



Delegated Report

Full Planning Application

Planning Application No: 20230402

Location: The Orchard Melliker Lane Meopham Gravesend

Description: Retention of fencing on land. Resubmission following refusal of 20220824 with loss of 2-metre high close boarded fence on the western side of the site.

Applicant: Mr and Mrs Singleton

Site Visit Date: 6th June 2023

Submitted Documents/Plans

Planning Application Form;
Covering Letter and Supporting Statement;
Drawing No. 22-17-01 Rev A – Location Plan;
Drawing No. 22-17-02 Rev D – Layout Plan & Section;
20220824 – Delegated Officer Report; and
20220824 – Decision Notice.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220824	Retention of fencing on the land.	Refused	28.03.2023
20070948	Erection of a single storey detached building to provide an indoor swimming pool, gym, sauna, shower room and plant room.	Permission	19.12.2007
20070679	Application for Lawful Development Certificate for the proposed erection of a single storey building to provide a swimming pool enclosure with gym, sauna, plant room and shower room.	Certificate Granted	19.09.2007
20040674	Retention of 8' high wooden fence around south boundary and part of east and west boundaries.	Permission	15.09.2004
20041011	Erection of a single storey building in the garden to provide an indoor swimming pool, gym, sauna, plant room and changing rooms/shower rooms.	Certificate Granted	22.12.2004
20020015	Erection of part first floor and part two storey rear extension to form family room, enlarged snooker room, utility room and enlarged kitchen at ground floor level with 3 bedrooms, bathroom, 4 en-suite bathrooms, dressing room, stairwell and landing at first floor level; alterations to all 4 elevations and roof and repositioning of tower room.	Permission	19.04.2002

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places
- 13 – Protecting Green Belt Land
- 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- Gravesham Landscape Character Assessment (2009).

Consultations, Publicity and Representations

Consultees

Meopham Parish Council

Meopham Parish Council objects to this planning application it would constitute inappropriate development in the Green Belt and in the Meopham Downs Landscape Character Area as it would have a detrimental affect on the rural environment.

Neighbouring properties

A site notice was displayed on site and individual letters sent to 9 surrounding properties with an overall expiry date of 2nd June 2023. No comments have been received.

Officer's Analysis

Background & Procedural Matters

This application is a resubmission of a previous application (App. Ref. 20220824) which was refused for the following reasons:

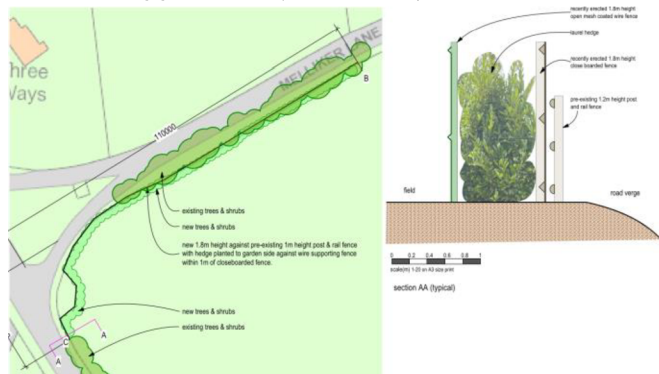
1. The fencing by virtue of location, height and design has resulted in harm to the openness of the Green Belt and is harmful to the Meopham Downs Landscape Character Area. Therefore the proposal is an inappropriate development in the Green Belt, contrary to Policies CS01 (Sustainable Development), CS02 (Scale and Distribution of Development) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014), and Sections 12 and 13 of the National Planning Policy Framework (2021).

- By virtue of the location, height, design and materials, the fencing is considered to be unacceptable, as it is a dominant feature that has resulted in the hardening of the streetscene, that is considered to be detrimental to the character and appearance of the streetscene and area as a whole. The development is therefore contrary to the requirements of section 12 of the National Planning Policy Framework 2021 and Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy 2014.

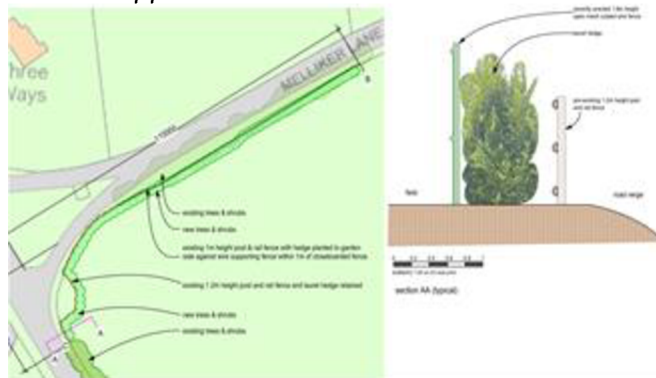
The timber close board fencing that formed part of the proposal has been removed from the application and the officer site visit confirmed that a section of the timber fencing has already been removed from the site. However a large section of close board fencing that runs along the northern boundary with Melliker Lane remains in place.

In addition, the area that is the subject to this proposal has been reduced to the new fenced area, with the older timber fencing still being in situ along the northern boundary and will be subject to a separate lawful development application and will therefore not form part of this assessment.

Refused Application (20220924)



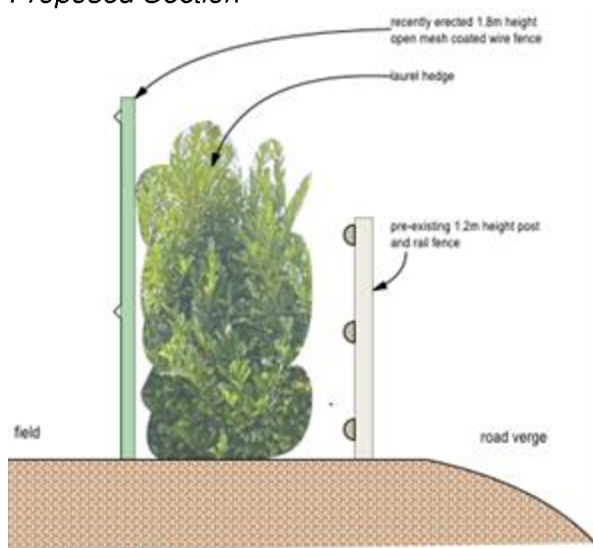
Current Application



Proposal

This application seeks planning permission for the retention of fencing on the land. There are two rows of fencing located along the north west boundary of the site – the pre-existing approx. 1.2m high post and rail fencing and a 1.8m high wire mesh fencing finished in green. A laurel hedge has been planted in-between the two rows of fencing.

Proposed Section



Within the previous submission, it was the applicant's intention to remove the close board fencing once the vegetation had grown and that the wire mesh fencing would remain as a security measure. Since the

submission of the previous application, the hedging has become well established and now obscures the wire mesh fencing behind when viewed from the highway.

View From Longfield Road



The case officer site visit confirmed that the land between the residential property and the paddock field to the west remains open, with no separation. The residential property and grounds benefit from a significant amount of soft landscaping in the form of mature hedging and trees which form soft boundaries to what is the residential curtilage and the open field to the west. The field itself remains open with no domestic paraphernalia, with the exception of the close board fencing along the northern boundary and the laurel hedge to the west, which is a species of planting seen more in a domestic garden and not within a rural setting. The field is maintained by the owner in the form of strimming/cutting only.

The area is clearly shown in the following images:





Site and Surrounding Area

The site is located in the Green Belt and in the Meopham Downs Landscape Character Area as defined on the adopted Gravesham Local Plan Core Strategy policies map and this must be the starting point for determining this application.

The application site is a parcel of land to the west of the residential dwelling, The Orchard, and falls outside of the residential curtilage of the associated dwelling, however, the extensive open paddock to the west of The Orchard, appear to fall within the site ownership. The portion of the site relevant to this application is located along the western boundary of the paddock.



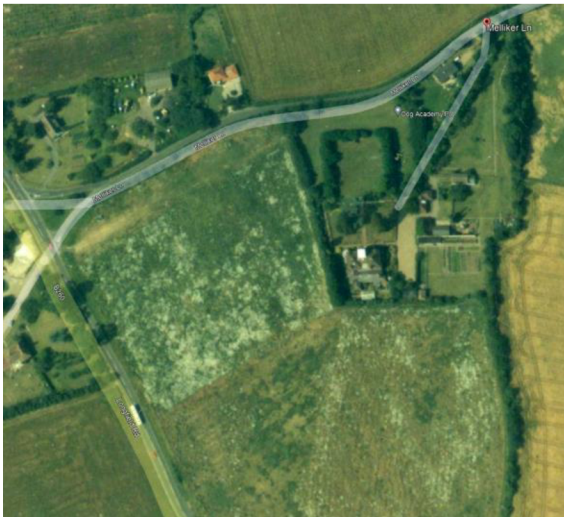
Looking to the submitted plan (above), there appears to be clear definition of the residential curtilage of The Orchard, and the land (paddock) to the west which forms part of this application.

This is also supported by the satellite images below, which clearly show a separation of the parcels of land.

Satellite Images 1940



1990



2007



1960



2003



2013



The presence of mature hedging and fencing in the above images, indicates that historically there used to be a clear definition between the land (paddock) to the west of The Orchard and the residential curtilage of the dwelling.

Furthermore, it can be clearly seen from the following images that the an additional fence or means of enclosure was erected some time between 2015 and 2018, clearly separating the land and removing the boundary that once sat directly to the west of The Orchard.

2015



2018



From the officer site visit, all hard boundaries separating The Orchard from the paddock to the west have been removed and both the paddock and residential curtilage of The Orchard now appear to be as one area.

The appropriateness of the development within the Green Belt

Inappropriate development in the Green Belt is development that by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 goes on to say that very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The NPPF (2021) notes that 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 permanence. At paragraph 138 the NPPF (2021) lists the 5 purposes which the Green Belt serves. Of particular relevance in this case is that it assists in safeguarding the countryside from encroachment.

Policy CS02 of the Gravesham Local Plan Core Strategy (September 2014) (LPCS) prioritises development in the urban area as a sustainable location for development. In the rural area it states that development will be supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in (LPCS).

As stated above and confirmed by the officer site visit, a small section of the close board fencing has been removed from the far western corner of the site that forms part of this application, however a large section of close board fencing that runs along the northern boundary with Melliker Lane remains in place.

The post and rail timber fence has been in situ for a number of years and is a common fence design within the rural area.

The wire mesh fencing whilst not commonplace within rural areas has been erected to provide security to the paddock, following trespassing either by accident or on purpose, as stated by the applicant. However, no record or further details of this were provided with the application, and no police crime reference number

was provided. The planted laurel hedging has become well established and is now at a height that exceeds the wire mesh fencing and obscures it from view. The wire mesh fencing itself is open aspect and coloured green to blend to its surroundings.

The wire mesh fencing by virtue of height and design are typical of a more urban area and has a more commercial appearance, commonly used for school fields, and as such would be out of character with the area. The laurel hedge is also a species of planting seen in more domestic or school settings and is not common in a rural setting.

In summary it is considered that the fencing erected along the western boundary of the paddock to the west of The Orchard is contrary to local and national planning policy.

Impact on openness and the purposes of the Green Belt

Having determined that the proposal in this case is inappropriate development in the Green Belt, it is necessary to assess the effect on the openness and the purposes of including land in the Green Belt. The NPPF (2021) notes that 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 permanence.

The fencing has resulted in a hardening of the north west boundary of the site, obscuring the open view of the fields. Whilst the laurel hedging does obscure most views, this is domestic type hedging and could be removed at any time. The increase in fence boundary height as well as the commercial design has resulted in material harm to the openness of the Green Belt.

Therefore, the proposal is considered to be contrary to Policy CS02 (LPCS) and Section 13 of the NPPF (2021).

Satellite View



Design, Character and Appearance

The site, prior to the erection of the current fencing, was bounded by low level post and rail fencing with mature hedging which is a common feature within the surrounding area. The surrounding character is of low level open aspect timber fencing of varying design with mature hedging, which provides open views of the surrounding agricultural fields and farmsteads.

Site Prior to Erection of Fencing



Surrounding Streetscene



There has been one additional section of 1.8m high mesh coated wire fencing erected on the north west corner of the site set behind the post and rail fencing, separated by laurel hedging. As laid out above, laurel hedging is not commonplace in a rural setting and the combination of this and the wire fence has resulted in a feature that is both out of character with the area in terms of material and design, together with a loss of the openness of the area.

In addition, the removal of all boundaries separating the residential dwelling, The Orchard from the paddock gives the appearance of one residential unit and blurs the lines between residential and agricultural.

Landscape Character Area

Section 15 of the NPPF (2021) highlights the importance of conserving and enhancing the natural environment, one aspect of which is the protection and enhancement of valued landscapes. Policy CS12 (LPCS) seeks to protect the Green infrastructure within the Borough and states that the overall landscape character and valued landscapes will be conserved, restored and enhanced and the greatest weight will be given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs AONB and its setting.

The application site is located within the Meopham Downs Landscape Character Area. The topography is gently undulating with a mixture of arable and pasture farmland. The area is characterised by neat pattern of small square fields in the south, broader irregular shaped fields to the north, with narrow lanes and road lined with hedgerows. The condition is good and the guidelines are to conserve and reinforce.

Policy CS12 (LPCS) seeks to protect the Green infrastructure within the Borough and states at 5.7.26 the overall landscape character and valued landscapes will be conserved, restored and enhanced.

By virtue of the location, additional height, design and materials, it is considered that the new fencing has resulted in harm to the character and appearance of the Meopham Downs Landscape Character Area. As such, it is considered that the fencing is an unacceptable development within this open area, having a detrimental impact on the rural setting and is harmful to the Meopham Downs Landscape Character Area, contrary to Policies CS19 and CS12 (LPCS) and Sections 12, 13 and 15 of the NPPF 2021.

Neighbouring Amenity

Due to the separation between the application site and the surrounding properties, no overshadowing, loss of light, outlook or privacy detrimental to the neighbouring properties has occurred.

Parking & Highways

The location of the fencing is set behind the existing post which is set sufficiently away as to not result in obscured views when entering or existing the junction.

Conclusion & Recommendation

It is considered that the revised application has not overcome the previous reasons for refusal and the fencing is considering inappropriate and harmful to the area for the following reasons:

The fencing by virtue of location, height and design has resulted in harm to the openness of the Green Belt and is harmful to the Meopham Downs Landscape Character Area. Therefore the proposal is an inappropriate development in the Green Belt, contrary to Policies CS01 (Sustainable Development), CS02 (Scale and Distribution of Development) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014), and Sections 12 and 13 of the National Planning Policy Framework (2021).

By virtue of the location, height, design and materials, the fencing is considered to be unacceptable, as it is a dominant feature that is out of character with the rural area and is considered to be detrimental to the character and appearance of the streetscene, the area as a whole and is harmful to the Meopham Downs Landscape Character Area. The development is therefore contrary to the requirements of section 12 of the National Planning Policy Framework 2021 and Policies CS02, CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Amanda Grout	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	6 th September 2023	Dated:	7th September 2023