



# Delegated Report

## Householder Planning Application

**Planning Application No:** 20220673

**Location:** 1 Eden Villas Round Street Cobham Gravesend

**Description:** Replacement conservatory frames and windows, dark woodgrain PVCu

**Applicant:** Mrs P Hodge

**Site Visit Date:** 08 September 2022

### Submitted Documents/Plans

Householder Planning Application form;  
Red line site boundary plan;  
Existing and proposed block plan;  
Existing ground floor layout and elevations;  
Proposed ground floor layout and elevations;  
Photograph of side elevation; and  
Photograph of front elevation.

### Procedural issues

The applicant has confirmed that only the concrete base of the existing conservatory will be retained, everything above the base will be replaced with new (email dated 30 August 2022).

### Relevant Planning History

| Reference | Description                                                                                                                                                                                          | Decision | Decision Date |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------------|
| 19830461  | Erection of single storey rear extension to form granny annexe comprised of lounge, bedroom, bathroom, kitchen and lobby together with the erection of enlarged kitchen and lobby to existing house. | Refused  | 22.02.1984    |

### Development Plan

#### Gravesham Local Plan Core Strategy (September 2014):

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

#### Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- C13 – Extensions to dwellings in the countryside

- TC7 – Other Archaeological Sites

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

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

#### National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places
- 13 – Protecting Green Belt land
- 15 – Conserving and enhancing the natural environment 1
- 16 – Conserving and enhancing the historic 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);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009)

#### **Consultations, Publicity and Representations**

##### Cobham Parish Council

No response received.

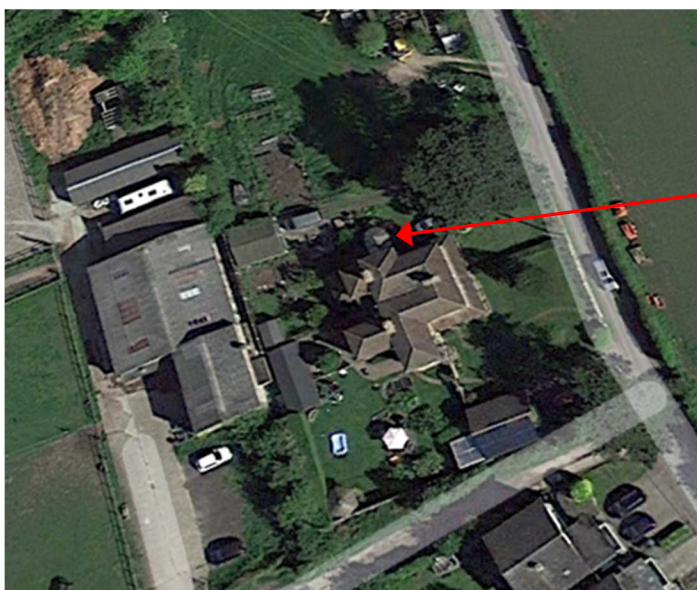
##### Neighbouring properties

The application was publicised by a site notice and to two neighbouring properties by letter. No representations have been received and the consultation period expired on 15 September 2022.

#### **Officer's Analysis**

##### Background

The existing conservatory at the application site does not have planning permission but has been onsite since at least May 2018 (Google Earth image follows on next page) and is therefore considered lawful through the passage of time. It is noted that the dwelling at the application site has permitted development (PD) rights but that the existing conservatory would not have met the criteria for a PD side extension, due to its width being greater than half of the width of the original dwelling. Therefore planning permission would have been required for the erection of the conservatory.



Google Earth image 05 May 2018

### Green Belt

In relation to the Green Belt, Policy CS02 of the Gravesham Local Plan Core Strategy (September 2014) prioritises development in the urban area as a sustainable location for development. In the rural area it states that development will be supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the Local Plan Core Strategy.

Therefore the principle issues in the determination of this application are;

- Is the proposed development appropriate in the Green Belt?
- Effect on the character and appearance of the area - including landscape character
- Other matters

### **Is the proposed development appropriate in the Green Belt?**

Paragraph 137 of the NPPF 2021 sets out that the essential characteristics of Green Belts are their openness and permanence and paragraph 138 lists the five purposes that the Green Belt serves. At the application site, the Green Belt assists in safeguarding the countryside from encroachment. 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.

Paragraph 149 of the NPPF 2021 states that the construction of new buildings should be regarded as inappropriate development in the Green Belt, but lists certain exceptions. These exceptions are set out in sub-paragraphs 149(a) to 149(g). Sub-paragraph 149(c) identifies 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.

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

In particular Saved Policy C13 places an overall limit on extensions of one third of the gross floor area of the original dwelling unless the increased floor space has no overall effect on the existing bulk and appearance of the dwelling (criteria (ii)). It also requires the massing, scale and form of any extension to be appropriate to the existing dwelling and the Green Belt setting (criteria (vi)). It is considered that these

factors are relevant in determining whether the size of an extension is proportionate and as such, these aspects of the policy are broadly in line with the NPPF 2021 and should be afforded weight.

The original building, for the purposes of assessing whether the proposed extension is disproportionate, is the dwelling as it was originally constructed. The original dwelling was two storey with a small single storey rear projection and had a floor area of 130.38 square metres. The main roof was pitched with hipped ends and there was a canopy above the ground floor on the front and side elevations which had a pitched roof. These design features remain unchanged.

The dwelling has been extended at ground floor level with the addition of a utility room and a larger kitchen since it was originally built. These extensions increased the floor area of the dwelling by 9.91 square metres and do not appear to have had planning permission. The dwelling was also extended by the addition of a conservatory circa May 2018. The conservatory was also constructed without planning permission but as the period of time for taking enforcement action has expired, it is considered to be a lawful structure. The existing conservatory has a floor area of some 13 square metres with a hipped roof (maximum height 3.8 metres).

The proposed conservatory would also have a hipped roof (maximum height 3.8 metres) and a floor area of some 13 square metres and would replace the existing conservatory with an identical structure. The proposal, cumulatively with the existing extensions, would increase the floor area by 22.91 square metres or 18% above the original building. However it is noted that, as the proposed conservatory would replace an identical existing conservatory, in real terms there would be no increase in floor area above the existing situation.

The proposed conservatory would elongate the building by virtue of being located at its widest part, but by being a glazed structure, the impact of the proposed conservatory on the openness of the Green Belt would be significantly less than if it were a brick built extension. In addition, as a replacement structure, the proposed conservatory would not add any greater bulk or mass to the side of the building than the existing situation.

Therefore it is considered that the proposed development would be in line with the floor area limit set out in Saved Policy CS13 of the Gravesham Local Plan First Review November 1994 and would not result in a disproportionate addition to the original building. As such, the proposal would be appropriate development in the Green Belt and in line with Policy CS02 of the Gravesham Local Plan Core Strategy September 2014, Saved Policy C13 of the Gravesham Local Plan First Review and paragraph 149(c) of the NPPF 2021.

### **Effect on the character and appearance of the area**

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

The design of the proposed conservatory would be broadly in keeping with the original building and the external facing materials would match those which are existing. The proposed development would be located at the side of the building and would be widely visible from the adjacent roadway but would not be detrimental to the character of the street scene.

The application site is located in the Meopham Downs Landscape Character Area and as such, Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 is 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 will be taken into account in determining applications. The Meopham Downs LCA is characterised by a mixture of grazed pasture and arable land, with field shape

and size being varied because of the topography of the area. Tree belts and native hedgerows with mature hedgerow trees form distinct boundaries.

The area around the application site is rural with individual dwellings located in large plots. The plot surrounding the existing dwelling has a shed, greenhouse and detached garage at the rear and significant areas of mature planting, including grass and trees. The proposed development would not result in an increase in the amount of built development above existing and would be within an existing residential curtilage. Therefore the proposal would not adversely affect the landscape character of the surrounding area.

Overall it is considered that the design of the proposed development would be acceptable and would not detract from the character of the original building or the surrounding rural landscape. Therefore the proposal would be in line with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

### **Other matters**

#### Amenity of Future Occupiers

The proposed development would not harm the amenity of future occupiers and sufficient garden would be retained to comply with the Borough Council's Residential Layout Guidelines. As such, the proposal would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014.

#### Neighbouring Amenity

The closest residential property to the application site is no. 2 Eden Villas (located immediately to the south). Due to the design and location of the proposed conservatory, there would be no adverse overlooking, overshadowing or overbearing impacts to the occupiers of no. 2 Eden Villas. Therefore the proposed development would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014.

#### Any Other Material Planning Considerations

The application site is located within Groundwater Source Protection Zone 3 and an Area of Archaeological Potential. However, as the proposed development would be within the confines of an existing residential garden and would not involve any groundworks, then it is considered that there would be no adverse impacts to groundwater or archaeology.

#### Suggested Conditions

Time limit

Development in accordance with approved plans

Materials to match existing

### **Conclusion & Recommendation**

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

|                      |                                                                                     |                     |                                                                                       |
|----------------------|-------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------------------|
| <b>Case Officer:</b> | Mrs Kelly Joyce                                                                     | <b>Team Leader:</b> | Miss Faye Hobbs                                                                       |
| <b>Signed:</b>       |  | <b>Signed:</b>      |  |
| <b>Dated:</b>        | 20th September 2022                                                                 | <b>Dated:</b>       | 23 September 2022                                                                     |

Gravesham Borough Council