



Delegated Report

Householder Planning Application

Planning Application No: 20220215

Location: Luxon Farm Luxon Road Luddesdown Gravesend

Description: Proposed External and Internal Alterations to provide small rear infill extension and porch, Alterations to first floor walls and new roof. Alterations to provide new red brick walls and window locations.

Applicant: Mrs Miranda Tubb

Site Visit Date: 26 April 2022

Submitted Documents/Plans

Householder Planning Application form;
Drawing no. MT/22/011 Red and blue line site boundary plan;
Drawing no. MT/22/01 Existing layouts, elevations and roof plans;
Drawing no. MT/22/02A Proposed layouts, elevations and roof plans;
Overlay drawing at 1:100 scale;
Overlay drawing at 1:200 scale; and
Design and Access Statement.

Relevant Planning History

<u>Application No.</u>	<u>Description</u>	<u>Status</u>	<u>Decision</u>
20200727	Application for the retention of fence and erection of 20 new fence panels with new gates to enclose the frontage of the site	Refused	05.11.2020
20180271	Reconfiguration and alterations to dwelling including two storey front extension with dormer; single storey rear extension; extension to the main roof on south western side; two dormers and two roof lights in rear roof slope; new chimney on the eastern side; conversions of the loft space to habitable rooms and replacement windows and finishes.	Refused	14.06.2018
20080058	Application for Lawful Development Certificate for the existing/continued use of the dwelling without complying with the	Certificate granted	18.03.2008

agricultural occupancy condition
attached to planning permission
reference number TH6/73/594.

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)

- T1 – Impact of Development on Highway Network
- P5 – Exceptions to 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
- 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);
- SPG 4 - KCC Parking Standards (2006)
- Gravesham Landscape Character Assessment (2009)
- Householder Extensions/Alterations Design Guide SPD (2021)
- Kent Downs Area of Outstanding Natural Beauty (AONB) Management Plan 2021-2026

Consultations, Publicity and Representations

GBC Highways Officer

There are no highway implications. I have no objections.

KCC Heritage

The site lies within an area of multi-period archaeological potential. However it is considered unlikely that

these proposals, immediately adjacent to the existing dwelling, would have a significant below-ground archaeological impact.

KCC Ecological Advice Service

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 (including aerial photos and biological records) and the information submitted with the planning application, we advise that further information is sought with regards to the potential for ecological impacts to arise as a result of the proposed development.

Habitats and features (including buildings, trees, rough grassland and shrubs,) are present on and around the site, indicating ecological value and the potential for protected species presence that must be taken account of in the planning decision. Therefore, a preliminary ecological appraisal (PEA) must be undertaken by a suitably qualified ecologist, in accordance with good practice guidelines. We recommend that the ecological appraisal is informed by an appropriate data search through Kent and Medway Biological Records Centre (KMBRC) and any other appropriate records centre. The PEA will describe the habitats and features within and around the site and assess their potential to support protected species and identify if there is a need for further ecological surveys to assess ecological value and/or confirm protected species presence/likely absence. The PEA should in particular consider the potential of the site to support the following protected species:

- Bats – The building proposed for alterations and surrounding mature trees have the potential to support roosting bats;
- Badger – The deciduous woodland surrounding the application site has the potential to support badgers;
- Reptiles – There is suitable habitat for reptiles within the application site.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, we advise that the PEA report, OR, if further surveys are required, an Ecological Impact Assessment (EclA) report, detailing all surveys and outcomes, must be sought as part of the planning application. This is in accordance 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”. An EclA is a process of identifying, quantifying and evaluating the potential effects of development on habitats, species and ecosystems, so providing all ecological survey information alongside any necessary avoidance, mitigation and compensation proposals within one document.

One of the principles of the National Planning Policy Framework is that planning policies and planning decisions should contribute to and enhance the natural environment, including by: “minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”.

We are concerned that development activities appear to have been taking place within the application site for some time. The aerial images taken from Google Earth Pro show the application site in 2013 and 2020. From these images it can be seen that there has been significant removal of trees and shrubs and significant disturbance of the ground and the removal of some outbuildings and the erection of a new building. We are not certain as to whether these works which could have a significant effect on wildlife and biodiversity were supervised by an experienced ecologist or not.

Kent Downs Area of Outstanding Natural Beauty Management Unit

No response received.

Luddesdown Parish Council

No response received.

Neighbouring properties

The application was publicised by a site notice. No representations have been received and the consultation expired on 03/05/2022.

Officer's Analysis

The application site lies within the Green Belt and as such, Policy CS02 of the Gravesham Local Plan Core Strategy September 2014 is relevant. Policy CS02 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.

The principle issues in the determination of this application are;

- Is the proposed development appropriate in the Green Belt?
- Effect on the openness of 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 National Planning Policy Framework 2021 (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 the NPPF (2021).

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 current dwelling on the site, which is a two storey building with a variety of roof pitches and designs (including cat slide, two planes and dormers) and was built pursuant to planning permission references TH/6/73/594 (outline) and TH/6/74/269 (details pursuant). It has a floor area of some 335 square metres over two floors.

The proposed development would involve a small extension to the footprint of the building and the building up of existing walls to create extended floor space at first floor level. The proposed development would result in an increase in floor area of some 20 square metres or 6% above the original building. The first floor alterations would add some bulk to the front and rear of the building but it is noted that the existing overhanging eaves would be removed and the overall increase in built form would not be significant in the

context of the existing building.

Therefore it is considered that the proposed development 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 openness of 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 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 degree of activity levels generated (Reference ID: 64-001-20190722).

The proposed development, by its nature as an additional form of built development at the property, would erode the openness of the Green Belt. However as the proposal would be subservient in size to the original building, it would not add significant size or bulk to the property and would not be widely visible from public vantage points (due to the screening provided by mature vegetation on the site boundaries), the harm to openness would not be material.

Effect on the character and appearance of the area

Paragraph 174 of the NPPF (2021) requires development to contribute to and enhance the natural and local environment by (amongst other things) protecting and enhancing valued landscapes and sites of biodiversity value (in a manner commensurate with their statutory status or identified quality in the development plan).

The application site is located in the North Downs Area of Outstanding Natural Beauty (AONB), the Luddesdown Downs Landscape Character Area (LCA), a Biodiversity Opportunity Area (BOA) and is surrounded on all sides by Ancient Woodland. It is also adjacent to a local wildlife site (Luxon Wood, Great Buckland). As such, Policy CS12 of the Local Plan Core Strategy 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. Furthermore, the policy seeks to protect sites designated for their biodiversity value based on their level of importance and to enhance, restore, recreate and maintain habitats particularly within Biodiversity Opportunity Areas.

In relation to the Luddesdown Downs Landscape Character Area, the Gravesham Landscape Character Assessment states that the overall condition of the landscape is good and that it has high sensitivity. It recommends that the key landscape elements (i.e. woodland blocks and hedgerows, characteristic narrow lanes, sparse and distinctive built development) should be conserved.

The Kent Downs AONB Management Plan sets out that the local character, qualities, distinctiveness and natural resources of the Kent Downs AONB will be conserved and enhanced in the design, scale, siting, landscaping and materials of new development (Principle SD2). That development should conserve and enhance the character and qualities of the Kent Downs AONB rather than detracting from it (Principle SD3). Furthermore the Plan will ensure that proposals do not negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the Kent Downs AONB (Principle SD8).

The area surrounding the application site is rural and wooded in character. The site itself contains grass and vegetation which surrounds the existing dwelling and there are numerous trees on the site boundaries and for large areas of the wider Luxon Farm site. The land is relatively flat and the mature trees and vegetation located on the frontage, largely screen the existing dwelling from public view.

It is noted that there would be no loss of woodland character and that the residential nature of the application site would be retained. The proposed development would result in an increase in the size and bulk of the application property, which would consolidate and extend the level of built development on the plot and in the wider area. However the extensions would not be especially visible from public vantage points and the changed appearance of the dwelling would not be harmful to overall landscape quality. Therefore it is considered that the proposed development would cause no adverse impact to landscape character within the Kent Downs AONB.

In relation to biodiversity, the KCC Ecological Advice Service have identified that the application site has the potential to support bats, badgers and reptiles and have requested that a preliminary ecological assessment (PEA) be undertaken. However as the proposed development would result in only a small increase in the building footprint and the building is immediately surrounded by a well-cared for garden, with mown grass etc, it is considered that the potential for the development site supporting protected species is significantly undermined. Therefore instead of a PEA, a landscaping condition which requires measures to promote biodiversity enhancement (including the planting of native and wildlife attracting species and the installation of bat and bird nesting boxes) should be attached to any planning permission granted.

The KCC Ecological Advice Service have raised concerns regarding development activities that have been taking place within the application site for some time (including the significant removal of trees and shrubs, significant disturbance of the ground, the removal of some outbuildings and the erection of a new building). These activities have been drawn to the attention of the Planning Enforcement Team and are not a material consideration in the determination of this application.

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 proposed development would result in a significant alteration to the character of the existing building both in terms of design and external facing materials. The proposal would increase the size and bulk of the building at first floor level, alter the roof configuration and would introduce numerous new windows, in a Georgian style. The existing facing materials (buff brick and stone clad chimney, plain clay tiles, timber casement windows and timber doors) would be replaced with red brick slips and a red brick chimney, plain clay tiles, sliding sash style windows, an oak front door and timber/aluminium double doors. Whilst the loss of the traditional features of the existing property would be regrettable, the property is not listed and the overall the quality of the design and materials proposed would be of a good standard. Therefore the proposal would not be visually detrimental.

No details of the proposed hard and soft landscaping around the building have been provided. These should be subject to a planning condition.

Overall it is considered that the proposed development would not be detrimental to the character or appearance of the surrounding area or biodiversity and 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 application site is located a significant distance away from any residential properties and as such, there would be no adverse impacts to residential amenity.

Parking and Highways

The proposed development would not alter the existing parking or access arrangements or increase the number of bedrooms at the application property. No objection has been raised by the GBC Highways Officer. As such, there would be no adverse parking or highways impacts and the proposal would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and Saved Policy P5 of the Gravesham Local Plan First Review November 1994.

Any Other Material Planning Considerations

The application site is located in an area of multi-period archaeological potential but KCC Heritage considers it unlikely that the proposed works would have a significant archaeological impact. As such, the proposal would be in line with Policy CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

Suggested Conditions

Time limit

Development in accordance with approved plans

Hard and soft landscaping with biodiversity enhancement

Materials to match existing

Conclusion & Recommendation

The proposal complies 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)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	26 May 2022	Dated:	26 May 2022