



Delegated Report

Planning Application

Application no: 20211254

Location: 47 Beechwood Drive Meopham Gravesend Kent DA13 0TX

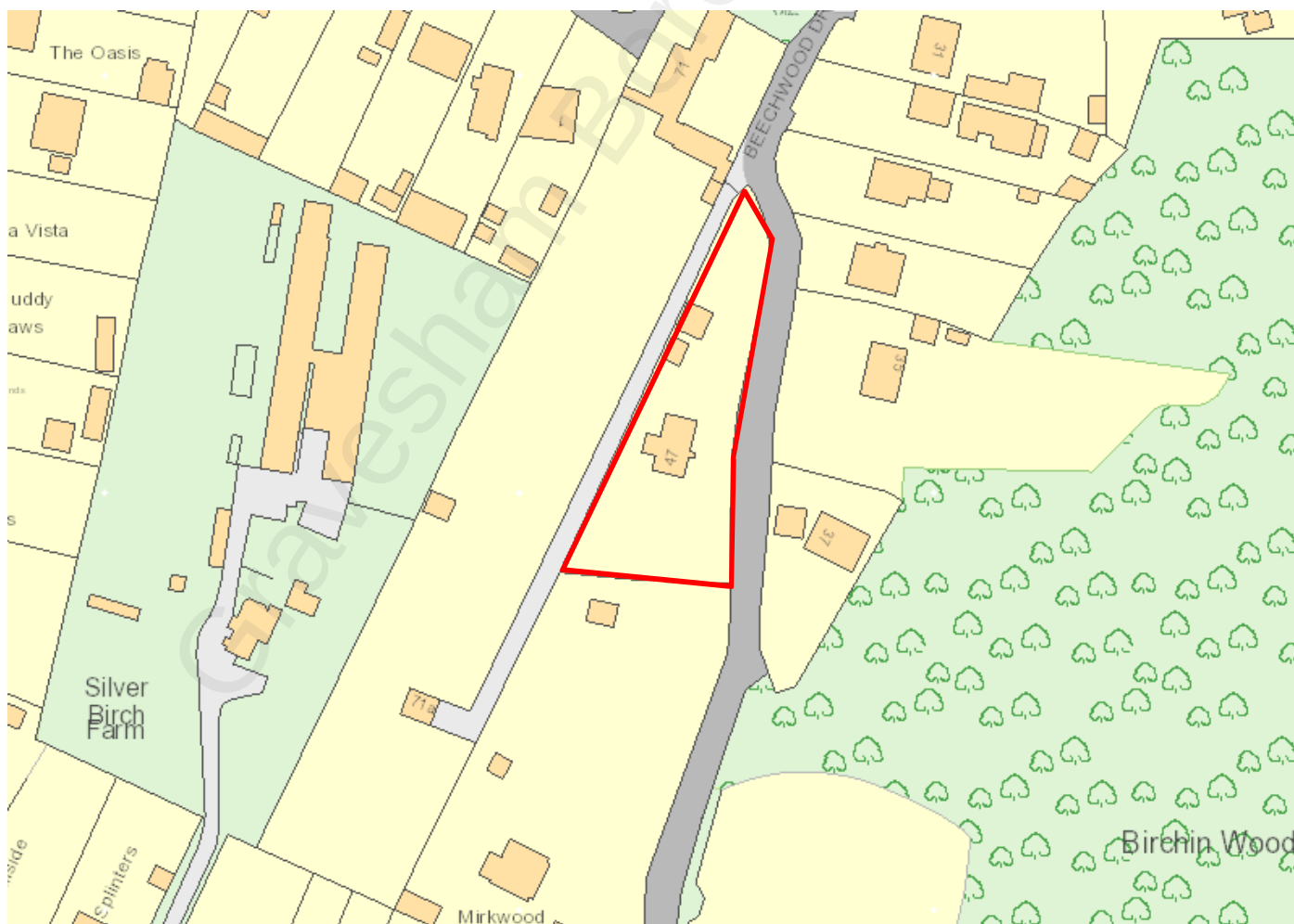
Description: Retrospective application for erection of a detached carriage house (double garage with attached storage).

Applicant: Ms Nealam Tumber

Site Visit Date: 22 November 2021

Site and Surroundings

47 Beechwood Drive is a detached rectangular shaped brick and tiled bungalow located on a triangular shaped plot of land extending to 0.159 hectares (0.39 acres). It has a small conservatory at the rear and rooms in the roofspace.



Also within the plot is a small brick outhouse used as a utility room and includes a wc and a larger brick and tiled outbuilding formerly a garage with loft storage space used for domestic storage. The site is very urban with all of the land immediately around the dwelling and outbuildings hard surfaced with loose shingle (it was previously tarmacked) and with only the southern part of the plot in use as garden land. The dwelling plot is enclosed by timber fencing and walls. There is an electronic gate to the access.

The dwelling was within the former Culverstone Valley chalet area. It is within a Green Belt area and within the Harvel Wooded Downs Landscape Character Area.



Planning History

The following table shows the planning history in chronological order

Planning Applications

Ref No	Description and Site	Decision	Date
19550304	Erection of a bungalow in substitution of the existing dwelling and in connection with a smallholding	Permission	20.01.1956
19770777	Retention of holiday caravan and timber shed	Permission	19.12.1977
19860206	Retention of additional caravan for use as a bedroom	Refused	28.05.1986
19930557	Erection of a detached bungalow with double garage at the front.	Permission	05.11.1993
19950712	Erection of detached bungalow with detached double garage at the front and installation of a septic tank.	Permission	06.03.1996
19960230	Approval of brick and tile sample Wealden yellow stock brick and Redland red clay peg tile.	Approved	19.04.1996
20000223	Erection of single storey outbuilding at the side to form utility room and shower room/w.c.	Permission	15.05.2000
20130557	Conversion of roof space into two bedrooms and	Permission	21.08.2013

	two ensuite shower room/wc's including installation of windows in gable end walls and rooflights to front and rear roof slopes.		
20190884	Erection of a three bedroom detached dwelling with integral garage, and erection of a replacement garage for the existing house.	Refused	23.10.2019

Pre-Application Enquiries

PRE20090204: Proposal to site a caravan in garden. Response - Planning permission required 13.03.2009

PRE20090242: Proposal to erect a building in the garden. Response - Planning permission required 26.03.2009

PRE20090922: Proposal to extend this property and also Fair Oak, Willow Walk Culverstone.

PRE20110096: Proposal for additional development at this site. Response - Planning permission required and would not be supported to subdivide the plot 08.02.2011.

Proposal

This application is for retrospective permission for retention of a detached carriage house (double garage with attached storage).

Submitted Drawings and Documents, as revised

Planning Application Form and Certificates;
Design, Access and Planning Statement by Graham Simpkin Planning (ref JB/3422) October 2021;
Drawing No 3422 01 Rev A: Site Location Plan;
Drawing No 3422 02 Rev A: Block Plan - Existing;
Drawing No 3422 03 Rev A: Floor Plan and Elevations;
Drawing No 3422 04 Rev A: Block Plan - Proposed;

Details of the Development

The garage as built measures externally 9.1m by 5.52m and comprises an open fronted double bay garage with a store constructed of timber boarding and a tile effect pitched roof 3.8m high and located in the northern end of the plot. It is enclosed by timber fencing and walls.





Development Plan and other Relevant Planning Policies and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Courts have held that it is a matter of planning judgement as to whether a proposal is in accordance with the development plan when 'read as a whole' and conflict with a particular policy or policies may not pass that threshold.¹

¹ See the Judgement in the Court of Appeal on R(on the application of William Corbett) and The Cornwall Council and others [2020] EWCA Civ 508 at <https://www.bailii.org/ew/cases/EWCA/Civ/2020/508.pdf>

Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

The Development Plan for Gravesham therefore now comprises: -

- *The Gravesham Local Plan Core Strategy and Policies Map (September 2014)*
- *Remaining Saved Policies of the Local Plan First Review (1994)*
- *The Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016, revised 2020)*

There are a number of other planning policy documents which are of some relevance to the consideration of planning applications and are material considerations, including national planning advice and guidance in the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), and supplementary planning guidance, and, where they exist, neighbourhood plans. There are currently no adopted neighbourhood plans.

Previous decisions on planning applications and appeals relating to the site and relevant case law etc. are also capable of being material considerations.

Local Planning Guidance

Gravesham Local Plan Core Strategy, September 2014

The Core Strategy sets out the Council's spatial vision and strategic objectives for the Borough to 2028 and the policies which will deliver them. It identifies the main areas where major change is likely to take place and allocates sites which are key to achieving the strategy.

The site is shown as being within a **Green Belt area** (Policy CS02) in the Gravesham Local Plan Policies Map.

The most relevant policies from the adopted Core Strategy are as follows:

Core Strategy Policy CS01: Sustainable Development
Core Strategy Policy CS02: Scale and Distribution of Development
Core Strategy Policy CS11: Transport
Core Strategy Policy CS12: Green Infrastructure
Core Strategy Policy CS18: Climate Change
Core Strategy Policy CS19: Development and Design Principles

Policy CS01 (Sustainable Development) sets out that support will be given to proposals that accord with the development plan. A positive approach to new development will be taken that reflects the presumption in favour of sustainable development set out in the NPPF and the Local Plan Core Strategy.

Policy CS02 (Scale and Distribution of Development) prioritises development in the urban area by promoting regeneration by the redevelopment and recycling of underused, derelict and previously developed land, revitalising Gravesend Town Centre and bringing forward a range of suitable sites for residential and employment development.

Paragraph 4.2.27 indicates that the rural area, development will be supported within those rural settlements inset from the Green Belt and defined on the Policies Map. 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. The extent of the Green Belt is defined on the Policies Map.

Policy CS11 (Transport) sets out that new developments should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel. Sufficient parking in new development will be provided in accordance with adopted parking standards reflecting the availability of alternative means of transport and accessibility to services and facilities.

Policy CS12 (Green Infrastructure) indicates that all green spaces contribute to the green infrastructure network and that the multifunctional network of green spaces will be created, protected, enhanced and maintained. It requires that there should be no net loss of biodiversity in the Borough and gives protection amongst other things to internationally designated sites. It sets out that the overall landscape character and valued landscapes within the borough will be conserved and enhanced, with greatest weight being accorded the Kent Downs AoNB. In other areas, the Gravesham Landscape Character Assessment and any relevant Cluster Study should be taken into account.

Policy CS18 (Climate Change) seeks to ensure that Water Framework Directive objectives are secured and that the impact of development on waste water drainage systems is minimised. Surface water run-off from all new development should, as a minimum, have no greater adverse impact than the existing use. It requires the use of Sustainable Drainage Systems where technically and financially feasible. It requires the water efficiency measures to be installed to achieve the equivalent of level 3/4 of the Code for Sustainable Homes (105 litres per person per day)²

Policy CS19 (Development and Design Principles) sets out detailed criteria against which the acceptability or otherwise of proposed development will be evaluated. In particular, it 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, integrate well with the surrounding local area and meet anti-crime standards. The design, layout and form of new development will be derived from a robust analysis of local context and character and make a positive contribution to the street scene and to the character of the area.

It requires account to be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings and of the wider context including features of townscape and landscape value, which contribute to local character and sense of place.

It requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and avoid adverse environmental impacts from pollution. New residential development is required to accord with the adopted Residential Layout Guidelines and will be required to provide appropriate levels of private and public amenity space.

Proposals should include details of appropriate hard and soft landscaping, protect and where opportunities arise enhance biodiversity and provide appropriate facilities for the storage and disposal of waste.

Gravesham Local Plan First Review (1994)

The Gravesham Local Plan First Review was originally adopted in November 1994.

A substantial number of policies of the Gravesham Local Plan First Review were saved by a Direction dated 25 September 2007 of the Secretary of State under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 as transitional arrangements pending adoption of the Core Strategy.

Saved policies contained in the Gravesham Local Plan First Review should still be accorded significant weight, albeit that the weight accorded should be greater where policies are consistent with the National Planning Policy Framework (NPPF, paragraph 219).

Those Local Plan First Review policies that remain in force are listed in Appendix 1 of the Local Plan Core Strategy. The remaining saved policies will be replaced following the adoption of the Site Allocations and Development Management Policies Development Plan Document.

The following remaining saved policies are relevant to the consideration of this application:

Policy C13: Extensions to Dwellings in the Countryside
Policy T1: Impact of Development on the Highway Network
Policy T4: Development outside the Built-Up Area
Policy T5: New Accesses onto Highway Network

² Now equivalent to 110 litres per person per day as required by National Standard – see GBC Housing Standards Policy Statement (2015) at http://www.gravesham.gov.uk/__data/assets/pdf_file/0016/201625/Housing-Standards-Policy-Statement.pdf

Saved Policy C13 states:

Extensions to dwellings will be considered on their merits but the Borough Council will expect the following criteria to be satisfied:-

- (i) The existing dwelling must be an “original dwelling” in permanent use as a dwelling.
- (ii) There will be an overall limit of one third of the gross floor area of the original dwelling (measured externally) prior to any later extension or alteration, unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling.
- (iii) Those extensions which provide essential basic amenities such as a bathroom, toilet or kitchen, which are currently not available or are clearly inadequate, will normally be permitted.
- (iv) The extension shall not be in a form which would facilitate the future formation of a separate residential curtilage.
- (v) The dwelling to be enlarged must have sufficient curtilage to accommodate the extension without undue visual intrusion into the open countryside.
- (vi) The appearance, massing, scale, form and materials of any extension shall be appropriate to the existing dwelling and the Green Belt setting.
- (vii) Proposals for domestic garages and for other outbuildings will be considered on their individual merits but will be required to be well designed, discreetly sited and subservient to the scale of the main dwelling on the plot**

Saved Policy T1 requires all development to be served by the highway network identified on the Proposals Map.

Saved Policy T4 indicates that proposal that generate significant vehicular or pedestrian traffic outside of built up areas will not be permitted.

Saved Policy T5 requires that the formation of new accesses or the intensification of use of existing accesses to the roads forming the highway network shown on the Proposals Map, will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to a standard acceptable to the Local Planning and Highway Authorities.

Saved Policy P3 (Policy for Vehicle Parking Standards) indicates that development will be expected to make provision for vehicle parking in accordance with the KCC Vehicle Parking Standards as interpreted by Gravesham Borough Council, unless justified as an exception. All vehicle parking provision should normally be made on the development site.

Review of Local Plan

Paragraph 33 of the NPPF (2021) sets out those 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 The review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2021), the Council will also seek to replace these.

Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020

The Council published in 2020 a Regulation 18 (stage 2) consultation on its proposed Development Management Policies Document, replacing the 2018 Stage 1 version, which will in due course form part of and update the Gravesham Local Plan. Under paragraph 48 of the NPPF, policies in this document may be accorded weight in the decision making process with this varying according to its stage of preparation; the extent to which there are unresolved objections; and the degree of consistency of policy with those in the Framework. As the Development Management Policies Document is at an early stage and the fact that the

consultation has only recently concluded, the policies therein should at this stage be given very limited weight. It should be noted, in any event, that many of the relevant policies reflect those set out in the Framework and for the purposes of this pre-application these should be relied on instead.

The following draft policies from the Regulation 18 (Stage 2) Development Management Policies Document (2020) show the direction of travel the Council is going albeit the weight that these emerging policies may be accorded at this stage is very limited.

Proposed Policy GB5: Extensions, Replacement Buildings and Ancillary Development in the Green Belt;
Proposed Policy INF 2: Transport Design Principles;
Proposed Policy INF 3: Understanding and Mitigating Transport Impacts;
Proposed Policy GI 4: Trees, Hedgerows and Woodlands;
Proposed Policy GI 5: Landscape Character;
Proposed Policy GI 6: Biodiversity;

Proposed Policy GB5: Extensions, Replacement Buildings and Ancillary Development in the Green Belt states (amongst other things):

Ancillary Development

3.6.16. Proposals for ancillary domestic buildings requiring planning permission will only be permitted where the applicant can demonstrate very special circumstances that clearly outweigh harm to the Green Belt and any other harm.

3.6.17. The following will be taken into account in determining whether very special circumstances exist:

- the proposal should be reasonably required to serve the needs of the dwelling;
- there should be no other buildings on the site which could be re-used or adapted;
- their scale, form, mass and height should be subordinate to the main building;
- their size should be appropriate to their function, with any ancillary residential accommodation functionally subservient to the main dwelling;
- they should be discreetly located and not visually intrusive; and
- they should not be replacements for an outbuilding which has been re-used for an alternative residential use.

3.6.18 Ancillary domestic buildings will not be permitted outside the residential curtilage of the dwelling they are intended to serve, unless the land forms part of the same planning unit and there is no reasonable alternative location within the curtilage that would have a lesser impact on the Green Belt.

3.6.19 In determining whether such a location is appropriate, consideration will be given to impact on openness, the proposed function of the building and the purposes of including the land in the Green Belt. Ancillary residential accommodation will not normally be permitted outside the existing residential curtilage unless justified by very special circumstances that clearly outweigh harm.

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) June 2019 is a material consideration.

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11) which means approving development proposals that accord with the development plan without delay and where there are no relevant development plan policies or where the policies are out of date planning permission should be granted unless policies of the Framework provide a clear reason for refusing the development such as where land is designated as Green Belt or any adverse impacts would so significantly and demonstrably outweigh the benefits or specific policies in the NPPF taken as a whole.

The NPPF includes (in paragraph 8) three overarching objectives to achieving sustainable development:

- an economic objective;
- a social objective; and

- an environmental objective.

The following paragraphs are specifically highlighted as being of importance to the consideration of the application proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered. Reference to the national planning guidance is also considered in the analysis section of this report.

Section 2, Paragraphs 7 - 14: Achieving Sustainable Development

Section 4, Paragraphs 38 - 59: Decision Making

Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport

Section 12, Paragraphs 126 - 136: Achieving well-designed places

Section 13, Paragraphs 137 - 151: Protecting Green Belt Land

Section 14, Paragraphs 152 - 173: Meeting the Challenge of Climate Change, Flooding and Coastal Change

Section 15, Paragraphs 174 - 188: Conserving and Enhancing the Natural Environment

The National Planning Practice Guidance (NPPG)

Planning Practice Guidance (<http://planningguidance.planningportal.gov.uk/>) supports and clarifies areas in the NPPF.

It contains guidance on assessing housing need; design; public consultation; open space provision in new development; travel plans, transport assessments and statements in decision-taking; health and wellbeing; water supply, wastewater and water quality; light pollution; determining a planning application; the use of planning conditions and viability, amongst other things

The NPPG gives guidance on what is a material planning consideration in determining a planning application indicating that the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.

It includes guidance on conserving and enhancing the historic environment and design.

The guidance indicates that being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals

The NPPG includes more detailed advice on the use of planning conditions (replacing the cancelled Circular 11/95). It outlines the six tests.

Supplementary Planning Guidance and other Documents

The Council has adopted a number of Supplementary Planning Guidance documents, Development Briefs and Conservation Area Appraisals. These elaborate on saved policies in the Gravesham Local Plan First Review and policies in the Gravesham Local Plan Core Strategy and are material considerations in determining planning applications.

In addition, the Council has adopted a number of documents that have been produced by Kent County Council also as Supplementary Guidance.

The following documents are relevant to the consideration of this application:

- Kent County Council Supplementary Planning Guidance SPG1: Landscape Character (adopted July 2006);
- Adopted Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006);
- GBC Residential layout guidelines including Housing Standards Policy Statement October 2015, (SPG2) Adopted February 1996 - amended June 2020;
- Householder Extensions/Alterations Design Guide SPD, adopted 01 October 2021;
- Gravesham Landscape Character Assessment, May 2009 (a technical document which underpins policy CS12 of the Gravesham Local Plan Core Strategy);

The application site lies within the Harvel Wooded Downs landscape character area in the Gravesham Landscape Character Assessment where the key characteristics are:

- Varied topography with steep valley sides and plateaux
- Ancient woodland, chestnut coppice and small paddocks and pasture
- Traditional historic settlement of Harvel set around village Green
- Occasional traditional farmsteads
- Haphazard mosaic of residential plots and small holdings set within the woodland
- There is a comprehensive network of winding, often sunken, narrow lanes throughout the area. Footpaths and byways run throughout the area, particularly to the west.

Its condition is described as moderate and it is stated:

The uncharacteristic and sporadic settlement of small plots within coppice woodland is a dominant element within the area creating an incoherent landscape. There are many visual detractors, including derelict buildings and caravans, overgrown gardens, poor fencing, disjointed fencing materials and fly tipping. The visual unity is significantly interrupted, although the wooded nature of the area conceals much of the visual clutter from wider views.

The sensitivity of the landscape is also described as moderate and it is stated:

There are several contrasts in distinctiveness throughout the area. Away from the plot lands the woodland, narrow lanes, traditional settlements and farmsteads are very distinct and contribute towards a strong sense of place. However, in contrast, the more recent plots and buildings are indistinct and enclosed by mismatched fencing or suburbanised walls, gates and railings. Some of these incongruous elements are also replacing more traditional features through the modernisation of vernacular buildings. There is a distinct sense of place and continuity is historic.

Consultations, Publicity and Representations

Consultations - Internal

GBC Highways Development Management Officer

It is noted this is a retrospective application and as such presumably the building is in use and the layout works.

From a highway perspective, the area was already hard paved and could be used for the parking of vehicles, and as the dwelling size has not increased, it is unlikely to alter the traffic generation from the site. (Indeed the only two images on Google Street View both dated 2009, show vans parked in the general area of the carriage house)

I would however suggest that the carriage house should only be used ancillary to the main dwelling to limit the possibility of it being sold or rented as an independent unit which could be used by others which would result in additional traffic being generated and as such a requirement to enhance/provide sight lines at the access in the interests of road safety.

Ward Councillors

No comments received

Consultations - External

Meopham Parish Council

No objection

KCC Heritage and Conservation

The site lies within an area of multi-period archaeological potential, however, I consider it unlikely that the proposed works will have a significant archaeological impact and have no further comments to make in this case.

Publicity and Representations

To 10 adjoining dwellings and site notice was displayed on site (under Article 15)

The expiry date was 12 November 2021

There has been one representation received raising concerns and questions on the development as follows:

- Considers that the 'Design, Access and Planning Statement' dated 11/10/21 that has been submitted does not provide any evidence or analysis of access to the double garage.
- The only visualisation provided is 'Photograph 1 - 3'. This is actually a collection of three images, none of which provide visualisation of access arrangements.
- Note that the term 'image' is used intentionally. It seems that the left-hand 'photograph' is actually 'constructed' - the tree in the background is an artefact of digital processing.
- The lack of information and analysis about access arrangements must be of concern. In the absence of any direct access point from Beechwood Drive, vehicles would have to navigate a very tight turn - approximately 90 degrees - in order to gain entry and exit from the garage via a gate, the shadow of which can be seen in the left hand image.
- Would vehicles actually be parked in the garage? Practical everyday realities suggest that they would not.

Conversely there have also been **four** neighbour comments all in **support** of the application and commenting:

- Considers that the car port looks so much better than the sheds that were there before.
- It makes the whole road look much better and in keeping with the area.
- It is a quality building of oak "heritage type" design, in keeping with many of this type in our area.
- The site was just a piece of waste ground with old chicken runs on it
- Surprised that the applicant has had to make a retrospective planning application for what is effectively a large shed and there has been no problem in the past to buildings like this.

Planning Analysis and Assessment

The Key Issues

The key issues in the consideration of this planning application are:

- Principle of the Development and Policy Issues, and notably
 - (i) Whether the development would constitute inappropriate development in the Green Belt;
 - (ii) The effect of the development on the openness of the Green Belt and the purposes of including land in it; and

(iii) if the development would be inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances needed to justify it.

- Design Issues and Impact on the Character of the Area
- The Impact on the Wider Landscape
- Highways, Access and Parking Issues
- Environmental Impacts/Amenity Impacts
- Other Material Planning Considerations

Principle of the Development, Green Belt and Policy Issues

The fundamental consideration in assessing this development proposal is whether the proposed garage/outbuilding is inappropriate development or not within the Green Belt. Policy CS02 of the adopted Gravesham Local Plan Core Strategy (2014) embeds national policy on Green Belt into the local plan. National policies for protecting the Green Belt are set out in section 13 of the National Planning Policy Framework (NPPF).

Great importance is attached by the Government to Green Belts, with their fundamental aim being to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence (NPPF/paragraph 137). Green Belts serve five purposes (NPPF/paragraph 138):

- To check the unrestricted sprawl of large built up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Whilst the adopted Gravesham Local Plan Core Strategy (2014) includes local purposes of the Green Belt (at 4.2.7) these are not necessarily relevant in this case.

Inappropriate development is deemed to be, by definition, harmful to the Green Belt under national policy and should not be approved except in 'very special circumstances'. Substantial weight should be given to harm to the Green Belt in the decision making process and '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 (NPPF/paragraph 148). The NPPF (at paragraphs 149 & 150) then goes on to set out certain types of development which should not be considered 'inappropriate' in Green Belt terms in the form of two 'closed' lists.

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

Domestic outbuildings, including garages, do not specifically fall within this list and as such they are considered to be inappropriate development per se.

Saved Policy C13 (Extensions to Dwellings in the Countryside) sets out that the Council will consider proposals for domestic garages and other outbuildings on their merits having regard to whether they are well designed, discreetly sited and subservient to the scale of the main dwelling on the plot. It is recognised that this policy applies to the countryside in general rather than specifically the Green Belt and it pre-dates current national planning policy in the NPPF.

However in many cases such outbuildings fall outside the scope of planning control being exempt under permitted development rights, although this is not the case here. There are in any event planning conditions imposed on the original grant of permission (in 1996) for the existing bungalow on the site withdrawing any permitted development rights for extensions and outbuildings.

There are some appeal decisions relating to garages and outbuildings in the Green Belt where such development has also been regarded as an extension to a dwelling as a matter of fact and degree in some circumstances. The basis for this was a court case of *Sevenoaks District Council v SSE and Dawe* (1997).

Moreover whereas planning permission had been refused for policy reasons as being inappropriate development in the Green Belt in relation to a number of planning applications for domestic garages more recently, a number of subsequent planning appeals have been allowed with Inspectors judging that such development is not inappropriate development. In respect of a proposed double garage at Muddy Paws, Rhododendron Avenue, Meopham the Inspector in determining the appeal and allowing the development (APP/K2230/D/18/3209272) stated:

The Council has contended that domestic outbuildings including garages do not fall within the above definition of an extension or alteration to a building. However, and although the terms are not specifically defined, on the basis that the proposal would be within the curtilage of the existing dwelling and to provide garage accommodation incidental to the enjoyment of the dwelling, I consider this to be too narrow an interpretation.

Furthermore, I note that saved policy C13 from the Local Plan and referenced by the Officer in the report is entitled Policy for Extensions to Dwellings in the Countryside and from the supporting text appears to relate to dwellings in the Green Belt. Under that policy, criterion vii specifically includes provision for domestic garages and other outbuildings; this suggests that Council policy has previously considered garages and outbuildings under the general umbrella term of an extension to a dwelling...

The Council has suggested that Policy C13 of the Local Plan is now out of step with national policy because there is no specific mention of outbuildings in the Framework as published in 2012 and revised in 2018. However, I am not aware that there has been a change in wording in this specific regard at the national level over many years, including before the National Planning Policy Framework was introduced in 2012...

Policy C13 of the Local Plan refers to garages and outbuildings being considered on their individual merits but they will be required to be well designed, discreetly sited and subservient to the scale of the main dwelling on the plot. The proposal would in terms of its dimensions and scale be subservient to the size of the main dwelling and would be well designed with materials to match the existing property. In terms of its siting, it would sit in front of the property and so would have some impact on openness, but it would be sited within a domestic curtilage and the proposed siting would continue a pattern that is already well established along the road...

Taking all of these factors together, and in the particular circumstances of this case, including the planning history on the site as well as the scale, proximity and siting of the proposal in relation to the dwelling, it is my conclusion that the proposed development would not be inappropriate development for the purposes of the Framework and development plan policy. There is therefore no need for the development to be justified by very special circumstances.

An appeal against refusal of a double garage and store at Stable Cottage Steeles Lane Meopham was allowed in November 2018 with the Inspector concluding that the cumulative effects would not be disproportionate, and that the development would be not-inappropriate development within the Green Belt.

More recently planning permission was granted by this Council's Regulatory Board (Planning Committee) at its meeting on 12 June 2019 for the removal of a stable building and out building and replacement with an 8 bay domestic garage building with lift facility for the double stacking of vehicles at The Barn, East Court Farm, Church Lane, Gravesend and being within the setting of a curtilage listed building contrary to the officer advice on the basis that the Board considered that there were very special circumstances, namely that:

- The proposal was within the residential curtilage of the property and did not encroach onto the Green Belt;
- That the design and external treatment of the proposal reflected the existing buildings on the site;
- There were no usable buildings on the site for vehicle storage including the original open sided shed;

- The design of the proposal was considered to be subservient to the dwelling it was related to; and
- The proposal had a limited impact on the openness of the Green Belt.

The garage in this particular case has replaced some existing sheds on the site and previously the whole of the site was tarmacked.

The garage is of timber construction with a tile effect roof and open fronted. It is relatively low at only 3.8m to the ridge.

It is assessed in this case that there would only be a moderate impact on the openness of the Green Belt from the proposed double garage and the impact is not regarded as harmful either to the openness of the Green Belt or to the purposes of including land in the Green Belt.

Taking into account recent appeal decisions for similar garages in the Green Belt it is considered that the development would not be in conflict with the Core Strategy policies, local saved policies or the NPPF.

Therefore on balance the garage is acceptable in principle and would not be inappropriate development in the Green Belt. It is not considered that very special circumstances would need to be demonstrated to outweigh any potential harm to the Green Belt.

Design, Character and Impact

General Policy Issues

Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) states that the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. The National Planning Policy Framework (NPPF) sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

It also states that permission should be refused for development for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

Evaluation and Assessment

The garage is of timber construction with a tile effect roof and is open fronted. It measures externally 9.1m by 5.52m and is of a relatively low height at only 3.8m to the ridge.

There are other outbuildings on the site and visually the application building reads alongside the existing development. The whole site is enclosed by fencing and walls and overall the design is considered appropriate to context including the immediate surroundings.

Overall the building is considered to be of an appropriate design, bulk and appearance and would not conflict with Policy CS19 of the Gravesham Local Plan Core Strategy or the NPPF.

The current surfacing around the building being loose gravel that has replaced tarmac is rather urban in its appearance but it is noted that the submitted plans show the provision of landscaping and tree planting within the curtilage of the site immediately north of the garage/outbuilding and this will need to be secured through an appropriate planning condition and safeguarded to ensure establishment. This would also assist in improving biodiversity on the site pursuant to Policy CS12 of the Gravesham Local Plan Core Strategy September 2014

Impact of Development on the Wider Landscape

The application site is located within the Green Belt in an area of attractive countryside which is identified

as being within the Harvel Wooded Downs Landscape Character Area. The immediate surrounding area is characterised by open farmland apart from the cluster of dwellings and the church opposite.

Local Plan Core Strategy Policy CS12 (Green Infrastructure) seeks to conserve, restore and enhance the overall landscape character of the Borough taking account in this case of the Gravesham Landscape Character Assessment.

The visual appearance of the site in 2009 is shown in the Google Earth images long before the current development was implemented in 2020. There was also a sliver birch tree within the corner of the garden curtilage.



Whilst the garage/outbuilding the subject of this application adds to the overall extent of built development on the site it is not considered that this is unduly visually prominent within the wider landscape and with the landscape enhancements proposed the impact would be neutral.

Overall it is considered that there will be no conflict with Policy CS12 of the Gravesham Local Plan Core Strategy (September 2014) or Section 15 of the NPPF.

Highways, Access and Parking Issues

At a local level Gravesham Local Plan Core Strategy Policy CS11 (Transport) states that new development should mitigate their impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards, which will reflect the availability of alternative means of transport accessibility to services and facilities.

This approach to development is also supported by saved policies in the Gravesham Local Plan First

Review Policy T1 (Impact of Development on the Highway Network), Policy T5 (New Accesses onto the Highway Network) and Policy P3 (Policy for Vehicle Parking Standards) and in supplementary guidance in the adopted KCC vehicle parking standards (SPG4) and Planning Policy for vehicular accesses to classified highways (SPG 6, November 1992).

Beechwood Drive is an unclassified highway, lacking in footways and street lighting but it is tarmacked and there are speed humps within the road. As a cul de sac it is relatively lightly trafficked. The access gates and boundary fences/walls do restrict visibility for emerging vehicles on to Beechwood Drive.

The GBC Highways Development Management Officer notes that the area where the garage is located was already hard paved and could be used for the parking of vehicles and the development is unlikely to alter the traffic generation from the site but suggests that the carriage house should only be used ancillary to the main dwelling which otherwise would result in additional traffic being generated and as such a requirement to enhance/provide sight lines at the access in the interests of road safety would be necessary.

There are no overriding highway objections to the development and it is considered that the revised proposals conform to local and national planning policy with respect to highways, access and parking.

It is recommended that there should be a hardsurfacing to at least the first two metres of the access drive within the site to prevent loose material being dragged out on to the highway and this will also need to be secured by a planning condition.

Environmental, Neighbour or Amenity Impacts

In considering any proposals for development it is important to ensure that it does not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions. Policies seeking to protect amenity and ensure acceptable future living conditions are included in the Local Plan Core Strategy. Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land.

The NPPF (paragraph 130) also assists and seeks to ensure developments will function well, do not undermine quality of life and create attractive and comfortable places to live, work and visit and seeks to "secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".

There have been no neighbour objections as such to the development with principally support to the development from the responses received.

The siting of the garage/outbuilding is a considerable distance from neighbouring properties and would not result in any material neighbour impacts.

It is not considered that the development would have an impact on any trees that are near to the site.

The development is unlikely to result in adverse environmental impacts from pollution and land contamination or result in adverse water run-off.

There is therefore no conflict with policies CS12 (Green Infrastructure) CS18 (Climate Change) or CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy.

Other Material Planning Considerations

KCC Heritage and Conservation advise that it is unlikely that the proposed works will have a significant archaeological impact.

It should be noted that there are already planning conditions that restrict the use of the other existing outbuildings on the site.

Conclusions and Balancing Exercise

On balance it is considered that the garage/store building as built would not be inappropriate development in the Green Belt or cause material harm to the openness of the Green Belt. It is considered that the use should be restricted to being incidental to the enjoyment of the dwelling and not for use as primary living accommodation or for any trade or business.

The development is acceptable in design terms subject to the open design being retained.

Subject to the provision of appropriate landscaping the garage/outbuilding would not be harmful to the landscape or the wider street scene.

The development would not be harmful to highway safety subject to appropriate conditions relating to surface treatments.

It is therefore considered that the development would not conflict with local or national planning policy and on balance therefore there are no objections to the development and it is recommended that planning permission be granted subject to conditions.

Recommendation:

The recommendation is for **PERMISSION**, subject to the following conditions, reasons and informatives

CONDITIONS AND REASONS

1. The development hereby permitted shall accord with the following approved details, plans and specifications:

Application Form;

Design, Access and Planning Statement by Graham Simpkin Planning (ref JB/3422) October 2021;

Drawing No 3422 01 Rev A: Site Location Plan;

Drawing No 3422 02 Rev A: Block Plan - Existing;

Drawing No 3422 03 Rev A: Floor Plan and Elevations;

Drawing No 3422 04 Rev A: Block Plan - Proposed;

and those approved pursuant to any conditions contained herein after and there shall be no deviation therefrom.

Reason: In order to ensure the development is implemented on the basis of the scheme as submitted and assessed in the interests of proper planning and in accordance with Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014).

2. The outbuilding hereby permitted shall be used only for the purpose of a garage for the parking of motor vehicles and as a domestic store incidental to the enjoyment of the main dwelling at 47 Beechwood Drive Meopham and for no other purpose and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification) shall be carried out on the site in such a manner or in such a position as to preclude the use of, or access to, the garage and store building. For the avoidance of doubt the building shall not at any time contain any primary living accommodation and no trade or business shall be carried on therefrom.

Reason: In order to restrict the use/occupancy of the outbuilding and to ensure that the development is in accordance with Policies CS02: Scale and Distribution of Development and CS19: Development and Design Principles, of the Gravesham Local Plan Core Strategy (September 2014), saved policy C13: Policy for Extensions to Dwellings in the Countryside, of the Gravesham Local Plan First Review 1994 and the National Planning Policy Framework (NPPF).

3. The garage element of the outbuilding as hereby permitted shall remain of an open design and structure and shall at no time be enclosed through the installation of a front wall /screen/garage door(s) or other means in the absence of planning permission gained from the Local Planning Authority in advance.

Reason: In order to protect the visual amenity of the street scene and the character and appearance of the area in compliance with Policy CS02: Scale and Distribution of Development, Policy CS12: Green Infrastructure and Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014).

4. Within six months of the date of this permission the landscaping details as shown in Drawing No 3422 04 Rev A: Block Plan - Proposed, shall be carried out in full and thereafter be maintained to ensure establishment for a period of five years. Any new plantings that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with plantings of a similar size and species during the next available planting season.

Reason: In the interests of visual amenity and safeguarding the character and appearance of the area and in accordance with Policy CS12: Green Infrastructure and Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014).

5. Within six months of the date of this permission the first two metres of the access drive/hardstanding back from the front access gates shall be surfaced with a bound material and thereafter maintained as such.

Reason: In the interests of highway safety and local and visual amenity and to avoid loose material being spilt on to the highway, pursuant to Policies CS11: Transport and CS19: Development and Design Principles, of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5: Access to the Identified Highway Network, of the Gravesham Local Plan First Review (November 1994).

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

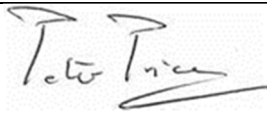
In this instance the application was acceptable as submitted.

2 DEVIATION FROM THE APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority (as proceeding without the necessary permissions could nullify this permission).

3 BUILDING REGULATIONS CONSENT

The granting of planning permission is independent from the granting of Building Regulations consent (which may, or may not, be required). In the event of a change to the scheme granted planning permission being required to satisfy the Building Regulations, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

Case Officer:	Mr Peter Price	Team Leader:	Faye Hobbs
Signed:		Signed:	
Dated:	6 th December 2021	Dated:	6 th December 2021

File Location: F: Plan/Typing/General/Peter/Delegated Reports/Uniform - 20211254 - Delegated Report - 47 Beechwood Drive Meopham - Retrospective application for double garage and store