



Delegated Report

Full Planning Application

Application No: 20220712

Location: Castle Shaw, Wrotham Road, Istead Rise, Gravesend, Kent, DA13 9EG

Description: Demolition and replacement of existing stable block and barn

Applicant: Mr Avttar Channa

Site Visit: 16th August 2022

Submitted Documents/Plans

Application Form - dated 28/06/2022;
Drawing no. 001 - Rev. B - Site Location Plan, with Existing and Proposed Block Plans;
Drawing no. 002 - Rev. A - Existing Plans and Elevations;
Drawing no. 003 - Rev. A - Barn A - Proposed Plans and Elevations;
Drawing no. 004 - Rev. A - Barn B - Proposed Plans and Elevations.

~~Drawing no. 001 - Rev. A - Site Location Plan, with Existing and Proposed Block Plans - SUPERSEDED.~~

Relevant Planning History

Reference	Description	Decision	Decision Date
19920030	Erection of two storey extension on the south side to form study, enlarged dining room and utility room with 3 no. bedrooms at first floor level.	PERMITTED	24.03.1992
19910265	Erection of two storey extension on south side to form playroom, dining rm., lobby, utility rm. & w.c. with 3 bedrooms & bathroom at 1st floor; erection of single storey rear extension to form breakfast rm. & alterations to part of the ground floor front elev. to form entrance hall & porch.	REFUSED	11.06.1991
19880208	Change of use from private dwelling to a residential home for the elderly.	REFUSED	23.05.1988

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 - Sustainable Development
- CS02 - Scale & Distribution of Development
- CS07 - Economy, Employment and Skills
- CS11 - Transport
- CS12 - Green Infrastructure

- CS13 - Green Space, Sport and Recreation
- CS18 - Climate Change
- CS19 - Design & Development Principles

Gravesham Local Plan: First Review (1994)

- C17 - Horse-riding and Stables
- P3 - Vehicle Parking Standards
- T1 – Impact on the highway network
- T4 - Development outside the Built-Up Area

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 6 - Building a strong, competitive economy
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving sustainable development and well-designed places
- Section 13 - Protecting Green Belt land
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - 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)
- SPG 4 - KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guidance (SPD) (2021)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

External consultees

Local Ward Councillors - concerns over the scale of development within the Green Belt and potential future conversion into residential uses.

Neighbouring properties

A notice was displayed on site 5th July 2022.

In addition, five surrounding properties were consulted and no representations were received. The consultation period expired 29th July 2022.

Officer's Analysis

Site Description

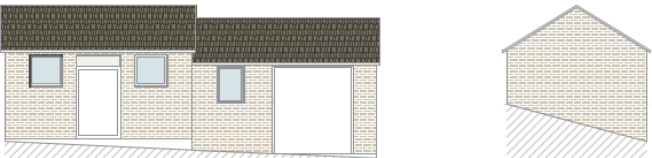
The application site is located on the eastern side of Wrotham Road, near to the junction with Lewis Road, on the outskirts of the village of Istead Rise. The dwelling is a large detached property which was extended by two storeys in 1990 (ref. 19920030). It is located on a



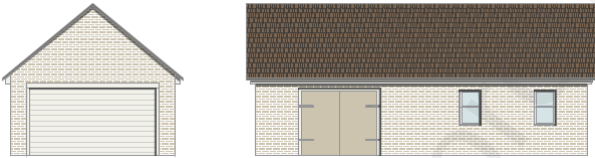
On the site there are three outbuildings located to the south east of the dwelling, which are a barn, stable block and another outbuilding (see pictures above).

Proposed Development

This application proposes the demolition and replacement of the existing stable block and barn, with other associated works. The existing building shown in the photograph above (left of the three) will be retained as part of this development.

Existing Stable Block	
	• Depth - 3.65m • Width - 9.8m • Height (max) - 3.5m • Height (eave) - 2.45m
Proposed Stable Block	
	• Depth - 6m • Width - 11.7m • Height (max) - 4.7m • Height (eave) - 2.88m

The existing stable block will be replaced by a bigger building, with a footprint of 72.2m² (an additional 36.1m²). The replacement block will include two stable bays and one storage section.

Existing Barn	
	• Depth - 4.92m • Width - 9.98m • Height (max) - 4.55m • Height (eave) - 2.5m
Proposed Barn	
	• Depth - 10m • Width - 20m • Height (max) - 6.72m • Height (eave) - 3.3m

Similar to the stable, the existing barn building will be replaced by a materially larger building, with a footprint of 200m² (an additional 150.6m²). The new barn will have one main double door and a smaller pedestrian door. According to the plans, the barn will be used for the storage of tractors and other machinery for maintaining the land.

As part of the application, a courtyard area will be created between the new buildings and the existing building that will be retained. The courtyard will have an area of 518.25m².

Principle Issues

The application site is located in the Green Belt and as such Policy CS02 of the Gravesham Local Plan Core Strategy (LPCS) (2014) is relevant. Development in the urban area is prioritised as the sustainable location for development. In the rural area, Policy CS02 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, i.e. in the Green Belt, will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS.

1. Is the proposed development appropriate in the Green Belt?

2. *Impact on the openness of the Green Belt?*
3. *Any very special circumstances*
4. *Impact on Landscape and Design;*
5. *Other Matters;*
6. *Any Other Material Planning Considerations*

1. *Is the proposed development appropriate in the Green Belt?*

There are strict policy considerations within the Green Belt whereby paragraph 147 of the National Planning Policy Framework (NPPF) (2021) states that inappropriate development is, by definition, 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. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless it falls within the specified exceptions given in Paragraph 149:

- a) *buildings for agriculture and forestry;*
- b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) *limited infilling in villages;*
- f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - *not have a greater impact on the openness of the Green Belt than the existing development; or*
 - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

No additional details, or planning statement, have been provided to argue which NPPF exception the development is to be considered against. Therefore, the Local Planning Authority must determine which exception the application should be regarded as relevant.

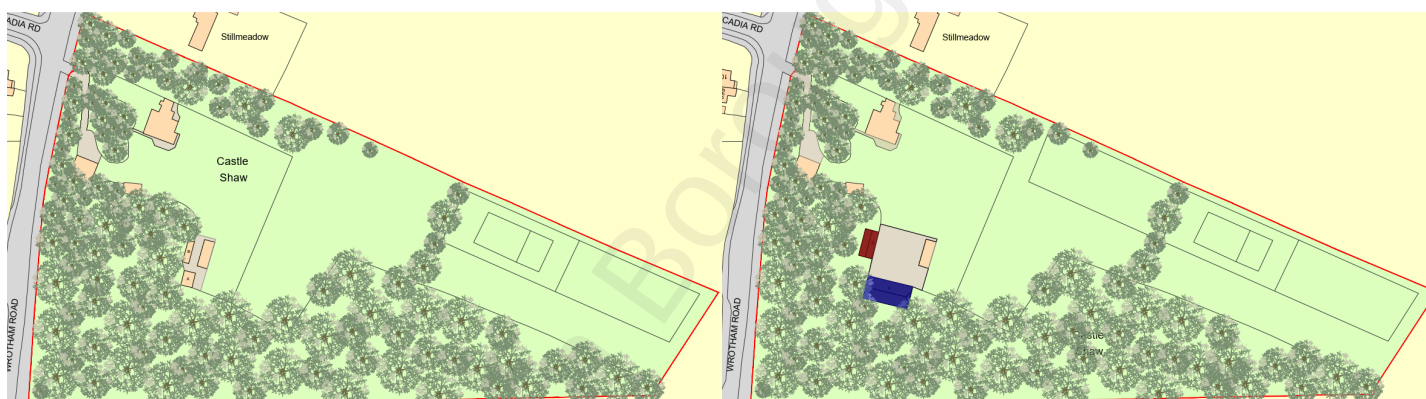
The proposed outbuildings are replacement buildings and will be of the same use, which means that (d) is relevant and therefore the replacement building(s) should not be materially larger than those they are replacing. In this case, the application proposes the redevelopment of both the stable block and barn building. The tables below demonstrate numerical calculations of the buildings, comparing their footprint and maximum height:

Stable Block			
	Existing	Proposed	% increase above original
Footprint (m ²)	36.1m ²	72.2m ²	100%

Height (m) (of main part of the building)	3.5m	4.7m	34.3%
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Barn			
	Existing	Proposed	% increase above original
Footprint (m²)	149.4m ²	200m ²	33.9%
Height (m) (of main part of the building)	4.55m	6.72m	47.7%

Evidently, from the tables above, in terms of footprint and height, the development would represent a significant increase in built form at the site compared with the current development. The comparative screenshots from the location plans serve to visually demonstrate the change in scale of built form:



In terms of the height comparisons, the heights of both proposed buildings will significantly exceed those of the existing buildings on the site. The volume comparisons were not made for this application, however the details shown in the table above, and the comparative screenshots earlier in this report, clearly demonstrate that proposed outbuildings would in fact be materially larger than the existing buildings.

Therefore, even though the replacement buildings are considered to be for the same use, they are materially larger than the buildings they are replacing and the proposal is contrary to (d) of paragraph 149 (NPPF), and is inappropriate development within the Green Belt.

2. Impact on the openness of the Green Belt?

Paragraph 137 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also states that the essential characteristics of Green Belts are their openness and permanence.

The openness of the Green Belt has both spatial and visual aspects, and any new built form of development is harmful to its open character. As demonstrated above, both replacement outbuildings are materially larger than the existing buildings and are inappropriate development within the Green Belt. Their increased scale, height and bulk would harm the openness.

The barn is significantly larger than the building it will replace with a height of 6.72m and a width of 20m. The building is designed with a barn hipped roof, which serves to reduce some perceived bulk, however is

not adequate mitigation for the bulk and massing that would reduce harm to the openness of the Green Belt. Similarly, the proposed stable building is larger than the existing block. The height and width would be increased, and by virtue of its gable ends will add notable and bulky built form of development within the Green Belt, harmful to its openness.

Separately the new stable block and barn would negatively impact the openness of the Green Belt. However, the cumulative impact of both the stable and barn, by virtue of their scale, heights and perceived bulk, would be significant, eroding the spatial and visual open character of the Green Belt, contrary to local and national planning policy.

Moreover, to create space for the larger buildings and courtyard area between, a number of mature trees and biodiversity will be removed. The courtyard will be hard-paved with an area of 518.25m², and in the same way that buildings harm the open character of the Green Belt, permanent hardstanding cause harm to the permanent openness of the landscape. Therefore, in addition to the buildings the clearing of land and formation of hardstanding will erode the spatial and visual open character of the Green Belt.

Reference back to paragraphs 147 and 148 of the NPPF informs us that inappropriate development in the Green Belt should not be approved except in very special circumstances and that very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Whether the development causes any other harm and whether there are any other relevant considerations to balance the overall planning argument, should now be considered.

3. Any Very Special Circumstances

No specific arguments have been put forward by the applicant in relation to the assessment of 'very special circumstances', however the permitted development rights must be considered. The property benefits from full permitted development rights and therefore Class E of the Town and County Planning (General Permitted Development) (England) Order 2015 (GPDO), as amended, are a material planning consideration for this application.

Class E sets out the rules on permitted development for buildings within the curtilage of a house. Buildings under Class E should be built for purposes incidental to the enjoyment of the house. Paragraph E.4 of Class E indicates that purposes incidental to the enjoyment of the house includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the house. The rules also allow, subject to the conditions and limitations below, a large range of other buildings on land surrounding a house, which can include common buildings such as garden sheds, other storage buildings, garages, and garden decking as long as they can properly be described as having a purpose incidental to the enjoyment of the house.

As the outbuildings proposed would be incidental to the enjoyment of the dwelling, the permitted development fall-back position must be carefully considered within the planning balance. The outbuildings would not comply with the requirements set out in Class E of the GPDO, by virtue of their height and eave height exceeding those set out within the Order. Nevertheless, the GPDO would enable the construction of similar, or larger, outbuildings to those proposed in terms of footprint if the heights were reduced without any consideration to the harm caused to the Green Belt.

The maximum height permissible under Class E for an outbuilding is 4m, which is greatly exceeded by both at 4.7m and 6.72m respectively. Similarly, the eave heights exceed the 2.5m parameter by 0.38m and 0.8m. As aforementioned, these heights are considered to erode the openness of the Green Belt by virtue of creating additional bulk and massing to the proposed buildings. The height differences are not marginally above the GPDO requirements and therefore the permitted development fall-back position is not considered sufficient grounds to off-set the harm caused to the Green Belt. Therefore, although a material planning consideration and a very special circumstance within the planning balance, the permitted development fall-back position is not considered an acceptable mitigation to the harm caused to the Green Belt by virtue of disproportionate heights and excessive bulk of the buildings.

4. Impact on the Landscape and Design

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. In addition, as the property is located within the Istead Arable Farmlands Policy CS12 (LPCS) is relevant, which seeks to protect the Green infrastructure within the Borough and states at 5.7.26 the overall landscape character and valued landscapes will be conserved, restored and enhanced.

The proposed building are larger than those they will replace, however are designed with a rural appearance appropriate for their location and purpose. The stable block will be constructed using similar materials to the existing stable and building that will be retained, which is brickwork and a tiles roof. The barn will have a tiled roof with a timber-clad finish on the walls.

Overall, the proposed buildings are considered to be appropriately designed and will integrate well with the rural character of the area. The buildings are set-back within the curtilage of the property and will not be visible from any public vantage point. Therefore, the development is in accordance with Policies CS12 and CS19 (LPCS) as well as Section 12 (NPPF).

5. Other Matters

Amenity of Future Occupiers

Policy CS19 (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines (RLG) (2020).

The outbuildings are located 40m to the south of the dwelling, which is located on an extensive plot with significant amenity space that exceeds recommendations within the RLG. Therefore, the proposed development will have no impact on the amenity of existing or future occupiers, and is in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Neighbouring

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 127 of the NPPF (2021) requires development to have a high standard of amenity for existing users (in this case surrounding properties).

The outbuildings are located to the south of the site and are approximately 81m from the adjoining neighbour. Given this distance, the development will have no material impact on the amenity of neighbouring properties in terms of loss of light, overlooking, sense of enclosure or outlook. As such, the proposal is considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Parking and Highways

There are no parking or highway issues related to this proposal. The property benefits from a three vehicle open carport and a driveway with space for vehicular parking. As such, the proposed development will not impact on the parking provision on site and is in accordance with Gravesham's adopted parking standards SPG4 (2006).

6. Any Other Material Planning Considerations

Impact on Biodiversity - The development would involve the clearing of trees and other biodiversity on the site to create space for the larger outbuildings, with the formation of a large hard-paved courtyard area. As

discussed previously this is harmful to the openness of the Green Belt, but is also contrary to Section 15 of the NPPF. Section 15 states that any development should result in a net gain of biodiversity and no off-set of biodiversity is proposed as part of this application. Therefore, in addition to being harmful to the permanent open character of the Green Belt, the development fails to secure a net gain in biodiversity contrary to Policy CS12 (LPCS) and Section 15 of the NPPF.

Concerns with Conversion - concern was raised by a Local Councillor regarding the potential conversion of the buildings into residential accommodation. Although the conversion of outbuildings is common, this is not a material planning consideration of this proposal as the description and plans demonstrate that the outbuildings would be used for storage and stables. Moreover, if the Local Planning Authority were minded to permit the development conditions could be attached to the decision notice to restrict any such conversion.

Conclusion and Balancing Exercise

The application has been fully considered and is contrary to local and national planning policy.

The replacement outbuildings are materially larger than those they will replace, which is inappropriate development within, and harmful to the open character, of the Green Belt. The scale, bulk and massing of the replacement buildings, along with the extensive clearing and hardstanding, will add further harm to the permanent openness of the landscape and fails to secure a biodiversity net gain. Although a larger scale of building could be constructed under permitted development, the height of the proposed buildings significantly exceed the parameters set out in the GPDO and is not an adequate fall-back to offset harm caused to the Green Belt. Therefore, the proposed outbuildings are contrary to Policies CS02 and CS12 of Gravesham's Local Plan Core Strategy (2014), as well as Sections 13 and 15 of the National Planning Policy Framework (2021).

As such, it is recommended that the application is refused.

Recommendation

Refusal

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

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	17 th August 2022	Dated:	23 rd August 2022