



OUR REF: 4065.SC

PLANNING, DESIGN & ACCESS STATEMENT

AZILA, DEAN LANE HARVEL KENT DA13 0BS

MARCH 2024

1 INTRODUCTION

- 1.1** This statement is prepared in support of a householder planning application submitted on behalf of Mr T Harrar in relation to 'Azila' Dean Lane, Harvel, Kent, DA13 0BS. Planning permission is sought for the following development.

Demolition of existing workshop and garage buildings and erection of replacement garage and new outbuilding.

2 SITE CONTEXT

- 2.1** Azila is a detached bungalow situated on the north side of Dean Lane approximately 133m south-west of its junction with Dean Road and Strawberry Hill.
- 2.2** Other dwellings of various sizes and styles are sporadically sited nearby along either side of Dean Lane. Swift Farm and Dean Lodge are located some 60m to the north east of Azila. Opposite the property on the south side of Dean Lane is a detached dwelling Glengowie. Marlings is a detached property located approximately 170m south west of the application site.
- 2.3** The application property is located within the Kent Downs National Landscape and the Green Belt. The land and woodland to the north and south of the application site form part of the 'Strawberry Hill, Pasture & Woodland Local Wildlife Site' as indicated on the Core Strategy Policies Map 2014. This extends to around 74.25ha in area. There is no Semi-Natural or Replanted Ancient Woodland In the vicinity of the site.
- 2.4** Situated to the rear of Azila is a further detached dwelling 'Four Acres.' To the east of Azila is cluster of buildings forming an existing workshop and to the south east of Azila between the house and road is a detached building used as a garage/car port. It is these two buildings to which the current application proposals relate.

3 PLANNING HISTORY

- 3.1** The previous planning history relating to the Azila and Four Acres is as follows.

- [Replacement of a timber and asbestos bungalow with brick built structure](#)
Ref. No: 19490080 Status: Application Permitted
- [Outline application for the erection of one dwelling on part.](#)
Ref. No: 19740158 Status: Application Refused

- [Application for Lawful Development Certificate for the continued use of the building as a residential dwelling.](#)
Ref. No: 20180596 Status: Certificate Granted
- [Demolish two existing dwellings \(Four Acres and Azila\) and associated outbuildings, and replace with two single storey dwellings and two garden sheds.](#)
Ref. No: 20200230 | Status: Application Permitted
- [Demolition of two existing dwellings \(Four Acres and Azila\) and associated outbuildings, and replace with two chalet bungalows.](#)
Ref. No: 20210512 | Status: Application Withdrawn
- [Application for the approval of conditions 3, 7 and 8 attached to the planning permission reference number 20200230 relating to details of all external joinery and rainwater goods, including their colour finishes \(3\), a scheme of hard landscaping \(7\) and proposed soft landscaping scheme \(8\)](#)
Ref. No: 20221345 | Status: Permitted
- [Application for a Lawful Development Certificate in respect of the proposed 4m deep single storey rear extension and loft conversion with 8 rooflights.](#)
Ref. No: 20231103 | Status: Certificate Refused
- [Application for Lawful Development Certificate for the proposed erection of 2no. single storey rear extensions.](#)
Ref. No: 20240114 | Status: Pending Consideration

4 PROPOSALS

4.1 Full planning permission is sought for the following works;

Demolition of existing workshop and garage buildings and erection of replacement garage and new outbuilding

4.2 The workshop is located immediately to the east of Azila and the access leading to Four Acres. It lies within the established curtilage of Azila and is comprised of a number of structures that have been combined over the years. It has a footprint of 33.89m² and a volume of 72.82m³.

4.3 it is proposed to replace the existing somewhat randomly constructed structure with a rectangular structure that is 8m in length and 3.5m deep under a monopitch roof some 2.527m high at the rear and 2.850m at the front. The Gross External Area (GEA) of the building would be 28m² and the volume 75.36³. The building would have an 'Onduline' or similar roof and external walls would be formed from black horizontal boarding.

4.4 The garage to be replaced is located immediately adjacent to but north-east of the site access from Dean Lane. It has a footprint of 29.66m² and a volume of 77.76m³. The proposed replacement garage would be 4.16 in

width and 5.83m deep. It would be 2.496m to eaves at the front and 1.302m at the rear (closest to Dean Lane) and have a pyramidal roof with a maximum height of 4.457m to the ridge. The Gross External Area (GEA) of the building would be 24.25m² and the volume 75.1m³. The building would have a plain clay tile roof and external walls would be formed from black horizontal boarding.

5 PLANNING POLICY

- 5.1** Section 38(6) of the Planning and Compensation Act 2004 requires that where regard is had to the Development Plan decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan for the District comprises the Core Strategy 2014 and the saved policies of the Gravesham Local Plan First Review 1994.
- 5.2** Relevant policies in the Core Strategy are policy CS01 (relating to sustainable development that reflects the advice in the NPPF and the presumption in favour of approving development that accords with the development plan), CS02 (Scale and location of New Development), CS12 (Green infrastructure), CS19 Development and Design Principles (Sets out general design principles to which new development should seek to comply). The relevant policy in the Gravesham Local Plan First Review 2014 is Policy C13, which covers extensions to dwellings in the countryside. The policies are attached at **Appendix One**.
- 5.3** The National Planning Policy Framework (NPPF) 2023 is also relevant as a material consideration. Paragraph 7 advises that the fundamental basis of the planning system is to achieve sustainable development and paragraph 8 outlines the three integral and intertwined overarching objectives in pursuit of sustainable development (economic, environmental and social). Paragraphs 10 and 11 set out a presumption in favour of sustainable development and advise that proposals should be approved without delay where they are in accordance with an up-to-date development plan or in cases where the development plan policies are not up-to-date or are silent unless there would be unacceptable harm to specified areas (such designated Green Belt land or land within AONBs) or where the disadvantages of granting permission significantly and demonstrably outweigh the benefits.
- 5.4** Chapter 13 of the NPPF covers the protection of Green Belt land in respect of which, the protection of the function of the Green Belt and maintenance of openness is of great importance and weight. Green Belts have five main functions as set out in NPPF paragraph 143 as follows.

- a) to check the unrestricted sprawl of large built-up areas;

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

5.5 Paragraph 152 of the NPPF advises that inappropriate development is by definition harmful to the Green Belt. Paragraph 154 sets out the types of development that may be considered as appropriate development which includes inter-alia extensions to existing buildings provided that certain caveats are met.

5.6 The implications of the site's Green Belt location are addressed in detail later in this statement.

5.7 Section 15 of the NPPF addresses the Natural Environment. Paragraph 182 advises that;

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty (National Landscapes) which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'

5.8 Paragraph 183 addresses proposals for major development within nationally designated and protected landscapes. The application proposals are not classified as major development.

PLANNING ISSUES

6.1 There are three main issues that should be considered.

- i) Whether the development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
- ii) The effect on the openness of the Green Belt;
- iii) The effect of the development on the character and appearance of the area which is part of a designated National Landscape, and the adjacent residential properties;

i) Whether inappropriate development.

6.2 The NPPF advises that inappropriate development is by definition harmful

to the Green Belt and should not be approved except in Very Special Circumstances (paragraph 152).

- 6.3** Paragraph 154 of the NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.' It then goes on to list the following exceptions.

'a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or

- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.'

- 6.4** Replacing the existing structures therefore potentially falls under the exceptions allowed at Para 154(d), which allows for the replacement of a building provided that the proposed building is in the same use and not materially larger than the one it replaces.

- 6.5** In assessing whether the proposed buildings are acceptable, there is also a saved Local Plan policy (policy C13) that is of relevance. However, this policy is now essentially 29 years old with the Local Plan having originally been adopted in November 1994. It therefore also significantly pre-dates the NPPF. Policy C13 should therefore be considered to be out of date unless it is in conformity with the guidance in the NPPF.

- 6.6** Policy C13 advises the following in respect of outbuildings;
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'(vii) 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.'

- 6.7** It is contended that the two replacement buildings specifically meet criterion (vii) of Policy C13 in that they are well designed and indeed will enhance the appearance of the site compared to the current buildings. They are also discreetly sited and subservient to the scale of Azila.
- 6.8** Furthermore, the two proposed buildings are not materially larger than the buildings they will replace as demonstrated below.

	Footprint (GEA) m ²		Volume m ³	
	Existing	Proposed	Existing	Proposed
Workshop	33.89	28	72.82	75.36
Garage	29.66	24.25	77.76	75.1
TOTAL	63.55	52.25	150.58	150.46

The workshop has a smaller footprint and whilst it has a very marginally larger volume this is only 2.54m³ to enable improved internal headroom, and is not considered to be materially larger in the sense of NPPF paragraph 154 (d). The proposed garage has both a smaller footprint and volume than the existing structure. Cumulatively, both the proposed footprint and volume are lower than those of the existing structures.

- 6.9** It is contended therefore that the proposed buildings can be considered as appropriate development in the Green Belt development and that they also comply with criterion (vii) of saved policy C13 of the 1994 Local Plan

ii) The effect on the openness of the Green Belt

- 6.10** The impact on openness is implicitly taken into account in the exceptions to inappropriate development unless there is a specific requirement to consider the actual effect on openness.
- 6.11** In this case NPPF paragraph 154(d) does not require an additional consideration of openness. As such, there is no requirement to separately assess the impact of the development on the openness of the Green Belt.
- 6.12** Notwithstanding this, there would not be an unacceptable spatial impact on the Green Belt considering that footprint and volume of the two new buildings is lower than those which they will replace.

6.13 In terms of a visual impact, both the proposed outbuilding and the garage will be of a more appropriate design and materials than the existing structures and enhance the character and appearance of the area.

iii) The effect of the development on the character and appearance of the area and adjacent residential properties

6.14 The application site is located within a nationally protected landscape in a countryside location outside the limits of a defined settlement. Nevertheless, there are a number of existing dwellings in the vicinity of the application site and thus the surrounding area is not entirely free from development.

6.15 The new outbuilding would be sited approximately 20m from the highway compared to the 17m of the existing structure. It would be clad in black timber boarding which is an appropriate material commonly found in the area. It would not be readily visible from outside the site save for a glimpse through the site access. It would not appear out of character with the area or serve as a discordant feature.

6.16 The new garage would also be finished in black timber boarding. It would have a pyramidal plain clay tile roof with a 'cat-slide' on the elevation facing the Lane outside the site. Cat-slides are a common feature of the local vernacular on dwellings and outbuildings. The garage would be sited approximately 1m further from the Lane at its closest point than the existing building. The proposed materials and design would, however, result in a substantial visual improvement and enhancement.

6.17 It is considered that the proposed buildings would have an acceptable and enhancing impact on the character and appearance of the area and this part of the Kent Downs National Landscape.

6.18 The separation of the proposed buildings from nearby dwellings is such that their use or siting would have no adverse impact on the amenities that the occupiers of those dwellings could expect to be able to continue to enjoy.

Other matters

6.19 The proposed development would not result in any additional impact on the local highway network.

6.20 The site is located in Flood Zone 1 and will not result in increased flood risk on the property or elsewhere in the vicinity.

7.0 CONCLUSIONS

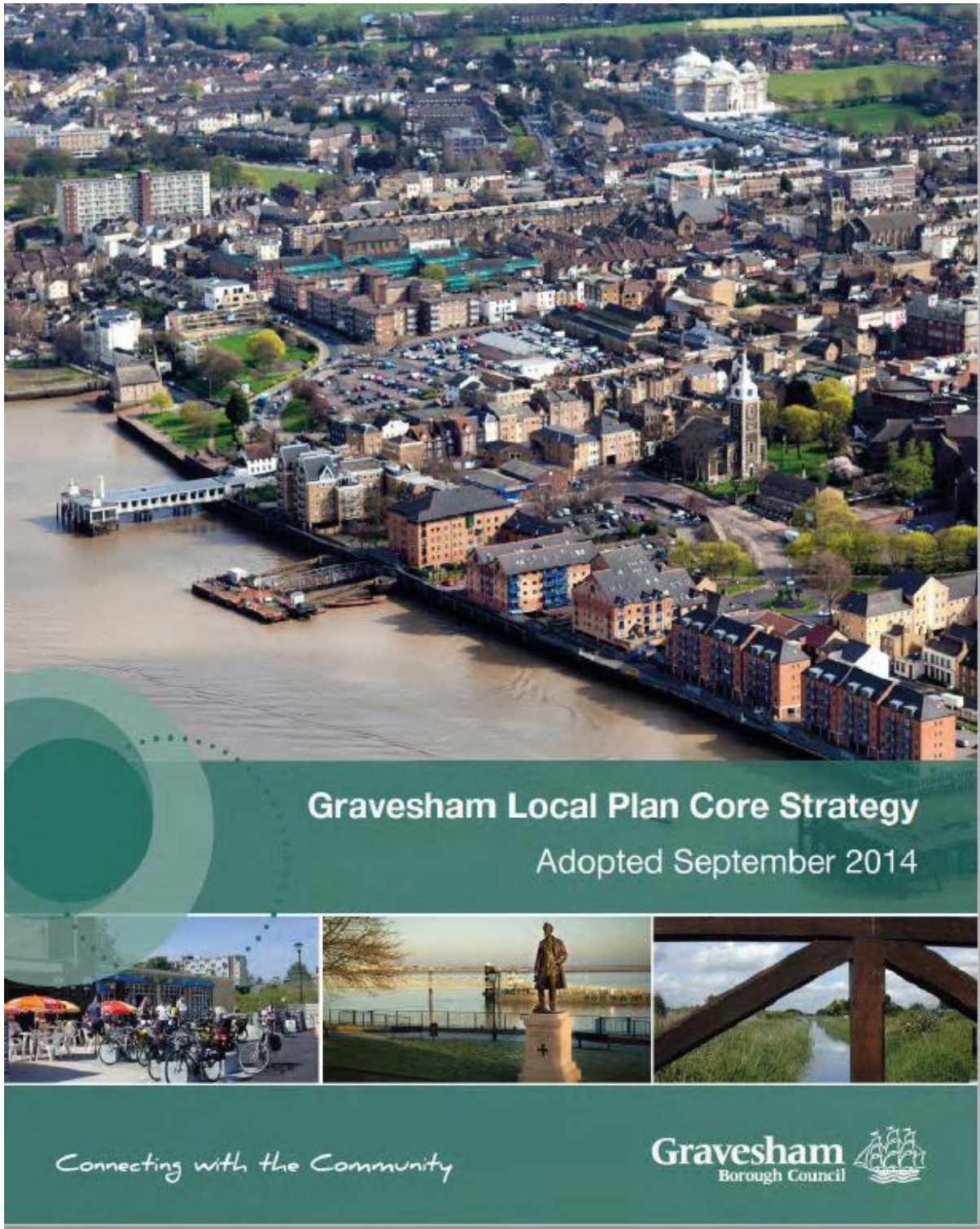
7.1 The proposals would not be in conflict with the five purposes of the Green

Belt as set out in paragraph 143 of the NPPF.

- 7.2** The proposals are considered to constitute appropriate development in the Green Belt as direct replacements for existing buildings. Whilst the exception at NPPF paragraph 154(d) does not explicitly require an assessment of openness, it is contended that in spatial and visual terms any impact on openness would be marginal.
- 7.3** The proposals are acceptable in terms of their overall design in terms of their impact on the character of the surrounding area a nationally designated landscape and the amenities of the occupiers of neighbouring properties will not be affected by the development.
- 7.4** For all these reasons, the Council are respectfully requested to grant planning permission for these development proposals.

APPENDIX ONE

DEVELOPMENT PLAN POLICIES



Gravesham Local Plan Core Strategy

Adopted September 2014

Policy CS01: Sustainable Development

4.1.6 Planning applications that accord with the policies in the development plan for Gravesham will be approved without delay, unless material considerations indicate otherwise.

4.1.7 When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and in this Core Strategy. It will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

4.1.8 Where there are no policies relevant to the application or 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.**

Policy CS02: Scale and Distribution of Development

4.2.24 The development strategy for the Borough is to retain and improve the existing stock of housing and suitable employment land and to make provision for the Borough's objectively assessed need for at least 6,170 new dwellings delivered at a variable rate as follows; at least 325 dwellings per year for 2011/2012 – 2018/2019, at least 363 dwellings per year for 2019/2020 – 2023/2024, at least 438 dwellings per year 2024/2025 – 2027/2028, and at least 186,490 sq m gross employment floorspace (within use classes B1, B2 and B8) during the plan period.

4.2.25 Development will be distributed throughout the Borough as follows: around 3,890 new dwellings and around 186,490 sq m gross employment floorspace (within use classes B1, B2 and B8) will be provided in the Opportunity Areas at Northfleet Embankment and Swanscombe Peninsula East; Gravesend Riverside East and North East Gravesend; Ebbsfleet (Gravesham) and Gravesend Town Centre and on land at the Coldharbour Road Key Site; around 2,280 new dwellings will be provided on other sites in the urban area and rural settlements inset from the Green Belt.

4.2.26 The strategy prioritises development in the urban area as a sustainable location for development. This will be achieved by:

- **Promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area. This will be principally through redevelopment of former industrial sites in the Opportunity Areas of Northfleet Embankment and Swanscombe Peninsula East, and Gravesend Riverside East and North East Gravesend to create new residential neighbourhoods and employment areas;**

- The continued development of a new sustainable mixed use community in the Ebbsfleet (Gravesham) Opportunity Area, which will include the provision of high quality employment floorspace;
- Revitalising the Gravesend Town Centre Opportunity Area as a focal point for retail, leisure, cultural and tourism facilities and small scale office provision to serve the needs of the Borough whilst preserving and enhancing its character as a riverside heritage town; and
- Bringing forward a range of suitable sites in other parts of the urban area for residential and employment development, including Land at Coldharbour Road Key Site.

4.2.27 In the rural area, development will be supported within those rural settlements inset from the Green Belt and defined on the Policies Map. 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. The extent of the Green Belt is defined on the Policies Map. A strategic Green Belt boundary review will be undertaken to identify additional land to meet the housing needs up to 2028 and to safeguard areas of land to meet development needs beyond the plan period, while maintaining the national and local planning purposes of the Green Belt.

Policy CS12: Green Infrastructure

5.7.22 A multifunctional linked network of green spaces, footpaths, cycle routes and wildlife stepping stones and corridors will be created, protected, enhanced and maintained. The network will improve access within the urban area, from the urban area to the rural area and along the River Thames. The key parts of the network are identified on Figure 19: Strategic Green Infrastructure Network.

5.7.23 Sites designated for their biodiversity value will be protected, with the highest level of protection given to internationally designated Special Protection Areas, Special Areas of Conservation and Ramsar sites, followed by nationally designated Sites of Special Scientific Interest, followed by Local Wildlife Sites and then by other areas of more local importance for biodiversity.

5.7.24 There will be no net loss of biodiversity in the Borough, and opportunities to enhance, restore, re-create and maintain habitats will be sought, in particular within the Biodiversity Opportunity Areas shown on the Strategic Green Infrastructure Network map and within new development.

5.7.25 Where a negative impact on protected or priority habitats/species cannot be avoided on development sites and where the importance of the development is considered to outweigh the biodiversity impact, compensatory provision will be required either elsewhere on the site or off-site, including measures for ongoing maintenance.

5.7.26 The overall landscape character and valued landscapes will be conserved, restored and enhanced. The greatest weight will be given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs Area of Outstanding Natural Beauty and its setting. Proposals will take account of the Kent

Downs Area of Outstanding Natural Beauty Management Plan, the Gravesham Landscape Character Assessment, and the Cluster Studies where relevant.

Policy CS19: Development and Design Principles

5.15.14 New development will be visually attractive, fit for purpose and locally distinctive. It will conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. The design and construction of new development will incorporate sustainable construction standards and techniques, be adaptable to reflect changing lifestyles, and be resilient to the effects of climate change. This will be achieved through the criteria set out below:

- Using the collaborative approach advocated in Building for Life 12 and in line with the guidance set out in Kent Design, 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. Account will be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings. Account will also be taken of the wider site context, including strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place;
- New development will encourage sustainable living and choice through a mix of compatible uses which are well connected to places that people want to use, including the public transport network, local services and community facilities; encourage sustainable travel; enhance Green Grid links and encourage healthier lifestyles;
- New development will be located, designed and constructed to:
 - safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land;
 - avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination; and
 - not pose an unacceptable risk or harm to the water environment, including the quality and/or quantity of ground waters, surface waters, wetlands and coastal water systems;
- The design and layout of new residential development, including conversions, will accord with the adopted Residential Layout Guidelines;
- New development will be designed in an inclusive way to be accessible to all • members of the community;
- New development will provide appropriate levels of private and public amenity • space;
- New development will include details of appropriate hard and soft landscaping, public art, street furniture, lighting and signage and will ensure that public realm and open spaces are well planned, appropriately detailed and maintained so they endure;
- Car parking will be well related to the development it serves;

- New development will protect and, where opportunities arise, enhance biodiversity and the Borough's Green Infrastructure network. Support will be given to environmental enhancements where opportunities arise;
- New development will be fit for purpose and adaptable to allow changes to be made to meet the needs of users;
- The design and layout of new development will take advantage of opportunities to build in resilience to the effects of climate change. This will include protection against flood risk, where relevant, delivering carbon reduction, provision for low carbon and renewable energy, and minimising energy consumption and water use;
- New development will incorporate appropriate facilities for the storage and recycling of waste; and
- The layout of new development will create a safe and secure environment and provide surveillance to minimise opportunities for crime and vandalism.

Gravesham Local Plan First Review
Saved and Deleted Policies Version (September 2014)

Connecting with the Community

Gravesham
Borough Council 

Policy C13

Extensions to dwellings will be considered on their merits but the Borough Council will expect the following criteria to be satisfied:-

- (i) The existing dwelling must be an “original dwelling”* in permanent use as a dwelling.*
- (ii) There will be an overall limit of one third of the gross floor area of the original dwelling (measured externally) prior to any later extension or alteration, unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling.*
- (iii) Those extensions which provide essential basic amenities such as a bathroom, toilet or kitchen, which are currently not available or are clearly inadequate, will normally be permitted.*
- (iv) The extension shall not be in a form which would facilitate the future formation of a separate residential curtilage.*
- (v) The dwelling to be enlarged must have sufficient curtilage to accommodate the extension without undue visual intrusion into the open countryside.*
- (vi) The appearance, massing, scale, form and materials of any extension shall be appropriate to the existing dwelling and the Green Belt setting.*
- (vii) 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.*