



Delegated Report

Householder Planning Application

Planning Application No: 20240058

Location: 34 Beechwood Drive Meopham Gravesend Kent

Description: Retrospective planning application for the existing single storey outbuilding in the rear garden.

Applicant: Mr Rodney Buckland

Site Visit Date: Carried out by KP on 07.02.24

Preliminary Matters

The agent was contacted to confirm the use of the outbuilding and a response was not received. Notwithstanding this, the use of the outbuilding can be controlled by condition should approval be forthcoming. As such, this does not impact the determination of the application.

Submitted Documents/Plans

Application Form; and
Drawing No. 1564-P001A – Elevations, Floor, Roof Plan with Block Plan and Site Location Plan as Existing and Proposed.

Relevant Planning History

Reference	Description	Decision	Decision Date
19990426	Erection of a detached three bedroom dwelling and laying out of associated driveway and manoeuvring area.	Permitted	27.08.1999

Planning History Note

Condition 4, attached to planning permission reference number 19990426 restricts permitted development rights for the property, in relation to the construction of outbuildings and garages (extract below.)

Condition:

4. No outbuildings or garages, other than those identified on the approved plans, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, shall be constructed on the site, without the prior permission, in writing, of the District Planning Authority.

Reason:

4. In the interests of amenity and in order to comply with the Borough Council's policy for the Culverstone Valley Area.

As such, planning approval is required for the existing single storey outbuilding. The application shall be assessed against policy and guidance below.

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

Gravesham Local Plan: First Review (1994)

- C13 – Policy for Extensions to Dwellings in the Countryside

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving well-designed and beautiful places
- Section 13 – Protecting Green Belt Land

Supplementary Planning Guidance

- SPG2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009).

Consultations, Publicity and Representations

Consultees

Local Ward Councillors

No comments received.

Meopham Parish Council

No comments received.

Neighbouring properties

4 surrounding properties were consulted, a site notice was displayed on 07.02.2024 and one response was received objecting to the proposal. The overall consultation period expired on 01.03.2024.

The objection raised concerns regarding the height of the outbuilding, its appearance and proximity to the

shared boundary. These matters are material planning considerations and shall be assessed in the relevant sections of this report. The neighbour representation also raised concerns regarding land ownership and an ongoing boundary dispute. This would fall under a civil matter and as such does not form part of this application assessment.

Officer's Analysis

Site Description and Context

34 Beechwood Drive is a detached, chalet bungalow style property, located to the east of the highway. It is situated within the Green Belt and Harvel Wooded Downs Landscape Character Area.

Google Street View Image

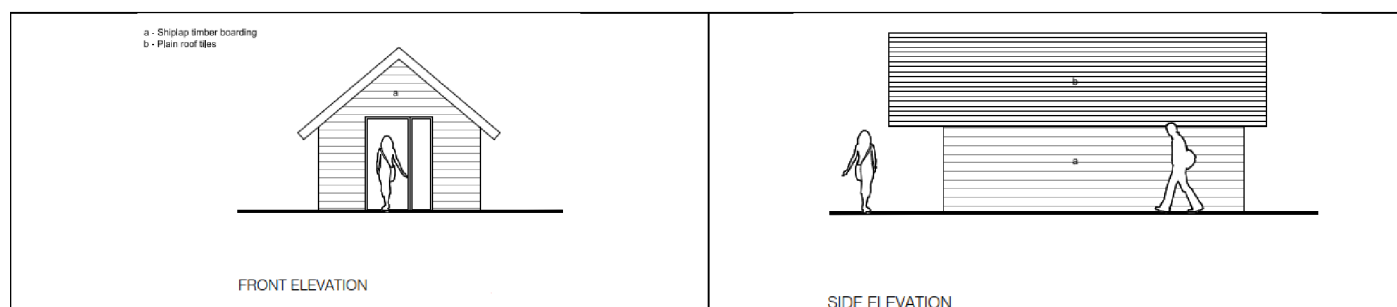


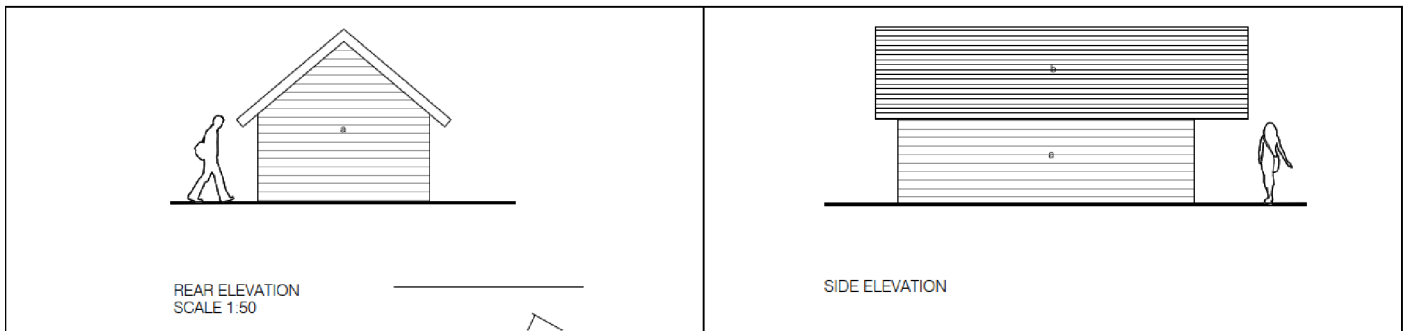
This application has been made, retrospectively, for an existing single storey outbuilding in the rear garden.

Proposal

The outbuilding has the following dimensions:

- 3.65m height (max)
- 2.08m eaves height
- 3.60m width
- 6.10m depth (7.66m roof length)





Officer's Analysis

Principle of Development

The development would be located in the rural area, within the Green Belt. Policy CS02 of the Gravesham Local Plan Core Strategy (LPCS) (2014) sets out that development in the urban area is prioritised as the sustainable location for development. In the rural area, Policy CS02 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, i.e. in the Green Belt, will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS (2014).

As such, the key considerations of this application are:

- Impact on the Green Belt
- Design, Character and Appearance and Impact on the Landscape
- Amenity of Future Occupiers
- Neighbouring Amenity
- Highways and Parking

Impact on the Green Belt

1. Is the proposed development appropriate in the Green Belt?

Permitted Development rights can apply within the Green Belt in relation to some types of development within the domestic curtilage. Often, similar outbuildings that meet the criteria of the General Permitted Development Order 2015 (as amended) could normally be permitted. In terms of this application, permitted development rights for outbuildings has been removed, as aforementioned in the planning history section of this report. As such, the proposal needs to be assessed against national and local planning policy.

There are strict policy considerations within the Green Belt whereby paragraph 152 of the National Planning Policy Framework (NPPF) (2023) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 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 resulting from the proposal, is clearly outweighed by other considerations. Paragraph 154 states that, a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless it falls within the below specified exceptions:

- (a) buildings for agriculture and forestry;
- (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

(e) limited infilling in villages;

(f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

In terms of this application, there are no specific references (within paragraph 154) to ancillary outbuildings within the curtilage of a dwelling. However, as found by the Courts in *Warwick DC v SSLUHC & others (2022)* (Appendix 1) and *Sevenoaks District Council v SSE and Dawe (1997)* (as referenced in *Warwick DC v SSLUHC & others (2022)*), for the purposes of this part of the NPPF (2023), a detached outbuilding can be considered as an extension of a building (or 'dwelling'.) Applications need to be considered on a case-by-case basis on whether the outbuilding can be considered as an extension of a building. Following this judgement, the relevant exception to be considered for this proposal would be paragraph 154, exception (c):

the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

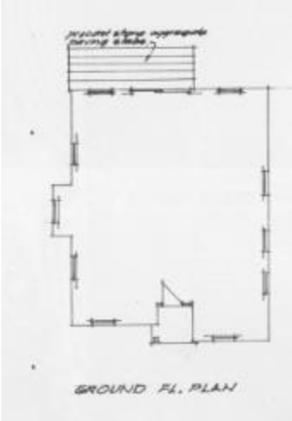
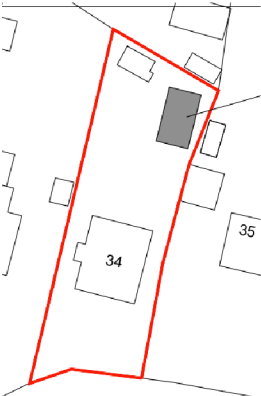
It therefore needs to be considered whether the outbuilding would constitute a disproportionate addition, when considering the original size of the dwelling.

Saved Policy C13 of the Gravesham Local Plan First Review (LPFR) (1994) sets out the requirements for extensions to dwellings. Of particular consideration, and to assist in assessing whether the addition would be disproportionate, this policy limits the increased floorspace to one third of the gross floor area of the original dwelling. However, this policy does pre-date the NPPF (2023), and greater weight should be given where the approach is consistent with Paragraphs 152-156 of the NPPF (2023).

"Original dwelling" for the purpose of Policy C13 means a building in permanent residential use at 1st July 1948 or subsequently erected as a permanent dwelling in accordance with planning permission in that behalf.

In this instance, the proposals would not result in an increase in external footprint to the main dwellinghouse. However, as outlined above, the outbuilding can be considered as an extension of the building, and so should be included in the calculation of floorspace.

A comparison of the plans for the 19990426 planning permission for the erection of the dwelling and the dwelling footprint indicated on the block plan for this current application indicates that there has been no additions (apart from the outbuilding(s)) since the original permission:

Plans as per the 19990426 approval	Block Plan for this current application	Site Photo showing staggered layout
		

The footprint of the outbuilding is 21.76sqm and the ground floor footprint of the house is 91.85sqm (approx.) As such, it is evident that the outbuilding would fall below the one third limit of the gross floor area (ground and first floors) of the dwelling, as set out by C13 of the LPFR (1994).

Whilst this calculation is useful, it forms only part of the assessment. The proposal must be assessed visually and spatially to be considered a proportionate addition. The outbuilding is single storey and located to the rear of the residential curtilage.



Overall, the outbuilding is considered to be subservient to the scale of the main dwelling and plot and is not considered to be a disproportionate addition.

Green Belt Overall Balancing Exercise

The proposal is considered as an exception as set out in paragraph 154 (c) of the NPPF (2023) and is considered to comply with the requirements of Policy C13 of the LPFR (1994). Policy CS02 of the LPCS (2014) states that development in the Green Belt, will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS (2014). As the proposal meets the criteria set out by paragraph 154 (c), the outbuilding is not considered to be inappropriate development in the Green Belt.

Design, Character and Appearance and Impact on the Landscape

In addition to being within the Green Belt, the site also lies within the Harvel Wooden Downs Landscape Character Area. This area is characterised by varied topography, ancient wood and haphazard mosaic resident plots and small holdings. Policy CS12 (LPCS) (2014) 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. Paragraph 180 of the NPPF 2023 seeks to protect and enhance such valued landscapes.

Policy CS19 (Development and Design Principles) (LPCS) (2014) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well- designed and beautiful places) of the NPPF (2023) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

Gravesham's Householder Extensions/Alterations Design Guidance SPD (2021) set out key principles for new developments. Generally, the SPD (2021) highlights the importance of new development complimenting and corresponding to existing character and the wider context. In this case, the rural character of the area and other surrounding dwellings should be considered.

The outbuilding is unobtrusively located to the rear/side of the residential curtilage and is set back behind the existing dwelling. It is not considered to be overly excessive in bulk or scale, and the dual pitched roof compliments the roof form of the existing dwelling and buildings in the immediate surrounding area. The outbuilding has a limited effect on the streetscene and is not considered to be detrimental to the Landscape Character Area by virtue of its location, within the residential curtilage of the rural settlement. The application form states that the materials of the outbuilding are timber cladding and plain roof tiles and that the works are complete. These materials are not considered to be unusual for an outbuilding within a rural setting. Overall, the outbuilding is not considered to cause harm to the Landscape Character Area, or the Design, Character and Appearance of the local area. As such, the proposal complies with Policy CS19 of the LPCS (2014) and Section 12 of the NPPF (2023).

Amenity of Future Occupiers

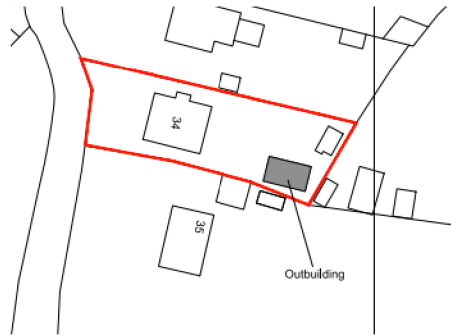
Gravesham's SPG2 – Residential Layout Guidelines (RLG) (2020) sets out required garden space post development, and the resultant garden area exceeds the requirement. Therefore, the proposal is considered to safeguard the amenity of future occupiers, in accordance with Policy CS19 of the LPCS (2014) and Section 12 of the NPPF (2023).

Although the use of the outbuilding is not explicit, there are not concerns that the outbuilding will be used for anything other than purposed incidental to the main dwelling. There does not appear to be services running to the outbuilding, and it one consists of one room. There is also only one door with a modest window to the front, suggesting it is simply to be utilised for storage. Nonetheless, a condition will be attached restricting the use to purposed incidental only, and not for residential accommodation or business purposes.

Neighbouring Amenity

As aforementioned above, one representation was received, objecting to the proposal.

Neighbouring amenity is assessed in terms of loss of light, outlook, privacy and causing a sense of enclosure. The plans show the outbuilding is set approximately 0.79m away from the shared boundary with No.35 (at the smallest point) and in excess of 9.00m away from the shared boundary with No.33.



The eaves of the outbuilding measure at 2.08m (approx.), it is set away from the shared boundaries, is a significant distance away from neighbouring dwellings. In addition, there is no fenestration included on the rear and flank elevations. Overall, the outbuilding is not considered to be detrimental to neighbouring amenity and is in accordance with Policy CS19 of the LPCS (2014) and Section 12 of the NPPF (2023).

Highways and Parking

There are no concerns, in terms of highways and parking, that arise as a result of this proposal.

Conclusion

The development in situ, does not cause harm the Harvel Wooden Downs Landscape Character Area, or the Design, Character and Appearance of the local area, and is in accordance with Policy CS19 of the Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2023).

In addition, the proposal is considered to protect the amenity of future occupiers and neighbouring amenity in accordance with Policy CS19 of the Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2023).

With reference to relevant Case Law, the proposal is classed as an exception to inappropriate development within the Green Belt, as set out in paragraph 154 (c) of the National Planning Policy Framework (2023). Additionally, the proposal is considered to comply with the requirements of Policy C13 of the Local Plan First Review (1994). Policy CS02 of the Local Plan Core Strategy (2014) states that development in the Green Belt, will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the Local Plan Core Strategy (2014). As the proposal meets the criteria set out by paragraph 154 (c), the outbuilding is not considered to be inappropriate development in the Green Belt and satisfies Policy CS02 of the Local Plan Core Strategy (2014).

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Lucy Hankin	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	19th March 2024	Dated:	19 March 2024

