



Delegated Report

Householder Planning Application

Application No:	20220019
Location:	Squirrels Chase, 67 Beechwood Drive, Meopham, Gravesend, DA13 0TX
Description:	Conversion of detached garage to games/gym room with toilet.
Applicant:	Mrs Kim Austin
Site Visit:	17 th January 2022

Submitted Documents/Plans

Application Form - dated 11/01/2022;
Drawing no. 001 - Rev. A - Existing Site Location Plan, Block Plan, Floor Plan and Elevations;
Drawing no. 002 - Rev. B - Proposed Block Plan, Floor Plans and Elevations.

~~Drawing no. 002 - Rev. A - Proposed Block Plan, Floor Plans and Elevations - SUPERSEDED.~~

Relevant Planning History

Application No.	Description	Status	Decision
20211108	Conversion of detached garage to games room with toilet on the ground floor and office room in the upper level including roof alterations to accommodate the first floor space.	REFUSED	22.12.2021
19970871	Erection of detached bungalow with rooms in the roof space and detached double garage at front	PERMITTED	04.02.1998
19970693	Outline application for erection of detached bungalow and detached garage.	PERMITTED	06.11.1997
19881033	Erection of chalet for weekend and holiday use to replace existing caravan and installation of cesspool	PERMITTED	02.02.1990

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)

- P3 - Vehicle Parking Standards
- C13 - Extensions to Dwellings in the Countryside

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)

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

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 - amended June 2020
- SPG 4 - KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guidance (SPD) (2021)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

External Consultees

Meopham Parish Council - No objection to the application subject to the building not being used as a separate hereditament.

Internal Consultees

GBC - Highways Officer - I have no objections to the garage conversion, there is more than adequate parking space on the drive. I would however suggest that its use is restricted to ancillary to the occupation of the main dwelling and cannot be used for business/commercial purposes as that has the potential to generate its own traffic and car parking demand in an area where on street parking can be restricted by the nature of the road and the lack of street lighting.

Neighbouring properties

A notice was displayed on site 17th January 2022.

In addition, four surrounding properties were consulted and no representations were received. The consultation period expired 11th February 2022.

Preliminary Matters

A similar application seeking to extend and convert the garage into habitable rooms was submitted in 2021 (ref. 20211108). The application involved an upward extension to the garage and the creation of an office on the upper level. The Local Planning Authority refused the application on the following grounds:

1. *The upward extension to the garage is harmful to the open character of the Green Belt, significantly increasing the perceived bulk of the building which will no longer be subservient or subordinate to the main dwelling. The increase in height will disrupt the hierarchy of height between outbuilding and dwelling, and is poor design which is harmful to the character of the street scene. The development is therefore contrary to Policies CS12 and CS19 of Gravesham's Local Plan Core Strategy (September 2014) as well as Sections 12 and 13 of the National Planning Policy Framework (2021).*

In order to be granted permission, this current submission must be considered to overcome the previous reason for refusal.

Officer's Analysis

Proposal

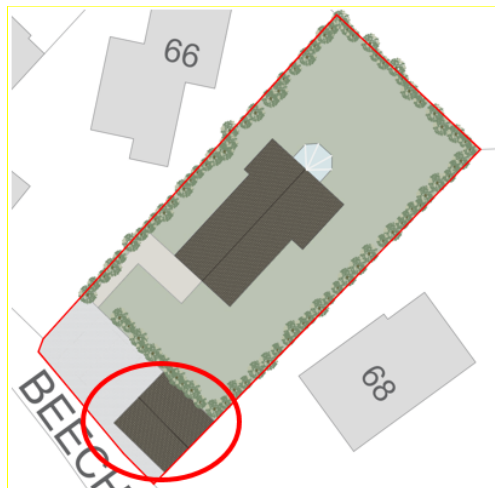
This application seeks planning permission for the conversion of the detached garage into a gym/games room and shower room at ground floor. The conversion of the garage requires planning permission due to condition (11) attached to planning permission ref.19970871 that precluded conversion of area demarcated for vehicular parking, without prior consent from the local planning authority.

For the avoidance of doubt condition 11 is:

The areas identified on the submitted drawings for the parking of vehicles shall be formed before the bungalow hereby permitted is first occupied and thereafter used for the parking of private motor cars only and no development whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995, or any provision equivalent in that Class in any statutory instrument revoking and re-enacting that Order, shall be carried out on the site in such a manner or in such a position to preclude vehicular access thereto.

Conversion of the Garage

Unlike the previously refused application, this development does not include any upward extension to the garage. The garage height will remain 3.6m and the eave height will remain 2.6m. The garage is positioned 1.25m from the front boundary.



The principle consideration of this part of the application is that the property falls within the Green Belt which is subject to strict policy constraints. Unfortunately, there are no specific development plan policies on the provision of outbuildings in the green belt. However, adopted Core Strategy policy CS02 requires development to be compatible with national policies for protecting the Green Belt.

It is noted that while saved Policy C13 (vii) of the Local Plan First Review sets out that the Council's approach to assessing proposals for outbuildings in the countryside and makes clear that they will be considered on their individual merits, it is out of step with the National Planning Policy Framework (NPPF). Therefore, it should be attributed minimal weight for the following reasons;

National Green Belt planning policies are detailed under Section 13 of the NPPF "Protecting Green Belt land". Paragraph 149 states that the construction of new buildings in the Green Belt is inappropriate development. It goes on to list six exceptions to this, however ancillary residential outbuildings do not form one of the exceptions specifically listed.

Paragraph 149(c) has some relevance, starting that the construction of new buildings (paragraph 149) is considered to be 'inappropriate' development in the Green Belt except where this involves (amongst other things) the:

- 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; and

However it is clear that domestic outbuildings, including garages, do not specifically fall within this list and as such they are considered to be inappropriate development per se.

In line with paragraph 147, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 sets out that substantial weight should be given to that harm and 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.

In relation to saved policy C13 (vii) of the Gravesham Local Plan First Review, paragraph 219 of the NPPF sets out that 'Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). Core Strategy policy CS01 also sets out in paragraph 4.1.8;

Where there are no policies relevant to the application for relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *Specific policies in that Framework indicate that development should be restricted.*

This second bullet point is in line with paragraph 11 of the NPPF. Examples of the policies that indicate that development should be restricted are set out in a footnote in the NPPF and include land designated as Green Belt.

In addition, when considering proposals in the rural area, Policy CS02 gives further support to the policy approach set out in the NPPF stating that development outside those settlements, including affordable housing and proposals to maintain and diversify the rural economy, will be supported where it is compatible with national policies for protecting the Green Belt and policies in this plan.

On the basis of the above, it is considered that only minimal weight can be given to this part of policy C13.

Very Special Circumstances

Given the above determination, the national Green Belt policies contained in the NPPF are the presiding policy in determining a proposal for ancillary residential outbuildings in the Green Belt. It is considered that proposals for a detached outbuilding would constitute inappropriate development in the Green Belt that is harmful to the Green Belt and should not be approved except in very special circumstances. Moreover, substantial weight should be given to that harm and 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 applicant has not provided a supporting statement setting out any very special circumstances that exist to clearly outweigh the potential harm to the Green Belt by reason of inappropriateness, and any other harm such as the effect on openness that may result from the proposal. Notwithstanding this a judgement has been made on the details provided and it is considered that special circumstances can be justified when the proposal is considered in context with the area and that there is no enlargement proposed to the existing building. Nevertheless, an assessment of the impact on the openness of the Green Belt will be considered.

The effect of the proposal on the openness of the Green Belt

Paragraph 137 of the National Planning Policy Framework (NPPF) (2021) states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also states that the essential characteristics of Green Belts are their openness and permanence.

The proposed conversion of the garage will not harm the openness of the Green Belt. The development does not involve the enlargement of the structure and therefore will not have any impact on its permanence or open character. There is no additional hardstanding resulting from the conversion.

Whether the development causes any other harm and whether there are any other relevant considerations to balance the overall planning argument, should now be considered.

The effect on the character and appearance of the area

Policy CS19 (Development and Design Principles) (LPCS) 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.

The size or scale of the garage structure will not change as part of this development, however the appearance will change by virtue of removing the garage doors and replacing them with two windows.

Existing Elevations



Proposed Elevations



Whilst this change will alter the appearance and domesticise the building, it is not considered harmful to the character or appearance of the street scene. Moreover, the building will remain subordinate and subservient to the main dwelling, which is considered to be good design and an appropriate hierarchy of height.

The space within the former garage will be used as a gym/games room and a shower room. As such the use of the outbuilding could be considered incidental, but nevertheless conditions will be attached to restrict the use of the outbuilding. The condition will ensure that no primary living accommodation is installed within, and that no business operates from the outbuilding at any point.

The conversion of the garage will not have any detrimental impact on the character of the street scene. While it is acknowledged that the alterations and introduction of fenestration to the front will change the appearance of the structure, some boundary treatment and planting is proposed which will serve to soften and screen the structure. Overall the development is in accordance with Policy CS19 (LPCS) and Section 12 of the National Planning Policy Framework (NPPF) (2021).

Other matters

Amenity of Future Occupiers

The development is not considered to have any detrimental impact on the amenity of future occupiers and is in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Neighbouring

The development will not impact on the amenity of neighbouring properties in terms of loss of light, loss of privacy, overshadowing, outlook or sense of enclosure. As such, the development is in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Parking and Highways

The two existing parking spaces within the garage will be lost as part of this application. However, the driveway has sufficient space for two vehicles to park, which accords with Kent County Council's parking standards (SPG 4) (2006) for a three bedroom property.

Impact on the Landscape

In addition to being within the Green Belt, the site is located within the Harvel Wooded Downs Landscape Character Area. This area is characterised by varied topography, ancient wood and haphazard mosaic resident plots and small holdings.

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.

The conversion of the garage is not considered to impact on the Harvel Wooded Downs Landscape Character Area as it is within a relatively well-developed part of the landscape.

Conclusion

The application has been fully considered and is in accordance with local and national planning policy.

The development will not increase the size or scale of the building, but seeks to convert the garage into habitable rooms. The change to the external appearance, although domesticating the building will not serve to harm the character of the street scene. There will be no impact on amenity of future occupiers, neighbouring properties and there is sufficient parking available to accord with highway guidance.

As such it is recommended that planning permission is granted, subject to conditions.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	8 th March 2022	Dated:	09 March 2022