

Delegated Report

Householder Planning Application

Planning Application No: 20211110

Location: 15A Bull Lane Higham Rochester Kent

Description: Erection of a single storey rear extension.

Applicant: Mr M Bishop

Site Visit Date: 16 November 2021

Submitted Documents/Plans

Householder application form;
Red line site boundary plan;
Existing block plan;
Proposed block plan;
Drawing no. 756BL/01 Rev. A Existing ground floor layout;
Drawing no. 756BL/02 Existing elevations;
Drawing no. 756BL/101 Proposed elevations;
Drawing no. 756BL/102 Proposed ground floor layout;
Drawing no. 756BL/103 Proposed roof plan;
Drawing no. 756BL/04 Existing first and second floor layouts;
Email from the agent dated 08 October 2021; and
Email from the agent dated 11 November 2021.

Relevant Planning History

TH/6/61/352 Site for erection of dwellings
Permitted 17 November 1961

TH/6/62/377 Erection of terrace of four houses with garages
Permitted 28 January 1963

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P5 – Exceptions to the Vehicle Parking Standards
- T1 – Impact of Development on Highway Network

- TC7 – Other Archaeological Sites
- C13 – Policy for Extensions to Dwellings 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.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places
- 13 – Protecting Green Belt Land
- 15 – Conserving and Enhancing the Natural Environment
- 16 – Conserving and Enhancing the Historic Environment

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- SPG 4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide SPD (2021)

Other documents

- Gravesham Landscape Character Assessment (2009)
- Technical housing standards – nationally described space standard (March 2015)

Consultations, Publicity and Representations

Kent County Council Heritage

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

Higham Parish Council

No response received.

Neighbouring properties

The application was publicised by a site notice and to two neighbouring properties by letter. No representations have been received.

Officer's Analysis

The application site is located in the Green Belt and as such, Policy CS02 of the Gravesham Local Plan Core Strategy September 2014 is relevant. Policy CS02 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.

The principle issues in the determination of this application are;

- Is the proposed development appropriate in the Green Belt?
- Effect on the openness of the Green Belt
- Effect on the character and appearance of the area - including landscape character
- Other matters

Is the proposed development appropriate 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. In addition, paragraph 150 of the NPPF 2021 sets out six other forms of development that are not inappropriate in the Green Belt, provided that they preserve its openness and do not conflict with the purposes of the Green Belt. The proposed development would constitute the extension of a building in the Green Belt, which could be one of the exceptions set out in paragraph 149 of the NPPF 2021.

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. However, as the policy pre-dates the NPPF, the weight attached to the policy must be considered carefully.

Paragraph 11(d) of the NPPF (2021) sets out that where the policies which are most important for determining an application are out of date, planning permission should be granted unless;

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In a footnote to paragraph 11, examples of the policies that protect areas or assets of particular importance are set out and these include land designated as Green Belt.

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.

The original building, for the purposes of assessing whether the proposed extension is disproportionate, is the dwelling which was granted planning permission under reference TH/6/62/377. That property was a two storey, end of terrace dwelling that had rooms within the roof space. The main roof was pitched with gable ends and had flat roofed dormers in the front and rear slopes. It had a simple rectangular footprint with a floor area of some 130 square metres and provided three bedrooms and an integral garage.

The dwelling has been extended once since it was originally built. The rear dormer was increased in size and resulted in an increase in the habitable floor area in the roof space and an increase in the number of bedrooms to four. The floor area of the dwelling currently measures some 134 square metres.

The proposed extension would be single storey with a flat roof and have a floor area of some 25 square metres. The proposed development would result in a cumulative increase in floor area of some 29% above

the original building and would not add significant bulk or mass to the rear of the building.

It is noted that the proposed development would be within the limits set out in Article 3, Part 1, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and as such, if subject to a prior approval application, no planning permission would be required for the erection of the proposed extension.

Therefore it is considered that the proposed development would not result in a disproportionate addition to the original building. As such, the proposal would be appropriate development in the Green Belt and in line with Policy CS02 of the Gravesham Local Plan Core Strategy September 2014, Saved Policy C13 of the Gravesham Local Plan First Review 1994 and paragraph 149(c) of the NPPF (2021).

Effect on the openness of the Green Belt

Paragraph 137 of the NPPF 2021 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 proposal, by its nature as an additional form of built development at the property, would erode the openness of the Green Belt. However as the proposed extension would be subservient in size to the original building and would be located at the rear, it would not add significant size or bulk to the property and would not be widely visible from public vantage points. As such, the proposed development would not be so detrimental to the openness of the Green Belt, that the application should be refused.

Effect on the character and appearance of the area

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

The application site is located in the Higham Arable Farmlands Landscape Character Area (LCA) and as such, Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 is also 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 2009 will be taken into account in determining applications.

The Gravesham Landscape Character Assessment 2009 identifies some of the key characteristics of the Higham Arable Farmlands LCA as very gently undulating topography, open arable farmland, views of the marshes and River Thames and isolated farmsteads with locally distinct styles and materials. The landscape condition in the LCA is stated to be poor with moderate sensitivity and the focus for the LCA is restoring landscape elements in poor condition, whilst safeguarding the LCA as a prominent landscape feature within the wider landscape. A specific guideline for the future is to resist proposals that introduce obtrusive elements within visually sensitive areas of the open landscape.

The proposed development would be located at the rear of the building; would not add significant size or bulk to the property; and would not be widely visible from public vantage points. It would also be within the confines of an existing residential garden. As such, there would be no detriment to landscape character. Furthermore the design of the proposed extension would be broadly in keeping with the original building and the external facing materials would match those existing.

Overall it is considered that the proposed development would not be detrimental to the character or appearance of the surrounding area and would be in line with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (September 2014) and the Householder Extensions/Alterations Design Guide SPD (2021).

Other matters

Amenity of Future Occupiers

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

Neighbouring Amenity

The closest residential properties to the application site are no. 15 Bull Lane (adjoining to the west) and no. 17 Bull Lane (located some 6.5 metres to the east).

Due to the design of the proposal; the orientation of the properties; the distance between the application site and no. 17 Bull Lane; and the screening provided by boundary treatments, it is considered that there would be no adverse overlooking, overshadowing or overbearing impacts to the occupiers of any surrounding residential property.

A new window would be inserted into the eastern side elevation of the existing building that would face no. 17 Bull Lane. As a shower room/w.c. window this would be conditioned to be obscure glazed in order to ensure privacy and mitigate overlooking.

As the proposal would provide a kitchen/diner, it would be appropriate to attach a condition to any planning permission granted to preclude any further openings (including flues) in order to ensure that there are no adverse odour or noise impacts to surrounding occupiers in future.

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

Highways and Parking issues

The proposed development would reduce the number of bedrooms at the application property from four to three and would retain the existing parking arrangements (an integral garage and parking for one vehicle on the site frontage). Therefore there would be no adverse impacts to highway safety and the proposed development would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policies T1 and P5 of the Gravesham Local Plan First Review November 1994.

Any Other Material Planning Considerations

The application site is located in an area of multi-period archaeological potential and Kent County Council Heritage considers it unlikely that the proposed works would have a significant archaeological impact. As such, the proposal would be in line with Policy CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

The application site is located within two Health and Safety Executive Consulting Zones (middle and outer gas feeders) but due to the relatively modest size of the proposed works and because they would be located within the confines of an existing residential garden, there would be no adverse impacts to the gas infrastructure. The applicant should be made aware of the gas feeders by means of an informative attached to any planning permission granted.

The application site is located in the North Kent Marshes Internal Drainage Board area but as a domestic extension, the proposal would have no adverse impacts to water level management in the board area.

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Materials to match

No further openings (including flues)

Shower room to be obscure glazed

Conclusion & Recommendation

The proposed development complies with local and national planning policies and subject to the conditions set out above, planning permission can be granted.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Richard Hart
Signed:	<i>K Joyce</i>	Signed:	<i>R Hart</i>
Dated:	09 December 2021	Dated:	13th December 2021