

Delegated Report

Full Planning Application

Application No:	20220646
Location:	Owlswood Cottage, Priestwood Road, Meopham, Gravesend, Kent, DA13 0DA
Description:	Demolition of existing bungalow and erection of a 3-bed bungalow.
Applicant:	Mr and Mrs Mair
Site Visit:	5 th July 2022

Submitted Documents/Plans

The application comprises the following documents and plans:

Application Form - dated 13/06/2022;
Drawing no. 001 - Rev. A - Site Location and Existing Block Plan;
Drawing no. 002 - Rev. A - Existing Floor Plans and Elevations;
Drawing no. 003 - Rev. A - Proposed Floor Plans and Elevations;
Drawing no. 004 - Rev. A - Proposed Garage Floor Plans and Elevations;
Drawing no. 005 - Rev. A - Proposed Block Plan.

Relevant Planning History

Reference	Description	Decision	Decision Date
20060049	Construction of pitched roof over existing side extension with dormer window in proposed front roof slope; conversion of proposed roof space into a bedroom; erection of a conservatory at the rear and erection of a detached triple garage at the side.	PERMITTED	15.03.2006

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 - Sustainable Development
- CS02 - Scale & Distribution of Development
- CS12 - Green Infrastructure
- CS18 - Climate Change
- CS19 - Design & Development Principles

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 - Vehicle Parking Standards

- C12 - Replacement Dwellings in the Countryside
- C13 - Extensions in the Countryside

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2021)

- Section 2 - Achieving Sustainable Development
- Section 12 - Achieving Well-Designed Places
- Section 13 - Protecting Green Belt Land
- Section 15 - Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

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

Consultations, Publicity and Representations

Internal consultees

GBC - Highways - This proposal is like for like, it replaces one three bedroom dwelling with another and as such there will be no changes in terms of impact on the highway. I have no objections.

External consultees

Meopham Parish Council - No objection to this planning application subject to compliance with householder extensions/alterations design guide.

KCC - Heritage - The site lies within an area of multi-period archaeological potential. However, I consider it unlikely that the replacement dwelling will have a significant below-ground archaeological impact at this location and have no further comments to make in this case

Neighbouring properties

A notice was displayed on site 5th July 2022.

In addition, three surrounding properties were consulted and no representations were received. The consultation period expired 29th July 2022.

Analysis

Site Description

Owlswood Cottage is a detached chalet style bungalow located on the eastern side of Priestwood Road. The property is characterised by its steep pitching roof, is rendered and has a small porch and side extension.



There is a detached timber triple garage to the side of the property and a number of outbuilding in the garden area.

Development Proposed

This application seeks planning permission for the erection of replacement dwelling and associated works:



The dwelling would have a width of 12.25m, a depth of 10.3m, with a maximum height of 7.35m and an eave height of 4.4m. It will be set back further from road than the existing dwelling.

Internally, at ground floor, there would be an open plan kitchen/diner, utility/boot room, a shower room, large entrance hallway, store and lounge. At first floor there would be three en-suite bedrooms and a large dressing room.



As part of the application all existing outbuildings, including the detached timber garage, will be demolished and the erection of a detached double garage. The garage would have a width of 7.98m, a depth of 8.98m, a maximum height of 6.45m and an eave height of 2.9m. There will be space for parking and a store on the ground floor level, with a large hallway and stairs up from a side access door.



Green Belt

The application site is located in the Green Belt and as such Policy CS02 of the Gravesham Local Plan Core Strategy (LPCS) (2014) is relevant. Development in the urban area is prioritised as the sustainable location for development. In the rural area, Policy CS02 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, i.e. in the Green Belt, will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS.

There are five principle issues in determining this application;

1. Is the proposed development appropriate in the Green Belt?
2. The effect of the proposal on the openness of the Green Belt;
3. The effect on the character and appearance of the area;
4. Other matters; and
5. Any very special circumstances?
6. Impact on the Landscape.

1. Is the proposed development appropriate in the Green Belt?

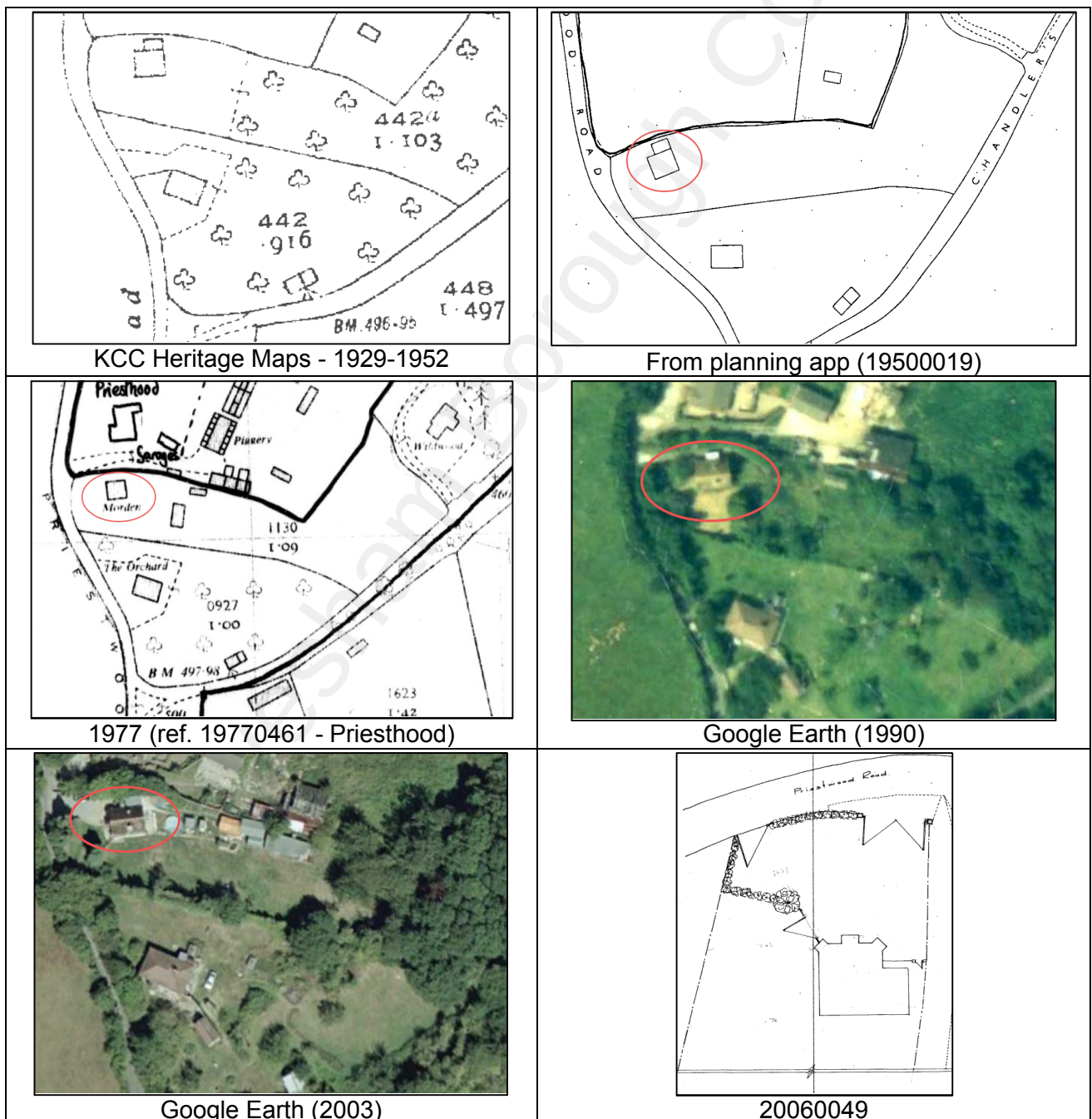
Replacement Dwelling

There are strict policy considerations within the Green Belt whereby paragraph 147 of the National Planning Policy Framework (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 148 goes on to say that very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless it falls within the specified exceptions. An exception given within the NPPF includes (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

Therefore, it is important to first establish the extent of the original property and then consider any additions or extensions. Owlswood has a limited planning history and there is no record within the Council of the original planning permission for its construction. As such, an investigation into the property was undertaken through historic maps and planning history on surrounding dwellings.

The property was previously named Morden and the images below demonstrate that it was constructed before 1950.



Using the assessment above, it would appear that the original building consisted of the main body of the house and the single storey side projection. Due to a lack of clarity in the planning history the existing building is considered by the Local Planning Authority to be original.

The proposed replacement dwelling has an external floor area of 102.2m², which is approximately 18% larger than the existing dwelling. In terms of dimensions, the proposed dwelling is an increase in height of 0.7m, an increase in depth of 0.6m and an increase in width of 1.45m.

	Original Dwelling	Proposed Extended Dwelling	% increase
Footprint (m²)	86.7m ²	102.2m ²	18%

Saved Policy C12 of the Gravesham's Local Plan First Review (LPFR) (1994) relates to replacement dwellings in the countryside. This states that there will be a strong presumption against allowing the replacement of existing dwellings, which will only be set aside if the listed criteria are met. Criteria (iii) states that the 'replacement dwelling must be of similar scale and mass to the existing dwelling and must be no larger than the existing dwelling, unless it can be demonstrated that modest enlargement is required to allow the provision of essential basic amenities such as a bathroom, toilet or kitchen, which currently do not exist or are clearly inadequate or to meet the special needs of the occupants'.

The proposed replacement dwelling is larger than the original, however it does not represent a significant increase. Given that saved policy C13 (LPFR) allows a one third limit increase on extensions to properties within the Green Belt, an increase in footprint by 18% above the original is considered to be a modest enlargement. Therefore, the proposed replacement dwelling is considered to accord with saved policy C12 (LPFR), but the impact of the dwelling on the open character of the Green Belt.

Erection of a Garage

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

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

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

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

- *The extension or alteration of a building provided that it does not result in disproportionate*

additions over and above the size of the original building;

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

In line with paragraph 147, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 sets out that substantial weight should be given to that harm and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

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

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

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

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

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

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

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

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

The openness of the Green Belt has both spatial and visual aspects, and any new built form of development is harmful to its open character. Although the replacement dwelling represents a modest enlargement to the existing dwelling dimensionally and in terms of footprint, as demonstrated in the comparative screenshots the scale, bulk and massing of the new dwelling is significantly greater.



The new dwelling will have a double gable ended roof, with a two storey rear outrigger. These will increase the height of the building and creates significant new additional bulk in the Green Belt, which has an adverse effect on the openness of the Green Belt.

In addition, the garage by virtue of its height, bulk and massing represents a significant increase in built form within the Green Belt and is harmful to its open character. The garage is excessive in size, and is almost the same height and scale as the existing property that is being replaced.

Separately the new dwelling and garage would negatively impact the openness of the Green Belt. Together, the cumulative impact of both the proposed dwelling and detached garage, by virtue of their scale and perceived bulk, would be even more significant, eroding the spatial and visual open character of the Green Belt, contrary to local and national planning policy.

Reference back to paragraphs 147 and 148 of the NPPF informs us that inappropriate development in the Green Belt should not be approved except in very special circumstances and that very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Whether the development causes any other harm and whether there are any other relevant considerations to balance the overall planning argument, should now be considered.

3. The effect on the character and appearance of the area

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area.

The proposed dwelling is designed with gable ends, with three front dormer windows. There is a canopy porch framing the entrance, with four windows of varying sizes at ground floor level. There are two ground floor windows and a set of bifold doors on the southern elevation, and a first floor window on the north elevation. At the rear there is a two storey gable projection with a Juliet balcony, one dormer window and two sets of bifold doors. The rear gable projection is subservient and set down from the main ridge of the property. The description of the development states that the property is a bungalow, however is considered to be a two storey dwelling.

Gravesham's newly published Householder Extensions/Alterations Design Guidance SPD (2021) set out key principles for new developments. Generally, the SPD highlights the importance of new

development complimenting and corresponding to existing character and the wider context. In this case, the existing character of the dwelling is less relevant given that the application proposes a replacement. However, the rural character of the area and other surrounding dwellings should be considered.

The surrounding properties on Priestwood Road are varied in size and appearance, but a predominantly rural character. It is noted however, that the immediate neighbour is a large modern property that was originally granted permission in 2013 (ref. 20130892) and later varied in 2017 (ref. 20170545). The original permission or significant extensions that altered its character and modernised its appearance, was implemented then amended in the 2017 application. While this is a consideration for this proposal, the development was originally permitted under a historic policy context and prior to the adoption of the design SPD. The subsequent permission was granted under the current policy context, however this followed an implemented planning permission that was a strong consideration in the planning balance. Therefore, although some aspects of the current proposed, such as the garage, are similar to that of the neighbour, this cannot be considered a precedent given the history of that site. Notwithstanding this, the materials selected for the new dwelling would be considered appropriate and not out of character with its rural setting, however there are concerns with the design.

The size of the replacement dwelling is not excessive and generally is similar to the property that it would replace in terms of footprint. However, purely in design terms, the proportion of the proposed dwelling is unbalanced by virtue of the high eaves, creating a bottom heavy and unattractive development. Moreover, the dormer windows interrupt the eaves, which is contrary to the design SPD that states that roof extensions such as dormers should be set away from eaves. This interruption of the eaves exacerbates the imbalance of the property and is incongruous design.

The garage building is also considered to be imbalanced and disproportionate, however unlike the dwelling the building is top heavy. It is designed with a high ridge and low eaves, resulting in a squat appearance and a dominant roof. The height of the garage would only be 0.9m below the main ridge of the dwelling, and by virtue of its closer proximity to the highway, will perceptively disrupt the hierarchy of heights between outbuilding and dwelling. An outbuilding should appear subservient to the main dwelling and according to the SPD should reflect its design, character and style, which is not achieved in this proposal. As such, the garage is considered to be an incongruous and dominant addition.

Overall, the design of the proposed dwelling and garage are imbalanced and disproportionate. The two buildings have starkly different and conflicting design styles, with no correlation between the structures on the same site that are highly visible from the street scene. The property is bottom heavy and unattractive by virtue of the high eaves, which are also disrupted by the dormer windows that further exacerbates its incongruous appearance. While the garage is a top heavy development with low eaves and an overall height that disrupts the hierarchy of height, failing to reflect the character, design or style of the new dwelling. As such, the proposal is contrary to Gravesham's Design Guidance SPD (2021), Policy CS19 (LPCS) and Section 12 of the NPPF (2021).

4. Other matters

Amenity of Future Occupiers

Policy CS19 (LPCS) 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 (RLG) (2020). Moreover, on 25 March 2015 the Government issued a written ministerial statement, which introduced new technical housing standards in England and set out how

these would be applied through planning policy. These standards came into effect on 1 October 2015.

The Nationally Described Space Standards (NDSS) (2015) require a two storey dwelling, with different floor areas depending on the number of occupants. The proposed dwelling has three double bedrooms and would therefore have a maximum capacity of six persons, however for the purpose of this assessment will be compared to the five person dwellings within the NDSS. For a five person dwelling the floor area should have a minimum 93m², with built in storage space of 2.5m². Given that the gross internal floor area of 179m², the proposed dwellings accord with the recommendations within the Nationally Described Space Standards (2015).

Notwithstanding this, Gravesham's RLG breaks down the measurements further, recommending minimum floor areas for specific rooms as shown in the table below. These recommended minimum floor areas have been compared to the proposed room sizes within the property for comparison.

	RLG (minimum floor area)	Proposed Room Size
Kitchen/Diner	12m ²	30.3m ²
Living Room	13.2m ²	32.25m ²
WC	1.3m ²	1.8m ²
Double Bedroom	11.2m ²	15m ²
		18.55m ²
		18.55m ²
		4.6m ²
Ensuite	3.5m ²	3.28m ²
		3.28m ²
		3.2m ²
Shower room	3.5m ²	3.2m ²
Utility / Boot Room	-	7.2m ²

The table demonstrates that the majority of rooms provided within the dwellings are in accordance with the RLG, with the exception of two en-suite bathrooms and the shower room. Although these rooms are contrary to minimum guidance, these are not considered to be detrimental to the amenity of future occupiers. The en-suite bathrooms and shower room only include shower basins and therefore can be smaller than the expected bathroom & WC requirements of the RLG.

Further to the room sizes, the RLG states that new developments should provide acceptable private amenity space. The RLG states that a garden area for a three bedroom property should have a minimum depth of 10m and a minimum area of 60m. The garden for proposed development significantly exceeds the guidance, with an area of 1860m² and a depth of 92m. Therefore, the amenity space provided is in accordance with the RLG.

In addition, the new property will not be overlooked or overshadowed.

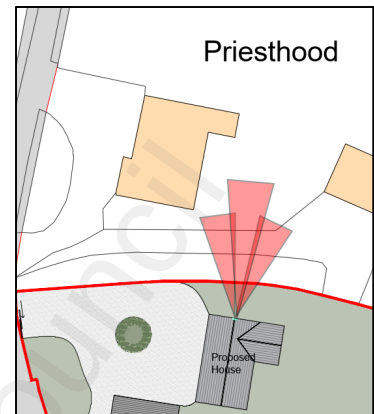
The replacement dwelling will provide acceptable living conditions for future occupiers, sufficient private amenity space as well as good levels of natural lighting and ventilation. As such, the development is considered to safeguard the amenity of future occupiers and is in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Neighbouring

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 and paragraph 127 of the NPPF (2021) requires development to have a high standard of amenity for

existing users (in this case surrounding properties).

The proposed dwelling is not considered to impact on the amenity of any neighbouring properties in terms of overshadowing, sense of enclosure or outlook. However, there are concerns with direct and perceived overlooking onto the neighbour to the north (Priestwood). The new dwelling proposes a first floor flank window serving the dressing room, which faces the neighbour. Due to the position of the properties, this window would directly overlook the rear of the property. The annotated screenshot demonstrates the position of the window and the sightlines onto the neighbour, showing that the window would significantly impact the privacy of the occupants of Priestwood. However, as this window serves a dressing room, which is not a habitable room, if minded for permission the Local Planning Authority would attach a condition to ensure that this window is obscure glazed.



Therefore, the proposed dwelling would safeguard the amenity of adjoining properties using planning conditions, and the flank window is not considered sufficient to refuse the application. As such, the development is in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Parking and Highways

There are no parking or highways issues related to this proposal. The driveway for the property is large with sufficient space for vehicular parking and the garage can accommodate vehicles. As such, the development accords with Gravesham's adopted parking standards (SPG 4) (2006).

5. Very special circumstances

No specific arguments have been put forward by the applicant in relation to the assessment of 'very special circumstances'.

6. Impact on the Landscape

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

Policy CS12 (LPCS) seeks to protect the Green infrastructure within the Borough and states at 5.7.26 the overall landscape character and valued landscapes will be conserved, restored and enhanced.

The proposed dwelling and garage is not considered to harm the character or appearance of the Harvel Wooded Downs. The materials will not be out of place with the area and the pattern of the development will accord with the mosaic of residential plots.

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

The proposed replacement dwelling and garage will have an adverse impact on the openness of the Green Belt, by virtue of disproportionate scale and perceived bulk, and are poorly designed and imbalanced resulting in an incongruous appearance. As such, the proposal is contrary to the Design Guidance SPD (2021), Policy CS19 of Gravesham's Local Plan Core Strategy (2014), as

well as Sections 12 and 13 of the National Planning Policy Framework (2021).

Recommendation:

Refusal

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

Case Officer:	Ethan Bonthron	Team Leader:	Faye Hobbs
Signed:		Signed:	
Dated:	9 th August 2022	Dated:	11 August 2022