



Delegated Report

Householder Planning Application

Planning Application No: 20221042

Location: Gailes Dillywood Lane Higham Rochester

Description: Erection of detached garage to front of property

Applicant: Mr Aman Sandhu

Site Visit Date: Previous application ref. 20220605

Submitted Documents/Plans

- Application form;
- Drawing no. D01 – Existing Ground Floor Plan;
- Drawing no. D02 – Existing First Floor Plan;
- Drawing no. D03 – Proposed Ground Floor Plan;
- Drawing no. D04 – Proposed First Floor Plan;
- Drawing no. D05 – Existing Roof Plan;
- Drawing no. D06 – Proposed Roof Plan;
- Drawing no. D07 – Existing Elevations;
- Drawing no. D08 – Proposed Elevations;
- Drawing no. D09 – Proposed Elevations;
- Drawing no. D10 – Block Plan; and
- Drawing no. D11 – Site Location.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220609	Erection of two storey side and rear extension, single storey rear extension, dormer extensions in front and rear roof slopes, alterations to fenestration on front, rear and side elevations and installation of solar panels on single storey roof elements.	Refused	03.08.2022
20220605	Erection of detached garage to front of property.	Refused	23.08.2022
20211575	Erection of a single storey rear extension with solar panels to roof, conversion of garage to living space, conversion of loft to habitable rooms with rear dormers, erection of an outbuilding with indoor swimming pool, enlarged vehicle access and hardstanding, installation of skylight windows to front and associated works.	Permitted	08.02.2022
19490231	Erection of a box room	Permitted	04.11.1949

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- 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
- 9 – Promoting sustainable transport
- 12 – Achieving sustainable development and well-designed places
- 13 – Protecting green belt land
- 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;
- SPG 4 – Kent Vehicle Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009).

Consultations, Publicity and Representations

Consultees

GBC Highways Officer

The proposal does not conform to the preferred size for a double garage in SPG4.

Garages

B2. Experience has shown that garages provided for individual residential dwellings are unlikely to be used for the parking of a vehicle unless sufficient space is also incorporated within the garage for storage. This may have less relevance for garages that are provided as a communal facility for residential accommodation. However, the needs of the mobility impaired, either as a driver or as a passenger, should also be considered in the design of garages and sufficient space should also be allowed to enable a garage to be used as a secure location for any cycle parking provision.

Taking these factors into account the preferred internal dimensions of a garage that should be considered for residential developments in Kent are:

Preferred Garage Size for Single Car	5.5m (length) x 3.6m (width)
Preferred Garage Size for Two Cars	5.5m (length) x 6.0m (width)

Where it can be demonstrated that cycle parking is provided elsewhere width of garage can be reduced.

However, there is adequate parking elsewhere on site to comply with standards and a domestic garage will not result in a significant increase in vehicle movements to warrant improvements to the access. But, I would suggest that no commercial activity should be permitted at the garage which could generate its own parking demand and an increase in vehicle movements.

I have no objections subject to appropriate conditions.

Higham Parish Council

At the Planning Committee meeting of Higham Parish Council held on Monday 31st October 2022 the committee unanimously agreed to make an objection to the above planning application as it would have a detrimental effect on the area. It lies in the Green Belt within which inappropriate development should not be approved except in very special circumstances which we the Parish Council believe does not apply to this application under the National Planning Policy Framework rev20/07/2021.

Dickens Country Protection Society

The Society notes the site is in an area within which Green Belt Policies apply. It is suggested that conditions are imposed restricting the use of the building to a garage and store.

Neighbouring properties

6 surrounding properties were consulted plus site notice – the overall consultation expiry date was 4 November – two responses received the comments of which can be summarised as follows:

- No objection in principle but do object to the further disruption that they will have to put up with in the lane and their lives;
- During building work on the other developments at the site there has been a lack of consideration for residents who have been impacted from noise and disruption, parking of construction vehicles and damage to road surface and banks;
- A new building both overly large and bulky in an area of the site that is currently open would be wrong, it is not well designed nor discreetly sighted;
- The main dwelling has already overreached in terms of any legitimate percentage development;
- Nothing appears to have changed on this latest one except sketching of vegetation plus an drive gradient now shown on the plans;
- Measurements on the plans bear no resemblance to the actuality;
- Loss of vegetation;
- Beautiful wall still hasn't been built;

- Proposed elevations of garage don't show any planting;
- The garage would be exposed at least 2.5m above ground level in view of them;
- Condition of rear garden, loss of tree;
- Hours of working causing disturbance;
- Impact from deliveries and parking of works vans.

Officer's Analysis

The application site consists of a two storey detached dwelling situated in the Green Belt, the Higham Arable Farmlands Landscape Character Area and an Area of Archaeological Potential.

The application dwelling is currently implementing planning permission ref. 20211575 which was for 'Erection of a single storey rear extension with solar panels to roof, conversion of garage to living space, conversion of loft to habitable rooms with rear dormers, erection of an outbuilding with indoor swimming pool, enlarged vehicle access and hardstanding, installation of skylight windows to front and associated works'.

A previous application (ref. 20220605) for 'Erection of detached garage to front of property' was refused in August 2022. This was on the following grounds:

1. *Insufficient information has been submitted of the actual land levels of the site and how the garage would relate to these in order for the Local Planning Authority to be able to assess whether the proposed garage would constitute inappropriate development in the Green Belt and whether it would impact on its openness; the proposal would therefore be contrary to Policy CS02 of the Gravesham Local Plan Core Strategy September 2014 and to paragraph 149 of the National Planning Policy Framework 2021.*
2. *The proposed development would result in an increase in the amount of built development at the application site and would introduce new built form into an area of the site which is currently open; it would also be a large and bulky building. As such, the proposed development would be detrimental to the open, rural landscape character of the surrounding area and be contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy September 2014 and paragraphs 130 and 174 of the National Planning Policy Framework 2021.*
3. *The proposed garage is undersized internally and vehicles would not be able to easily access the garage without a number of shunting movements. As such it is considered the proposal would be contrary to Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and saved Policy P3 of the Gravesham Local Plan First Review 1994.*

It therefore needs to be assessed whether this re-submission has addressed these grounds of refusal.

Principle/Whether inappropriate development in the Green Belt and openness

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.

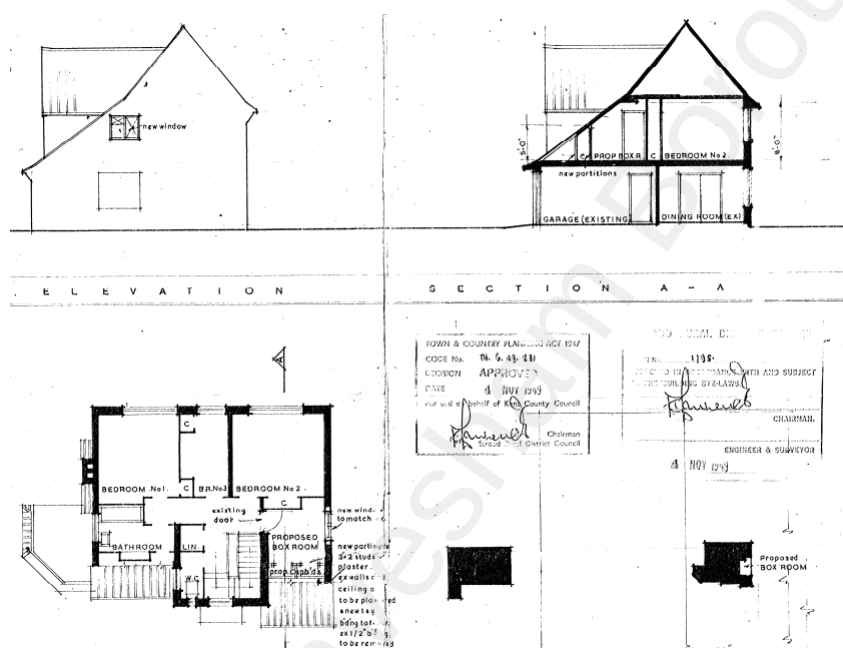
Paragraph 149 of the NPPF (2021) states that the construction of new buildings should be regarded as inappropriate development in the Green Belt, but lists certain exceptions. These exceptions are set out in sub-paragraphs 149(a) to 149(g). Sub-paragraph 149(c) identifies the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

In determining proposals for garages and outbuildings in the countryside account will be taken of Saved

Policy C13 of the Gravesham Local Plan First Review (November 1994). It states that proposals 'for domestic garages and outbuildings will be considered on their individual merits but will be required to be well designed, discreetly sited and subservient to the scale of the main dwelling on the plot.' As saved Policy C13 pre-dates the NPPF, the weight attached to the policies must be considered carefully, with greater weight being given where the approach is consistent with paragraph 145 of the NPPF. These aspects of the policy are broadly in line with the NPPF and should be afforded due weight.

The proposed erection of a garage or another domestic outbuilding does not fall within any of the categories listed in paragraph 149 of the NPPF 2021. However, it is acknowledged that there is case law (most notably *Sevenoaks District Council v Secretary of State for the Environment and Dawe* 1997) which establishes that a domestic outbuilding may be regarded as an extension to a dwelling provided that it forms a 'normal domestic adjunct'. In considering whether a proposal is considered to be a normal domestic adjunct, consideration is given to location and use in relation to the main dwelling. The garage would be used for the parking of vehicles for the host dwelling and would be in close proximity to Gales and therefore it is considered that the proposed garage building could reasonably be treated as an extension when applying Green Belt policy.

The proposal therefore needs to be considered against paragraph 149 (c) of the NPPF which allows for the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building. The NPPF Glossary defines original building as it existed on 1 July 1948 or if constructed after 1 July 1948 then as it was originally built. In the case of Gales it would appear from the planning history that the property was built before 1948. The only application is for a box room (ref. 19490231):



It would appear from this plan that no additional volume was added to create the box room and so the ground and first floor plans from that application are considered to be the original dwelling.

The original dwelling therefore had a floor area (measured externally) of approx. 180 sq. m.

The attached garage (which was rebuilt and incorporated into habitable rooms under ref. 2021575) added approx. 46 sq. m which was a 25% increase over the original dwelling.

Planning permission ref. 20211575 added 59 sq.m with the single storey extension and 36 sq.m with the outbuilding which amounted to a combined floor area of 92 sq. m which was a 51% increase over the original building.

With the proposed garage the increase in floor area over the original dwelling would be **78%**. This is considerably more than the one third limit (33%) as set out in saved Policy C13.

In assessing whether the proposed garage would be a disproportionate addition therefore, it would add further floorspace to the site which cumulatively would be disproportionate to the size of the original dwelling when considered with previous additions.

Floorspace is just one calculation which can be used to assess whether a development is a disproportionate addition, other such measures include footprint, volume, scale, mass and height.

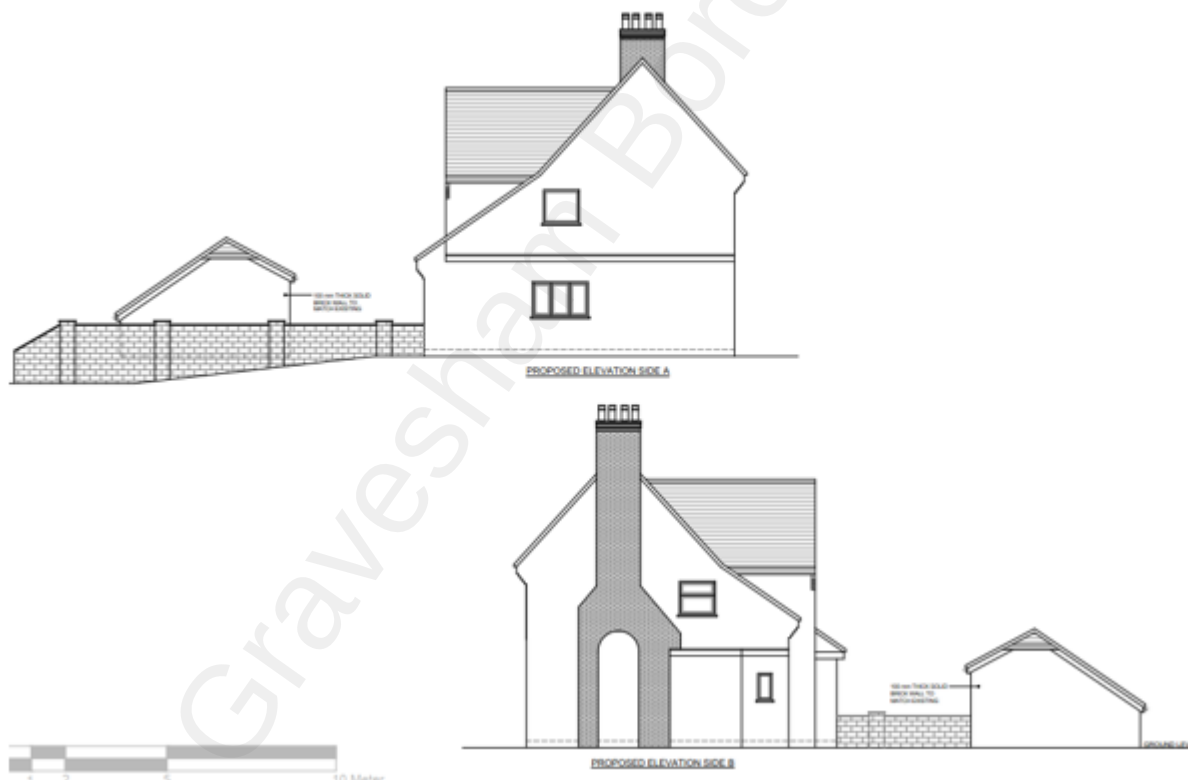
In the previous application ref. 20220605 insufficient information had been submitted with the application in respect of the topography of the site. The proposed elevation drawings showed the front garden of the property to be flat but this is not the case. Plans showing the actual land levels of the site in order to clearly ascertain how high the garage would be etc. are required. The plans submitted with this application show the garage would be located in the northern corner of the front garden. This is a more discreet location than proposed in the previous application which was more centrally placed between the dwelling and the front boundary.

The plans shows existing and proposed land levels and it is clear that the land level where the garage is proposed would be built up so that it is level with the host dwelling. Below are images of the existing and proposed side elevations in comparison of the land levels:

Existing:



Proposed:



It is unfortunate that the natural slope of the front garden has not been utilised in order to 'sink' the building down so it would be at a lower level than is currently proposed. On the basis of the plans submitted it appears that the garage building would be visually very prominent as it would appear it would be some 2.6m greater in height than the highest part of the boundary walls along either side of the site. The existing front boundary hedge is not shown on the proposed elevation drawings and it cannot therefore accurately be ascertained exactly how much taller the garage building would be than the front boundary hedge but

from the information submitted with the application and from a site visit, it would appear that the garage would be fairly visible over the front boundary hedge when viewed from Dillywood Lane. Due to the increased land levels and the size of the garage it would therefore be a very visually prominent building.

In terms of size, the garage would be the same size as in the previous application ref. 20220605 i.e., 5m in depth, 6m in width and 3.5m in height. In the previous application the garage had a fully hipped roof and in this application this has been changed to a catslide roof on the rear with half hip ends. This has reduced the bulk of the roof on the rear but given the land levels would be increased any benefit there may have been from the catslide roof in reducing the prominence of the building has been somewhat lost. On the basis of the information submitted, due to the increase in land level and the scale of the garage, it would appear it would be visually prominent above the front and side boundaries of the site in the front garden.

It is therefore considered that by virtue of the increase in floorspace over the original dwelling, the increased land levels and positioning of the garage along with its bulk and massing it would not be subservient in respect of its siting and scale and would therefore result in a disproportionate addition over and above the original dwelling. As such it is considered that the proposed garage would be inappropriate development in the Green Belt and in this respect the proposal is contrary to Policy CS02 (LPCS) and saved Policy C13 (LPFR) and therefore ground of refusal no. 1 of application ref. 20220605 has not been addressed.

Impact on Openness

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.

The proposed garage would result in a building where currently there is none. The outbuilding would have a floor area of 27 sq. m and the garage building is not insignificant in terms of its footprint, height and scale. By virtue of the increase in land level, and on the basis of the submitted information, it appears the garage would not be sufficiently screened. It would be located in the front garden and from the information submitted would appear to be taller than the front boundary hedge it would be located against and certainly taller than both side boundary walls; it would appear it would be visible outside the application site. Therefore, there would be a harmful impact on the openness of the Green Belt in both spatial and visual terms.

Effect on Character and Appearance of the Area

The site is located in the Higham Arable Farmlands Landscape Character 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 (in a manner commensurate with their statutory status or identified quality in the development plan). Policy CS12 (LPCS) 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 Higham Arable Farmlands Landscape Character Area is characterised in the Landscape Character Assessment as very gently undulating topography with open arable farmland, views out to the marshes and the River Thames in the north, marsh side hamlets and settlements, isolated farmsteads and scattered properties with locally distinct styles and materials and pockets of orchards and garden nurseries. It states that the overall condition of the landscape is poor and it has moderate sensitivity. It recommends that the landscape characteristics should be restored and created.

The area the site is located is rural in character with detached dwellings some in sizable plots. There is large amounts of farmland surrounding the area to the north, south, east and west. The site itself contains a dwelling (the attached garage has been rebuilt as part of the works permitted under ref. 20211575) and a further outbuilding is currently being constructed to the rear; there is a large garden area to the rear.

The proposed development would result in an increase in the amount of built development within the existing residential curtilage and would introduce built development into an area of the site which is currently open. Due to the increase in land level and the scale of the development, the garage building would be visible from outside of the site. Therefore, it is considered that the proposed development would have an adverse impact on the landscape character. As such the proposal would be in line with Policy CS12 (LPCS).

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built, historic and natural environment and integrate well with the surrounding local area. In particular the design of new development should be derived from a robust analysis of local context and character and make a positive contribution to the street scene and the character of the area.

In relation to outbuildings, the Householder Extensions/Alterations Design Guide (2021) sets out that they should be subordinate in scale to the existing dwelling and plot and should not detract from the character of the area.

The garage as proposed appears fairly large, whilst the proposed catslide roof is an improvement on the previous hipped roof design due to the increase in land level and scale of the building it would still introduce a visually prominent and bulky new form of development in the front garden which would be harmful to the streetscene. As the proposed development would be detrimental to the character and appearance of the surrounding area it is considered the proposal would be contrary to Policies CS12 and CS19 (LPCS) and in this respect ground no. 2 of application ref. 20220605 has not been addressed.

Parking and Highways

The garage would still not meet the minimum standards as set out in SPG4 which are 5.5m in length and 6m in width (internal). In the previous application ref. 20220605 the internal measurements for the proposed garage were 4.7m in length and 5.8m in width and in this current application the internal measurements are the same. The garage has therefore not been increased in size to meet the minimum internal standards as set out in SPG4. As such in respect of parking and highway safety the proposal is therefore still contrary to Policy CS11 (LPCS) and saved Policy P3 (LPFR) and ground no. 3 of application ref. 20220605 has not been addressed.

Other Matters

Amenity of Future Occupiers

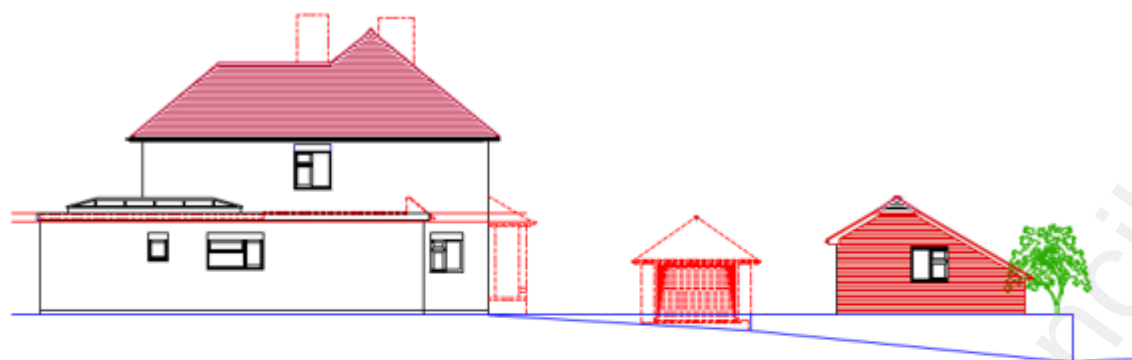
The proposed development would not harm the amenity of future occupiers and sufficient garden would be retained to comply with the Borough Council's Residential Layout Guidelines. As such, the proposal would be compliant with Policy CS19 (LPCS).

Neighbouring Amenity

Due to the scale of the proposed development (i.e a single storey building) and the distance of the proposed garage from the nearest neighbouring properties there would be no impact with regards overshadowing, loss of outlook or overlooking. Overall the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be compliant with Policy CS19 (LPCS).

Any Other Material Planning Considerations

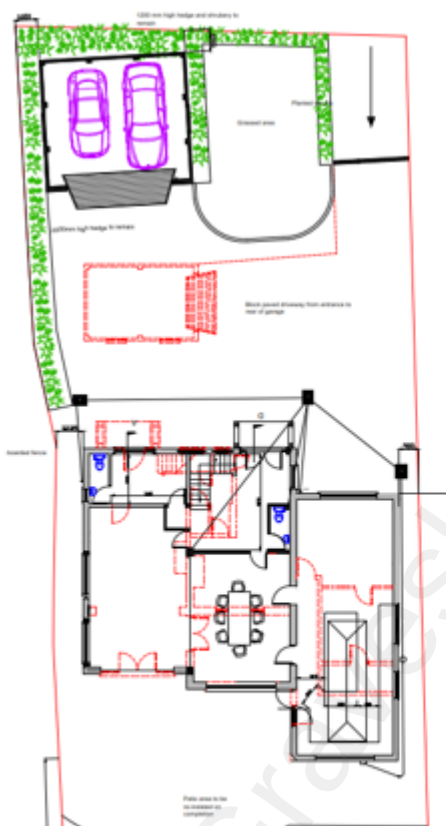
It is noted that a detached double garage has been permitted in the front garden of the neighbouring property Dillybank (ref. 20210553 permitted in October 2021 – not yet implemented). The property has an existing single storey garage and the approval involves the removal of this and the erection of a detached double garage in the south west corner of the front garden as can be seen from the below extracts from the plans:



North East Elevation Scale 1:100



Brick Garage Elevations Scale 1:100



Whilst the permission at Dillybank is a material consideration it is considered that there are sufficient differences between the approval at Dillybank and this application that the approval at Dillybank does not provide sufficient justification for allowing this current application.

Dillybank already had a detached garage in the front garden and the permission would have the benefit of removing the existing garage which is more centrally placed between the front boundary and the house and locating the new garage in a more discreet location. The land level of Dillybank where the garage was permitted was already at a higher level than is the case with Gailes and the proposal therefore involved no

increase in land level. The front boundary hedge had also been shown on the elevations so it could be ascertained how tall the garage was to be in comparison to the front boundary hedge (something which is missing from this application for Gales as the front boundary hedge is not shown on the elevation drawings) so it cannot be ascertained how tall the proposed garage would be in comparison to the front hedge. For these reasons it is considered that permission ref. 20210553 at Dillybank does not provide justification for approval of this current scheme.

Conclusion/Balancing Exercise & Recommendation

This application shows more information in respect of land levels than the previous application and it has therefore been possible to assess whether the proposed garage building would be inappropriate development in the Green Belt or not, which could not be done with the previous application due to the lack of information.

On the basis of what has been submitted it is considered that the proposal would constitute inappropriate development which is by definition harmful to the Green Belt; it is also considered the proposal would cause harm to the openness of the Green Belt. The NPPF states that substantial weight should be given to any harm to the Green Belt. There is further harm that would be caused in respect of the character and appearance of the area and parking and highway safety. The proposal is not considered to impact on the amenity of occupiers or neighbouring properties but these are considered to be neutral factors which do not weigh for or against in the overall balancing exercise. Taken together the other considerations are not considered sufficient to outweigh the substantial harm that must be attached to the harm the proposed development would cause to the Green Belt in respect of its inappropriateness and openness and as such there are not considered to be any special circumstances to justify the development.

Ground nos. 1,2 and 3 of previously refused application ref. 20220605 have not been resolved and refusal is recommended.

Recommendation: Refusal

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

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	22nd November 2022	Dated:	22 November 2022

Gravesham Borough Council