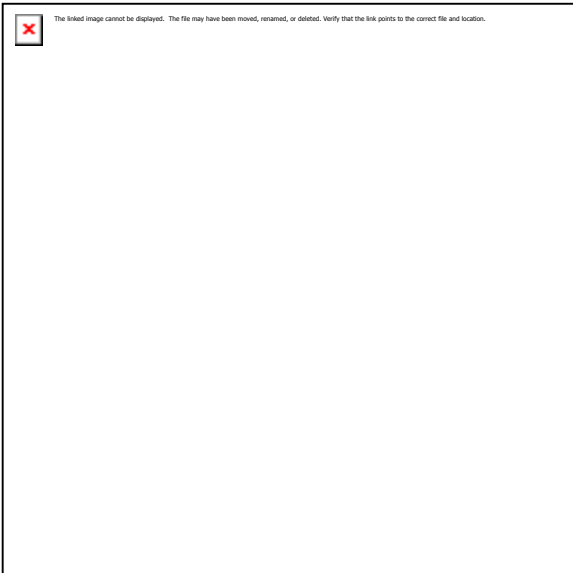




Delegated Report

Householder Planning Application

Planning Application No: 20220605

Location: Gailes Dillywood Lane Higham Rochester

Description: Erection of detached garage to front of property

Applicant: Mr Aman Sandhu

Site Visit Date: 3 August 2022

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
20211575	Erection of a single storey rear extension with solar panels to roof, conversion of garage to living space,	Permitted	08.02.2022

	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.		
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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 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009).

Consultations, Publicity and Representations

Consultees

GBC Highways Officer

As presented, I doubt the garage would be readily accessible by car without shunting movements and maybe not even then. There appears to be only some 4.5metres in front of the garage for manoeuvring, opposed to the normal 6 metres for a parking aisle, which was often increased for garages due the limited

width of the garage door.

Looking at SPG4, the dimensions of the garage are slightly substandard.

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, the majority of cars can be accommodated within a 5 metre depth, but the ability to access some parts of the vehicle may be compromised, and there is less scope for storing other items in the garage.

Given the applicant clearly states that the garage will provide two covered spaces, under the heading Parking on the application form, I would recommend refusal, unless it can be clearly proven by tracked drawings/swept paths, a BMW series 5 Saloon can readily access the garage (both sides) without using repeated shunting movements.

The alternative would be to turn the garage through 90 degrees so the car parking parallels the road, with a minimum 6 metre wide drive in front.

Neighbouring properties

7 surrounding properties were consulted plus site notice with an overall consultation expiry date of 29 July – 5 responses received overall from two properties -

Design, Character and Appearance

- Will be an eyesore when viewed from their property, the lane and other neighbouring properties;
- Total disregard and contempt for the impact on the distinct character of Dillywood Lane as well as other neighbouring properties;
- Will open floodgates for all other properties in the lane to do as they please, many of whom have been knocked back before;
- Complete abuse of system and should be struck out immediately – have purchased wrong house and plot in wrong lane;
- Feels permission that is being given to large high garages on the front boundary edges of properties on Dillywood Lane is detrimental to the appearance of the lane as a whole; properties on this side of the road sit higher so the garages are even more imposing;
- Will take us from looking like a country lane to driving through an industrial estate;

Plans

- Plans are for another address not the application site (application was made deficient and current plans subsequently received)
- Can't access plans (application had been made deficient)
- Discrepancy on plans – i.e. – location of garage;

Non-material planning considerations

- Soft landscaping has been ripped out;
- Hours of working on the previous permission;
- Appearance and safety of site whilst construction works are going on (on previous permission)

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'.

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. Sub-paragraph (g) identifies limited infilling or the partial or complete redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt than the existing development.

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 cars for the host dwelling and would be only 5.3m from the front wall of the dwelling and so it is considered that it would be a normal domestic adjunct.

As submitted the plans do not reflect the natural slope of the land at Gales and it is considered that

insufficient information has been submitted in order to reflect the topography of the site. The proposed elevation drawings show the ground level of the front garden to be flat but this is not the case and the garage is shown on this level but this is not a true reflection of the land levels. The front garden slopes up from road level to the house and the plans do not reflect that. The proposed garage needs to be shown in comparison to the actual land levels of the front garden in order to clearly demonstrate exactly how high the garage would be. It is also noted that the approved block plan in application ref. 20211575 (for extensions and outbuilding) shows landscaping in the front corners of the garden which are not shown in the proposed block plan for this application (and would need to be shown). It is not clear how the proposed garage will relate to this proposed landscaping section. Overall it is considered insufficient information has been submitted in order for the Local Planning Authority to be able to assess whether the proposed garage would be inappropriate development in the Green Belt and whether it would impact on openness.

Landscape Character

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).

The application site is located in the Higham Arable Farmlands Landscape Character Area. 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 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 removed 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. As such, the proposed development would be detrimental to the open, rural landscape character of the surrounding area. As stated in the above section insufficient information has been submitted as the plans do not accurately show the sloping land levels of the front garden and it is therefore likely to be even more prominent than shown due to the land level sloping upwards towards the house.

Paragraph 130 of the National Planning Policy Framework 2021 (NPPF 2021) sets out various design requirements and includes the need for the development to add to the overall quality of an area; be visually attractive; and be sympathetic to local character, including the surrounding built environment. Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

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.

The garage as proposed appears overly large particularly with a bulky roof including flat roof section

introducing new built development on an undeveloped site frontage which would urbanise the application site and be out of keeping with the surrounding environment.

It is noted there is a detached double garage which has been permitted at the neighbouring property Dillybank (ref. 20210553 permitted in October 2021 – not yet implemented) but this is to replace an existing single detached garage, was located much further into the front corner of the site and was more modest in size and design and so is not considered justification in this case.)

Overall it is considered that the proposed development would be detrimental to the character and appearance of the surrounding area and would be contrary to Policies CS12 and CS19 (LPCS).

Parking and Highways

The garage does not meet the minimum standards as set out in SPG4. The internal measurements for the proposed garage are 4.7m length x 5.8m width and the required minimum standards are 5.5m length and 6m in width, as such the garage is undersized. The Highways Officer also advises that the garage as proposed would not be accessible without a number of shunting movements and maybe not even then. As such it is considered the proposal is not acceptable in relation to parking and highway safety and the proposal is therefore contrary to Policy CS11 (LPCS) and saved Policy P3 (LPFR).

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 (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 out or overlooking. Overall the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 (LPCS).

Any Other Material Planning Considerations

None.

Conclusion & Recommendation

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.

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.

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.

As such refusal is recommended.

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

Case Officer:	Ms Rebecca Harrison	Team Leader:	Richard Hart
Signed:	<i>Rebecca Harrison</i>	Signed:	<i>R Hart</i>
Dated:	23rd August 2022	Dated:	23rd August 2022