

Delegated Report

Planning Application

Planning Application No: 20260387

Location: The Old Carpenters Shop, Lodge Lane, Cobham, Gravesend DA12 3BS

Description: Demolition of existing garage. Relocation and erection of garage with carports and home office.

Applicant: Mr Ian Warren

Site Visit Date: 16 April 2026

Submitted Documents/Plans

Application form
Design and Access Statement
Drawing no. D-01 (site location plan)
Drawing no. D-02 rev B (existing block and site section)
Drawing no. D-03 (plans and elevations as existing)
Drawing no. D-05 rev C (existing block plan and site section)
Drawing no. D-06 rev B (plans and elevations as proposed)

Relevant Planning History

20140460	Outline application for the erection of a detached dwelling.	Application Refused	15.07.2014
20060161	Erection of single storey rear extension to form garden room, involving the repositioning of an existing rooflight; side extension to the existing detached double garage to form additional bay/garden store and erection of a detached outbuilding at the rear to provide garden store, log store and oil tank room.	Permitted	22.05.2006
20050829	Erection of single storey rear extension to form a porch, involving repositioning of an existing rooflight; construction of a dormer window in the rear roof slope; internal alterations at ground floor level to provide ensuite bathroom/dressing room and installation of new window and doors on the rear elevation;	Application Refused	22.11.2005

erection of a detached rear outbuilding to provide garden store, log store and oil tank room and erection of a side extension to the existing detached garage to form additional garage bay and garden store.

19880840	Erection of a detached double garage without complying with condition (vii) of planning permission ref no GR/86/541.	Permitted	30.11.1988
19860541	Conversion of former carpenters shop into single dwelling	Permitted	29.09.1986
19850625	Conversion of the Carpenters Shop into one dwelling	Application Refused	16.10.1985
19840304	Conversion of the Carpenters shop into one dwelling	Application Refused	24.07.1984

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;

- Technical Housing Standards – nationally described space standard (2015);
- Design for Gravesham: Design Code (2024);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021);
- Gravesham Landscape Character Assessment (2009); and
- Kent Downs National Landscape Management Plan 2021-2026

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

Kent Downs National Landscape

Thank you for your recent consultation on the above.

On 22 November 2023, all designated Areas of Outstanding Beauty (AONBs) in England and Wales were renamed 'National Landscapes' (NLs). Accordingly, the Kent Downs AONB is now the Kent Downs National Landscape. Its legal designation and policy status remain the same.

Also of note is the changes introduced through the Levelling-Up and Regeneration Act 2023, which came into force on 26/December 2023. The Act amends the Countryside and Rights of Way Act, which is the primary legislation relating to AONBs and replaces the previous Duty of Regard to AONBs set out at

S85 with a new, strengthened requirement that:

'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty'. (Part 12 - Miscellaneous; Section 245. Protected Landscapes; paras (5) - (10).

This places a much stronger duty on relevant authorities, which includes local authorities, to ensure that their actions and decisions seek to conserve and enhance AONBs, marking a significant change to the legal context of AONB policy.

Further guidance is provided in Appendix 2.

The Kent Downs National Landscape team has seen a recent uplift in the number of consultations on planning applications. In accordance with the agreed Kent Downs Planning Protocol, which sets out that the Kent Downs Landscape team will only have a limited land use planning role and will prioritise its involvement in planning to planning policy matters, we will not normally provide bespoke comments on more minor applications such as this. This does not imply support for, or objection to, the proposal. If our input would be particularly valued in this instance, please get in touch and we endeavour to provide informal advice where our current planning capacity allows.

In determining the application, the local planning authority has a new statutory duty, as set out above, to seek to further the purpose of conserving and enhancing the natural beauty of the Kent Downs National Landscape. Further advice on the new duty is provided in Appendix 2 of this letter. The Kent Downs National Landscape team recommends that to help fulfill the new statutory duty, the Local Planning Authority should ensure that the decision is consistent with relevant national and local planning policy and takes into account the aims, objectives and principles set out in the Kent Downs AONB Management Plan and its associated guidance documents. Further details of these are provided in Appendix 1.

I hope this is of assistance to you. I would be happy to discuss further if this would be helpful.

The full response with appendices can be found here:

https://docs.gravesham.gov.uk/PublicAccess_Live/Document/ViewDocument?id=0C38DB8B5ED4473BA9B2162EA1679A8B

KCC Public Rights of Way Officer

Access to the site is via Byway Open to All Traffic, also known as Lodge Lane, which should remain unaffected by the proposals. I enclose a copy of the Public Rights of Way network maps showing the line of the path for your information.

The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this office will deal on the basis that:

- The applicant pays for the administration costs.
- The duration of the closure is kept to a minimum.
- Alternative routes will be provided for the duration of the closure.
- A minimum of six weeks' notice is required to process any applications for temporary closures.

This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.



Dickens Country Protection Society

The Society notes the site is in an area in which Green Belt Policies apply. If consent is granted the Society would suggest conditions should be imposed such that at no time should the building be used for residential purposes.

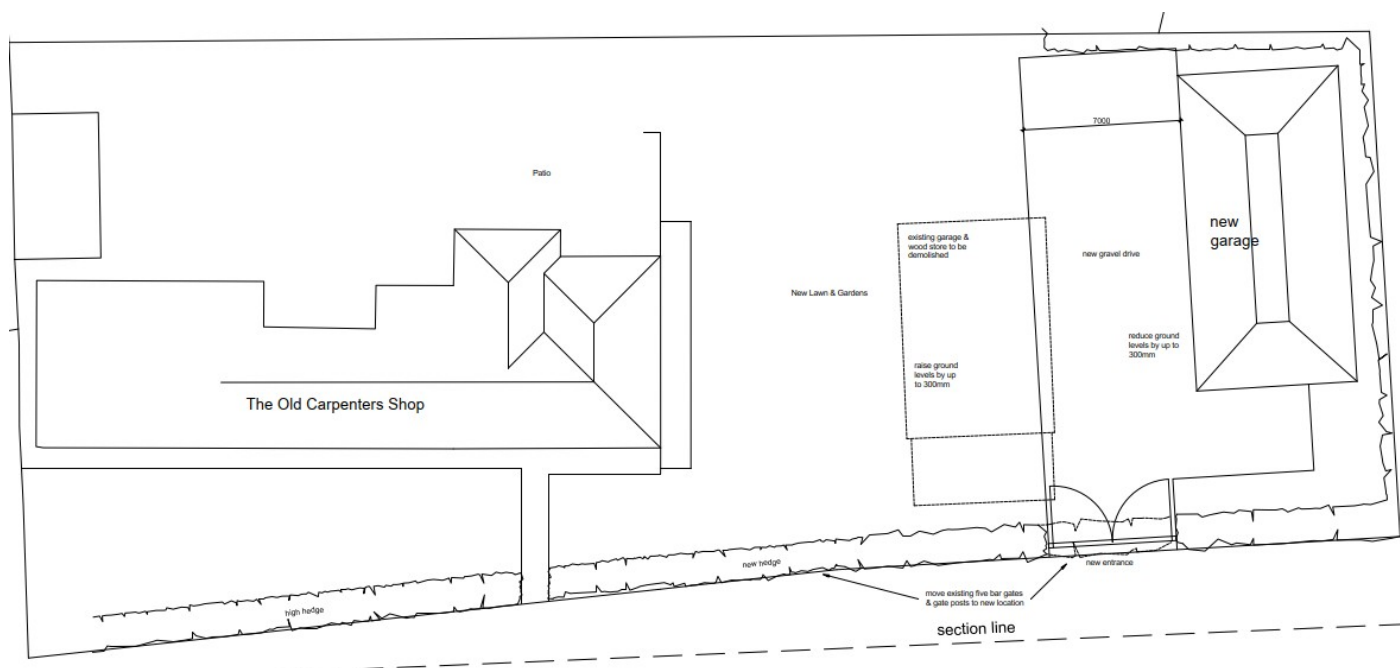
Neighbouring properties

The application has been advertised by site notice and individual letters to four neighbouring properties. No letters of representation have been received. The overall consultation period expired on 15 May 2026.

Officer's Analysis

Proposal

This application seeks planning permission for the demolition of existing garage. Relocation and erection of garage with carports and home office. The plan below shows the existing location of the garage in relation to the proposed new garage:



The existing garage and carport measure approx. 12.6m in width and 6.6m in depth. It is approx. 5.3m high with a hipped roof. It provides for four parking spaces and is located approx. 10m away from the house.

The proposed garage will be located to the southern boundary of the site approx. 24m away from the house. It will be approx. 14m wide, 7.2m deep and 5.8m high with a hipped roof. It will contain four car parking spaces at ground floor and a home office at first floor.

It should be noted that the design and size of the application has been reduced during the course of the application the details outlined above and throughout the report are reflective of the revised scheme.

Green Belt

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 143 states:

Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

Paragraph 153 states:

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 states that development in the Green Belt is inappropriate unless it meets one of the exceptions listed. Paragraph 154d allows for the replacement of a building provided it is in the same use and not materially larger than the one it replaces. In this case the building is approx. 57% larger than the one it replaces but it remains in the same use. The building is therefore materially larger and does not meet this exception.

Paragraph 154g allows for the partial or complete redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt. The NPPF defines previously developed land as:

Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

The garden area of the property therefore is classed as previously developed land. The proposed garage will be repositioned along the southern boundary of the property, where its more discreet location will help to minimise its visual impact and provide a degree of screening. Whilst the garage is larger than the existing, the position away from the house where the land is slightly lower and adjacent to existing hedging, will not result in substantial harm to the openness of the Green Belt. The harm to openness from the increase in size will be negligible and therefore no objection is raised.

The proposed garage therefore accords with policy CS02 of the Gravesham Core Strategy 2014 and paragraph 154 of the National Planning Policy Framework 2024.

Design, Character and Appearance

The proposed garage will be located to the side of the property but closer to the southern boundary. It will be larger than the existing but will remain in proportion to the existing house. It is proposed to be finished in facing brickwork and heavy oak framing with a steeply pitched and hipped plain tiled roof to match the existing house which will complement the main dwelling and the surrounding area. The proposed outbuilding is large, but since the original plans have been revised, it is considered to be more acceptable. It is not unusual for properties in a rural location to have larger outbuildings.

Luddesdown Downs Landscape Character Area

The application site lies within the Luddesdown Downs Landscape Character Area which lies on the eastern boundary of Gravesham Borough, covering the settlements of Luddesdown and Lower Luddesdown. The area forms part of the North Downs Area of Outstanding Natural Beauty (AONB).

The key characteristics include very undulating topography with farmland and pasture use, fields, native hedgerows, native woodland, narrow winding lanes, properties and farmsteads along lanes and traditional timber framed buildings and Kent peg tiles.

The condition is good and sensitivity is high. The guidelines are to conserve the distinctive features of the landscape.

The proposed garage will be located within the residential curtilage of the property and therefore will have no detrimental impact on the wider landscape.

Kent Downs National Landscape

The application site is located within the Kent Downs National Landscape and therefore any development needs to be assessed against the Kent Downs National Landscape Management Plan. The policies below are relevant:

Policy MMP2 states that:

The Kent Downs AONB is a material consideration in plan making and decision taking, and so local authorities will give a high priority to the AONB Management Plan vision, aims, principles and actions in Local Plans, development management decisions, planning enforcement cases and in taking forward their other relevant functions.

Policy SD2 states 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, redevelopment and infrastructure and will be pursued through the application of appropriate design guidance and position statements.

Policy SD8 states that:

Ensure proposals, projects and programmes 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.

The proposed development is located within the residential curtilage of the main dwelling and within the screened garden which is surrounded by a post and rail fence and hedging. The proposed garage is very localised and therefore will not have a detrimental impact on the wider landscape. Within the site itself, moving it to the new location is more practical in terms of the wider use of the site, and a larger garden area related to the main dwelling.

In order to preserve the character of the area a condition is recommended to ensure that the building is used purely as incidental to the main dwelling house and not for a business operation. A condition is recommended that the materials match those listed on the plans and within the application form. A condition is also recommended to ensure that the hard and soft landscaping shown on the plans is implemented, and that the existing garage is demolished on completion of the proposed one.

The proposed development therefore accords with policies CS12 and CS19 of the Gravesham Core Strategy 2014, paragraph 187 of the National Planning Policy Framework 2024 and policies MMP2, SD2 and SD8 of the Kent Downs National Landscape Management Plan.

Amenity

Future Occupiers

The application site is a detached bungalow on a generous plot. The garden area that will remain once the development is built far exceeds the adopted local standards and therefore no concerns are raised.

Neighbouring Amenity

There is no residential property within 21m of the proposed garage building and therefore there will be no detrimental impact to any neighbouring property in terms of loss of outlook, privacy, sunlight or daylight. No neighbour representations have been received.

The proposed garage therefore accords with policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2024.

Parking and Highways

The proposed garage will result in no loss of parking or the increase in number of bedrooms and therefore no objections are raised on highways grounds.

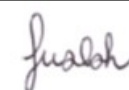
Conclusion

The proposed replacement garage will have no detrimental impact on the character of the area, landscape, amenity, parking or highway safety and therefore accords with the abovementioned policies and is recommended for approval.

Recommendation:

Permission

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

Case Officer:	Mrs Alison Webster	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	8 June 2026	Dated:	08 June 2026