

Delegated Report

Planning Application

Planning Application No: 20230514

Location: Shorne Mead, Pear Tree Lane, Shorne, Kent DA12 3JT

Description: Demolition of the existing dwelling and garage and the erection of a replacement dwelling with associated access and landscaping works.

Applicant: Mr and Mrs Gavin and Dawn Coward

Site Visit Date: Various

Submitted Documents/Plans

Application form
Design and Access Statement
Drawing no. 3316-004 rev D (proposed elevations)
Drawing no. 3316-003 rev E (proposed upper floors)
Drawing no. 3316-002 rev L (proposed lower and ground floor plans)
Drawing no. 3316-002 rev K (lower and ground floor plans)
Drawing no. 3316-001 rev H (site plan)
Drawing no. 3316-005 rev A (street scene)
Drawing no. 3262-006 (location and block plans)
Drawing no. 3316-009 (existing elevations)
Drawing no. 3316-010 (building comparison)
Drawing no. 3316-008 (existing house plans/elevations)
Section drawing
Overlay picture
Massing picture – proposed
Massing picture – existing
Front picture x 2

Relevant Planning History

20221114	Alterations to existing garage to provide garage and annex accommodation incorporating increase in roof height, two dormer windows in the front roof slope and Juliette balcony on the north-west elevation to provide for ancillary accommodation, including a garden room with tea point at ground level and gym and games room accommodation above	Permitted	07.12.2022
20221105	Application for approval of condition 3(i)(ii)(iii)(iv)(v)(vi) and (vii) attached to planning	Details refused	06.02.2023

permission reference number
20220543 relating to details of
landscaping to new gabion basket
constructed walls.

20220788	Single storey rear extension with a depth of 8.00 metres, maximum height of 3.75 metres and eaves height of 2.35 metres.	Prior approval not required	22.08.2022
20220593	Single storey rear extension with a depth of 8.00 metres, maximum height of 3.75 metres and eaves height of 2.35 metres.	Prior approval is required and is refused	12.07.2022
20220543	Proposed engineering works to rear garden creating retaining walls to sloping site.	Permitted	20.07.2022
20181314	**REVISED PLAN** Alterations to existing garage to provide garage and annex accommodation incorporating increase in roof height, two dormer windows in the front roof slope and Juliette balcony on the north-west elevation to provide for ancillary accommodation, including a garden room with tea point at ground level and gym and games room accommodation above	Permitted	27.02.2019
20170496	Demolition of existing garage and erection of a detached two storey annex and garage incorporating a dormer window in the front roof slope and Juliette balconies on the north-west and south-east elevations.	Refused	20.03.2018
20140811	Construction of a new roof over existing garage incorporating an increase in the height of the building, two dormer windows in the front roof slope and a Juliet balcony on the north-west side elevation to provide for gym, games room and w.c./changing facilities in the proposed roof space.	Permitted	14.10.2014
20060164	Erection of single storey rear infill extension to form enlarged kitchen/diner.	Permitted	07.04.2006
19970317	Construction of new pitched roofs	Permitted	21.08.1997

	over existing garages/boat port, incorporating dormer window in proposed front roof slope and infilling of central boat port to form garage.		
19840557	Erection of a two storey extension at the side to form a dining room with bathroom over	Permitted	10.08.1984
19830673	Change of use of land from woodland to residential garden and alterations to vehicular access	Permitted	19.12.1983
19780438	Erection of a single storey extension to form an enlarged kitchen childrens playroom and a new boiler room at the side of dwelling	Permitted	21.06.1978
19590307	erection of loose box and tack room	Permitted	10.11.1959
19560253	Extension to lounge	Permitted	09.01.1957
19510230	Additions	Permitted	01.02.1952
19510046	Erection of a private garage	Permitted	09.05.1951
19480125	erection of a garage	Permitted	04.03.1949

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- TC7 – Other Archaeological Sites
- C12 – Policy for Replacement Dwellings in the Countryside

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)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

GBC Highways Officer

There appear to be an inconsistency in this application that needs to be resolved.

The application form states four parking spaces.

Vehicle Type:
Cars
Existing number of spaces:
4
Total proposed (including spaces retained):
4
Difference in spaces:
0

The Planning Statement states

- 4.9.3 In terms of parking provision, a large area of hardstanding to the front of the property will provide ample parking space, in accordance with KCC IGN3 and CS11.

Whilst the Design and Access Statement

Parking

5No existing spaces provided.

This site is positioned very close to the following transport links:

Higham Main train station – 10min drive

Main bus stop – 10 min walk

The actual drawings appear silent with no parking provision shown but does show a large, paved area that could be used for parking, but this would require a considered arrangement to ensure spaces are accessible. It is suggested a parking plan should be submitted along with revised documentation to ensure a consistent approach.

In addition, as a new four bedroom dwelling four secure cycle parking spaces should be provided.

GBC Environmental Protection

No objection to this application. The following to be considered:

Code of Practice on Construction and Demolition

Please apply as appropriate to minimise the impact to neighbouring premises during the demolition, groundworks and construction.

Lighting

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

Watching Brief

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Drainage/sewerage informative

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

KCC Ecologist

NO INFORMATION – MORE INFORMATION NEEDED

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that further information is sought from the applicant with regards to the potential for ecological impacts to arise.

Habitats and features (including the buildings proposed for demolition) are present on and around the site, indicating ecological value and the potential for protected species presence (e.g., roosting bats) that must be taken account of in the planning decision. As such, an Ecological Impact Assessment (EcIA) should be undertaken by a suitably qualified ecologist¹, in accordance with good practice guidelines.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, we advise that the EcIA is sought prior to determination of the planning application. This is in alignment with paragraph 99 of ODPM 06/2005 which states "it is essential that the presence or otherwise

of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision”.

The EcIA will also ensure alignment with the National Planning Policy Framework (NPPF) 2021 and the Natural Environment and Rural Communities Act (NERC) Act 2006. Under section 40 of the NERC Act 2006 and paragraph 174 of the NPPF 2021, biodiversity should be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF 2021, the implementation of net gains for biodiversity (integrated as part of design) should be encouraged. As such, we advise that information is submitted with the EcIA to demonstrate that the development can achieve a biodiversity net gain.

1 Suitably qualified ecologists can be found using either the: CIEEM Registered Practice Directory or the Environmental Data Services Directory.

Dickens' Country Protection Society

The Society would wish to register an objection as the proposed replacement house as a modern building with large areas of glass reminiscent of an office block on an industrial estate is totally out of character with the area. The proposed new building is larger than the existing. It should be noted that the Society does not think it appropriate to take the size of the existing garage into account.

Shorne Parish Council

The recent planning history of this site is long and complicated. The present proposal is to demolish and replace the existing house. The Parish Council OBJECTS to this proposal as follows:

- The proposed house is an ultramodern concrete and glass design which would be out of character with the nearby and wider area, and is inappropriate in a semi-rural context in the Green Belt.
- The proposed house will be visible from the street, where it will have a negative impact on the streetscene, and also widely in the landscape from other properties and the village.
- The proposed house has much greater mass and bulk, especially at first floor level – 1697 mcubed compared with 985 mcubed. (The mass of the garage building cannot be regarded as contributory.)
- The above aspects are shown clearly by the images on page 31 of the planning statement.
- The large amount of glazing will cause light pollution and reflections.
- The large windows and third-storey roof terrace will cause a feeling of overlooking and loss of privacy to neighbouring properties.

Suggested Conditions if to be permitted by GBC:

- Permanent suitable screening plantings should be required on the bank to Pear Tree Lane.
- Permitted development rights should be withdrawn due to the great increase in built form that has taken place on the site
- We also note that the cave structure with a chimney that has been built into the rear garden slope is again not shown clearly on the plans or mentioned in the planning statement. The applicant should be reminded that this and the other outbuildings on the property, including the garage building, are not residential in terms of being permitted to be used as living accommodation.

KCC Heritage

The application site lies within an area of multi-period archaeological potential with evidence for prehistoric, Romano-British and medieval settlement in the surrounding area. Despite the presence of an existing building, the proposed development groundworks including, landscaping, utilities and foundations, have the potential to impact on any below-ground archaeological remains at the site and I recommend that if

planning permission is granted the following condition is applied to any forthcoming consent:

To ensure that heritage assets with archaeological interest are properly examined and recorded during development works:

A) Prior to any development works the applicant (or their agents or successors in title) shall secure the implementation of an archaeological watching brief so that excavations and other development works are observed and items of interest and finds are recorded. The archaeological watching brief shall be undertaken by an archaeologist approved by the Local Planning Authority and in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority.

B) The archaeological watching brief, recording, post excavation assessment, analysis and reporting shall be carried out in accordance with the approved Written Scheme of Investigation.

C) Within 6 months of the completion of the watching brief a Report shall be submitted to and approved in writing by the local planning authority.

REASON: To ensure that features of archaeological interest are properly examined and recorded.

Neighbouring properties

The application has been advertised by letters to six neighbour properties and by a site notice. The overall expiry date for comments was 23 June 2023.

Two letters of support have been received. Main comments:

- Full support
- Beautiful, contemporary design
- Not readily visible from the road
- Flat roof design has less of an impact than a pitched roof
- Removes buildings from the boundary
- Application adds positively

Officer's Analysis

Proposal

This application seeks planning permission for the demolition of the existing dwelling and garage and the erection of a replacement dwelling with associated access and landscaping works.

The replacement dwelling will be approx. 26m wide, 13.6m deep and 9.4m high with a flat roof. The property will have three floors, one of which will be partly below ground.

The property will be a contemporary design with large glazing, render and cladding finishes and glass balustrades:



Internally there will be a pool/spa and entertainment room at basement level, a family room, entrance hall,

WC lift and study at ground floor, four bedrooms all with en-suites and wardrobes and laundry room at first floor.

Green Belt

The application site is located within the Green Belt. The Government attaches great importance to Green Belts. 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 their permanence.

Para. 147 of the National Planning Policy Framework 2021 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para. 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

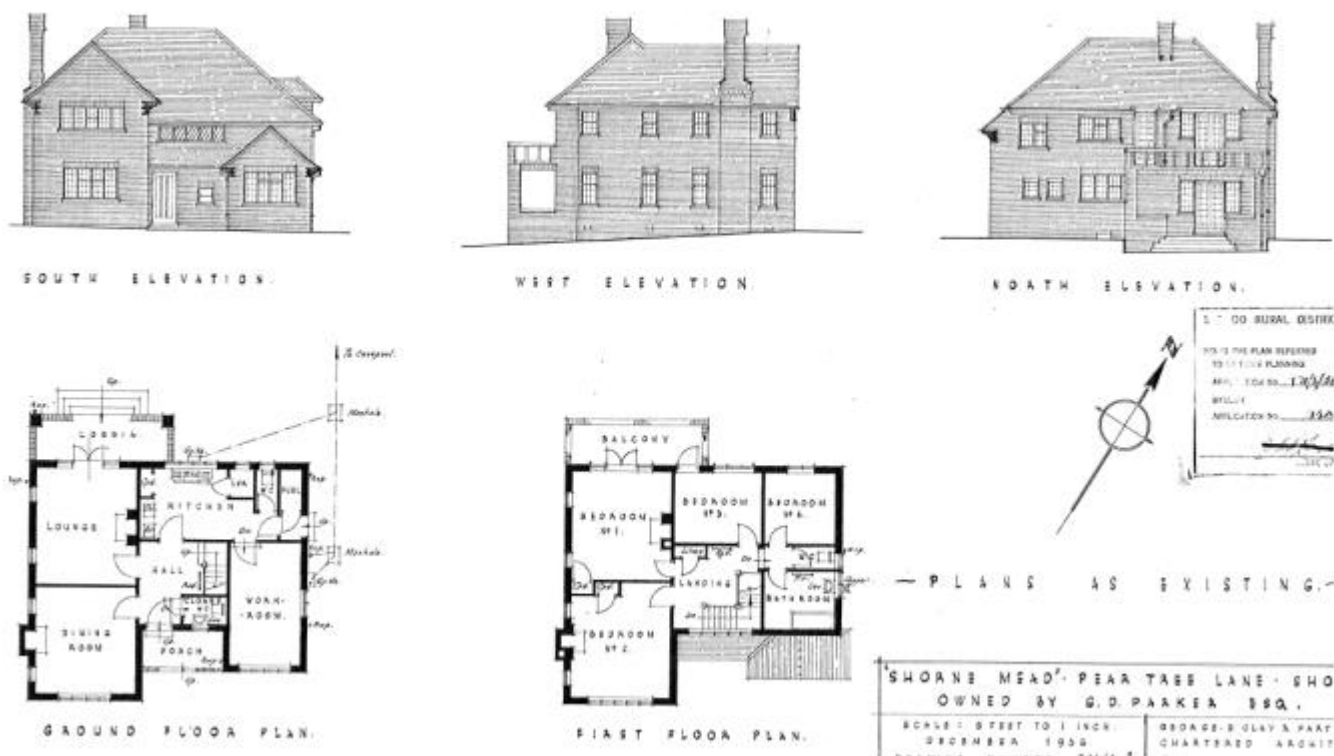
The NPPF outlines that the construction of new buildings should be regarded as inappropriate by local planning authorities and lists seven exceptions to this. Part (d) allows for the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

Saved Policy C12 of the Local Plan 1994, which relates to replacement dwellings in the countryside, must also be considered. However, this policy pre-dates the NPPF, and therefore greater weight should be given where the approach is consistent with paragraph 145 the NPPF.

Policy C12 states that there will be a strong presumption against allowing the replacement of existing dwellings, which will only be set aside if the listed criteria are met. Criterion (i) states that the existing dwelling must be an 'original dwelling' in permanent use as a dwelling. Criterion (iii) is most relevant to this proposal, and states that the replacement dwelling must be of similar scale and mass to the existing dwelling, and must be no larger than the existing dwelling. However, only some weight can be given to the size limitation, as the NPPF accepts an increase that is not 'materially larger' than the existing dwelling.

"Original dwelling" for the purpose of Policy C12 means the building in permanent residential use on 1st July 1948 or subsequently erected as a permanent dwelling in accordance with planning permission in that behalf. In this case, the original property has already been extended since it was built, as can be seen from the above planning history. These historical increases in the size of the dwelling have already had an impact on the openness of the Green Belt.

The original footprint of the property (from application ref. TH/6/56/240):



The plans above are from application reference TH/6/56/240 and show the original footprint of the building. There was permission for an extension earlier in 1951 however it is not clear if this was built. As can be seen from the planning history, there have been a number of additions to the property over the years. Not including the garage addition and its subsequent extensions the overall floor area (measured externally) has been increased from approx. 197.12sqm to 315sqm. This represents an increase of approx. 60%. This is a significant increase over and above the original floor area.

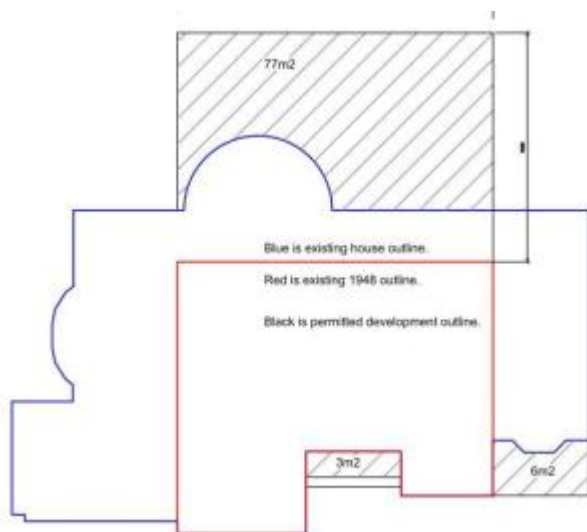
The existing dwelling as it stands today has a floor area of approx. 315sqm. The proposed dwelling has a floor area of approx. 763sqm (this includes the basement as it is not fully submerged resulting in a three storey building when seen from the rear), the ground floor (not including the terrace) and the first floor (including the balconies). This is 287% larger than the original building and 142% larger than the building as it currently stands.

The applicant has provided comparisons from their measurements:

Status	Volume (M ³)	Footprint (GEA M ²)	Floor area (M ²)
Original dwelling (1948)		195m ²	
Dwelling as built today	985m ³	185m ²	315m ²
Existing Garage	306m ³	84m ²	84m ²
Dwelling with approved applications (Fallback position)	1,245m ³	281m ²	382m ²
Approved Garage Extension	453m ³	84m ²	117m ²
Outbuilding	34m ³	12.9m ²	12.9m ²
Total size of approved works on site	1,732m ³	365m ²	399m ²
Proposed Dwelling	1,697m ³	219m ²	538m ²

Fall back

The applicant has provided details of various extensions that would fall within permitted development as it has gained consent through the prior approval procedure (20220788). If these were built it would add a further approx. 87sqm):



They have also provided details of the existing garage and that approved under reference 20221114 which added a first floor increasing the floor area by approx. 65sqm.

The applicant has provided details regarding volume. The volume of the existing building including permitted extensions and alterations would be 1732 cubic metres compared to the proposed volume of 1697 cubic metres.

In order to be considered as a “fall back”, the alleged fall back development has to be a use or development that is possible/can be implemented without the need for further planning permission, for example a current lawful use or change of use (i.e. does not fall within the definition of development in the Planning Act or permission has already been granted but not yet implemented) and/or development permitted by way of permitted development rights (i.e. the GPDO or a development order).

If there is a genuine “fall back” then they must be a possibility that this development will be implemented if the current application is not permitted.

If both these factors are evidenced, then the fall back can be a material consideration in determining an application. The weight to be attached to it is a matter for the planning authority

The case of Mansell v Tonbridge and Malling BC [2017] EWCA Civ 1314; [2019] PTSR 1452 (highlighted in bold are most important parts) explains this issue:

“27. The status of a fallback development as a material consideration in a planning decision is not a novel concept. It is very familiar. Three things can be said about it:

- (1) *Here, as in other aspects of the law of planning, the court must resist a prescriptive or formulaic approach, and must keep in mind the scope for a **lawful exercise of planning judgment by a decision-maker.***
- (2) *The relevant law as to a “real prospect” of a fallback development being implemented was applied by this court in Samuel Smith Old Brewery (see, in particular, paragraphs 17 to 30 of Sullivan L.J.’s judgment, with which the Master of the Rolls and Toulson L.J. agreed; and the judgment of Supperstone J. in R. (on the application of Kverndal) v London Borough of Hounslow Council [2015] EWHC 3084 (Admin), at paragraphs 17 and 42 to 53). As Sullivan L.J. said in his judgment in Samuel Smith Old Brewery, in this context a “real” prospect is the antithesis of one that is “merely theoretical” (paragraph 20). **The basic principle is that “... for a prospect to be a real prospect, it does not have to be probable or likely: a possibility will suffice”** (paragraph 21). Previous decisions at first instance, including Ahern and Brentwood Borough Council v Secretary of State for the Environment [1996] 72 P. & C.R. 61 must be read with care in the light of that statement of the law, and bearing in mind, as Sullivan L.J. emphasized, “... **“fallback” cases tend to be very fact-specific**” (*ibid.*). **The role of planning judgment is vital. And “[it] is important ... not to constrain what is, or should be, in each case the exercise of a broad planning discretion, based on the individual circumstances of that case,** by seeking to constrain appeal decisions within judicial formulations that are not enactments of general application but are themselves simply the judge’s response to the facts of the case before the court” (paragraph 22).*
- (3) *Therefore, when the court is considering whether a decision-maker has properly identified a “real prospect” of a fallback development being carried out should planning permission for the proposed development be refused, there is no rule of law that, in every case, the “real prospect” will depend, for example, on the site having been allocated for the alternative development in the development plan or planning permission having been granted for that development, or on there being a firm design for the alternative scheme, or on the landowner or developer having said precisely how he would make use of any permitted development rights available to him under the GPDO. In some cases that degree of clarity and commitment may be necessary; in others, not. **This will always be a matter for the decision-maker’s planning judgment in the particular circumstances of the case in hand.**”*

So, taking this into account, the factors in the determination of the fallback are:

1. It is a genuine lawful fall back development?

The development in question benefits from confirmations including planning permission and prior notification approval.

2. Is there a “possibility” that the fallback would be implemented?

In this case the applicants have stated that they would implement the prior notification application and the planning permission for the garage, however it is important to note that no works have commenced on site in relation to these previous permissions.

3. If it is accepted that there is a genuine lawful fallback, which in this case based on the information available, it appears that there is, then the current proposal needs to be assessed against the benefits or harm of that fall back being implemented.

This is a matter of planning judgement based on the facts of the case. The current application is considered more harmful than the existing building together with the LDCs.

4. If a fall-back argument is not to prevail, reasons for rejecting it should be given:

Coln Park LLP v Secretary of State for Communities and Local Government [2011] EWHC 2282 (Admin)

Notwithstanding the above, the weight that should be attributed to the fall-back position is a matter of judgement relative to the specific development in question.

The applicants have provided details of case law that show there is a relatively low bar to demonstrate a realistic prospect of a fallback. In summary they consider the basic principle is that for a prospect to be a ‘real prospect’ it does not have to be probable, or likely; a possibility will suffice.

In this case the applicant has received deemed consent for prior notification application and received full planning permission for alterations and extension to the garage. The Planning Statement is clear that the applicant intends to implement these permissions if this application is not successful and therefore the fallback position should be a material consideration.

They state that the fallback can be taken into account when considering if a replacement dwelling is materially larger than the existing i.e. the existing building can include extensions and alterations that are not built but have a reasonable prospect of being built.

They also refer to (g) which allows for limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt than an existing dwelling.

The applicant has provided details of other replacement dwellings, extensions and engineering works. The full details of these cases has not been provided and, in any case, each site is dealt with on its own merits.

Openness

The Framework confirms that inappropriate development is by definition harmful to the Green Belt. The essential characteristics of Green Belts are their openness and permanence.

Assessing the impact of a proposal on the [openness of the Green Belt](#), where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.

In this case, the removal of the outbuilding and garage will not positively impact on the openness of the site as their volume is being incorporated into the main house without the same facilities being provided. The likelihood being that an application for a detached garage will be forthcoming. The proposed building will have a lower roof height but will sprawl further across the width of the plot. Part of the development is labelled as a basement but is not truly underground and results in three storey's when seen from the rear. This differs significantly to the situation at Merrievale. Overall, despite the 'fall back' situation the proposed development is considered inappropriate in the Green Belt.

The proposed replacement dwelling, due to its significant increase in floor area compared to the existing dwelling will result in a detrimental impact on the openness of the Green Belt contrary to policy CS02 of the Gravesham Core Strategy 2014, C12 of the Gravesham Local Plan 1994 and Section 13 of the National Planning Policy Framework 2021.

Design, Character and Appearance

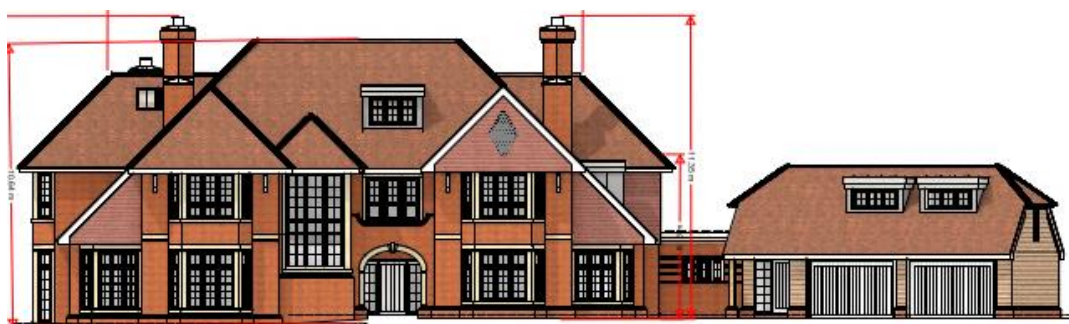
The current dwelling is a red brick property with a tiled hipped roof and chimney. It is typical of properties located along Peartree Lane in terms of appearance and scale. There have been a number of recent replacement dwellings and alterations to existing dwellings. All of these have either utilised similar materials or the shape of the original dwellings. The design of these properties results in a strong character of traditionally built rural dwellings.

Examples of recent permissions that the applicant has referred to in their submission:

20221239 Long Acre – replacement dwelling:



20200984 Merrievale – replacement dwelling:



20150719 (Brackenside) is also mentioned however this replacement dwelling is of a more modern design which replaced a property that differs in design to Shornemead. It is also much closer to the village so does not sit in relation to Shornemead.

The drawings above demonstrate how these buildings have been sympathetically designed to include features of the surrounding properties and the dwellings that they replaced.

Policy CS19 of the Core Strategy 2014 requires that new development is 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 submitted plans show a contemporary dwelling with flat roof, render and glass balustrades. Whilst it is an attractive building, it will not relate well to the neighbouring properties (see below) which have retained traditional design features found along Pear Tree Lane. The design is urban in style and not respectful of the rural character of the area. The proposed dwelling does not relate to the neighbouring dwellings and contains no features of the local vernacular.



The application form includes landscaping works to also be considered as part of the application. The re-profiling of the land has permission under reference 20220543 however condition 3 required full details of landscaping to be submitted. The details that were submitted were insufficient and the condition was refused (20221105). This current application contains no landscaping details.

The proposed development therefore conflicts with the objectives of Policy CS19 of the Gravesham Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021 which seek to ensure developments are attractive, add to the overall quality of the area and are sympathetic to local character.

Impact on Landscape Character

The application site is located in the Shorne Wooded Downs Landscape Character Area and as such, Policy CS12 of the Core Strategy 2014 is also relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment (LCA) will be taken into account in determining applications. Paragraph 174 of the NPPF 2021 seeks to protect and enhance such valued landscapes.

The application site falls within the Shorne Woodland landscape area. The assessment states that the sensitivity of this area is moderate and that the Planning Authority should aim to conserve and reinforce the distinctive features and elements of the landscape. There is a strong character of traditional rural dwellings.

The proposed development will result in an alien feature within the landscape that will be visible due to the undulating topography of the landscape. The development is therefore considered to have a detrimental impact on the surrounding Landscape Character contrary to policy CS12 of the Gravesham Core Strategy 2014 and para. 174 of the National Planning Policy Framework 2021.

Amenity of Future Occupiers

The proposed replacement dwelling far exceeds the adopted residential standards and therefore no objection is raised.

Neighbouring Amenity

The master bedroom contains a wrap-around window to the front and a balcony. This will have potential to overlook the front garden of the Little Priory which is not a private amenity area and therefore no concerns are raised.

There are no habitable room windows proposed in the southwestern flank of the new dwelling and therefore there will be no loss of privacy to the neighbour at Springhill. Due to the distances involved there will be no detrimental impact on any neighbouring property in terms of loss of outlook, sunlight or daylight.

Ecology and Biodiversity

No ecological information has been submitted with this application. As a result of reviewing the data available, and the information submitted with the planning application, it is clear that further information is required with regards to the potential for ecological impacts to arise.

Habitats and features (including the buildings proposed for demolition) are present on and around the site, indicating ecological value and the potential for protected species presence (e.g., roosting bats) that must be taken account of in the planning decision. As such, an Ecological Impact Assessment (EclA) should be undertaken by a suitably qualified ecologist, in accordance with good practice guidelines. This should be submitted prior to the determination of the application. No details of landscaping or ecology have been submitted with the application.

Under section 40 of the Natural Environment and Rural Communities Act (NERC) Act 2006 and paragraph 174 of the NPPF 2021, biodiversity should be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF 2021, the implementation of net gains for biodiversity (integrated as part of design) should be encouraged.

The submitted application lacks detail in this regard and therefore is contrary to Policy CS12 of the Gravesham Core Strategy 2014 and para. 174 and 180 of the National Planning Policy Framework 2021.

Parking and Highways

There is ample off road parking available for the property however there are no plans to demonstrate how it would be provided. If the application were permitted a condition would be recommended that a plan showing the off road parking arrangement is submitted to and approved in writing by the local planning authority.

Conclusion

The proposed replacement dwelling, due to its size, bulk and contemporary appearance is materially larger than the building it seeks to replace and therefore fails to meet the objectives of saved Policy C12 of the Gravesham Local Plan First Review 1994, Policy CS02 of the Gravesham Core Strategy 2014 and the exception criteria listed in para. 149 (d) of the National Planning Policy Framework 2021. It would result in substantial additional harm to the openness of the Green Belt than the existing development and is not

considered to fall within limited infilling or redevelopment of previously developed plan as it would have a greater impact on the openness of the Green Belt than the existing development therefore failing to meet the exception criteria listed in para. 149 (g). Consequently it is considered inappropriate development in the Green Belt that would detrimentally impact on the openness of the Green Belt.

The proposed replacement dwelling consisting of an ultra-contemporary building with flat roof, render and glass balustrades does not relate well to the neighbouring, more traditional, properties and is not respectful of the rural character of the area and surrounding landscape. The proposed development therefore conflicts with the objectives of Policies CS12 and CS19 of the Gravesham Core Strategy 2014 and paras. 130 and 174 of the National Planning Policy Framework 2021.

The application includes landscaping works, the details of which have not been provided, nor have details of the biodiversity and ecology on the site and therefore it is not possible to ascertain the impact of the development on the natural environment. This is contrary to Policy CS12 of the Gravesham Core Strategy 2014 and paras. 174 and 180 of the National Planning Policy Framework 2021.

Recommendation:

Refuse

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

Case Officer:	Mrs Alison Webster	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	17 July 2023	Dated:	17 July 2023