



Delegated Report

Householder Planning Application

Application No:	20230847
Location:	Gardeners Cottage, Brewers Road, Shorne, Gravesend, Kent, DA12 3LB
Description:	Erection of detached garage with loft space at first floor level.
Applicant:	L McCord and K Mercer
Site Visit:	10 th October 2023

Submitted Documents/Plans

The application comprises the following documents and plans:

- Application Form - 8 August 2023;
- Planning Statement - dated August 2023;
- Supplementary Information - Email from agent confirming 15m from ancient woodland (received 17/10/2023);
- Drawing no. 717-11 - Rev. A - Existing Site Plan (scale - 1:500);
- Drawing no. 717-16 - Rev. E - Proposed Ground Floor and Loft Layouts;
- Drawing no. 717-17 - Rev. E - Proposed East and North Elevations;
- Drawing no. 717-18 - Rev. E - Proposed South and West Elevations;
- Drawing no. 717-19 - Rev. C - Existing Ground Floor Layout;
- Drawing no. 717-20 - Rev. C - Existing North and South Elevations;
- Drawing no. 717-21 - Rev. C - Existing West and East Elevations;
- Drawing no. 717-22 - Rev. D - Site Location and Proposed Block Plan.
- ~~Drawing no. 717-16 - Rev. C - Proposed Ground Floor and Loft Layouts - SUPERSEDED;~~
- ~~Drawing no. 717-17 - Rev. C - Proposed East and North Elevations - SUPERSEDED;~~
- ~~Drawing no. 717-18 - Rev. C - Proposed South and West Elevations - SUPERSEDED;~~
- ~~Drawing no. 717-22 - Rev. C - Site Location and Proposed Block Plan - SUPERSEDED.~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20230450	Erection of detached garage with loft space at first floor level	REFUSED	23.06.2023
20210663	Demolition of the existing two storey extension on the north (front) elevation, formation of new entrance, two dormer windows within the roof slope and a two storey	PERMITTED	10.08.2021

	extension to the eastern end. New single storey extension to the west elevation and alterations to the fenestration on the south (rear) elevation and roof. Lean-to storage shed on east elevation.		
20190489	Application for a Lawful Development Certificate in respect of the retention of a first floor steel frame platform and glazed balustrade including alteration of the first floor window to double doors.	GRANTED	11.07.2019
20010236	**AMENDED DESCRIPTION** Erection of single storey extension on the west elevation to form enlarged kitchen/breakfast room, bedroom, shower room and cupboard.	REFUSED	31.07.2001
20000633	Erection of single storey extension on the western elevation to form enlarged kitchen, bedroom with ensuite shower room/wc, utility room and a raised decking area with railings.	REFUSED	07.12.2000
19910449	Erection of single storey loggia at the sides and rear.	PERMITTED	19.07.1991
19900595	Erection of single storey loggia at side and rear	PERMITTED	13.09.1990
19870509	Erection of a single storey front extension to form utility room porch	PERMITTED	04.09.1987
19860862	Erection of single storey front extension to form lounge and entrance lobby single storey side extension to form kitchen and detached double garage with storage over	PERMITTED	24.02.1987

Development Plan

Gravesham Local Plan Core Strategy (LPCS) (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 (LPFR) (November 1994):

- P3 - Vehicle Parking Standards
- C13 - Extensions to Dwellings in the Countryside

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

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

generally conform with the NPPF (2023), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (NPPF) (2023)

- 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

Local Ward Councillors - No comment received.

External consultees

Shorne Parish Council - This is effectively a reapplication of previously refused ref 20230450 with the garage building relocated a little further back, so our comments are the same as previously.

The Parish Council has no objection to this proposal, subject to there not being any significant valid objection from neighbours.

Previous application ref 19860862 is also noted, it is stated that the concrete base for the garage permitted in that application was built. The presently proposed plans are similar. Will the previously installed concrete base now be removed again?

It is more practical to have the garage near the house and this also conserves openness of the site, which is in the Green Belt and AONB. There could be archaeological potential in the new excavations.

Two exterior doors are now shown (as well as the garage doors) but one might be sufficient.

No exterior lights are shown. If installed these should be daylight sensitive and have minimum times of operation.

In view of the second storey loft area Conditions should be attached preventing use of the garage as accommodation or as a separate dwelling, or joining of the garage to the house. Due to the large increase in built form on the site, permitted development rights should be withdrawn.

Dickens Protection Society - In view of the location of the site in the Green Belt and an Area of Outstanding Natural Beauty, the Society would suggest that conditions are imposed restricting the use of the building to a motor car garage and store.

KCC Biodiversity (taken from 20230450) - The only ecological concern we have is that of the proximity of the proposed garage to the adjacent ancient woodland. Natural England/Forestry Commission's standing advice states that development should not take place within 15m of ancient woodland (to prevent root damage – ancient woodland is specifically protected from harm within the NPPF). We suggest that, prior to determination, it is confirmed that the structure is situated 15m from the ancient woodland.

We also advise that any associated external lighting (and, therefore, an increase in light spill) is also likely to adversely impact the ancient woodland. If any lighting is to be installed, we advise that this sensor activated only.

KCC Heritage (taken from 20230450) - The site lies within an area of multi-period archaeological potential. However, I consider it unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

Neighbouring properties

A notice was displayed on site 24th August 2023.

In addition, two surrounding properties were consulted and no representations were received. The consultation period expired 15th September 2023.

Preliminary Matters

This application follows a similar development for the erection of a detached garage with usable space above, which was refused by the Local Planning Authority in 2023 (ref. 20230450). The application was refused for the following reasons:

- 1. The proposed garage is considered to be unacceptable due to its excessive size and height being dominant and obtrusive, failing to respect the character and appearance of this modest rural dwelling. The proposal would therefore be contrary to the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework 2021.*

In order to receive a positive outcome this proposal must overcome the above ground of refusal.

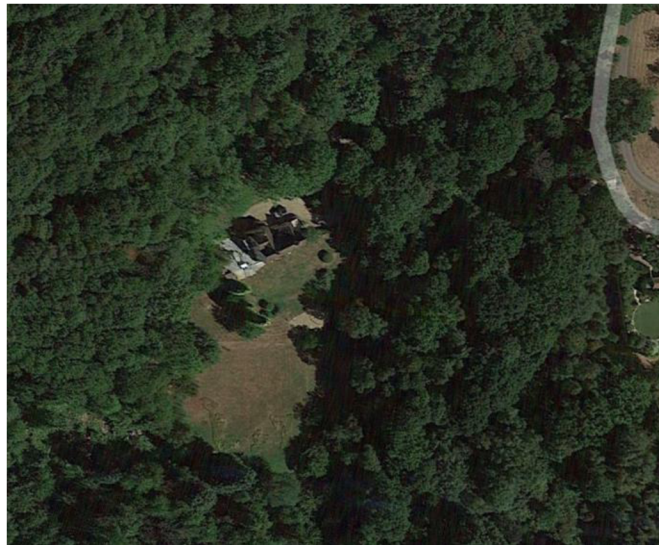
Analysis

Site Description

The application site is defined on the Gravesham Local Plan Core Strategy Policies Map 2014 as lying in the rural area within the Green Belt and in the Kent Downs Area of Outstanding Natural Beauty (AONB) and the Shorne Woodland Landscape Character Area. It also lies within Ancient Woodland and is immediately adjacent the Shorne and Ashenbank Woods Site of Scientific Interest (SSSI).

The site currently contains a part single/part two storey detached four bedroom dwelling accessed via a woodland track from the north of the site. The house is positioned to the northern end of the site.

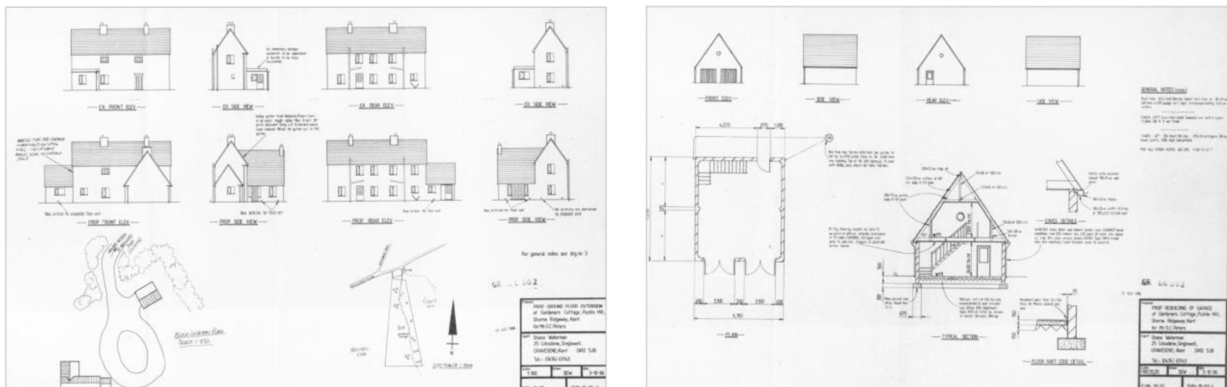
Current Google Earth Image:



The site has had built additions to it in the past, as can be seen from the above planning history, and was recently granted further permission under application 20210663 for the demolition of existing extensions and the construction of various new extensions to the property. Works on this have not yet been started.

There is also a concrete base for a detached garage at the northernmost part of the site by the entrance gate, which was granted under application 86/862. The submitted Planning Statement states that the proposal seeks to substitute the extant permission for a garage under this partially implemented permission (ref.1986/0862). Under this permission, changes to the house were partially implemented and the base for the garage was constructed but never built.

Plans granted under application 19860862:

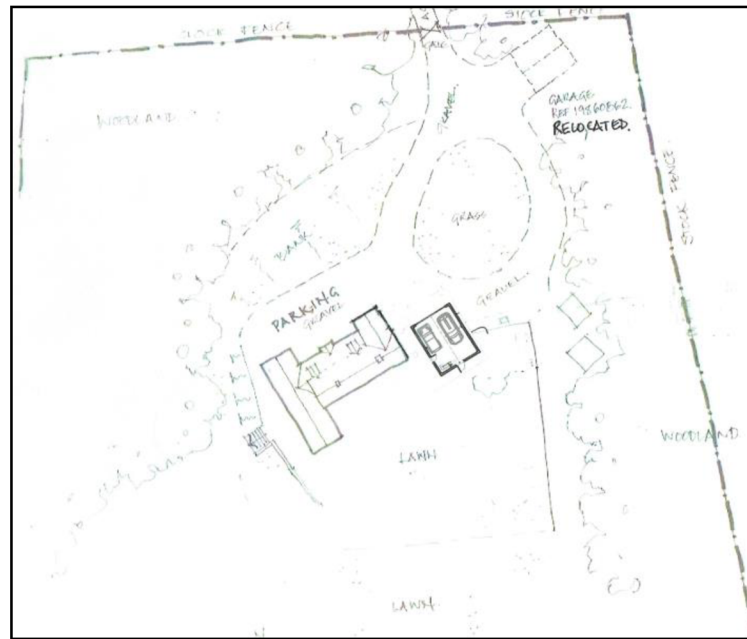


Proposed Development

This application seeks planning permission for the erection of detached double garage with a loft space at first floor level.

The proposed garage would be 'relocated' from its position granted under planning permission 19860862, to a position next to the house. In addition, a single storey store at the eastern side of the property granted under planning permission 20210663 would not be built, but instead would be incorporated into the proposed garage.

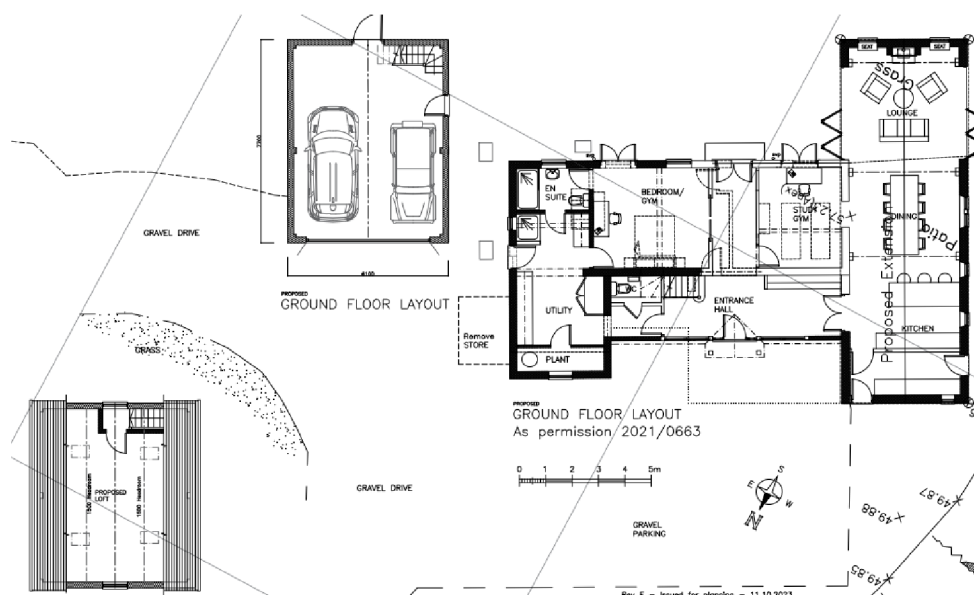
Proposed Site Plan:



Proposed North (front) Elevation:



Proposed Ground Floor / Garage Loft Plan:



The garage would be positioned 2.25m away from the eastern side of the house, would measure 6.1m in width, 7.7m in depth, 2.3m to eaves, and 5.6m in height.

The external elevations will be rendered with a plain clay tile roof.

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. Any very special circumstances?
4. The effect on the character and appearance of the area;
5. Impact on the Landscape; and
6. Other matters.

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

Green Belts are of great importance. The fundamental aim of Green Belt policy is to prevent urban sprawl by preserving the open and permanent characteristics of Green Belts (paragraph 137 of the NPPF 2023). Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Policy CS02 (LPCS) 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 LPCS.

Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt (paragraph 149 of the NPPF). However, there are exceptions to this which, as in the case of this proposal, include:

- (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- (e) the partial or complete redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt than the existing development or would not cause substantial harm to openness and would contribute to meeting an identified affordable housing need.*

With regards to 149 (d), whilst the application seeks to consider the proposed garage as a replacement building, the previously approved garage has not been constructed, apart from its base. It would, however, be a genuine fall back in considering a proposal for a detached garage on the site. Nonetheless, in this case, the exceptions under paragraph 149 (c) and (g) would seem

more appropriate in the assessment of the proposal given that there is no garage currently on the site. The proposed outbuilding would be incidental to the main dwelling, as it lies within its clearly defined curtilage and would have a close visual relationship with it (much closer than the previously approved garage). Its use as a garage/store would be domestic and ancillary to the main house. The proposal can therefore be treated as an extension to the dwelling; which essentially considers the size of the resultant building when assessing the impact on the Green Belt.

Saved Policy C13 of the Local Plan First Review (LPFR) (1994) relates to extensions to dwellings in the countryside, and generally seeks to maintain the open character of the Green Belt and retain a stock of rural dwellings of modest size. In relation to this proposal, criteria ii) states there will be an overall limit of one third of the gross floor area of the original dwelling prior to any later extension or alteration, unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling. Criteria (vii) is also relevant, which states that proposals for domestic garages and for other outbuildings will be considered on their individual merits but will be required to be well designed, discreetly sited and subservient to the scale of the main dwelling on the plot.

Turning to the matter of whether the proposed garage would be a disproportionate addition, the previous application 20210663 considered the size of the original dwelling and the proposed extensions to it:

	Original gross external floor area (m²)	Gross external floor area (m²) post-1948 extensions	Current proposed gross external floor area (m²)	Difference in gross external floor area between existing and proposed (m²)
Dwelling	112.3	200.5	233.9	>33.4
Percentage				>17%

Overall, with the proposal involving the demolition of parts of the existing building (65m²), the proposed extensions increased the total size dwelling by 33.4m², or 17%.

The proposed garage would have a gross external floor area of 46.97m². Less the floor area for the previously granted single storey side store (which would not be constructed if this proposal were to be granted), this would increase the proposed gross external floor area of the dwelling up to 280.87m² and increase the difference in current and proposed external floor area from 17% to 20%. This goes up to 42% when considering the difference between the original and proposed floor areas. This would be considered a disproportionate addition to the original property, and would be considered inappropriate in the Green Belt.

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

Paragraph 137 of the NPPF (2023) 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.

As established above, the application proposal would involve an inappropriate form of development at the application site.

The application site can be described as previously developed land as it is part of an existing residential site. As the proposed development would not provide affordable housing, the proposal

can also be judged against the first part of paragraph 149(g) of the NPPF 2023, which seeks to prevent a greater impact on the openness of the Green Belt than the existing development on a site. In this case, the proposal is considered as inappropriate development but its impact on the openness of the Green Belt must be also assessed.

The proposed detached garage is similar in size and scale to that granted under the previous partially implemented 19860862 permission. Therefore, in terms of openness, given that the 1986 permission is considered a genuine fall back and could reasonably be fully implemented at any time, the impact from the proposed building is considered negligible. This consideration would amount to special circumstances in this regard. Arguably, the proposed position of the garage is preferable to the 1986 permission in terms of the impact on openness, as the garage would be contained within the area of the existing building on the site, rather than in a currently open area under tree cover. There would therefore be no additional harm to the openness of the Green Belt from the current proposal and this is considered to overcome the harm from inappropriateness in this case.

Reference back to paragraphs 147 and 148 of the NPPF (2023) 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. Very special circumstances

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

4. Impact on the Landscape

In addition to being within the Green Belt, the site is located within

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.

Gardeners Cottage is set back from the road within an extensive wooded setting, meaning it cannot be seen from any public vantage point and therefore the impact on the wider landscape localised and limited. On this basis, the proposal would not result in an adverse visual impact on landscape character and in a similar vein, the proposed outbuilding would not be considered to be intrusive within its AONB setting. It must also be considered that a similar building has previously been approved on the site.

In relation to the ancient woodland, the proposed block plan indicates that the edge of the woodland is approx. 15.5m from the flank wall of the garage. This was confirmed in writing by the agent in an email received 17 October 2023. Therefore, the development would comply with KCC Biodiversity guidance and would prevent root damage for the trees within the woodland.

In addition, to protect the ancient woodland a condition will be placed on the decision notice to ensure that any lighting erected or placed on the garage is sensor activated only.

Overall, it is considered that the proposed garage would conserve the rural landscape context of this site within the AONB and Shorne Woodlands Landscape Character Area. As such, the proposal would comply with the relevant requirements of Policies CS02 and CS12 (LPCS), and paragraphs 130, 174 and 176 of the NPPF (2023).

5. 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. Moreover, Section 12 (Achieving well-designed places) of the NPPF (2023) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

Gravesham's newly published Householder Extensions/Alterations Design Guidance SPD (2021) set out key principles for developments. Generally, the SPD highlights the importance of new development complimenting and corresponding to existing character and the wider context. In this case, the rural character of the area and other surrounding dwellings should be considered.

In terms of the design of the proposed garage building has been redesigned as part of negotiations for this application. The height of the ridge has been reduced to mirror the approved gable extension to the front of the property, which creates a more balanced appearance. In addition, a window has been introduced on the front elevation that serves to break up the appearance. The building is set back behind the principal building line of the main dwelling and will be constructed using matching materials.

Therefore, the proposed garage is subservient to the main dwelling and would be in keeping with the character and appearance of the dwelling on the site and rural location, and in accordance with the requirements of saved policy C13 (LPFR), as well as Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

6. 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'. The proposed garage would allow for secure parking of vehicles on the property and is considered to safeguard the amenity of future occupiers.

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 (2023) requires development to have a high standard of amenity for existing users (in this case surrounding properties).

The proposed garage is not considered to impact the amenity of any adjoining property, due to the distance of Gardeners Cottage to the neighbours. As such, the proposal is considered to safeguard surrounding occupier amenity in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

Parking and Highways

There are no parking or highways issues related to this proposal.

Conclusion:

The application has been fully considered and is in accordance with local and national planning policy.

The proposed garage is not excessive in size, is subservient to and reflects the character of the main dwelling and is good design. The garage will replace the previously approved garage (ref. 19860862) and will be positioned closer to the dwelling which reduces the impact of the Green Belt and wider landscape character. There would be no impact on the amenity of future occupiers or surrounding residents and there are no parking or highway issues.

Therefore, the application has overcome the previous grounds of refusal and it is recommended that planning permission is granted subject to conditions.

Recommendation:

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	18 th October 2023	Dated:	19 th October 2023