

Delegated Report

Planning Application

Application no: 20220620

Location: Orchard Cottage, Round Street Cobham Gravesend DA13 9AY

Description: Application for approval of condition 10 attached to planning permission reference number 20211129 relating to a soft landscaping including proposed new tree planting, hedging and other planted areas and details of types, species, numbers, and sizes of plants

Applicant: Austin Edwards

Site Visit Date: 13 October 2021; 06 January 2022

Site and Surroundings

Orchard Cottage (formerly Imanwe) is a two-storey extended semi-detached dwelling within large grounds on the northeast side of Round Street Cobham in a rural location within an area of sporadic development.

The application site is shown in the red line boundary plan below and comprises a paddock area having an area of 0.13 ha (0.32 acres) adjoining the 'L' shaped dwelling curtilage and containing two buildings, a former stable building now in use as study/home office and domestic store and a further outbuilding in use as a home gymnasium and games room.



The paddock has a separate vehicle access in the southwest corner on to Round Street, beyond which the paddock is enclosed by timber fencing and 2m high metal gates (replacing a traditional low field gate) and there is hedging to the road frontage. Much of the paddock is grassed although there is a roughly surfaced parking area.

The main dwelling is rendered and painted white and with a clay tiled roof. Within the dwelling curtilage/garden there is a single concrete garage, a metal storage building (bike shed) and a timber shed, the latter which is located at the rear of the garden. The dwelling has a separate gated access to the side of the dwelling and a surfaced parking and turning area for 3-4 cars.

Photographs below show the existing paddock area and gates - January 2022



The garden area for the dwelling is separated from the paddock by a post and wire fence supplemented by hedging and trees. There is a timber gate that connects the paddock to the house garden.

Opposite the site is Blackhorse Cottage, which is a C15 timber-framed south end of hall house, with the remainder rebuilt C17 and it is a Grade II listed building. There is a public footpath, NS185, which runs along the southern edge of the paddock area. Round Street is an unclassified rural road, which is narrow and winding mostly single lane width with passing places. The site is within a Green Belt area, well outside of any rural settlement or village.

The applicant also owns a large field to the rear of the existing garden and paddock that is laid to grass but contains no buildings. It is accessed from a field gate towards the end of the paddock area. Beyond this is Jeskyns Country Park.

Planning History

Planning Applications

Ref No	Description and Site	Decision	Date
19820045	Erection of single storey and two storey rear extension to form kitchen dining room with bedroom at first floor level.	Permission	15.03.1982
19820292	Erection of single storey and two storey rear extension to form kitchen dining room with bedroom at first floor level.	Permission	09.06.1982
19860649	Erection of a single storey front extension to form a wc and porch	Permission	04.11.1986
19900135	Erection of part two storey and part single storey side extension to form nursery and study with bathroom and dressing room at first floor level.	Refused	12.04.1990
19900534	Erection of part two storey and part single storey side extension to form bedroom and nursery with ensuite bathroom and dressing room at first floor level.	Refused	15.10.1990
19900837	Erection of part two and part single storey side extension to form bedroom and nursery/playroom with ensuite bathroom at first floor level.	Permission	07.02.1991
19930144	Change of use of land to grazing land for one horse and erection of stable block comprising loose box, tack room and hay store.	Permission	15.02.1994
20180808	Installation of a wooden building to create a granny annex.	Refused	10.07.2019
20191144	Change of use of land from paddock to residential and erection of a detached ancillary granny annexe.	Withdrawn	18.12.2019
20211129	·*AMENDED APPLICATION/REVISED DESCRIPTION·* Retrospective application for a partial change of use to the paddock land to allow for the conversion of existing stable block into storage and study/home office, the installation of external cladding and erection of a detached outbuilding to be used as a family room to be used incidental to main dwelling, retention of fencing & gate to paddock.	Permission	13.05.2022

Proposal

This application is for approval of condition 10 attached to planning permission reference number 20211129 relating to a soft landscaping including proposed new tree planting, hedging and other planted areas and details of types, species, numbers, and sizes of plants.

It follows on from the retrospective permission given earlier this year for a partial change of use to the paddock land to allow for the conversion of existing stable block into storage and study/home office, the installation of external cladding and erection of a detached outbuilding to be used as a family room to be used incidental to main dwelling, retention of fencing & gate to paddock.

Submitted Plans and Documents

Planning Application Form

Details of Soft Landscaping dated 07 June 2022 prepared by Harriet Bedford (AJW-CS Property Services Company)

Details of the Development

The details state:

The applicant would like to divide the approved new curtilage of the garden and paddock with a mixed native hedging (hawthorn/bird cherry/field maple/hornbeam/hazel/blackthorn) with a wooden bar gate in the middle for access, appropriate to the rural area.

This hedging is fully acclimatised to the UK, so can tolerate many types of soil and weather, ensuring its successful growth. This native hedge will also offer varied habitats for the local wildlife, offering food, shelter, and protection.

The applicant would also like to place six hornbeam plants (2 litre pots) in front of the fencing to the left-hand side of the new entrance gates to soften their appearance and be sympathetic to the surrounding hedging of Round Street. Hornbeam bushes provide year-round cover and seasonal interest, as well as providing a wonderful habitat for wildlife.

A mixture of native climbers, including ivy & honeysuckle will be planted on the right-hand side to soften the fence, provide much value to the local wildlife particularly bees and butterflies.

Development Plan and other related Planning Policies and Guidance

The Development Plan for Gravesham currently comprises:

- *The Gravesham Local Plan Core Strategy and Policies Map (September 2014)*
- *Remaining Saved Policies in the Gravesham Local Plan First Review (November 1994), and*
- *The Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016, revised 2020)*

Local Planning Guidance

Gravesham Local Plan Core Strategy, September 2014

The Core Strategy sets out the Council's spatial vision and strategic objectives for the Borough to 2028 and the policies which will deliver them. It identifies the main areas where major change is likely to take place and allocates sites which are key to achieving the strategy.

The whole of the application site is shown as being within a **Green Belt area** (Policy CS02) outside of any rural settlement in the Gravesham Local Plan Policies Map.

The following development plan policies in the Gravesham Local Plan Core Strategy are relevant to the consideration of this particular application:

Core Strategy Policy CS01: Sustainable Development

Core Strategy Policy CS02: Scale and Distribution of Development

Core Strategy Policy CS12: Green Infrastructure

Core Strategy Policy CS19: Development and Design Principles

Gravesham Local Plan First Review 1994

The Gravesham Local Plan First Review was originally adopted in November 1994. The following remaining saved policies are relevant:

Policy C18: Incorporation of Additional Land into Residential Gardens
Policy T5: New Accesses onto Highway Network

Review of Local Plan

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

The Council undertook such a review in September 2019 and the review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2021), the Council will also seek to replace these.

Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020

The Council published in 2020 a Regulation 18 (stage 2) consultation on its proposed Development Management Policies Document, replacing the 2018 Stage 1 version, which will in due course form part of and update the Gravesham Local Plan. Under paragraph 48 of the NPPF 2021, policies in this document may be accorded weight in the decision-making process with this varying according to its stage of preparation; the extent to which there are unresolved objections; and the degree of consistency of policy with those in the Framework. As the Development Management Policies Document is at an early stage and the fact that the consultation has only recently concluded, the policies therein should at this stage be given very limited weight. It should be noted, in any event, that many of the relevant policies reflect those set out in the Framework and for the purposes of this pre-application these should be relied on instead.

The following draft policies from the Regulation 18 (Stage 2) Development Management Policies Document (2020) show the direction of travel the Council is going albeit the weight that these emerging policies may be accorded at this stage is very limited.

Proposed Policy GI 5: Landscape Character

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) 2021 is a material consideration. The following paragraphs are specifically highlighted as being of importance to the consideration of the development proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered.

Section 2, Paragraphs 7 - 14: Achieving Sustainable Development
Section 4, Paragraphs 38 - 59: Decision Making
Section 12, Paragraphs 126 - 136: Achieving well-designed places
Section 13, Paragraphs 137 - 151: Protecting Green Belt Land
Section 15, Paragraphs 174 - 188: Conserving and Enhancing the Natural Environment

The National Planning Practice Guidance (NPPG)

Planning Practice Guidance (<http://planningguidance.planningportal.gov.uk/>) supports and clarifies areas in the NPPF. It contains guidance on assessing housing need; design; public consultation; open space provision in new development; travel plans, transport assessments and statements in decision-taking; health and wellbeing; water supply, wastewater and water quality; light pollution; determining a planning application; the use of planning conditions and viability, amongst other things. The NPPG gives guidance on what is a material planning consideration in determining a planning application indicating that the impact

of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.

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

Supplementary Planning Guidance and other Documents

The Council has adopted a number of Supplementary Planning Guidance documents, Development Briefs and Conservation Area Appraisals. These elaborate on saved policies in the Gravesham Local Plan First Review and policies in the Gravesham Local Plan Core Strategy and are material considerations in determining planning applications.

In addition, the Council has adopted a number of documents that have been produced by Kent County Council also as Supplementary Guidance.

The following documents are relevant to the consideration of this particular application:

- Gravesham Landscape Character Assessment, May 2009, (a technical document which underpins policy CS12 of the Gravesham Local Plan Core Strategy)

Consultations, Publicity and Representations

Internal Consultations

GBC Horticultural Services

No comments received

External Consultations

None undertaken

Publicity and Representations

None required for discharge of planning conditions

Planning Analysis and Appraisal

Introduction/Background

Planning permission was granted on 13 May 2022 (ref 20211129) for a retrospective application for a partial change of use to the paddock land to allow for the conversion of the existing stable block into storage and study/home office, the installation of external cladding and erection of a detached outbuilding to be used as a family room to be used incidental to main dwelling, retention of fencing & gate to paddock.

The permission was subject to eleven planning conditions.

The plan below shows the location of the former stable (annotated office) which has been altered, reclad and retiled and is now in use as an office, store and domestic bar, games area and a further building annotated as family room which is already built and in use as a gym and games room for the occupants of

Orchard Cottage. The site area of the original application included the whole of the red line area, but this was subsequently revised so that the change of use of the paddock only related to the area outlined in green, thus a much more limited area.



The photos below show the two buildings within the paddock for which retrospective permission was given to retain including for the alterations to the former stable building.



The Condition relevant to this submission

Condition 10 of 20211129 states:

10. Within six months of the date of this permission a soft landscaping including proposed new tree planting, hedging and other planted areas and details of types, species, numbers and sizes of plants shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details for the delineation of the extended garden curtilage area and the remaining paddock area and the softening and screening to the access/entrance into the paddock. The scheme shall include hedging to the boundaries of the site and shall include the use of indigenous species. The landscaping scheme shall be implemented within the first planting season following this permission and thereafter maintained for a period of 5 years.

Reason: *In order to safeguard the openness of the Green Belt and the countryside character and visual amenity of the surrounding area and in line with Policies CS02, CS12, and CS19 of the Gravesham Local Plan Core Strategy September 2014, saved Policy C11 of the Gravesham Local Plan First Review 1994 and the National Planning Policy Framework (NPPF) 2021.*

Submitted Details to discharge condition

Details of Soft Landscaping dated 07 June 2022 prepared by Harriet Bedford (AJW-CS Property Services

Company)

Comments

The details submitted comply with the requirements of condition 10 of the planning permission granted under reference 20211129 in that the proposals are for a mixed native hedging (hawthorn/bird cherry/field maple/hornbeam/hazel/blackthorn) with a wooden bar gate in the middle for access.



The image of the gate is shown across the page and is appropriate to the rural location

Hornbeam plants are also proposed to the left side of the new entrance gates to the paddock from Round Street and with native climbers to the right-hand side against the fencing next to the gates. Whilst the existing dark metal gates which are quite prominent will still remain, the soft landscaping will assist in softening the appearance of the entrance to the paddock.



Conclusions and Balancing Exercise

The details submitted pursuant to this condition accords with national and local policy and notably policies CS12 (Green Infrastructure), and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 and the National Planning Policy Framework (NPPF) 2021, Section 12: Achieving well-designed places and Section 15: Conserving and Enhancing the Natural Environment.

There have been no adverse comments from consultees or any other relevant responses.

It is therefore recommended that approval be given to condition 10 of application ref 20211129 in relation to soft landscaping.

Recommendation:

APPROVAL OF DETAILS subject to informatives

Planning Conditions

None

INFORMATIVES

1 EXTENT OF THE APPROVAL

For the avoidance of doubt the approval hereby given relates only to the details submitted pursuant to condition 10 attached to planning permission reference number 20211129 in respect of soft landscaping

The approval does not amend any other part of that permission or discharge any of the other planning conditions attached to that permission, subject to those conditions still subsisting or capable of taking effect.

2 STATUS OF SUBMITTED PLANS AND DOCUMENTS

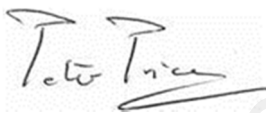
For the avoidance of doubt the following plans, details and particulars were submitted in support of this application for approval of details pursuant to planning conditions and were taken into account in making the decision:

Planning Application Form

Details of Soft Landscaping dated 07 June 2022 prepared by Harriet Bedford (AJW-CS Property Services Company)

3 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

Case Officer:	Mr Peter Price	Team Leader:	Faye Hobbs
Signed:		Signed:	
Dated:	02 August 2022	Dated:	02 August 2022