



Delegated Report

Planning Application

Planning Application No: 20240520

Location: Oakdene, Leafy Lane, Meopham, Gravesend DA13 0DR

Description: Conversion of existing stable to self contained annexe with erection of a side extension and erection of dutch barn roof and dormer.

Applicant: Mr Julian Duffield

Site Visit Date: 19 August 2024

Submitted Documents/Plans

Application form
Site Location Plan
Drawing no. 2137 rev A (block plan existing and proposed)
Drawing no. 2137 rev B (elevations and plans)
Drawing no. 2137 (garage elevations and plans)

Relevant Planning History

19950172	Erection of single storey front extension to form two bedrooms, w.c. and utility room and lobby and erection of detached garage and detached building to form stable, goat house and hen house on the east side of plot.	Permitted	17.05.1995
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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 (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 4 – Decision-making
- Section 12 – Achieving well-designed and beautiful 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;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Design for Gravesham Design Code (2024)
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

Meopham Parish Council

Following discussion by our Planning Applications Working Group; the Council wishes to provide the following response:

This appears to be over development of the Green Belt and therefore Meopham Parish Council object to this application.

We therefore object to this proposal.

Neighbouring properties

The application has been advertised by individual letters to four neighbouring properties. No letters of representation have been received.

Officer's Analysis

Proposal

This planning application seeks to convert the existing stable to self-contained annexe with erection of a side extension and erection of Dutch barn roof and dormer.

The annexe will be approx. 8.5m wide, 4.8m deep and 5.6m high with a Dutch barn roof with a dormer window in the side. Internally there will be a lounge, kitchen and utility room on the ground floor and a bedroom and shower room on the first floor. The internal floor area will be 62sqm.

The application also involves the demolition of part of the existing double garage on site.

Principle Issues

The application site is located in the countryside, outside any rural settlement and in the Green Belt. It is also within the Harvel Wooded Downs Landscape Character Area. Taking into account these designations, the main issues to consider in the determination of this application are the principle of the development in the Green Belt, and the impacts on landscape character, on residential amenities, on highways and on biodiversity.

Whether integral to residential use of the main dwellinghouse.

The courts have ruled in *Uttlesford DC v SSE & White* [1992] that the question of whether accommodation in an outbuilding that provides facilities for independent day-to-day living would become a separate planning unit from the main dwelling is a matter of fact and degree.

Residential annexes are an increasingly common form of development that are normally proposed in order to allow relatives to live with their family but to retain some degree of independence. To remain ancillary accommodation and not be considered as a separate unit of accommodation, the use of annexe must be closely tied to the main dwelling.

The applicant has not provided any information regarding the intended occupant of the building apart from stating in the application form that it is for a carer. It contains all accommodation to allow independent living including a kitchen, lounge, utility room, bedroom and bathroom. It is a generous size for one person. The annexe is located to the rear of the house and shares its access with the main dwelling.

Principle of Development in the Green Belt

Policy CS02 of the Core Strategy 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 Core Strategy 2014.

Sustainability

There have been a number of appeals that have considered the sustainability of nearby locations. The most relevant and recent being the traveller site at Heron Hill (APP/K2230/W/19/3223958 – appendix 1). In the Inspector's report said the 'site is not far from Culverstone Green and is within the sporadically developed Culverstone Valley Area. As such the site is not physically isolated or away from the nearest existing settlement'. Whilst this site is different than the Heron Hill site, it is located closer to amenities than the Heron Hill site and is intended for a carer that, presumably, would be travelling to the property at least daily if there was no accommodation available. On this basis no objections are raised in terms of sustainability.

Green Belt

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Green Belt serves five purposes:

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

Para. 152 of the National Planning Policy Framework 2023 states that inappropriate development is, by

definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para. 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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.

Para. 154 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- 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.

155. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The proposal involves the extension to and conversion of the stables to the rear of the property and therefore both para. 154 (c) and (g) 155 (d) are applicable.

Para. 154 (c) allows the extension to a building provided it does not result in disproportionate additions over and above the original building.

The original building has an external footprint of approx. 27sqm. The proposed external footprint is 39sqm. This is a 44% increase in footprint.

In terms of floor area, the addition of a second storey adds a further 39sqm. This increases the floor area by 181%.

In terms of volume, the increase is approx. 82% (not including the dormer).

Taking into account all these calculations, the proposed building is significantly more than one third larger than the original building and therefore the extension does result in disproportionate additions.

There is no adopted policy relating to extending buildings in the countryside however policy C13 of the Gravesham Local Plan 1994 relates to the extension of dwellings in the countryside and sets a limit of 1/3 of the gross floor area of the original dwelling. Given that the gross floor area will increase by 188% it is reasonable to surmise that the proposed extension can be described as disproportionate. In addition to this part (iv) requires that 'the extension shall not be in a form which would facilitate the future formation of a separate residential curtilage'. As discussed above, this could be controlled by planning condition. This policy is not fully consistent with the provision of paras. 154 and 155 of the NPPF and therefore carries limited weight.

Due to the increase in size to the building to accommodate the proposal being considered disproportionate, this exception is not met.

Para. 154 (g) allows for the partial or complete redevelopment of previously developed land which does not have a greater impact on the openness of the Green Belt than the existing development. Again, due to the increase in size of the building, there will be an impact on openness although the harm to the openness is not considered substantial.

Para. 155 allows for the re-use of buildings provided that the buildings are of permanent and substantial construction. No details of the structural condition of the existing building have been provided however it would appear from a site visit and speaking to the owner that the building is of permanent construction and therefore the proposal meets this requirement.

Openness

The existing building is single storey and located on lower land than the existing houses. It appears subservient and has minimal impact on the openness of the green belt. The proposed building will be considerably larger than this and approx. 1.2m higher with a dormer window. The internal floor area exceeds the minimum floor area for a one bedroom, two person dwelling and is more akin to a separate dwelling. The property has a generous side access which serves the stable and garage. It is therefore possible to sever the stable from the main dwelling. If this were to occur then residential paraphernalia, hardstanding, boundary treatments etc would all have a detrimental impact on openness.

Very special circumstances

Given that the proposal is considered inappropriate very special circumstances need to be considered. The applicant has confirmed that the annexe is to be provided to allow him to care for his father. The concerns regarding the size of the extensions being disproportionate were made to the applicant and he has agreed to reduce the built form on the site to compensate for the larger building. The existing double garage will be reduced to a single bay garage.

The original building has an external footprint of approx. 27sqm. The proposed external footprint is 39sqm. This is an increase of 12sqm which is a 44% increase in footprint. The footprint to be lost from the garage will be 14.4sqm. This results in an overall loss of footprint.

In terms of floor area, the addition of a second storey adds a further 39sqm. This increases the floor area by 181%. With the loss of a bay from the garage this reduces the increase in floor area to 135%.

In terms of volume, the increase is approx. 82% (not including the dormer). The loss in volume from the garage is approx. 44.22 cubic metres. When this volume is reduced from the proposed building the overall increase is 38%.

Whilst the floor area is higher this is because a second storey is being added; this does not significantly increase the height of the building which will remain a similar height to the existing garage. On balance, the loss of the garage bay compensates for the increase in size to the stable building. As discussed above, the proposal does not significantly impact on the openness of the Green Belt and therefore exceptional circumstances do exist. A condition is recommended to ensure the building is occupied only by a relative of the applicant and not sold or rented separately. A condition is also recommended to ensure that the works to the garage are undertaken.

Design, Character and Appearance

The application site is a detached bungalow with side access leading to a garage to the rear and the stables which are the subject of this application. The surrounding area is a mix of dwellings as a result of a historic planning policy that allowed dwellings to be built in place of holiday accommodation back in the 1990s.

The proposed building will be two storey with a Dutch barn roof which is not in keeping with the original property however, the proposed building is to be located to the rear and is at a significantly lower land level than the host dwelling. Other neighbouring outbuildings all differ in style, including Dutch barns, and therefore no objection is raised to the design.

The proposed development therefore accords with policy CS19 of the Gravesham Core Strategy 2014 and para. 135 of the National Planning Policy Framework 2023.

Landscape Character

The area surrounding the site is rural and wooded and falls within the Harvel Wooded Downs Landscape Character Area (LCA). Having regard to the Gravesham Landscape Character Assessment and Guidelines, the LCA is characterised by a haphazard mosaic of residential plots and small holdings set within woodland, with a comprehensive network of winding narrow lanes. Leafy Lane is one such lane. The proposed development would have little material effect on the appearance of the site from Leafy Lane or the surrounding woodland. Appropriate materials and lighting can be secured by condition. Therefore, the characteristics of the LCA would be conserved and no objections are raised in terms of policy CS12 of the Gravesham Core Strategy 2014 and para. 180 of the National Planning Policy Framework 2023.

Amenity

Future Occupiers

The proposal involves the extension of an existing building. The remaining rear garden will far exceed the adopted standards and therefore no concerns are raised in this regard.

Neighbouring Amenity

One window is proposed in the northern flank at first floor which has the potential to overlook 'The Cabin'. This window is to serve the bedroom which is also served by another window and therefore a condition can be imposed to ensure this is fitted with obscure glass.

The proposed annexe will have no detrimental impact on any amenities and therefore accords with Policy CS19 of the Gravesham Core Strategy 2014 and para. 135f of the National Planning Policy Framework 2023.

Ecology and Biodiversity

The proposal will not result in any loss of biodiversity as the extension will be built onto existing hardstanding.

Biodiversity Net Gain (BNG)

As this is an application for householder development the proposal is exempt from BNG.

No changes to the current landscaping arrangements are shown on the plans and therefore there is no net loss of biodiversity in accordance with policy CS12 of the Gravesham Core Strategy 2014.

Parking and Highways

No details of the parking arrangements for the main property or the proposed annexe have been provided however there would appear to be ample parking within the site for the occupant of the annexe and no concerns are therefore raised in terms of highways.

Conclusion

The proposed development will have no significant detrimental impact to the openness of the Green Belt, the surrounding landscape character, amenities, parking or highway safety and therefore accords with the abovementioned policies and is recommended for approval.

Recommendation:

Approve

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	10 September 2024	Dated:	10th September 2024