



Delegated Report

Planning Application

Planning Application No: 20211281

Location: Old Pond Farm Dean Lane Harvel Gravesend

Description: Demolition of existing garage and storage building and erection of residential annexe ancillary to the main dwelling.

Applicant: Hilary Hinde

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

The application comprises the following documents and plans:

- Application Form;
- Design and Access Statement;
- Location Plan (plan no. 21-22-11);
- Existing Site Block/Roof Plan (plan no. 21-22-12);
- Proposed Site Block/Roof Plan (plan no. 21-22-13);
- Existing Elevations (plan no. 21-22-14);
- Existing & Proposed Plans (plan no. 21-22-15); and
- Proposed Elevations (plan no. 21-22-16).

Relevant Planning History

Application Ref. No.	Description	Status	Date
20211301	Application for Listed Building Consent for the demolition of existing garage and storage building and erection of residential annexe ancillary to the main dwelling.		
20210882	Demolition of existing garage and erection of residential annexe ancillary to the main dwelling	Refused	08.09.2021
20210905	Application for Listed Building Consent for demolition of existing garage and erection of residential annexe ancillary to the main dwelling.	Refused	10.09.2021
20111029	Application for Listed Building Consent for the replacement of the thatched roof of the music room	Permission	12.03.2012

with tiles.

19820077	Erection of single storey side extension to form garden store and repositioning of oil tanks	Permission	15.03.1982
19820106	Application for Listed Building Consent for re-roofing by substituting thatch for tiles	Permission	07.04.1982
19820041	Application for Listed Building Consent for the erection of single storey side extension to form garden store and wc	Permission	15.03.1982
19810147	Erection of a loose box and tack room	Permission	14.04.1981
19760778	Details pursuant to conditions (i), (ii), (iii), (iv) and (v) in respect of details of detached farm house farm office and garage	Approval of Details	12.01.1977

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20 – Heritage

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- TC2 – Listed Buildings
- TC3 – Development effecting Cons

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
- 4 – Decision making
- 9 – Promoting sustainable transport
- 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

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- SPG 4 - KCC Parking Standards (2006)
- Landscape Character Assessment (2009)
- Technical Housing Standards - Nationally Described Space Standards (2015) (NDSS)
- Harvel Conservation Area Appraisal (2017)
- Management Plan Conservation Area Appraisals (2016)

The Council has a statutory requirement under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a statutory duty in considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Consultations, Publicity and Representations

Meopham Parish Council

The Parish Council objections, as the application is more akin to a separate dwelling rather than dwelling. Resulting is more harm to Green Belt.

GBC Conservation Area

No comment.

KCC Heritage Advisor

The proposed development unlikely to have significant impact on the multi-period archaeological potential of the area. No adverse comments made.

Neighbouring properties

The application has been advertised by individual neighbour letters to 12 properties, a site notice/press notice. The consultation periods expired on 9 November, 19 November 2021 respectively.

The Local Ward Councillors were also consulted and no responses were received.

Neighbour comments summarised below;

- A comment of support for the application.

Officer's Analysis

Site and Surrounding Area

Old Pond Farm is a Grade II listed building, located in the Harvel, Conservation Area, the Green Belt, and in the Harvel Wooded Down Landscape Character Area as defined on the adopted Gravesham Local Plan Core Strategy policies map and this must be the starting point for determining this application.



The proposal is for the demolition of existing garage/storage/workshop building and erection of residential annexe ancillary to the main dwelling.

Principle Issues

The main issues for consideration in the determination of this application are as follows:

- Recent Planning History
- Appropriateness of Green Belt development;
- Impact on openness of the Green Belt;
- Whether Very Special Circumstances exist
- Impact on the Setting of the grade II Listed Building
- Impact on the conservation area
- Impact on adjacent properties;
- Parking and Highways

The current planning application and the associated listed building application (ref 20210905) seek to address the reasons for refusal of the previous similar applications at the site under applications references 20210882 and 20210905.

Recent Planning History

For the planning application (ref 20210882), the reasons for refusal were the following;

1. *The proposed annexe, by virtue of the resultant additional bulk, scale and massing, will result in a disproportionate addition that fails to complement the form of the existing Grade II Listed dwelling. The proposal represents a disproportionate addition and exceeds the one third limit to the original outbuilding, which will harm the openness of the Green Belt. Therefore the proposal would be inappropriate development in the Green Belt is contrary to saved Policy C13 of the Gravesham Local Plan First Review (1994), Policies CS01 (Sustainable Development), CS02 (Scale and Distribution of Development) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (2014), and Sections 13 and 15 of the National Planning Policy Framework (2021).*
2. *The proposed annexe, by virtue of the resultant additional height, bulk, scale and massing, would not protect the integrity or the setting of the grade II listed building, known as Old Pond House. The proposal would be contrary to Policy CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (2014), and Section 15 of the National Planning Policy Framework (2021).*
3. *By virtue of the resultant additional height bulk, scale and massing, the proposed annexe would result in a disproportionate addition that fails to preserve or enhance the Harvel, Meopham Conservation Area. Therefore the proposal would be inappropriate development in the Conservation Area contrary to Policy CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (2014), and Section 15 of the National Planning Policy Framework (2021).*

For the listed building application (ref 20210905), there was a single reason for refusal;

1. *The proposed annexe, by virtue of the resultant additional height, bulk, scale and massing, would not protect the integrity or the setting of the Grade II Listed Building, known as Old Pond House. The proposal would be contrary to Policy CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (2014), and Section 15 of the National Planning Policy Framework (2021).*

Notwithstanding the submission of the associated Listed Building Consent application, under section 8(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires consent for demolition of a listed building. Although, the Listed Building Consent is not considered necessary as the building to be demolished is not in fact listed. Rather it is the main dwelling that is listed i.e. Old Pond House (HE listing ref 1350237). Therefore, the Listed Building Consent is not required.

In the previous application, the annexe proposed was a two storey building which significantly increased the floorspace compared with the existing single storey building which was used for garage/workshop/storage purposes. The images below compare the garage/workshop building at the site, as existing, compared with the refused building and the revised building subject of the current application.

Existing Front Elevation



*Proposed Front Elevation
(historical app. 20210882)*



*Proposed Front Elevation
(current proposal)*



Proposed Street Elevation (historical app. 20210882)



Proposed Street Elevation (current proposal)



Appropriateness of Green Belt development

Inappropriate development in the Green Belt is development that by definition, is 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.

The NPPF (2021) notes that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence. At paragraph 138 the NPPF (2021) lists the 5 purposes which the Green Belt serves. Of particular relevance in this case is that it assists in safeguarding the countryside from encroachment.

The NPPF (2021) makes it clear that new buildings in the Green Belt should be regarded as inappropriate, with a small number of exceptions (paragraph 149). The listed exceptions include 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 (paragraph c).

Policy CS02 of the Gravesham Local Plan Core Strategy (September 2014) (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 (LPCS).

Furthermore, Saved Policy C13 of the Gravesham Local Plan First Review (November 1994) (LPFR), which relates to extensions to dwellings in the countryside, sets out a number of criteria that should be met when considering proposals for domestic extensions. As the policy pre-dates the NPPF (2021), the weight attached to the policy must be considered carefully; with greater weight being given where the approach is consistent with paragraph 149 the NPPF (2021).

In the previous refused planning application (20210882), Policy C13 (LPFR) was referenced as it 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)). This policy also requires the massing, scale and form of any extension to be appropriate to the existing dwelling and the Green Belt setting (criteria (vi)). Therefore, it was 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.

It was previously established that the development would be treated as a residential extension in the Green Belt and that an assessment will be made against the impact of the 'original' existing development. Therefore, it was concluded that any additions that have occurred since the 'original' dwelling date (floorspace as it existed on 1 July 1948) are considered cumulatively and will be counted as part of the overall increase in floorspace of the dwelling when new additions are being assessed. The reason for this is small reductions in openness, repeated many times, can have a cumulatively detrimental effect.

The planning history was reviewed and considered that the existing dwelling appears to have been extended since its original construction following permission for the erection of single storey side extension to form garden store and wc (ref. 19820077). Therefore, it was acknowledged the existing garage and workshop added the cumulative footprint and considered a structure incidental to the main dwelling, it is not of habitable use. Therefore in essence the proposal is for new building for use of residential habitation and therefore an extensions to the existing residential dwelling and shall be treated as such.

In light of the above, the current application has been revised from the refused scheme, which seeks to demolish the existing garage and workshop/storage building to erect a now single storey detached outbuilding for residential use as an annexe ancillary to the main dwelling. The building would measure 6.9m wide, 13.6m in length, 2.16m in height to the eaves and 4.72m to the ridge. The annexe would provide open plan living and kitchen space, with two separate bedrooms one with an en-suite bathroom and an additional separate bathroom.

The original external footprint of the garage and workshop is 76.17m², which would increase to 93.6m² (but labelled 90sq.m on plan), and therefore represents a 22.9% increase. The proposed annexe is two storey and would replace a single storey structure. Therefore, the internal floorspace needs to be taken into consideration and as such the internal calculations demonstrate additions that exceed the one third limit of Policy C13, as is shown in the table below:

	Original Outbuilding	Outbuilding as extended (proposed)	% increase above original
Footprint (m²)	76.17	93.6	+22.9%
Internal Floorspace Area (m²)	69.47	82.14	+18.23%

Evidently, if making a direct comparison with the existing footprint/floorspace in numerical terms, the extension complies to the local plan Green Belt policy, and does not represent a disproportionate increase over the original floor area of the outbuilding.

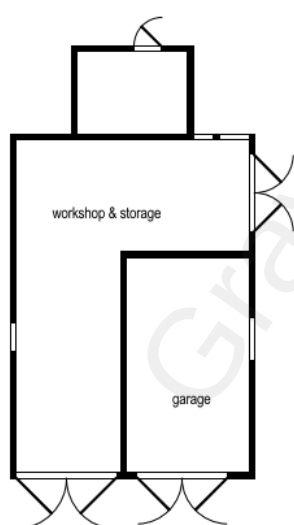
Notwithstanding this, the NPPF (2021) paragraph 149(c) also states that exceptions to inappropriate development in the Green Belt apply only where extensions or alterations of a building provided that it does not result in disproportionate additions over and above the size of the original building. Paragraph 149(d) also provides some guidance in that a replacement of a building should not be materially larger than the one it replaces.

Although, the LPA takes the view that using the footprint/floorspace is a useful means to assess Green Belt impact, it is not the only means of assessing the harm. Therefore, comparing the proposed building with the existing in terms of bulk, massing and height would also be a further indicator of harm. Below extends the previous table to include height and volume comparisons of the existing outbuilding and the proposed building;

	Original Outbuilding	Outbuilding as extended (proposed)	% increase above original
Footprint (m²)	76.17	93.6	+22.9%
Internal Floorspace Area (m²)	69.47	82.14	+18.23%
Height (of main part of the building)	2.52	4.72 m	+87.3%
Volume (m³)	390	346.38	+44.8%

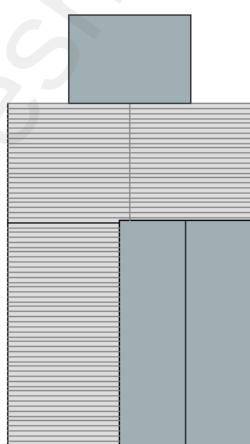
Below compares the existing workshop/garage with the proposed annexe

Existing Floor Plan



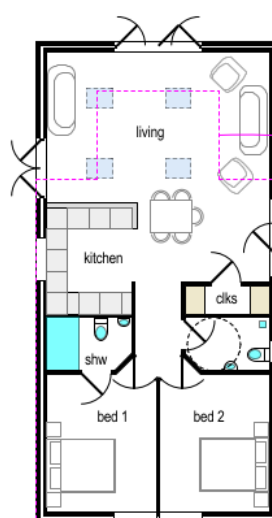
existing ground plan - 70 sqm.

Existing Roof Plan



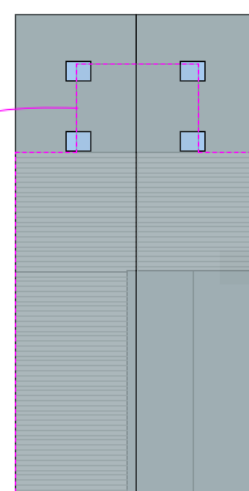
existing roof plan -

Proposed Floor Plan



proposed ground plan - 90 sqm.

Proposed Roof Plan



proposed roof plan -

Existing Elevations

09/04/2017 - 11:00 AM - 11:00 AM - 11:00 AM



Proposed Elevations

09/04/2017 - 11:00 AM - 11:00 AM - 11:00 AM



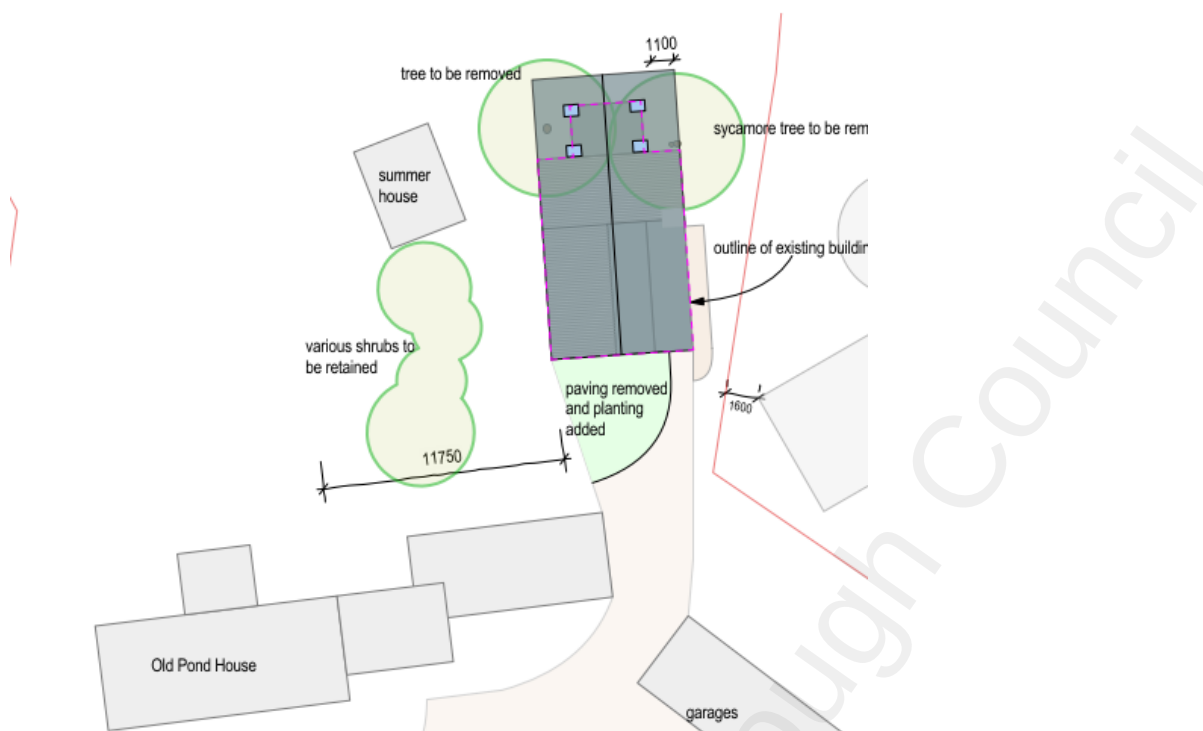
The saved Policy C13 (LPFR) provides the local interpretation of national policy and states there will be an overall limit of one third of the gross floor area of the original dwelling (measured externally) prior to any later extension or alteration, unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling.

Evidently, the plans in the current application have been revised from the refused application to ensure the proposed annexe does not exceed the one third of gross floor area of the original dwelling, however, it is clear from the plans that the proposed annex would still significantly increase the massing of the outbuilding which is demonstrated by the overall height increase of the building. It is worth mentioning the existing garage/workshop is single storey building comprising of three parts a low level lean building, the main body of the body and a roof addition to the main building. The main body and the lower lean to structure of the building are approximately 2.5m and 2.2m in height while the proposed building would be approximately 4.72m in height.

In this case the increased floorspace does not exceed the one third limit, however, the proposed annexe is still considered outside the parameters set by Policy C13 (LPFR) and the NPPF paragraphs 149(c) and (d). However, the original outbuilding is a modest single storey structure, but with an overall increase of over 80% in height and, therefore, the proposed development would significant increase massing and bulk compared with the existing building. The supporting design and access statement has not addressed the increase or the impact on the Green Belt.

While the proposed annexe would replace the existing building, the proposal would result in a 2-bed dwelling that is neither considered to be an acceptable like for like replacement, nor would it appear as a modest annexe that would be considered ancillary to the host dwelling. Annexes in general are modest single storey structures that would usually consist of a small living area with kitchenette, one bedroom and shower room. The proposed annexe would with two bedrooms, one bedroom with an ensuite bathroom, a separate bathroom, a separate kitchen area and living/dining area. Even with the revision in the current application, in essence the annexe still appears as a completely new and separate dwelling. Furthermore,

the proposed block plan shows that the annexe would appear as a dominate structure that gives a dominant appearance over the main dwelling.



Whilst it is acknowledged that the proposed annexe has been designed to a high specification, it is not considered to be either modest or subservient to the host property.

The proposed extension is contrary to Saved Policy C13 of Gravesham Local Plan First Review (1994), in terms of bulk and massing. It is also considered to be very clearly a disproportionate increase above the original dwelling as defined in the NPPF.

Impact on the openness of the Green Belt

The NPPF (2021) makes it clear that an essential characteristic of Green Belt is their openness. Open means the absence of development irrespective of the degree of visibility of the land in question or from public vantage points.

This stance is reflected in Saved Policy C13 of Gravesham Local Plan First Review (1994) which seeks to protect the openness of the countryside and ensure that extensions are not excessive in size which may lead to harm to the openness.

The existing outbuilding is a modest single storey timber structure that is used incidental to the main dwelling. The proposed replacement building would appear as a separate dwelling that is neither modest nor subservient.

A combination of all of the above would create significant additional built form on the site and would change the natural character of the site.

Together with the above, the proposed annexe would result in a form of development that is not subservient in bulk or massing of the existing building or of the host dwelling. It is considered that the proposed annexe would result in an undesirable increased built form on the site which undermines the purposes of including the land within the Green Belt.

It is therefore concluded that the proposed development would undermine the openness of the site and would not preserve the character and appearance of the Green Belt and would conflict with the NPPF (2021).

Very Special Circumstances

As indicated above, national planning advice states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Furthermore, it states 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.

The application does not include Very Special Circumstances within the supporting design and access statement and it is not considered that the benefits to the occupants arising from increased living areas amounts to very special circumstances. As noted above, this application represents an extension to a modest dwelling, which would be larger in footprint than the original house itself. A significant amount of cumulative enlargement and harm to Green Belt openness would be perpetuated should this application be approved.

In conclusion it is considered that the harmful effect of the development in relation to the Green Belt is not clearly outweighed by other considerations. There can, in consequence, be no very special circumstances and therefore the proposal is in conflict with Policy CS02 of the Local Plan Core Strategy, Saved Policy C13 of Gravesham Local Plan First Review and the Section 13 of the NPPF (2021).

Impact on the Setting of the Grade II Listed Building

The host dwelling, Old Pond House is Grade II Listed and sits in a large open garden, a reflection of its status as a prominent house in the area. The grounds to the house contribute to its significance and reflect the status of the house. High significance should be placed on the contribution of open space and original garden boundary that survives around Old Pond House and Old Pond Farm.

To develop the garden of Old Pond Farm, resulting in a 2-bedroom residential annexe with increased massing would not protect the integrity of the grade II listed building or respect its setting, but cause harm to it.

In respect of design and impact on the listed building, the proposal is considered unacceptable and would cause harm to the integrity and setting of this listed building contrary to local and national planning policy.

The proposal is considered unacceptable and contrary to Policy CS20 (LPCS) and Section 15 of the NPPF (2021).

Impact on the Conservation Area

Policy CS20 (LPCS) requires new development to preserve and, where appropriate enhance the significance of the Borough's heritage assets, their setting where it contributes to the significance of the asset and their interpretation and enjoyment, especially where these contribute to the distinct identity of The Borough's urban and rural conservation areas. The existing garage and workshop is a modest single storey timber structure that does not detract from the listed building status of the host dwelling. It sits quite unobtrusively to the north east of Old Pond House. The proposed replacement building would still be a larger structure with increased massing and bulk that appears as a new dwelling, rather than an ancillary annexe. It is considered that it would neither enhance nor preserve the Harvel, Meopham Conservation Area and as such is contrary to Policy CS20 (LPCS) and Section 15 of the NPPF (2021).

Impact on adjacent properties.

Development should not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions. 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 130 of the NPPF (2021) which requires the amenity of existing residents to be protected.

Given the sufficient distance to the neighbouring properties, it is considered that the proposed development would not adversely affect the neighbouring properties in terms of loss of light, privacy, outlook and increased overshadowing. As such, the proposal would comply with Policy CS19 (LPCS) and the NPPF (2021).

Parking and Highways

The property benefits from an existing garages and driveway providing for more than 4 parking spaces. The proposal would result in an increase of two bedrooms, however it is not considered to result in a detrimental impact due to the existing parking provision. There is no objection on the grounds of highway safety. The proposal complies with Policies CS11 and CS19 (LPCS) and Saved Policy P3 (LPFR).

Any Other Material Planning Considerations

Landscape Character Area

Section 15 of the NPPF (2021) highlights the importance of conserving and enhancing the natural environment, one aspect of which is the protection and enhancement of valued landscapes. Policy CS12 (LPCS) seeks to protect the Green infrastructure within the Borough and states that the overall landscape character and valued landscapes will be conserved, restored and enhanced and the greatest weight will be given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs AONB and its setting.

The application site is located within the Meopham Downs Landscape Character Area. The topography is gently undulating with a mixture of arable and pasture farmland. The area is characterised by neat pattern of small square fields in the south and broader irregular shaped fields to the north. The condition is considered good and the guidelines are to conserve and reinforce.

Due to the nature of this proposal with the proposed built form not projecting further to the north or south than the existing, there will be no direct impact on the landscape character area. As such the proposal would accord with Policy CS12 (LPCS) and Section 15 of the NPPF (2021).

Trees

The proposal would result in the loss of 2no. trees located directly to the rear of the existing structure, as highlighted in the supporting design and access statement. However a tree report was not submitted with the application and therefore the impact of the removal of the trees cannot be properly assessed.

Conclusion

The proposed development is considered to be an unacceptable size, disproportionate to the original outbuilding and host dwelling and would result in a loss of openness of the green belt, together with having a detrimental impact on the setting of the grade II listed building and Harvel, Meopham Conservation Area.

It is considered that the proposal does not comply with local and national planning policy.

Recommendation

Refusal

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

Case Officer:	Ms Genna Henry	Team Leader:	Richard Hart
Signed:	G.Henry	Signed:	G.Henry
Dated:	10th December 2021	Dated:	10th December 2021

1. *The proposed annexe, by virtue of the resultant additional bulk, scale and massing, will result in a disproportionate addition that fails to complement the form of the existing Grade II Listed dwelling. The proposal represents a disproportionate addition with excessive scale, bulk and massing compared to the original outbuilding, which will harm the openness of the Green Belt. Therefore the proposal would be inappropriate development in the Green Belt is contrary to saved Policy C13 of the Gravesham Local Plan First Review (1994), Policies CS01 (Sustainable Development), CS02 (Scale and Distribution of Development) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (2014), and Sections 13 and 15 of the National Planning Policy Framework (2021).*
2. *The proposed annexe, by virtue of the resultant additional height, bulk, scale and massing, would not protect the integrity or the setting of the grade II listed building, known as Old Pond House. The proposal would be contrary to Policy CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (2014), and Section 15 of the National Planning Policy Framework (2021).*
3. *By virtue of the resultant additional height bulk, scale and massing, the proposed annexe would result in a disproportionate addition that fails to preserve or enhance the Harvel, Meopham Conservation Area. Therefore the proposal would be inappropriate development in the Conservation Area contrary to Policy CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (2014), and Section 15 of the National Planning Policy Framework (2021).*