

Delegated Report

Householder Planning Application

Planning Application No: 20220967

Location: Priesthood, Priestwood Road Meopham Gravesend

Description: Retrospective application to retain privacy fence over 1m to front of property, and erection of new gates, pillars and wall over 1m.

Applicant: Mrs Emma Davey-Brown

Site Visit Date: 15/11/2022

Submitted Documents/Plans

- Application Form
- Site Location Map
- Existing and Proposed Block Plans
- Proposed Elevations

Supplementary Information

- Photographs 1
- Photographs 2

Relevant Planning History

Reference	Description	Outcome	Decision Date
20170545	Construction of new enlarged roof with rooms in the roofspace incorporating erection of rear and side extensions to provide a five bedroom chalet bungalow and erection of new detached double garage at the front.	Permitted	18.07.2017
19830035	Erection of single storey extension on the south side to form kitchen dining room and utility room	Permitted	23.02.1983
19820633	Erection of single storey extension on the north side to form bedroom and garage erection of front porch and single storey extension on the south side to form kitchen dining room and utility room	Refused	18.10.1982
19770461	Erection of detached treble garage	Permitted	22.07.1977
19680165	erection of detached bungalow for agricultural worker	Permitted	30.09.1968
19500019	Erection of agricultural bungalow	Permitted	03.03.1950

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

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards

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

The Council undertook such a review in September 2019 and The review found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02 due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2021), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2021)

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

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Meopham Parish Council

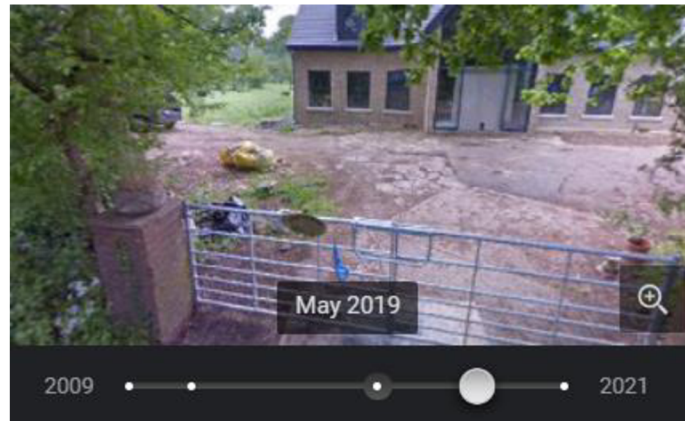
Meopham Parish Council objects to this planning application on the grounds of the style and height of the gate in particular, is given its height and style significantly out of keeping with the rural setting.

Dickens Protection Society

Close boarded fences 1.8m high are not normally a feature of the countryside. In the society's view, in an Area of Outstanding Natural Beauty it is reasonable to expect buildings and other features to respect the character of the countryside, and where possible, to enhance it.

Highways Officer

Ideally and under normal circumstances, I would recommend refusal of the use of gates so close to the highway but the evidence of Google Street View; demonstrate they have been in use since at least May 2019.



The preceding image dated October 2016 shows that the gates had not been installed at that time, but the dwelling was a different building at that time, planning permission being given for the current structure in July 2017.

To protect visibility it is suggested that there should be no fence over 1 metre in height within 2.4 metres of the highway, although it would be possible to taper the fence, without details on vehicle speeds the actual requirement for a splay cannot be determined and a constant distance between the fence and the highway gives the possibility for a maintainable verge providing growth is limited to a maximum of one metre.

In terms of the gates, they already exist and so it would be inappropriate to require them to be set back six metres to allow a vehicle to clear park clear of the highway whilst the gates are opened or closed. However, as the gates would restrict visibility, they should be set back 2.4 metres from the edge of carriageway with the gates restricted to open inwards or slide along the fence line to protect the visibility splays.

Neighbouring properties

The application was advertised by way of site notice and letters to five surrounding properties. The consultation period expired on 9th December 2022 and four representations, and one supporting comment were received.

The main points raised in the objection were:

- Objection based on hedging growing excessively
- Object to construct four pillars, 2x 2mtrs. and 2x 1,8 metres, and install painted, solid, wooden gates.
pillars of this height and painted solid wooden gates are out of character and create an unsightly and unwelcome precedent.
The current privacy fencing is ugly and out of place.
- 'Heath Robinson' screening is unsightly.
- Natural, well planted hedge would serve as a better screen
- Design of the gates is not in keeping with the area
- Would support this application if it was more in keeping with the area
- Front of the property can be secured with a field fence and hedging
- The gates should be more in keeping with the area and also not overly high
- The current structure is not in keeping with a rural setting
- Current drawing shows the gate hard up against the road which is not appropriate.
- All other such gates in the area are set back from the road which reduces the impact of the structure.
the appearance and materials used to be carefully considered and in keeping with the rural setting.
the number of photos of structures in the area are misleading.

- Camera angles have been chosen to make the structures look taller than they actually are.
- There are NO fences or gates over 1 m tall for the entire length of Priestwood Road between Horns Oak Road and Whitehill Road.
Privacy would be obtained in a far more appropriate way if the vegetation grows into a hedge like most people in the area do.
- The aspect of the building screened by the fence is not overlooked by anyone and the property has over an acre of private land to the rear.
- A hedge and some curtains might be the most appropriate course of action.

Analysis

Proposal

The proposal is a part retrospective application to retain a privacy fence over 1m to the front of the property, and erection of new gates, pillars and a wall over 1m.

The proposal also seeks to erect a 2m close boarded gate to the south side of the plot with new pillars, a wall and a flower bed.

The gate entrance positioned to the west is proposed to be widened by 0.6m with pillars installed at 1.7m high. The gate will have a height of some 1.8m and will also be a close board gate.

Appropriateness of Development in the Green Belt

Paragraph 147 of the NPPF (2021) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. "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 construction of boundary walls and gates is inappropriate in the Green Belt as it does not meet the exceptions of paragraph 149 of the NPPF (2021).

Harm to the Green Belt

Paragraph 137 of the NPPF (2021) 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. Paragraph 001 of the Planning Practice Guidance 2019 on Green Belts looks to assess the impact of a proposal on the openness of the Green Belt by taking into account the spatial and visual aspects of a development, its duration and remediability, and the activity levels generated.

The application proposal is a form of inappropriate development, and would inevitably erode the openness of the Green Belt. The application site comprises of a dwelling with mature hedging around the site.

In both spatial and visual terms, by reason of the permanent nature of the solid gates combined the brick pillars would increase the spread of residential activities across the site, this would clearly result in a loss of openness. In addition, as the site lies outside any settlement boundary, the development would represent an encroachment into the countryside, which is contrary to the purposes of including land within the Green Belt (paragraph 138 of the NPPF 2021), and Policy CS02 of the Core Strategy 2014, which only supports development outside settlement boundaries where it is compatible with national and local policies for protecting the Green Belt. Safeguarding the countryside by minimising the expansion of the Borough's rural settlements is a stated local purpose of the Green Belt as set out at paragraph 4.2.7 of the Core Strategy 2014.

The use of landscaping conditions could help reduce the visual impact to a certain degree, but this would

not overcome the overall adverse impact on openness and encroachment. The proposed development is therefore considered to be unacceptable on the grounds of the substantial harm and adverse impact on the openness of the Green Belt and encroachment into the countryside. The proposal would therefore fail to comply with the requirements of Policy CS02 of the Core Strategy 2014 and paragraphs 137, 138, 147, 148 and 149 of the NPPF 2021.

Very Special Circumstances

The development would result in a permanent loss of openness, and would result in encroachment into the countryside on a site in the Green Belt site. As the applicant considers the proposal would not amount to inappropriate development, no case for 'very special circumstances' has been put forward. As there are no 'very special circumstances' that would outweigh the harm to the Green Belt caused by the inappropriateness of the proposed wall, gate and fencing, the development should not therefore be approved.

Impact on Landscape Character and appearance

Policy CS19 of the Core Strategy 2014 requires that new development is well designed and respects the character and appearance of surrounding area. The application site is located in the Harvel 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.

In relation to the Harvel Wooded Downs Landscape Character Area, the LCA states that the key characteristics of this landscape include a varied topography with steep valley sides and ancient woodland, small paddocks and pasture. The condition and sensitivity of the area are moderate and the guidelines are to conserve and create.

Policy CS19 (LPCS) requires new development to be "visually attractive, fit for purpose and locally distinctive" and to "conserve and enhance the character of the local built, historic and natural environment". It also requires new development to "integrate well with the surrounding local area". In addition, Policy CS19 requires the following:

"....the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. Account will be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings."

Priesthood Bungalow is a detached bungalow in situated in an area designated as Greenbelt. The property is set back from the road by approx. 10 metres and there is hedging along the boundary of the property which shelters the property from view from the road,



The slatted fencing installed behind this low-level chain-link fencing features a void at the bottom of the fence and appears as an awkward installation which is not visually appealing. The dark grey slats positioned at the top are not in keeping with the surroundings and appear as an intentional privacy barrier as opposed to a natural and subtle form of boundary treatment. At its highest point this fencing reaches 2m which is of an inappropriate scale and does not serve as a positive contribution to the street scene or wider landscape.

Character and Appearance

CS12 of the Local Plan Core Strategy 2014 states:

“The overall landscape character and valued landscapes will be conserved, restored and enhanced.”

It should also be noted that as the site falls within the Green Belt there is a strong presumption against inappropriate development and as such the below applies:

“Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any application or appeal concerning such development.”

The fencing is considered to serve as a harmful addition to the landscape due to it acting as a visual curtain, it is also evident from the above assessment that the proposal also demonstrates poor design. The provision of a 2 metre high slatted fence along the front boundary of the property is considered to be an alien feature within the rural environment and one that is likely to cause harm to the openness of the area.

The proposal also shows the existing low level cattle gates to be replaced with two 1.9m tall close board gate which will be flanked by two yellow brick pillars either side which will have a height of 2m. The proposed gates appear visually prominent, and do not conserve nor enhance the character of the local built and natural environment. The gates are considered to harm the open nature of the landscape due to their solid and vast appearance, furthermore these fail to preserve the character and appearance of this rural setting. The proposed close board gates and pillars are out of character and not in keeping with the rural surroundings contrary to CS19 and CS12 of the Local Plan Core Strategy 2014.

The proposed development (fencing, gates and walls) would detract from the visual quality of the site and would significantly harm the rural character of the area, thereby contrary to the objectives of the Gravesend Landscape Character Assessment (2009). The use of landscaping conditions could help reduce the visual impact to a certain degree, but this would not overcome the overall adverse impact on the character

of the site and wider area from the development of this site. The proposed development is therefore considered to be unacceptable on the grounds of the failure to conserve or enhance the rural character of the site and surroundings. The proposal would therefore fail to comply with the requirements of the Gravesham Landscape Character Assessment (2009), Policies CS12 and CS19 of the Local Plan Core Strategy 2014 and paragraphs 130 and 174 of the National Planning Policy Framework 2021.

Neighbouring Amenity

As a result of the scale and nature of the development and its distance from neighbouring properties, it would not impact upon the residential amenity of neighbouring occupiers in terms of loss of sunlight/daylight or loss of outlook.

As such, it is considered that this development meets the tests set out in the National Planning Policy Framework (2021) and Policy CS19 of the Local Plan Core Strategy 2014 in relation to its impact upon the residential amenity of neighbouring occupiers.

Parking and Highways

In order to ensure the proposal is compliant with highway safety the gates would need to be set back a minimum of 2.4m from the highway edge. Whilst this is achieved on the southern gate the gate positioned to the west is position in close proximity to the highway and would pose as a significant highway hazard.

During an officer site visit it was evident that a stopped vehicle waiting for a gate to open would serve as a hazard to other motorists, the submission also fails to demonstrate adequate visibility splays, this is also a significant highway hazard for any passing pedestrians.

Therefore, the proposed development is contrary to Policy CS11 (Transport) of Gravesham's Local Plan: Core Strategy (2014) and Section 9 of the National Planning Policy Framework (2021).

Conclusions and Balancing Exercise

The proposed development (fencing, gates and walls) detracts from the visual quality of the site and would significantly harm the rural character of the area, thereby contrary to the objectives of the Gravesham Landscape Character Assessment (2009). The proposed development is therefore considered to be unacceptable on the grounds of the failure to conserve or enhance the rural character of the site and surroundings. The proposal would therefore fail to comply with the requirements of the Gravesham Landscape Character Assessment (2009), Policies CS12 and CS19 of the Local Plan Core Strategy 2014 and paragraphs 130 and 174 of the National Planning Policy Framework 2021. The proposed development is considered to be unacceptable on the grounds of the substantial harm and adverse impact on the openness of the Green Belt and encroachment into the countryside. The proposal would therefore fail to comply with the requirements of Policy CS02 of the Core Strategy 2014 and paragraphs 137, 138, 147, 148 and 149 of the NPPF 2021.

The proposed development (Fencing, gates, Walls) on the Western Edge represent a risk to highway safety by virtue of insufficient visibility splays and sightlines for other road users and pedestrians. Therefore, the proposed development is contrary to Policy CS11 (Transport) of Gravesham's Local Plan: Core Strategy (2014) and Section 9 of the National Planning Policy Framework (2021).

See draft Decision

Case Officer: Sharon Sahota	Team Leader: Richard Hart
Signed: 	Signed: 

Dated: 30 th January 2023	Dated: 31 st January 2023
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