



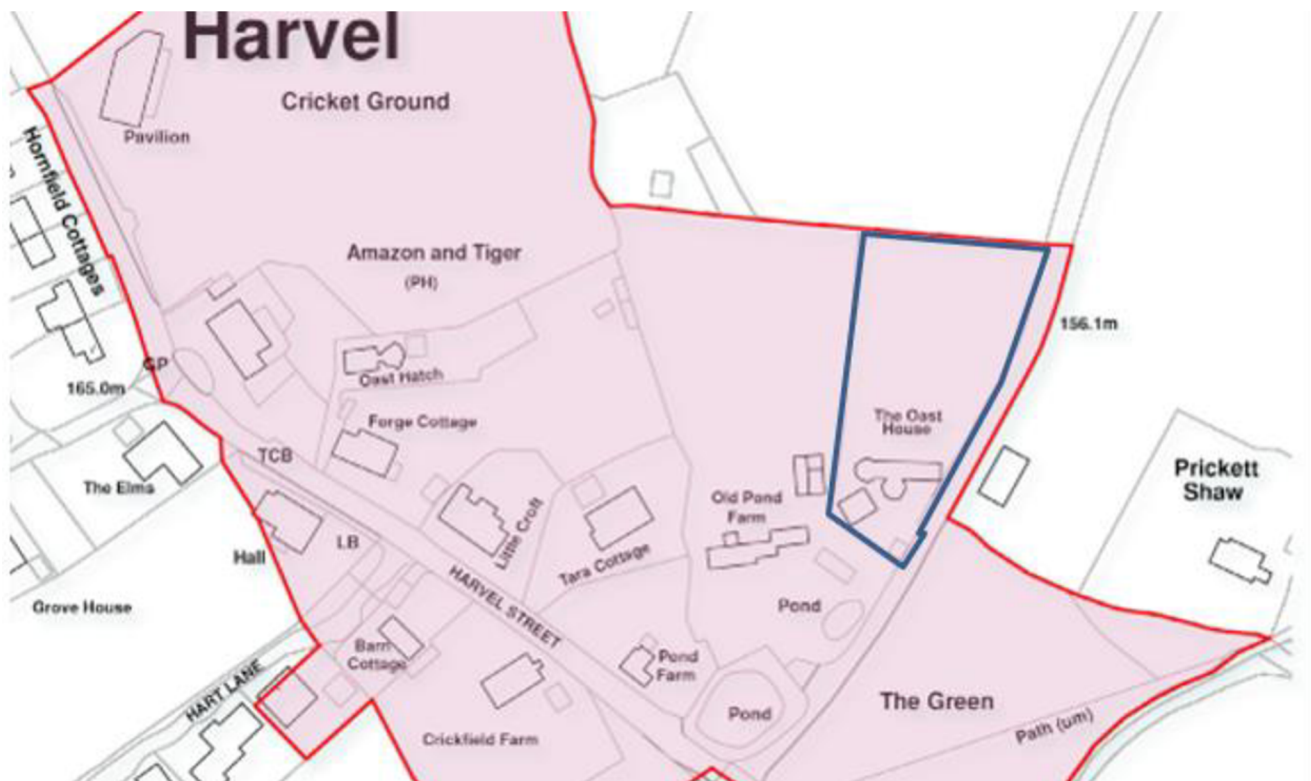
Delegated Report

Planning Application

Application no:	20211584
Location:	The Oast House Dean Lane Harvel Gravesend DA13 0BS
Description:	*REVISED APPLICATION AND DESCRIPTION* Application for removal of condition (ii) attached to planning permission reference no.19780873 (GR/78/873) for the erection of detached double garage, to allow conversion of garage to form habitable rooms.
Applicant:	Mrs Gilbert
Site Visit Date:	22 April 2022 and 29 December 2022

Site and Surroundings

The Oast House in Dean Lane Harvel is a two-storey detached dwelling comprising a converted Oast within the village of Harvel and is within Harvel conservation area (*site outlined in blue below; conservation area boundary in red*). It is not a listed building or locally listed building but is an attractive building of considerable character and described as a positive feature in the Harvel Rural Conservation Area Appraisal Supplementary Planning Document (SPD). As such, The Oast House is considered to be a non-designated heritage asset, in the wider designated conservation area.



The building is set at an angle to the road and aligned east-west. It has two roundels, one at the western

end and the other on its south side at the front. The building has walls of red brick with flint infills and a peg tiled roof. The western roundel is tiled while the front roundel is tarred.



The Harvel Rural Conservation Area Appraisal SPD states:

"The roundels and stowage may first have been constructed in flint with perhaps the stowage rear wall in framing – plaster with some form of exposed timbering forms the visible, upper, part of this. The present gabled roof form of the stowage with its waney-edged timber infill panel to the road as well as the roof's exposed rafter ends all look rather Arts and Crafts. The flint-work in the roundel and the stowage has vertical cogg'd red brick lacing courses at intervals as well as horizontal red brick string courses and oversail courses at the roundel eaves. The wide and shallow brick arch in the south front of the stowage building may be 'first stage' work. Under the old agricultural order carts were sometimes stored in part of the ground floors of stowages. Probably later are the stepped brick and tile buttresses to the roundels and at the corners of the stowage building, the amusing brick label course with its stops above the inserted door to the front roundel, and the pointed witches hat tops to the conical roundel roofs."

There is a comparatively modern detached double garage dating from the late 1970's to the west of the dwelling with a tiled pitched roof and walls of brick and with weatherboarding to the gables.

Rear of Garage

Front of Garage



The vehicle entrance to the site is gated and the front boundary comprises a privet hedge. There is a small shed behind the hedge and in front of the garage.

The site faces on to the village green to the east. To the south is Old Pond House (Old Pond Farmhouse), a Grade II listed building and a late 15th century timber framed hall house with thatched roof.

The dwelling is within the Metropolitan Green Belt and outside of a rural settlement. Although Harvel is a village in planning terms it is not inset from the Green Belt.

Relevant Planning History

Ref No	Description and Site	Decision	Date
TH/6/72/415	Sale of antiques from existing dwelling	Refused	17.10.1972
19780873	Erection of detached double garage	Permission	19.12.1978

Proposal

The proposal was incorrectly described as being for removal of condition 11 (with 11ii) attached to planning permission reference no.19780873 (GR/78/873) for the erection of detached double garage, to allow; conversion of garage to form habitable rooms. This has been amended to removal of condition (ii).

Plans and Documents

Application Form for removal or variation of condition
Proposed side elevations dated 24 November 2022 (with scale bar)
Proposed front elevation dated 24 November 2022 (with scale bar)
Proposed first floor layout Rev. II dated 24 November 2022
Proposed rear elevation dated 24 November 2022 (with scale bar)
Proposed ground floor layout Rev. I dated 16 November 2022
Proposed Section A-A dated 16 November 2022
Proposed Block Plan/Parking Layout dated 27 August 2022
Existing elevations and roof plan dated 18 January 2022
Existing block plan Rev. A dated 21 February 2023
Heritage Statement
4 Photos of the Site
Email from the agent received 30 August 2022

Plan and Documents (Superseded)

~~Proposed first floor layout Rev. I dated 16 November 2022~~
~~Proposed first floor layout dated 18 January 2022~~
~~Proposed ground floor layout dated 18 January 2022~~
~~Proposed elevations and roof plan dated 18 January 2022~~
~~Proposed side elevations dated 24 November 2022~~
~~Proposed front elevation dated 24 November 2022~~
~~Proposed rear elevation dated 24 November 2022~~
~~Existing block plan~~

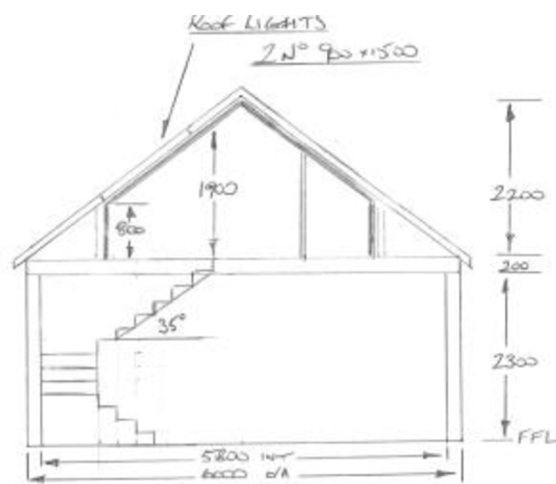
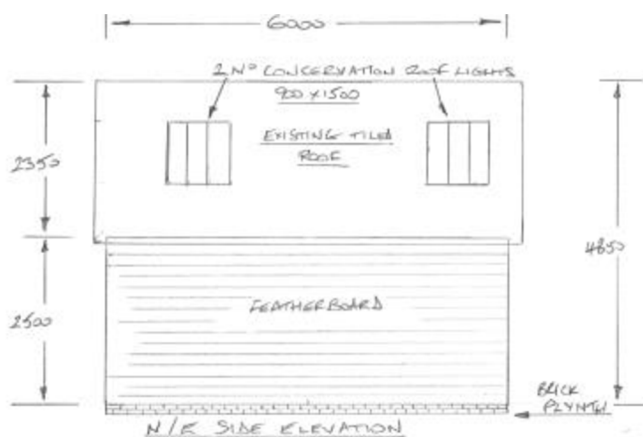
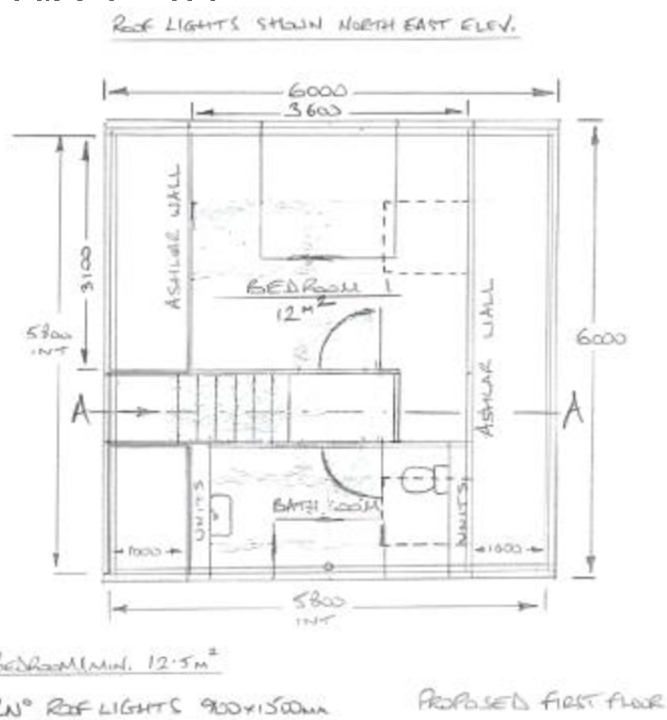
Details of the Development

The existing garage is a roughly square shaped building with an external footprint of some 36 square metres, with a pair of hinged double doors at the front and with a door and window in the rear elevation and a window to the loft area in the rear gable. There is an existing small lean to at the rear of the garage, that is not shown on the submitted plans.

The proposal is effectively to convert the garage into residential accommodation to be used in conjunction with the main dwelling at the application site. The accommodation will comprise an entrance area/kitchen/living area combined, a w.c. and a single bedroom on the ground floor and on the first floor, a double bedroom and a bathroom.

The submitted elevation drawings show two windows and a door in the front elevation and similarly in the rear elevations although in the original drawings no windows were shown in the elevation drawings for the rooms on the first floor. The agent had initially indicated that a small timber window in the gable to the rear

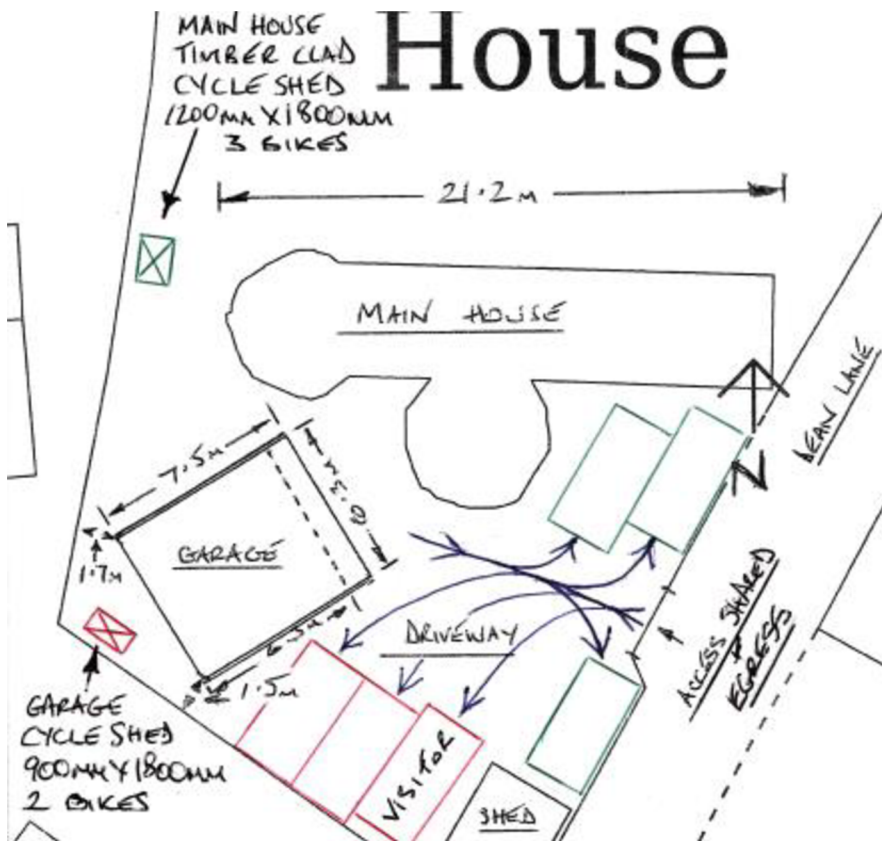
The proposed floor plans and elevations as revised are as shown below.



There are no joinery details and no proper details of facing materials.

It is indicated that the conversion is to allow family to stay in the garage to look after the unwell parents (i.e. the current owners of the Oast House).

The proposed car and cycle parking arrangements are shown below;



A drawing was submitted at the end of August 2022 showing a proposed parking layout and with proposed cycle sheds.

The cycle sheds are indicated as being Oren style timber clad apex design being more in keeping with the property. 6' x 4' for the Oast giving capacity for 3 plus cycles and 6' x 3' for the garage giving capacity for 2 cycles to conform to the KCC adopted standards.

It is noted that the illustration of the garage footprint in the above image shows external dimensions that exceed the six metre by six metre layout shown in the layout and elevation drawings. However, the agent has confirmed that the garage footprint is shown accurately on the layout and elevation drawings and that there is no intention to increase the footprint. Therefore the proposed parking spaces would actually be more accessible than that shown above.

The applicant's agent has also responded to consultation/neighbour comments received as follows:

Regarding the neighbour's concern about the window on the NNW elevation, this window has been there, as seen in photos, since the granted planning in 1978.

However, if it poses a major concern, we offer 2 alternatives for consideration. One is to glaze the existing window with obscure glass. The second alternative would be to remove the window and install 2 no. Velux roof windows to the NNE elevation. These options we hope would address the neighbour's concerns.

To add, the application is not aimed at property separation but simply for the owners to use the garage for guest accommodation i.e. family. This being the case it would not impact on the area and would not increase vehicle traffic any more than the existing flow as the family constantly attend currently to care for the ageing residents.

I note that the Parish Council have objected to a 2-storey building and an increase in parking. I wish to comment that the parking issue has been addressed, see previous and the structure is existing and is 1.5 storey as per planning granted in 1978. There are no intentions to alter the existing structure in either height or footprint.

The comments from DCPS refer to cramped substandard residence. This would not be the case as its use would be solely for visitors/carers and would prevent cramped accommodation in the main house, surely this is justification enough for the condition to be removed. We are not seeking to construct a new dwelling and fully appreciate the Green Belt ideals but merely seek change of use without affecting the local

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 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 comprises: -

- The Gravesham Local Plan Core Strategy (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 application site is shown as being within a **Green Belt area** (Policy CS02), as defined in the Gravesham Local Plan Core Strategy Policies Map. Harvel village is not shown as a rural settlement inset from the Green Belt. The site is also within the Harvel **conservation area** (Policy CS20). Dean Lane is shown as being a **local distributor** in the highway network (saved policies T1-T5).

The most relevant policies from the adopted Core Strategy in relation to this development 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
Core Strategy Policy CS20: Heritage and the Historic Environment

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.

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.

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>

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

Policy TC2: Policy for Listed Buildings
Policy TC3: Development Affecting Conservation Areas
Policy C13: Policy for Extensions to Dwellings in the Countryside
Policy T1: Impact of Development on the Highway Network
Policy T3: Development Not Well Related to the Primary and District Distributor Network
Policy T4: Development outside the Built-Up Area
Policy T5: Access to the Identified Highway Network
Policy P3: Vehicle Parking Standards

Review of the 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 it 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 adoption and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan First Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these in due course.

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 2021, 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 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 and are considered as being relevant to the consideration of this application albeit the weight that these emerging policies may be accorded at this stage is very limited.

Proposed Policy GB 5: Extensions, Replacement Buildings and Ancillary Development in the Green Belt
Proposed Policy GB 7: Re-use of Buildings in the Green Belt
Proposed Policy INF 2: Transport Design Principles
Proposed Policy INF 3: Understanding and Mitigating Transport Impacts
Proposed Policy INF 4: New Accesses and Junctions
Proposed Policy INF 5: Electric Vehicle Charging Points
Proposed Policy GI 5: Landscape Character
Proposed Policy RES 2: Residential Space Standards
Proposed Policy RES 3: Residential Annexes
Proposed Policy RES 4: Domestic Extensions, Outbuildings and Other Development
Proposed Policy AM 4: Sunlight and Daylight within New Development
Proposed Policy HER 2: Listed Buildings
Proposed Policy HER 3: Conservation Areas
Proposed Policy HER 4: Archaeology

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

The following paragraphs in the National Planning Policy Framework (NPPF) July 2021 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.
- Section 16, Paragraphs 189 - 208: Conserving and Enhancing the Historic 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.

The NPPG includes more detailed advice on the use of planning conditions (replacing the cancelled Circular 11/95). It indicates that when used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable. It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.

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:

- 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
- DCLG Technical Housing Standards - nationally described space standard March 2015
- Householder Extensions/Alterations Design Guide SPD, adopted 01 October 2021
- Harvel Rural Conservation Area Appraisal SPD 2017
- Management Plan - Rural Conservation Area Appraisals 2016
- Gravesham Landscape Character Assessment, May 2009 (a technical document which underpins policy CS12 of the Gravesham Local Plan Core Strategy)

Consultations, Publicity and Representations

Consultations - Internal

GBC Highways Development Management Officer - Original Comments

Having looked at this application, the removal of the condition protecting the garage will result in an independent dwelling that requires its own parking area and access to the highway, which can be shared. In addition, both the new dwelling and the existing dwelling will require secure cycle parking based on one cycle per bedroom, the existing property having the option to park cycles in the existing garage and would need to be replaced.

Therefore, to satisfy highway requirements, the applicant needs to submit the following:

A parking plan clearly demonstrating the car parking provision for each dwelling, whilst given the nature of Dean Lane, which is not suitable for on street parking, at least one and ideally two visitor parking spaces.

Kent County Council's current residential car parking guidance Interim guidance note 3 of the Kent Design Guide, which is under review, suggests an average of a minimum of 1.5 car parking spaces per unit for a two-bedroom property in a rural area increasing to 2 for a three bed or more property. This in my opinion translates to a minimum of 5 car parking spaces and ideally six, two of which would be visitor spaces, notionally one per household but shared.

As no details have been provided for parking I would recommend refusal, and any resubmission should include a parking plan and swept path / tracked drawings for access and egress from each parking space to the highway to ensure there are no conflicts.

Each parking space should be a minimum of 5 metres deep by 2.5metres wide, the width increasing to 2.7 metres when it is adjacent to an enclosed boundary (2.9metres when between enclosed boundaries). The length increases to 6 metres if it is parallel to the access aisle. The parking space should not encroach within one metre of any door to a building to allow pedestrian access. In terms of the vehicle used for the tracking drawings, it needs to be a large family saloon, similar to a BMW Series 5.

GBC Highways Development Management Officer - Additional Comments

The submission is not the best and from what has been submitted, I would estimate only 3 or 4 spaces are readily accessible. My only suggestion would be is the condition can be relaxed only in so far as the garage becomes an annex to the main dwelling and cannot be used for any other purpose which would include B & B/holiday lettings as these would have the potential to increase car parking demand on a constricted site.

GBC Conservation Officer

No comments received

Ward Councillors

No comments received

Consultations - External

Meopham Parish Council - Original Comments

Objection to this planning application on the grounds that it would constitute an additional two storey hereditament in the Green Belt and would reduce available parking on site.

Meopham Parish Council - Additional Comments

Objection to this planning application on the grounds that it would constitute an additional two storey hereditament in the Green Belt.

KCC Heritage

I have no comments to make on archaeological matters.

Dickens Country Protection Society - Original Comments

DCPS object to the removal of the condition that was imposed to safeguard amenity.

The site is within an area where Green Belt policies apply and where new dwellings would not normally be permitted. No special justification has been given to override Green Belt policy.

The conversion would result in a cramped substandard residence.

Dickens Country Protection Society - Additional Comments

The revised application clarifies the purpose of the application but does not change the fundamental position regarding the creation of new dwellings in the Green Belt. No very special circumstances have been put forward to warrant overriding Green Belt policy.

Publicity and Representations

The owners/occupiers of 3 adjoining dwellings/premises were notified of the original proposal and a site/press notice displayed on site as development affecting the character or appearance of a conservation area and development affecting the setting of a listed building.

The final expiry date for comments was 13 May 2022.

One representation has been received objecting to the application and commenting;

- Concerned as this is directly on their boundary.
- There is a window in the building that overlooks their garden and whilst this was not a problem as a garage; if it became a dwelling, they would be very unhappy if this remained.

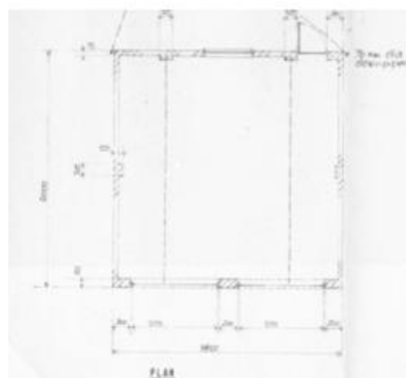
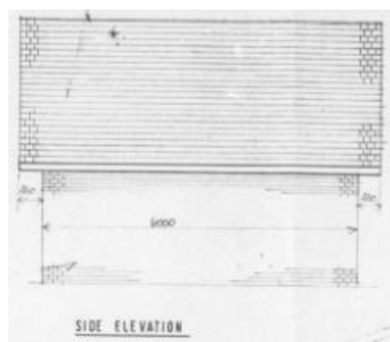
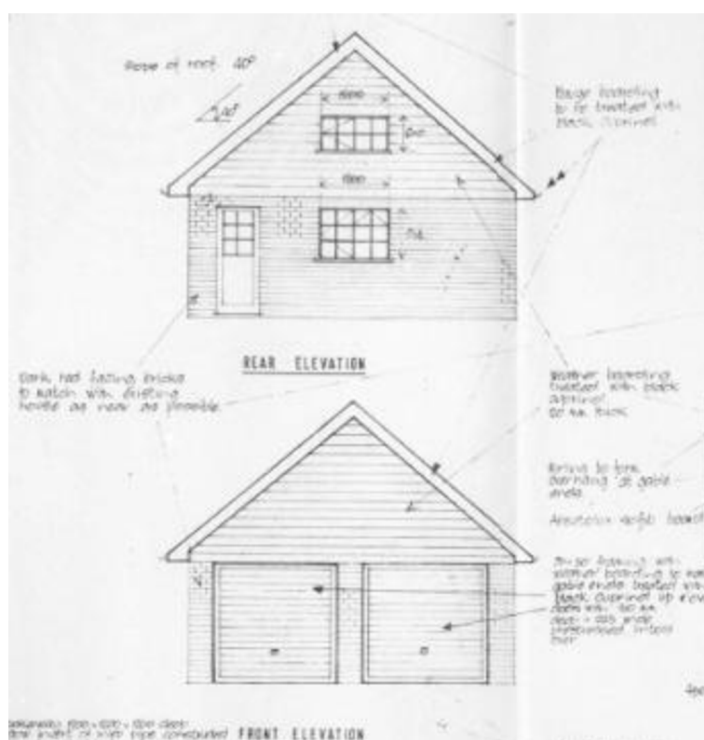
The same neighbour consultation has been undertaken to the revised proposals with a final expiry date of 20 January 2023. No representations have been received.

Planning Analysis and Assessment

Introduction

The application seeks to remove/vary a planning condition imposed on the grant of planning permission in 1978 for a garage at this property.

The original garage plans as approved are shown below.



The garage is currently used for domestic storage rather than vehicle parking. Although there is a small window at the rear this is only for light into the building and there is currently no loft area, or upper floor as such.

That permission was subject to a planning condition (condition ii) that says:

The development hereby permitted shall be used for the accommodation of private vehicles only and for no other purpose.

Notwithstanding the condition, the intention is to use the building as a self-contained annex which would require planning permission in its own right as this would not fit within the permitted development provisions within Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as an incidental use.

It is noted that planning permission was granted on appeal in October 2022 for an application for demolition of existing garage and erection of residential annexe ancillary to the main dwelling at Old Pond Farm that adjoins the application site (Appendix 1 contains a copy of the Inspector's decision). The application had been refused in September 2021 on being a disproportionate addition to the listed building and the conservation area and because it would not protect the integrity or the setting of the grade II listed building, known as Old Pond House.

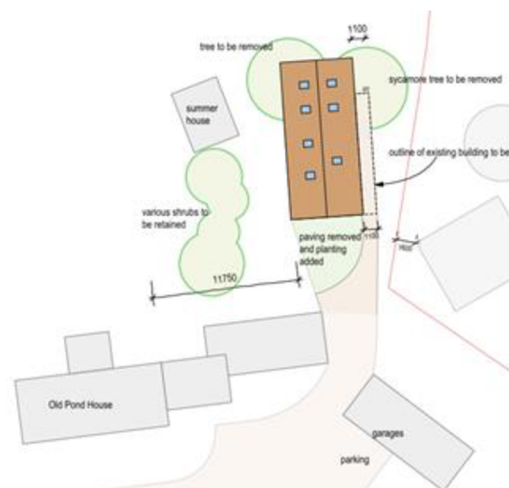
The Inspector commented:

My overall assessment is that the proposal should be regarded as a detached extension to Old Pond House. It would not represent a disproportionate addition. Consequently, it would not amount to inappropriate development in the Green Belt. It would accord with GLP Policy C13. It would also be consistent with Policies CS01 and CS02 of the Council's Core Strategy (CS) which state that national policies for protecting the Green Belt will be applied within Gravesham.

On the heritage impact the Inspector concluded:

The proposal has been designed as a simple traditional building form, clad in weatherboarding with a tile roof. Although taller than the existing building, it would still be seen as a minor ancillary structure. There would still be limited inter-visibility between the historic core and the proposed building. To the extent that the tiled roof could be glimpsed, this would not be harmful. To my mind there would be no impact on the ability to experience the listed building. The setting of the listed building would be preserved and there would be no harm to its significance... The character and appearance of the conservation area would be preserved. I conclude that the proposal would accord with CS Policy CS20 which seeks to protect designated heritage assets and the historic environment in general.

The building at Old Pond Farm would measure 6m wide, 12.84m in length, 2.83m in height to the eaves and 5.56m to the ridge. The annexe was to provide open plan living and dining room, separate kitchen and bedroom with en-suite on the ground floor and a bedroom and bathroom on the first floor. It is shown below



Proposed Front Elevation



Proposed Side (west) Elevation



The Issues

The planning considerations in the assessment of this application and proposals are:

- Principle of the Development and Green Belt Policy Issues
- Design Character and Appearance
- Amenity of Future Occupiers
- Impact on the Amenity of Neighbouring Properties
- Traffic Generation, Highway Safety, Access and Parking
- Any other Material Planning Considerations

Principle of the Development and Green Belt Policy Issues

The Principle of the Development

It is recognised that residential annexes are an increasingly common form of development that are generally proposed in order to allow relatives to live with their family with some degree of independence. However, to remain ancillary accommodation and not a separate unit of accommodation, the use of an annex must normally retain some form of reliance on the main dwelling.

There is no specific national (NPPF 2021) planning policy in relation to the provision of or use of existing buildings as annexes. In addition, there is currently no formerly adopted local plan policy that relates specifically to the creation of annex accommodation, although there are emerging policies in the Regulation 18 (Stage 2) Development Management Policies Document (2020) including RES 3: Residential Annexes, that show the direction of travel the Council is going and such emerging policies may be accorded some limited weight.

The key issues are whether the site will continue to operate as a single planning unit or whether there will be two households living independently of each other on the site.

By way of general guidance, a proposed annexe should (where possible):

- Be subordinate to, and used in connection with, the main dwelling and must not be able to function without the main dwelling (for example, not having separate kitchen facilities).
- Be interconnecting with the main dwelling as a whole (for instance via doorways); if accessed by a separate external entrance this should not separate from the main dwelling and therefore should rely on a common shared access with the main dwelling.
- Be within the curtilage of the main dwelling.
- Have a functional connection with the main dwelling (e.g., the occupant should be a dependant relative of the residents of the main dwelling or employed at the main dwelling).
- Be in the same ownership as the main dwelling.
- Be designed in such a way as to easily allow the annexe to be used at a later date as an integral part of the main dwelling.
- Have no boundary demarcation or subdivision of the garden areas between the curtilage of the main dwelling and the annexe.
- Have adequate parking and amenity facilities for the needs of the annexe occupants and the residents of the main dwelling.
- Comply with the Council's normal standards for extensions to a dwelling including those relating to design and the amenities of neighbouring occupiers.

Note: The above is largely reflected in emerging policy RES3: Residential Annexes Regulation 18 (Stage 2) Development Management Policies Document (2020).

In this particular case the proposal would provide facilities potentially for independent day-to-day living and could therefore be occupied as a separate dwelling, in a location in the Green Belt where new dwellings would not normally be acceptable in principle.

However, in the applicants planning statement it is stated:

The application is not aimed at property separation but simply for the owners to use the garage for guest accommodation i.e., family. This being the case it would not impact on the area and would not increase vehicle traffic any more than the existing flow as the family constantly attend currently to care for the ageing residents.

From the information submitted in this application it would indicate that there will be some degree of reliance on the main dwelling by the occupiers of the annexe ('a functional connection') albeit not on sharing of facilities. Conversely it is noted that the annexe contains all necessary facilities to function on its own as a residential unit. However due regard has also been given to the personal reasons advanced by the applicants.

Having considered the information provided and how the annexe would operate, it is considered that there is no objection in principle to the use of the existing outbuilding as a residential annexe subject to certain safeguards to ensure that the annexe is used solely as accommodation ancillary to the main dwellinghouse and that it cannot be sold, parted, let or exchanged as a separate dwelling, and the imposition of a planning condition to prevent the subdivision of the plot/garden to create two separate gardens which could result in separation from the main unit.

Green Belt Policy Issues

The application site lies within the Green Belt outside of the urban area of Gravesend. 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.

It is noted that Meopham Parish Council and the Dickens' Country Protection Society object to the proposed development because they consider that it would create a new dwelling in the Green Belt.

Paragraph 137 of the National Planning Policy Framework 2021 (NPPF 2021) sets out that the essential characteristics of Green Belts are their openness and permanence and paragraph 138 lists the five purposes that the Green Belt serves. At the application site, the Green Belt assists in safeguarding the countryside from encroachment. Paragraph 147 of the NPPF 2021 states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 149 of the NPPF 2021 states that the construction of new buildings should be regarded as inappropriate development in the Green Belt, but lists certain exceptions. These exceptions are set out in sub-paragraphs 149(a) to 149(g). Sub-paragraph 149(c) identifies 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.

Saved Policy C13 of the Gravesham Local Plan First Review (November 1994) relates to extensions to dwellings in the countryside. It sets out a number of criteria that should be met when considering proposals for domestic extensions. As the policy pre-dates the NPPF 2021, the weight attached to the policy must be considered carefully; with greater weight being given where the approach is consistent with paragraph 149 the NPPF 2021.

In particular Saved Policy C13 places an overall limit on extensions of one third of the gross floor area of the original dwelling unless the increased floor space has no overall effect on the existing bulk and appearance of the dwelling (criteria (ii)). It also requires the massing, scale and form of any extension to be appropriate to the existing dwelling and the Green Belt setting (criteria (vi)). It is considered that these factors are relevant in determining whether the size of an extension is proportionate and as such, these aspects of the policy are broadly in line with the NPPF 2021 and should be afforded weight.

Paragraph 150 of the NPPF 2021 states that 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 include the re-use of buildings provided that the buildings are of permanent and substantial construction.

The application building is of permanent and substantial construction and the proposed development would not result in an enlargement of the building externally or the creation of a new dwelling (as it would be used

as an annex). The only external alterations comprise of fenestration changes, the removal of garage doors and the provision of cycle sheds (the proposed frontage parking area is already surfaced and available for car parking). It is considered that these external alterations are minor and would not detract significantly from the openness of the Green Belt and that the proposal overall would not conflict with the purposes of including land within the Green Belt.

As an outbuilding located in close proximity to the dwelling at the application site and proposed to be used for residential occupation that would be part of the main house, the proposal can be considered as extension for the purposes of paragraph 149(c) of the NPPF. The dwelling at the application site does not appear to have been subject to any previous extensions and according to historical maps, it has had a similar footprint for a significant number of years.

With reference to the submitted details, the floor area of the existing dwelling is some 170 square metres. The proposed development would have a floor area of some 59 square metres. Therefore the proposal would increase the size of the dwelling by circa 35% above the original floor area. As such, the proposed development would not represent a disproportionate addition above the size of the original building.

Overall, the proposal would fall within two of the exceptions set out in paragraph 149 of the NPPF 2021 (149(c) and 150(d)) and is considered to be appropriate development in the Green Belt. The proposal is therefore in line with Policy CS02 of the Gravesham Local Plan Core Strategy September 2014 and section 13 of the NPPF 2021.

Design Character and Appearance

General Policy Issues

The principal issue is the consideration of this application is the impact on the character and appearance of the Harvel conservation area. Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

These duties are reflected in Section 16 of the NPPF, in Policy CS20 (LPCS) and saved policy TC3 of the Gravesham Local Plan First Review, emerging policy HER 3 and Policy CS19 (LPCS). There is a Conservation Area Appraisal for Harvel (2017) and a Management Plan for Rural Conservation Areas (2016) generally.

Paragraph 199 of the (NPPF) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. The courts have determined that considerable importance and weight should be given to harm found to the significance of listed buildings. The Government attaches great importance to the design of the built environment as set out in paragraph 126; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

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.

The proposed development would result in fenestration changes and the removal of garage doors from the application building and the provision of cycle sheds and additional car parking within the application site.

In general, the proposed alterations to the building would be subtle and would not draw significant attention to the residential use inside. It is proposed to use featherboard to clad the exterior of the building, which would cover the modern red bricks that currently exist on the lower levels of the building. This should be an improvement visually and in order to ensure that the external facing materials and joinery for the windows, rooflights and doors are satisfactory, details can be provided via a planning conditions.

The proposed cycle sheds would be Oren style timber clad outbuildings, which would be appropriate to the rural location and not widely visible in the surrounding area.

The proposed car parking spaces would be located on land which is already surfaced with gravel and accessible to vehicles, therefore there would be no adverse visual impacts associated with the formation of additional parking spaces.

The application building is already in existence and whilst it has a modern design in comparison to The Oast House and Old Pond Farm, it does not detract significantly from their visual or architectural character. The proposed development would not result in any major alterations to the exterior of the application building and the proposed use would be as part of a wider residential property. Therefore the proposal would not significantly harm the architectural integrity or setting of The Oast House or Old Pond Farm.

On balance it is considered that the proposed development is acceptable in design terms and would not detract from the character or appearance of the application site, the listed building or the surrounding conservation area. As such, the proposal is in line with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 of the Gravesham Local Plan Core Strategy 2014 and Saved Policy TC3 of the Gravesham Local Plan First Review (1994)

Amenity of Future Occupiers

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines'

Internally the room sizes are acceptable and appear to just meet SPG2 standards and the national technical standards. The development will provide additional living accommodation and space to the benefit of the occupiers.

The headroom is limited. STG Building Control were consulted and although no Building Regulation application has been submitted at this stage they have advised:

As it is a conversion, I don't believe there is any stipulation for what the internal head height needs to be, the only height we would be concerned with would be the 2m requirement on the stairs (1.8m at shoulder) for means of escape. The applicant's agent is correct in saying the 800mm sill height is a minimum for a means of escape window (1100mm maximum). Anything below this would need toughened glass. As for background ventilation though, this would be required. If trickle vents are not acceptable then it would need to be provided another way.

Overall, and subject to relevant planning conditions it is considered that the conversion will provide a reasonable quality environment for future occupants of the annexe in accordance with national and local planning policy and notably Policy CS19 of the Gravesham Local Plan Core Strategy and Section 12, Paragraphs 126 - 136: Achieving well-designed places of the NPPF.

Impact on the Amenity of Neighbouring Properties

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.

A local resident has raised concerns regarding the potential for adverse overlooking impacts to Old Pond Farm.

It is not considered that the re-use of the building as an annexe as proposed would result in any neighbour or amenity impacts, e.g., no loss of sunlight or overlooking to neighbouring properties etc., including the nearest neighbour at Old Pond House. In particular, it is noted that the proposed rear elevation has been amended to remove a first floor window that would have overlooked Old Pond Farm. As such the proposed development is in general conformity with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 and section 12, Paragraphs 126 - 136: Achieving well-designed places, of the National Planning Policy Framework 2021.

Traffic Generation, Highway Safety, Access and Parking

The development needs to be considered against saved policies T1 - T5 and P3 of the Gravesham Local Plan First Review (LPFR) (1994) and Gravesham Local Plan Core Strategy Policy CS11 (LPCS). These policies ensure that development provides an acceptable amount of parking in accordance with the adopted KCC Parking Standards, and the access and parking arrangements do not have a detrimental impact on highway safety.

It is indicated that even with the loss of garaging on the site there is sufficient parking within the hard paved area in front of and between the garage and the main dwelling to serve the occupants of the main dwelling and the proposed annexe.

It is not considered that the development as proposed requires any other highway alterations or access alterations and having regard to the previous limited residential use that has occurred of the building it is not considered that the development will result in additional traffic generation.

The GBC Highways Development Management Officer has raised no objection in highway terms providing the occupation of the annexe is ancillary to the occupation of the main dwelling secured through a legal undertaking/agreement or condition and also that it is not used for B & B/holiday lettings.

The applicants have responded to the comments of the GBC Highways Development Management Officer to consider future proofing the site by sustainable transport measures including cycle storage.

Overall it is considered that the proposal would make sufficient provision for the parking of cars within the site in accordance with the Borough Council's adopted Vehicle Parking Standards and would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994.

Any other Material Planning Considerations

Environmental Issues

The application site is located in the Harvel Wooded Downs Landscape Character Area (LCA) and a biodiversity opportunity 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 building is within an existing residential curtilage and is visible from Dean Lane, although mature vegetation on the site boundaries provides some screening. Due to the limited extent of the proposed external alterations at the application site, the proposal would not be detrimental to the landscape character of the surrounding area.

Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 also states that there will be no net loss of biodiversity in the Borough and that opportunities to enhance, restore, re-create and maintain habitats will be sought within new development.

The proposal does not result in the loss of any trees or landscaping and the existing vegetated areas of the application site would be retained. Therefore there would be no adverse impacts to biodiversity.

Overall it is considered that the proposed development would not be detrimental to the character or appearance of the surrounding landscape character area or to biodiversity and would be in line with Policy CS12 of the Gravesham Local Plan Core Strategy (September 2014).

Heritage and Archaeology

It is unlikely that the proposals would result in any impact on unknown archaeology.

Human Rights Implications

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal, which appear to override the responsibility of the Borough Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Conclusions and Balancing Exercise

The current planning application proposes the conversion of this incidental outbuilding/garage building to an ancillary residential annex, including proposed external alterations. The intention is to allow family/guests to occupy it as a residential ancillary annex.

From the information submitted in this planning application there will be some degree of reliance on the main dwelling by the occupiers of the annexe ('a functional connection') albeit not on sharing of facilities. Conversely it is noted that the annexe contains all necessary facilities to function on its own as a residential unit. However due regard has also been given to the personal reasons/circumstances advanced by the applicants.

Having considered the information provided and how the annexe would operate it is considered that there is no objection in principle to the use of the existing outbuilding as a residential annexe subject to certain safeguards, to ensure that the annexe is used solely as accommodation ancillary to the main dwellinghouse, and the imposition of a planning condition to prevent the subdivision of the plot/garden to create two separate gardens which could result in separation from the main unit.

The re-use of the building for the uses as proposed would accord with national and local policy and would not be substantially different from the permitted use or materially alter or cause harm to the character and appearance of the building, the dwelling within which the garage building sits or the wider landscape.

The development would not be inappropriate development in the Green Belt and would not result in material harm to openness.

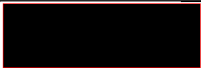
The GBC Highways Development Management Officer has raised no objection in highway terms.

There are therefore, no overriding policy reasons to reject the scheme and the balance lies in favour of permission. Planning permission is therefore recommended subject to other relevant conditions and informatives being imposed.

Recommendation:

Permission subject to conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	06 April 2023	Dated:	06 April 2023