellings, the proposal would make a small contribution to the supply of housing in the area. This carries modest weight in favour of the development.
47. As set out above, the proposal would not be inappropriate development in the Green Belt and would not harm the character and appearance of the area. These are neutral factors which weigh neither for nor against the proposal.
48. In addition, the appellant asserts the proposal would enable round the clock supervision of stallions, which are dangerous animals prone to aggressive behaviour and escape and are of high value and vulnerable to theft. The appellant is of the opinion that the proposal would be beneficial in respect of improving animal welfare, avoiding harm to the public and property, and deterring crime.

⁷ Dartford Local Plan 2024, paragraph 2.79

However, the need for supervision has not been fully demonstrated, and other measures have not been fully explored to avoid the risks identified. Consequently, these are neutral factors in the planning balance.

49. For the purposes of the balancing exercise required by DLP Policy S5, the moderate benefit of locating development on brownfield land and modest contribution to the supply of housing, would outweigh the limited disbenefits associated with the site's location. Therefore, the proposal is supported by Policy S5, which indicates that planning permission should be granted.

Conditions

50. Since the change of use has been implemented, it is not necessary to include the standard time limit for commencement of development.
51. I have attached conditions requiring submission of drainage details to prevent pollution of the water environment from contaminated run off, foul drainage, and surface water. To ensure a suitable standard of residential amenity and to protect the environment, I have included a condition requiring submission of waste management details.
52. To protect and enhance biodiversity in accordance with DLP Policy M14, I have included a condition requiring submission of details of measures to capture ecological enhancement. In addition, to avoid disturbance to wildlife and to maintain the character of the area, I have attached a condition requiring submission of details of any existing and proposed external lighting within the site.
53. My conclusions in respect of effects on Green Belt openness and character and appearance are based on the scale and type of caravans, sited as shown on the submitted plans. In addition, the sustainability of the location is predicated on daily trips associated with the existing equestrian use being broadly offset. Therefore, it is necessary to secure through condition the type and siting of caravans and occupation only by persons employed in the day-to-day operation of the equestrian use. To ensure the site operates as a mixed-use development, if the equestrian use of the site was to end, the residential use should also cease.

Conclusion

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

E Dade

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall be carried out in accordance with drawing nos: 4285-01A *Site Location Plan*; 4285-02A *Pre-Existing Block Plan*; 4285-03A *Existing Block Plan*; 4285-04 *Existing Plans and Elevations*.
- 2) Within 3 months of the date of this decision, a scheme for the disposal of contaminated run off from all hardstandings, manure heaps, stable washings and hay soaking areas shall be submitted to the local planning authority for approval in writing. The approved drainage details shall be implemented within 3 months of the date of that approval and shall thereafter be retained. No contaminated run off shall be directed to soakaway or any watercourse.
- 3) Within 3 months of approval of the date of this decision, a strategy to deal with foul drainage shall be submitted to, and approved in writing by, the local planning authority. The details as approved shall be implemented within 3 months of that date of that approval and shall thereafter be retained.
- 4) No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.
- 5) Within 3 months of the date of the decision, details of measures to capture ecological enhancements within the application site shall be submitted to the local planning authority for approval in writing and shall be implemented within 3 months of the date of that approval and therefore retained.
- 6) Within 3 months of the date of this decision, details of any existing and proposed external lighting within the site shall be submitted to the local planning authority for approval in writing. The details shall demonstrate how the lighting will be designed to minimise light spill outside of the site and impacts on ecology. The approved details shall be implemented within 3 months of the date of that approval and shall be retained as such.
- 7) Within 3 months of the date of this decision, details of waste management for both the residential units and the equestrian use of the site, shall be submitted to the local planning authority for approval in writing and shall be implemented in accordance with the approved details thereafter.
- 8) No more than two caravans (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended) shall be stationed at the site. These caravans shall not be located on any part of the site other than in the area shown on the 'Existing Block Plan 03 rev A'. No occupation of the caravans shall take place other than by persons employed in the day-to-day management and operation of the equestrian use at Jacksons Little Hawklands (the application site) and their dependents. If at any time the use of the site for the keeping of horses were to cease on a permanent basis, the residential use shall also cease, and the caravans and any associated structures or domestic items shall be removed from the land.

END OF SCHEDULE