



Delegated Report

Householder Planning Application

Planning Application No: 20230983

Location: Former Westwood 38 Rhododendron Avenue Meopham Gravesend

Description: Alterations to rear ground levels and provision of two retaining walls to create garden terrace.

Applicant: Mr T Raif

Site Visit Date: 09 January 2024

Submitted Documents/Plans

Householder Application for Planning Permission form;
Drawing no. 2021-022v1-Elevation Proposed elevations;
Drawing no. 2021-022v1-Location Red line site boundary plan;
Drawing no. 2021-022-001-Survey Plan Existing topographical survey;
Drawing no. 2021-022-002-Survey Plan Proposed site section;
Drawing no. 2021-022-003-Survey Plan Existing site section;
Drawing no. 2021-022-P09 Existing block plan; and
Planning Statement.

Relevant Planning History

Reference	Description	Decision	Decision Date
20230842	Application for the approval of condition 3 attached to planning permission reference number 20230225 relating to details of the external facing materials.	Approved	05.10.2023
20230225	Demolition of existing dwelling and erection of replacement dwelling.	Permitted	09.05.2023

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
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC7 – Other Archaeological Sites

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
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Meopham Parish Council

No response received.

STG Building Control Partnership

No response received.

Neighbouring properties

The application was publicised by a site notice and to 12 neighbouring properties by letter. No representations have been received. The overall consultation period expired on 22 December 2023.

Officer's Analysis

The application site lies within the Green Belt outside the village of Culverstone Green, a rural settlement inset from the Green Belt and identified on the Local Plan Core Strategy Policies Map. The site falls within an area known as the Culverstone Valley Area. While this area has always been subject to Green Belt policy, up until 2014 development within the area was considered against a specific area policy, Policy C14 of the Gravesham Local Plan First Review. Policy C14 and the associated Supplementary Planning Guidance for the Culverstone Valley Area were withdrawn following the adoption of the Gravesham Local Plan Core Strategy September 2014, on the recommendation of the Examination Inspector. From this point, development in this area has been considered against national and locally adopted Green Belt policy, in the same way as other areas within the Borough that lie in the Green Belt.

Policy CS02 of the Gravesham Local Plan Core Strategy (September 2014) 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 the Local Plan Core Strategy.

Paragraph 142 of the National Planning Policy Framework 2023 (NPPF 2023) sets out that the essential characteristics of Green Belts are their openness and permanence and paragraph 143 lists the five purposes that the Green Belt serves. At the application site, the Green Belt assists in safeguarding the countryside from encroachment. Paragraph 152 of the 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 154 of the NPPF 2023 states that the construction of new buildings should be regarded as inappropriate development in the Green Belt but it lists certain exceptions. These exceptions are set out in sub-paragraphs 154(a) to 154(g). Sub-paragraph 154(g) identifies limited infilling or the partial or complete redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt than the existing development.

Paragraph 155 of the NPPF 2023 specifies certain other forms of development that are not inappropriate, in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These forms of development are set out in sub-paragraphs 155(a) to 155(f). Sub-paragraph 155(b) identifies engineering operations.

The proposed development would result in the re-shaping of the ground at the application site to create a rear garden terrace and the erection of two retaining walls. These works are considered to be engineering and building operations that form part of the overall redevelopment of the application site. As such, they would be appropriate development provided that they preserve the openness of the Green belt and they do not conflict with the purposes of including land within the Green Belt.

The proposed development comprises of the retention of blockwork retaining walls of between 0.8 and 2.2 metre height that extend across 12.4 and 17.2 metres (respectively) width at the rear of the application site. Groundworks have also been undertaken to level two areas at the rear of the site.

The extent of the groundworks undertaken is not significant and the rear retaining wall is located immediately in front of an existing wooden retaining feature which has a similar height. The front retaining wall is low in height and none of the groundworks or walls are widely visible in the surrounding area.

Overall, it is considered that the proposed development would not be detrimental to the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt. As such, the proposal would be appropriate development and in line with Policies CS02 of the Gravesham Local Plan Core Strategy (2014) and paragraphs 154(g) and 155(b) of the NPPF2023.

Design, Character and Appearance

The application site is located in the Harvel Wooded Downs Landscape Character Area. As such, Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 is relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment will be taken into account in determining applications.

The Harvel Wooded Downs Landscape Character Area is characterised by varied topography with steep valley sides and plateaux. Ancient woodland, chestnut coppice and small paddocks and pastures can be found. Views both within and out of the character area are limited because of the combined effect of topography and the heavily wooded character of the landscape.

The application site is located in a rural area and is surrounded by woodland and dwellings in plots of a similar nature. The plot surrounding the existing dwelling has a significant area of hard surfacing and some grass and mature vegetation. As a result, the site has a somewhat semi-rural appearance. The proposed development would result in an increase in the amount of built development within an existing residential curtilage but would not adversely affect the overall landscape character of the surrounding area.

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built, historic and natural environment and integrate well with the surrounding local area. In particular, the design of new development should be derived from a robust analysis of local context and character and make a positive contribution to the street scene and the character of the area.

No details have been provided regarding the proposed surfacing or landscaping for the proposed terraced

garden area but the retaining walls are proposed to be rendered to match the existing dwelling (in champagne coloured silicone K-Render). The development is not widely visible in the surrounding landscape and provided that it is appropriately surfaced and landscaped, it would have no adverse visual impacts. Therefore, it would be appropriate to condition any planning permission granted to require the submission and approval of the details of the hard and soft landscaping and for the render to match the dwelling.

Overall, the proposed development would be appropriate in terms of design and would not have an adverse impact on the character or appearance of existing building or the surrounding area and would be in line with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Amenity of Future Occupiers

The proposed development would not harm the amenity of future occupiers and sufficient garden would be retained to comply with the Borough Council's Residential Layout Guidelines. As such, the proposal would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014.

Neighbouring Amenity

The closest residential properties to the application site are The Beech Tree, 36 Rhododendron Avenue (located to the south) and Berwood, Rhododendron Avenue (located to the north). Rosebud and nos. 1, 1A and 48 Beechwood Drive are located to the east and Landi Lodge, Ashdale and Serena, Rhododendron Avenue are located to the west (across the roadway).

The proposal has created a new terraced garden area at the rear of the building with retaining walls. However, it is noted that prior to the creation of a terraced area, the land at the rear of the application site was already used as a garden and the groundworks did not significantly change the height of the land.

Due to the design of the proposed development, to the screening provided by boundary treatments and to the location, layout and orientation of the surrounding properties, there would be no adverse overlooking, overshadowing or overbearing impacts to the occupiers of the surroundings dwellings.

Overall, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Ecology and biodiversity

Policy CS12 of the Gravesham Local Plan Core Strategy (September 2014) requires no net loss of biodiversity in Gravesham and seeks opportunities to enhance, restore, re-create and maintain habitats particularly in Biodiversity Opportunity Areas and within new developments.

At a national level, the NPPF 2023 requires planning decisions to protect and enhance sites of biodiversity value (at paragraph 180(a)) and to minimise impacts on, and provide net gains for, biodiversity (at paragraph 180(d)). Paragraph 186 of the NPPF 2023 states that when determining planning applications, Local Planning Authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated or, as a last resort, compensated for.

The proposed development would be within the confines of an existing residential garden, on land which was previously laid to grass. At present, the terraced garden land is either unfinished or laid to gravel. No details have been provided regarding the proposed surfacing or landscaping for the proposed terraced garden. In order to ensure that the proposal is not detrimental to biodiversity, a condition requiring the submission and approval of these details can be attached to the any planning permission granted.

It is noted that a condition was attached to planning permission reference 20230225 which requires the submission and approval of the proposed hard and soft landscaping for the application site, including measures to improve biodiversity, prior to the occupation of the dwelling (condition 4). The condition has yet to be discharged but the applicant is in occupation. Therefore, this matter can be referred back the Planning Enforcement Team.

Overall, the proposal would not be detrimental to biodiversity and would be in line with Policy CS12 of the Gravesham Local Plan Core Strategy (September 2014).

Any Other Material Planning Considerations

The application site is located within an area of multi-period archaeological potential and Groundwater Source Protection Zone 3. However, as the proposed development is within the confines of an existing residential garden and only a relatively small amount of groundworks have occurred, then it is considered that there have been no adverse impacts to groundwater or archaeology. As such, the proposal would be in line with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

It should be noted that condition 5 of planning permission reference 20230225 requires the submission and approval of the proposed cycle storage (for four cycles) prior to the occupation of the dwelling. The condition has yet to be discharged but the applicant is in occupation. Therefore, this matter can be referred back to the Planning Enforcement Team.

Suggested Conditions

Development in accordance with the approved plans

Materials to match the approved dwelling (champagne coloured silicone K-Render)

Submission and approval of details of hard and soft landscaping within six months

Conclusion & Recommendation

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	10th January 2024	Dated:	11 January 2024