



Appeal Decision

Site visit made on 5 November 2025

by **AJ Steen BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 November 2025

Appeal Ref: APP/K2230/C/24/3342528

Land at The Chestnuts, Wrotham Road, Meopham, Gravesend, Kent DA13 9AH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr J Read of Chestnuts Homes Ltd against an enforcement notice issued by Gravesham Borough Council.
- The notice was issued on 13 March 2024.
- The breach of planning control as alleged in the notice is without the benefit of planning permission the erection of a single-storey outbuilding on the southern boundary of the Land.
- The requirements of the notice are to:
 - (i) Demolish the outbuilding on the southern boundary, the subject of this notice, in its entirety.
 - (ii) Remove all resultant debris and associated materials generated from the compliance with the above step from the Land.
- The period for compliance with the requirements is: 3 months.
- The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary Decision: The appeal is allowed, the enforcement notice is quashed, and planning permission is granted in the terms set out below in the Formal Decision.

Applications for costs

1. An application for costs was made by Chestnuts Homes Ltd against Gravesham Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

2. During the course of the appeal a revised version of the National Planning Policy Framework (the Framework) was published. The Council and appellant were able to comment on it. I have taken their comments and the latest version of the Framework into account in coming to my decision.

The Appeal on Ground (a) and the Deemed Planning Application

Main issue

3. Whether the development comprises inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies.

Reasons

Inappropriate development

4. The Framework states that development within the Green Belt is inappropriate with a number of exceptions. This includes limited infilling in villages and limited infilling

or the partial redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt.

5. The Chestnuts lies outside the settlement boundary of Meopham. There are allotments adjoining the site to one side, woodlands and fields on the opposite side of the road, with the railway line separating the property from the village. There is no other built development on this side of the railway line. That results in the railway providing a clear edge to the settlement, such that The Chestnuts is located outside the village. As a result, development within the grounds cannot comprise limited infilling in a village, so cannot benefit from this exception to inappropriate development.
6. Previously developed land is defined as land lawfully developed that is occupied by a permanent structure including the curtilage of the developed land. This excludes land in built-up areas such as residential gardens, parks, recreation grounds and allotments. As The Chestnuts is located outside the settlement, it does not fall within that exception so does comprise previously developed land.
7. The development is a modest outbuilding comprising a single room with a kitchen area at one end and space for some seating. It has a low flat roof and is located close to the main building at The Chestnuts. It is located behind the building such that it is not visible from the road and the mature planting around the property boundary means that it is not readily visible from vantage points outside the grounds of The Chestnuts. Consequently, in visual terms it has a very limited effect on the openness of the Green Belt.
8. In spatial terms, the modest size and height of the building, particularly in comparison with the large care home building, means it has a modest effect on spatial aspects of openness.
9. For these reasons, I conclude that the outbuilding does not cause substantial harm to the openness of the Green Belt. As a result, it falls within the exception to inappropriate development relating to the partial redevelopment of previously developed land.
10. I conclude that the outbuilding is not inappropriate development within the Green Belt. It does not conflict with policies of the Framework or Policy CS02 of the Gravesham Local Plan Core Strategy (LP) that supports development that is compatible with national policies protecting the Green Belt.

Conclusion

11. I have not found harm by reason of inappropriateness, or any other harm. As a result, I do not need to consider whether there are other considerations that might amount to very special circumstances.
12. For the reasons set out above, I conclude that on balance the development accords with the development plan. The appeal on ground (a) therefore succeeds.
13. The development has already taken place and I have not found any harm caused by the development. As such, no conditions are necessary in order to make the development acceptable.

Formal Decision

14. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the erection of a single-storey outbuilding at The Chestnuts, Wrotham Road, Meopham, Gravesend DA13 9AH as shown on the plan attached to the notice.

AJ Steen

INSPECTOR