

Delegated Report

Application No: 20220217

Location: The Barn, Whitehouse Farm, School Lane, Higham ME3 7JH

Description: Construction of 2 new window openings on the first floor at the west side of the front elevation.

Applicant: Mr Neil Harrigan

Site Visit Date: 29 March 2022

Submitted Documents/Plans

The application comprises the following documents and plans:

Application form received 28 February 2022.

Planning Statement received 28 February 2022.

Site Location Plan received 28 February 2022.

Drawing no. 21_286_103 rev C2 (proposed elevations) received 28 February 2022.

Relevant Planning History

20210383	Application for determination as to whether prior approval is required for the proposed change of use and conversion of an agricultural barn to a dwelling.	Required and approved	08.06.2021
20190702	Erection of a single dwellinghouse, associated landscaping, post-and-rail boundary fencing and ecological enhancements.	Refused	03.09.2019
20160579	Application for determination as to whether prior approval is required for the proposed change of use of the existing agricultural buildings to a 4no. bedroom dwelling and associated operational development (Class Q(a) and (b) of Part 3 of Schedule 2 to the GPDO).	Refused, appeal allowed	05.08.2016

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Paragraph 33 of the National Planning Policy Framework (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) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

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

- P3 – Vehicle Parking Standards
- TC2 – Listed Buildings

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 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

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

The Council has a statutory duty under 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects the settling of listed buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Consultations, Publicity and Representations

Conservation Officer

No comments received.

KCC Heritage

I have no archaeology comments to make on this application

Public Rights of Way Officer

Public Rights of Way NS152 lies to the west of the site and may be affected by the application and I therefore enclose a copy of the Public Rights of Way network map showing the definitive line of this path for your information.

It is important to advise the applicants that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.

Neighbouring properties

The application has been advertised by site notice, press notice and individual letters to 3 properties. One letter of objection has been received. The main concerns raised:

- The work has been completed without permission and so the application is not accurate
- Loss of privacy (objector quotes Human Rights Act article 8)
- Windows are not necessary
- Site is overdeveloped and an eyesore

Analysis

Proposal

Construction of 2 new window openings on the first floor at the west side of the front elevation and one to the rear. The two at the front will serve the bedroom and the one to the rear will serve a bathroom.



Character and Appearance

Green Belt

The application site is located within the rural area and the Green Belt. The main issues are:

- Whether or not the proposal would be inappropriate development in the Green Belt
- The effect of the proposal on the openness of the Green Belt

As the application is for three new windows, there will be no increase in volume or alteration to the internal layout to the property, which already has planning permission, and therefore will have no detrimental impact on the openness of the Green Belt.

Impact on the setting of a Listed Building

There are Listed Buildings known as White House Farm located approx. 65m to the south of the site. Due to the distances between the properties and the relatively minor work proposed, no concerns are raised with regards to the impact of the additional windows on the setting of the listed building. The proposal therefore complies with the objectives of Policies TC2 of the Gravesham Local Plan First Review 1994 and CS20 of the Gravesham Local Plan Core Strategy 2014.

Character and Landscape

The site is located within the Higham Arable Farmlands Landscape Character area. The key characteristics include very gently undulating topography, open arable farmland, views out to the marshes and River Thames, isolated farmsteads and scattered properties with locally distinct styles and materials.

The insertion of three additional windows will not add any additional volume and therefore will not have a detrimental impact on the landscape character of the area.

In terms of the impact on the street scene, the barn is a distinct building that differs from its neighbouring properties. The appearance of the building should remain as a barn and additional windows do increase its now domestic appearance. However, on balance, the three windows proposed are modest in size and number and are not considered to detrimentally impact on the appearance of the building and therefore the overall street scene.

The proposed windows therefore accord with policies CS12 and C19 of the Gravesham Local Plan Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

Amenity of Future Occupiers

The proposed windows will increase light and outlook into the property without creating loss of privacy to the occupiers and therefore no concerns are raised with regards to the amenities of future occupiers.

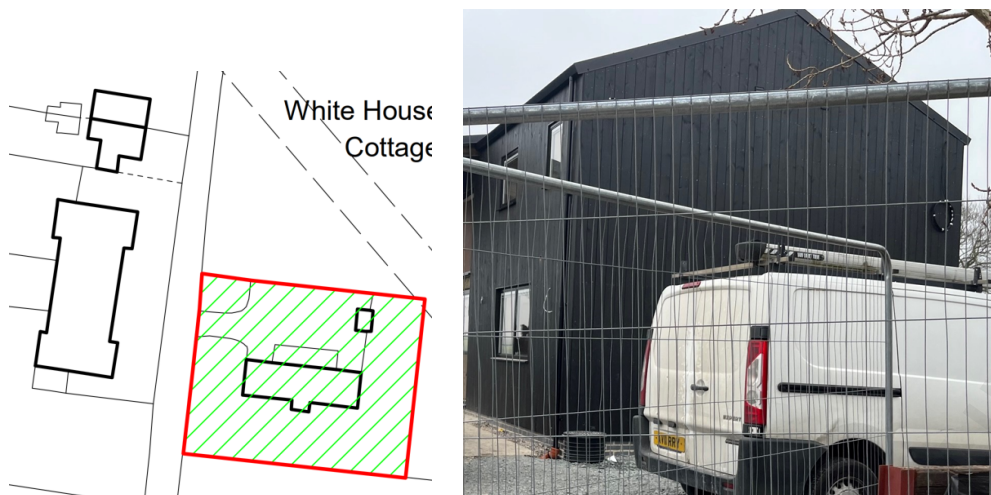
Neighbouring Amenity

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

The site is located to the east of the access road. There are properties to the west at a perpendicular angle to the application site and approx. 21m away. The proposed windows are to be located to the north and south elevations only and there are no windows on the west elevation which would overlook the properties to the west.

Block Plan

Existing West Elevation



The adopted residential standards state that where windows of habitable rooms face each other and window-window distance of at least 21m shall be provided. In this instance there are no neighbours to the front or the rear of the property and therefore no concerns regarding loss of privacy.

The proposed windows therefore comply with the objectives of policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130f of the NPPF and para. 130f of the NPPF (2012).

Human Rights Act 1998 Article 8 states:

- 1. Everyone has the right to respect for his private and family life, his home and his correspondence.*
- 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.*

As discussed above, the proposed windows are located to the front and rear of the property and therefore do not result in any loss of privacy to any neighbouring properties and there is no conflict with Article 8 Human Rights Act 1998

Parking and Highways

The proposed works will not result in the loss of off road parking or the increase in the number of bedrooms and therefore no concerns are raised with regards to parking.

Conclusion

The proposed windows will have no detrimental impact on the openness of the Green Belt, character and appearance of the area, amenities of surrounding dwellings, parking or highway safety. The comments received from 3rd parties have been taken into account, but it is considered that the proposal accords with local and national planning policy and the proposal can be supported.

Recommendation:

Permission.

See draft Decision

Case Officer: AW	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 16 May 2022	Dated: 16 th May 2022