

Delegated Report

Planning Application

Planning Application No: 20260756

Location: The Old Carpenters Shop, Lodge Lane, Cobham, Gravesend DA12 3BS

Description: Application for variation of condition 2 attached to planning permission reference number 20260387 for demolition of existing garage. Relocation and erection of garage with carports and home office; to allow the increase of the size of the carport.

Applicant: Mr Ian Warren

Site Visit Date: 14 August 2026

Submitted Documents/Plans

Application form
Design and Access Statement for Minor Material Amendment
Drawing no. D-05 rev D (proposed block plan and site section)
Drawing no. D-06 rev E (proposed plans and elevations)

Relevant Planning History

20260387	Demolition of existing garage. Relocation and erection of garage with carports and home office.	Permitted	08.06.2026
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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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

As set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012 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

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 (2026), the Council will also seek to replace these.

National Planning Policy Framework (2026)

- Section 4 -Achieving Sustainable Development
- Section 12 – Making effective use of land
- Section 14 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 17 – Pollution, public protection and security
- Section 19 – 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);
- Design for Gravesham: Design Code (2024);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021);
- Gravesham Landscape Character Assessment (2009); and
- Kent Downs National Landscape Management Plan 2021-2026

Emerging Local Plan as a Material Consideration

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (Planning and Compulsory Purchase Act 2004) and section 70(2) of the Town and Country Planning Act 1990 (Town and Country Planning Act 1990) make it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise.

Decision Making Policy DM4 of the Framework sets out that when considering development proposals, relevant policies may be given weight, however, this is subject to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement, the Court found that the weight to be given to an emerging Local Plan was a matter of planning judgement, which had to be reached having fully considered the relevant part of the Framework, which from 17 August 2026 Decision Making Policy DM4 of the Framework.

The Council's emerging Local Plan has reached the Regulation 19 Consultation stage, with the consultation having ended on 18 August 2026. The emerging Local Plan does not form part of the Development Plan.

The Council is aware that third parties have raised objections to the wider emerging Local Plan and specific policies within it. Therefore, at present the Council cannot categorically state that the emerging Local Plan can be considered sound and consistent with the National Planning Policy Framework (2024) [as an emerging Local Plan being brought forward under the legacy system, it would be examined under the 2024 Framework]. Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan.**

This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and



with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

Kent Downs National Landscape

Standing advice given.

Neighbouring properties

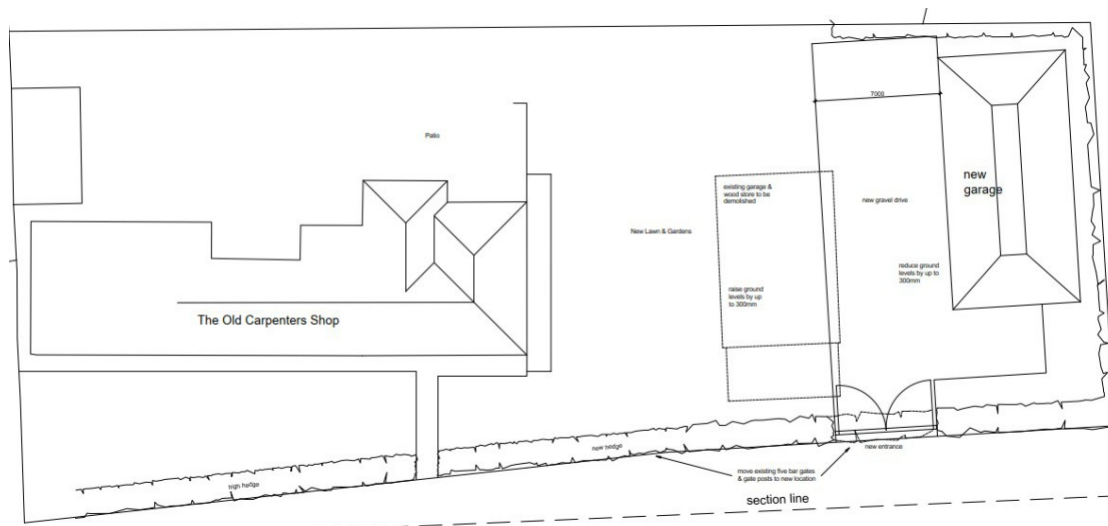
The application has been advertised by site notice and individual letters to four neighbouring properties. One letter raising no objection.

Officer's Analysis

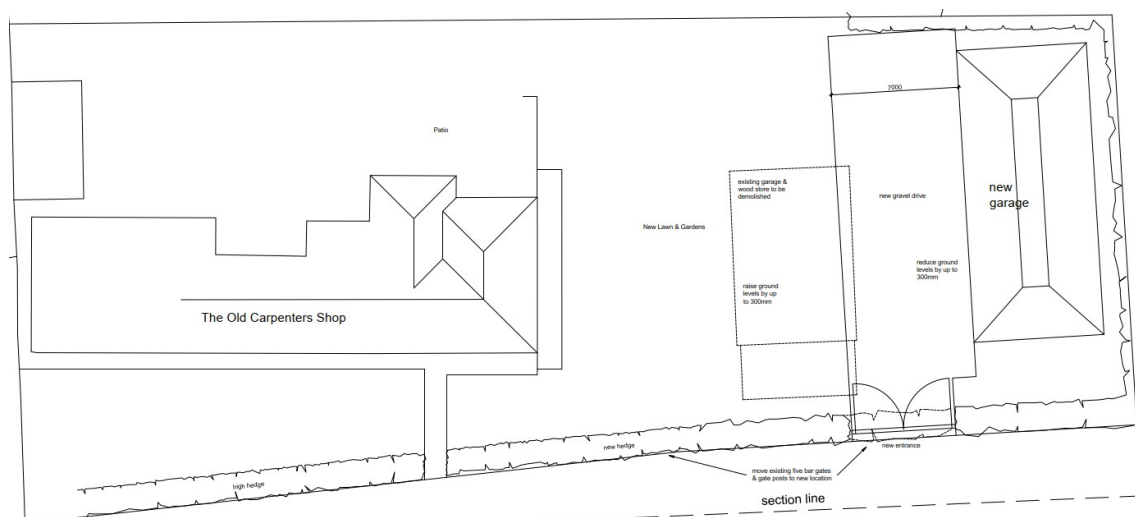
Proposal

This application seeks a variation of condition 2 attached to planning permission reference number 20260387 for demolition of existing garage. Relocation and erection of garage with carports and home office; to allow the increase of the size of the carport.

The plan below shows the existing garage in relation to the approved new garage:



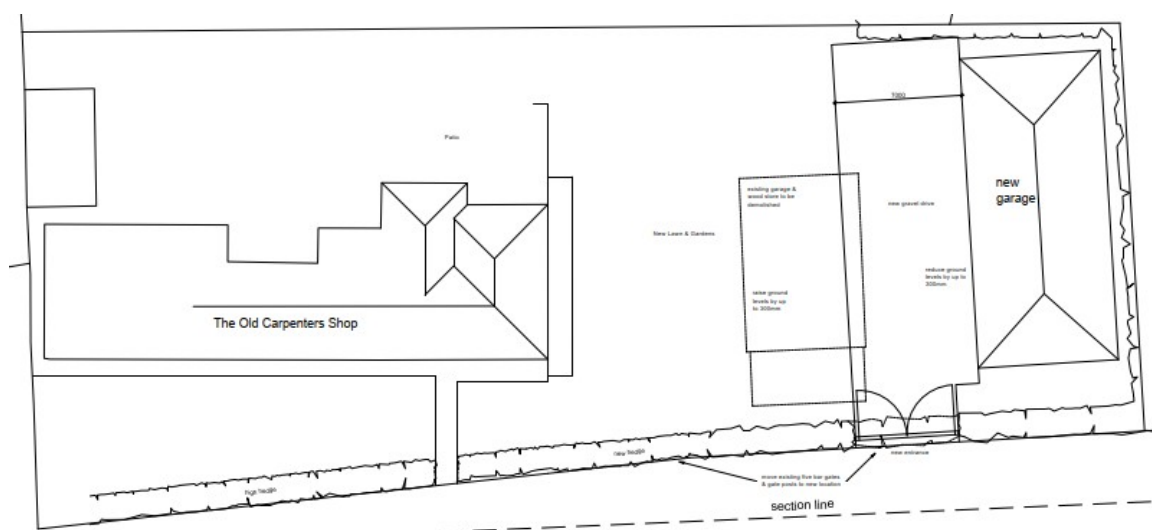
Proposed layout:



The existing garage and carport measure approx. 12.6m in width and 6.6m in depth. It is approx. 5.3m high with a hipped roof. It provides for four parking spaces and is located approx. 10m away from the house.

The approved garage was shown to be located to the southern boundary of the site approx. 24m away from the house. It was shown to be approx. 14m wide, 7.2m deep and 5.8m high with a hipped roof, contained four car parking spaces at ground floor and a home office at first floor.

It should be noted that the design and size of the application was reduced during the course of the application. The first plans to be submitted that were negotiated down to what was approved are shown below:



This garage was shown to be 17m x 7.8m and 6.6m high with a hipped roof and a dormer. The reason for the amendments was due to concerns relating to the size in relation to the main dwelling. The depth and height of the garage was greater than the main house and significantly greater than the garage it was to replace.

The proposed garage is now shown to be approx. 16m wide, 7.2m deep and 5.8m high with a part pitched/part flat roof. It will contain a three-bay garage and a car port for two cars. On the first floor there will be a home office and a store. The main difference between the proposed plans and those which were to be refused is that the garage is now shown to be 2m wider (same depth and height as approved). This will allow for three parking spaces in the garage and two in the car port (as opposed to one in the car port shown on the approved plans).

Green Belt

Applications for development in the Green Belt are assessed against section 13 of the National Planning Policy Framework 2026. The objective of Green Belt policy, as set out in this chapter, is to prevent urban sprawl by keeping land permanently open. The government attaches great importance to Green Belts, the essential features of which are their openness and permanence.

The five purposes of the Green Belt are:

- a. Check the unrestricted sprawl of large built-up areas;
- b. Prevent neighbouring towns merging into one another;
- c. Assist in safeguarding the countryside from encroachment;
- d. Preserve the setting and special character of historic towns; and
- e. Assist urban regeneration by encouraging the recycling of derelict and other urban land.

Policy GB6 (Control of development in the Green Belt) of the NPPF states:

1. Development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7.
2. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.
3. In the case of proposals for renewable and low carbon energy development, very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

Policy GB7 (Development which is not inappropriate in the Green Belt) of the NPPF states:

1. The following categories of development are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances:
 - a. Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement;
 - b. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;
 - c. Limited infilling in villages lying within the Green Belt;
 - d. Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site);
 - e. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;
 - f. Certain other forms of development, provided the impact on the openness of the Green Belt is minimised,

and there would not be a significant conflict with the Green Belt purposes. These are:

- i. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location);
- ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;
- iii. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

iv. The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments.

g. Development where all of the following apply:

i. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

ii. There is an evidenced unmet need for the type of development proposed;

iii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework; and

iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.

h. Residential or mixed-use development which would:

i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary Annex B);

ii. Be physically well-related to the station or the settlement within which the station is located;

iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;

iv. Not prejudice any proposals for long-term comprehensive development in the same location; and

v. In the case of proposals for major development, comply with policy GB8.

Policy GB6 states that development in the Green Belt is inappropriate unless it meets one of the exceptions listed in GB7. Exception 1b allows for the replacement of a building provided it is in the same use and not materially larger than the one it replaces. In this case the building is approx. 38% larger than the one it replaces but it remains in the same use. The building is therefore materially larger and does not meet this exception.

Exception 1e allows for the redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt. The NPPF defines previously developed land as:

Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry

buildings; land that has been developed but where provision for restoration has been made through development management procedures (including development related to minerals extraction, waste disposal by landfill and renewable and low carbon energy development, where provision for restoration exists); land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

The garden area of the property therefore is classed as previously developed land. The proposed garage will be repositioned along the southern boundary of the property, where its more discreet location will help to minimise its visual impact and provide a degree of screening. Whilst the garage is larger than the existing and larger than the approved building, the height and depth will remain the same. Given the orientation of the proposed garage, its position away from the house where the land is slightly lower and adjacent to existing hedging, it will not, on balance, result in substantial harm to the openness of the Green Belt.

The proposed garage therefore accords with policy CS02 of the Gravesham Core Strategy 2014 and Policies GB6 and GB7 of the National Planning Policy Framework 2026.

Policy CS02 of the Gravesham Core Strategy 2014 allows development in the rural area, outside of rural settlements that are inset from the Green Belt, provided the proposals are compatible with national policies for protecting the Green Belt and policies in the local plan.

Design, Character and Appearance

The proposed garage will be located to the side of the property but closer to the southern boundary. It will be larger than the existing but will remain in proportion to the existing house. It is proposed to be finished in facing brickwork and heavy oak framing with a steeply pitched and hipped plain tiled roof to match the existing house which will complement the main dwelling and the surrounding area. The proposed outbuilding is large, but given the depth and height is remaining the same, it is on balance considered to be acceptable. It is not unusual for properties in a rural location to have larger outbuildings.

Luddesdown Downs Landscape Character Area

The application site lies within the Luddesdown Downs Landscape Character Area which lies on the eastern boundary of Gravesham Borough, covering the settlements of Luddesdown and Lower Luddesdown. The area forms part of the North Downs Area of Outstanding Natural Beauty (AONB).

The key characteristics include very undulating topography with farmland and pasture use, fields, native hedgerows, native woodland, narrow winding lanes, properties and farmsteads along lanes and traditional timber framed buildings and Kent peg tiles.

The condition is good and sensitivity is high. The guidelines are to conserve the distinctive features of the landscape.

The proposed garage will be located within the residential curtilage of the property and therefore will have no detrimental impact on the wider landscape.

Kent Downs National Landscape

The application site is located within the Kent Downs National Landscape and therefore any development needs to be assessed against the Kent Downs National Landscape Management Plan. The policies below are relevant:

Policy MMP2 states that:

The Kent Downs AONB is a material consideration in plan making and decision taking, and so local

authorities will give a high priority to the AONB Management Plan vision, aims, principles and actions in Local Plans, development management decisions, planning enforcement cases and in taking forward their other relevant functions.

Policy SD2 states that:

The local character, qualities, distinctiveness and natural resources of the Kent Downs AONB will be conserved and enhanced in the design, scale, siting, landscaping and materials of new development, redevelopment and infrastructure and will be pursued through the application of appropriate design guidance and position statements.

Policy SD8 states that:

Ensure proposals, projects and programmes do not negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the Kent Downs AONB.

The proposed development is located within the residential curtilage of the main dwelling and within the screened garden which is surrounded by a post and rail fence and hedging. The proposed garage is very localised and therefore will not have a detrimental impact on the wider landscape. Within the site itself, moving it to the new location is more practical in terms of the wider use of the site, and a larger garden area related to the main dwelling.

In order to preserve the character of the area a condition is recommended to ensure that the building is used purely as incidental to the main dwelling house and not for a business operation. A condition is recommended that the materials match those listed on the plans and within the original application form. A condition is also recommended to ensure that the hard and soft landscaping shown on the plans is implemented, and that the existing garage is demolished on completion of the proposed one.

The proposed development therefore accords with policies CS12 and CS19 of the Gravesham Core Strategy 2014, Policy N2 of the National Planning Policy Framework 2026 and policies MMP2, SD2 and SD8 of the Kent Downs National Landscape Management Plan.

Amenity

Future Occupiers

The application site is a detached bungalow on a generous plot. The garden area that will remain once the development is built far exceeds the adopted local standards and therefore no concerns are raised.

Neighbouring Amenity

There is no residential property within 21m of the proposed garage building and therefore there will be no detrimental impact to any neighbouring property in terms of loss of outlook, privacy, sunlight or daylight. No neighbour representations have been received.

The proposed garage therefore accords with policy CS19 of the Gravesham Core Strategy 2014 and policy P3 of the National Planning Policy Framework 2026.

Ecology and Biodiversity

Biodiversity Net Gain

Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better quality natural habitat than there was before development.

As this is an application to vary a condition BNG is not required.

Parking and Highways

The proposed garage will result in no loss of parking or the increase in number of bedrooms and therefore no objections are raised on highways grounds.

Conclusion

The proposed larger replacement garage will have no significant detrimental impact on the openness of the green belt, character of the area, landscape, amenity, parking or highway safety and therefore accords with the abovementioned policies and is recommended for approval.

Recommendation:

Permission

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	14 September 2026	Dated:	14th September 2026