

Delegated Report

Planning and Listed Building Consent Applications

Planning Application Nos: 20230321 (Planning) and 20230322 (LBC)

Location: East Court Manor, Church Lane, Gravesend, Kent

Description: Retention of insulation and new plaster and rebuilding rear outhouse; replacement of 3 no. uPVC dormer windows with purpose made timber dormers and pitched roofs; installation of dormer window to the south elevation; internal and external alterations and renewal of electrical and plumbing services; installation of new kitchen, utility room and bathrooms; installation of external lighting (wall-mounted and free-standing) and CCTV camera; conversion of part of outbuilding to plant room and re-roofing outbuilding; construction of entrance gates to Church Lane; reconstruction of garden wall to accommodate mature lime tree.

Applicant: Harbinder Bhandal

Site Visit Date: 18 April 2023

Submitted Documents/Plans

Application form
Design and Access Statement
Heritage Statement
Schedule of Alterations
OS Map
Drawing no. ECM/0123/01 Rev. A (Floor plans as existing)
Drawing no. ECM/0123/02 (Elevations as existing)
Drawing no. ECM/0123/03 Rev. B (Floor plans as proposed)
Drawing no. ECM/0123/04 (Elevations as proposed)
Drawing no. ECM/0123/05 Rev. A (House footprint and garden wall as existing)
Drawing no. ECM/0123/06 Rev. A (House footprint and garden wall as proposed)
Drawing no. ECM/0123/07 Rev. A (Church Lane entrance drive as existing & as proposed)
Drawing no. ECM/0123/08 (Junction details to new plasterboard walls)

The following drawing has been superseded following a setback of the entrance gates:

~~Drawing no. ECM/0123/07 (Church Lane entrance drive as existing & as proposed)~~

Relevant Planning History

There is no planning history for the property.

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development

- CS11 – Transport
- CS12 – Green Infrastructure
- CS19 – Design and Development Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC2 – Policy for Listed Buildings
- T1 – Impact of Development on the Highway Network
- P3 – Vehicle Parking Standards

Section 16(2) and Section 66(2) (respectively) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard to be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

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 well-designed places
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance (SPG)

- SPG2 – Residential Layout Guidelines (2020)
- SPG4 – KCC Parking Standards (2006)
- Technical Housing Standards - Nationally Described Space Standards (2015)
- Listed Buildings – A Guide for Owners and Occupiers – Informal Guidance (2020)

Consultations, Publicity and Representations

External Consultees

Dickens' Country Protection Society

The Society regards the former East Court Farm House as an important historic building and notes its listing ... In the Society's view any historic features that have been compromised or removed must be reinstated, including the skirtings and grounds and inappropriate additions removed. The windows should be the appropriate traditional wooden windows.

The Georgian Group

After reviewing the documentation provided, it is very concerning reading the scale of the removal to what appears to be original fabric. This includes fire surrounds, skirtings, decorative elements, and panelling. The applicant has not provided any images with the applications, which would be expected and necessary to assess the full extent and impact of the works. Despite this, the Group would expect to see all those

original elements reinstated where they have been removed.

Internal Consultees

GBC Environmental Protection

No objection to this application subject to the following informatives: code of construction practice on construction and demolition and lighting.

GBC Highways

As presented, I would recommend refusal, although the problem can be easily rectified.

Gates should be inset to avoid a vehicle overhanging the highway whilst they are open or closed which would be detrimental to highway safety. This requires a minimum set back of 6 metres from the edge of the highway for cars but increases for delivery vans and other vehicles that may regularly visit the site, such as a tanker if the property is not on mains drainage and 12 metres may be more appropriate. (This assumes as shown here, that gates open inwards).

The depth of garden allows for the reposition of the gates to ensure the highway is kept clear of obstruction, so subject to a suitable relocation of the gates I would have no objections.

Neighbouring properties

The applications have been advertised to 7 neighbouring properties, on site and in the press. The overall consultation period expired on 12 April 2023.

No letters of representation have been received from neighbouring properties.

Local Ward Councillors were also consulted, and no responses were received.

Officer's Analysis

Proposal

Various works have been undertaken at the property since the applicants purchased it in March 2022. Unauthorised building works commenced in March and ceased at the beginning of November 2022 when enforcement action was threatened. The applications have been submitted in an attempt to regularise the unauthorised works and obtain the relevant consents for works that have not yet been implemented.

These applications seek planning permission and listed building consent for the following works:

1. Retention of insulation and new plasterboard and rebuilding rear outhouse;
2. Replacement of 3 no. uPVC dormer windows with purpose made timber dormers and pitched roofs;
3. Installation of dormer window to the south elevation;
4. Restoration of chimney stack on north elevation with use in part to conceal the SVP, enabling externally mounted plastic soil pipework to be removed;
5. Restoration of ground floor sash windows to the principal (west) elevation)
6. Internal and external alterations and renewal of electrical and plumbing services;
7. Installation of new kitchen, utility room and bathrooms; installation of external lighting (wall-mounted and free-standing) and CCTV camera;
8. Conversion of part of outbuilding to plant room and re-roofing outbuilding;
9. Construction of entrance gates to Church Lane;
10. Reconstruction of garden wall to accommodate mature lime tree.

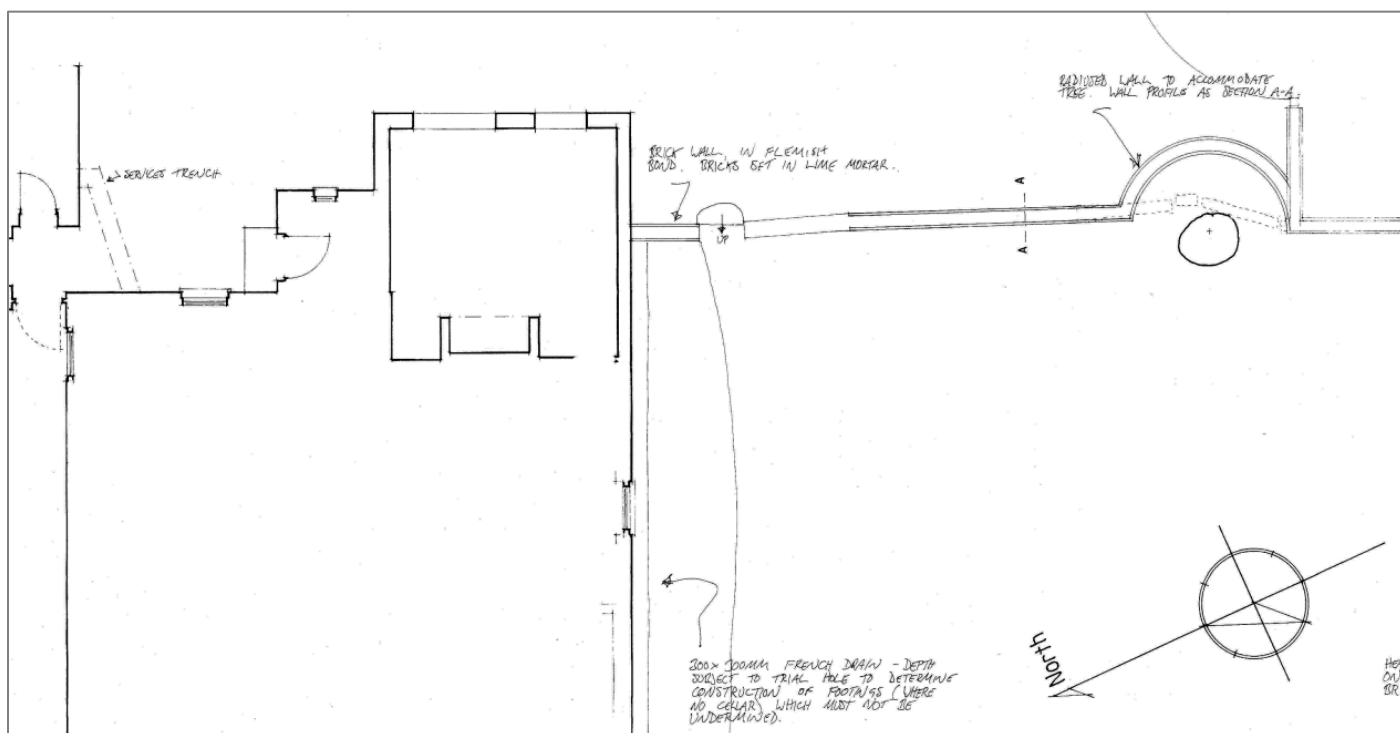
The proposed works are not all listed in this report due to the volume of work taking place, from minor

elements such as fitting skirting boards, up to a new dormer window and rebuilding part of the garden wall; the full extent of the proposed works are set out within the submitted Heritage Statement and Schedule of Unauthorised Works.

Existing Elevations



Proposed Elevations



Site Description

East Court Manor (formerly East Court Farmhouse) is located on the east side of Church Lane. The house is two storeys in height, constructed in brick and has a substantial pitched and hipped tiles roof. The house is Grade II Listed. The listing description is as follows:

An L-shaped C18 farmhouse, 2 storeys red brick. 3 windows facing west and 3 windows facing south. Hipped tiled roof with coved wooden cornice. Ground floor windows are 3-light sashes and have cambered heads. Unusual doorcase with pilasters, moulded surround set in the centre of these, projecting cornice over, rectangular fanlight and door of 6 moulded and fielded panels.

Current Google Earth Images



Site Visit Photo of Front Elevation:



Principle Issues

The main issues to consider in the determination of these applications are as follows:

- the principle of development in the Green Belt;
- the design of the proposals and the impact on the architectural and historic interest of this Grade II listed building
- the impact on the character and appearance of the surrounding rural landscape;
- the effect of the proposal on the amenities of existing neighbouring properties, as well as whether the proposed development itself will provide satisfactory living accommodation for future occupiers; and
- its impact on highway safety and parking provision.

Principle of Development in the Green Belt

Green Belts are of great importance. The fundamental aim of Green Belt policy is to prevent urban sprawl by preserving the open and permanent characteristics of Green Belts (paragraph 137 of the NPPF 2021). 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. '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.

Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt (paragraph 149 of the NPPF 2021). However, there are exceptions to this which, as in the case of this proposal, include:

- (c) the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building;

(g) 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 or would not cause substantial harm to openness and would contribute to meeting an identified affordable housing need.

Policy CS02 of the Core Strategy 2014 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 Core Strategy 2014.

Saved Policy C13 of the Local Plan 1994 relates to extensions to dwellings in the countryside, and generally seeks to maintain the open character of the Green Belt and retain a stock of rural dwellings of modest size. Extensions will be considered on their merits but in particular there will be an overall limit of one third of the gross floor area of the original dwelling (measured externally) prior to any later extension or alteration, unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling. However, this policy pre-dates the NPPF, and greater weight should be given where the approach is consistent with paragraph 149 the NPPF 2021.

The application property has no planning history and the only proposed new addition to the property would be a small dormer (approximately 1m wide and projecting out by 1m) to serve bedroom 9 in the roof. This will increase the size of the dwelling by a minimal amount, and certainly less than one third of its original size. The scale of development is not considered to be out of proportion with the existing building, with only a minimal increase in its size over that of the existing building. In addition, the proposed dormer will not affect the openness of the Green Belt as is within the existing building line and form of the original dwelling.

On this basis, it is considered that the proposal would not result in disproportionate additions over and above the size of the original building and would therefore amount to appropriate development in the Green Belt. The proposal would therefore comply with paragraph 149 of the NPPF 2021 and saved Policy C13 of the Local Plan 1994.

Design and Impact on Listed Building

Development Plan policy places considerable emphasis on the importance of achieving high quality, beautiful and sustainable buildings and places. Paragraph 130 of the NPPF 2021 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The NPPF 2021 also places great significance on the desirability of sustaining and enhancing heritage assets, and on new development making a positive contribution to local character and distinctiveness (paragraph 197). This is echoed in Policy CS20 of the Core Strategy 2014, which states that the significance of the Borough's heritage assets and their setting should always be preserved or enhanced. Saved Policy TC2 of the Local Plan 1994 sets out that for development involving alterations to listed buildings, the primary consideration is the maintenance of the integrity of the original listed building. Proposals must be sympathetic in terms of their appearance and materials.

The proposals seek to retain some works that have been carried out without Listed Building Consent, while also offering some improvements to the building, such as the replacement of the UPVC dormer windows with timber windows and the restoration of the chimney stack and sash windows. The dormers will have pitched and tiled roofs fitted with bonnet hips and hogsback ridge tiles. The rebuilt outhouse will have clay tiles and hogsback ridge tiles and will be pointed with lime mortar. There will also be a conservation rooflight.

A flint and brick wall forms a boundary between the east edge of the lawn to the south of the house and what was formerly the courtyard leading to the barns and outbuildings at the rear. Along this boundary, a mature lime tree has displaced and fractured the wall. It is proposed to dismantle the wall where it has

been most affected by the tree's growth and to rebuild it as a curved wall, re-using salvaged material and with the same form of construction (flint facings beneath a brick on edge capping over a chamfered brick course). The rebuilt section of wall will be bonded to the retained walling at each end.

In addition, some works are to be reversed, such as where items of joinery and plaster finishes have been removed.

The Council's Conservation Officer has raised no objections to the proposals. The submitted information covers the unauthorised alterations with reinstatement set out within the Heritage Statement. Conditions will be needed for a schedule of works to be the basis of rectification work, as well as further detailed drawings and specifications to ensure in particular that accurate joinery and plaster detailing is achieved. Details of the external materials, including roof, walls, windows, doors, rainwater goods, services and gates should be conditioned. It would be most beneficial if the currently appointed Conservation Architect/Agent were retained to ensure the current work is carried out to an acceptable standard. This could be recommended in an informative.

Overall, the proposals would comply with the requirements of Policies CS19 and CS20 of the Core Strategy 2014, Saved Policy TC2 of the Local Plan 1994 and paragraphs 126,130 and 197 of the NPPF 2021.

Character and Appearance of Surrounding Area

With regard to the impact on the landscape, Policy CS12 of the Gravesham Core Strategy 2014 is relevant to this application, relating to green infrastructure. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment (LCA) 2009 will be taken into account in determining applications. The site is located within the Higham Arable Farmlands Landscape Character Area.

Whilst the proposals would result in some additional built development on the site markedly in the form of a proposed additional dormer, entrance gates, and partial rebuilding of a wall, this would not represent a significant change in the character and appearance of the site and would not therefore result in any adverse visual impact on landscape character. It would be beneficial to supplement the existing soft boundary treatment up to the new gates; details of this can be conditioned.

Overall, the proposals comprise appropriate alterations/additions in terms of their size, scale and appearance, and would maintain the character and appearance of the site and landscape quality of the surrounding rural area. The proposals are therefore considered acceptable in design and landscape terms and would comply with the requirements of Policies CS12 and CS19 of the Core Strategy 2014, and paragraphs 130 and 174 of the NPPF 2021.

Residential Amenity

The NPPF 2021 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land.

Future Occupiers

The proposed changes would not introduce any amenity issues for future occupiers and would be in line with Policy CS19 of the Core Strategy 2014.

Neighbouring Properties

Due to detached nature of the property and the minor nature of the proposals, they would not be considered to cause any significant loss of light or privacy, nor have any dominant impact on neighbouring

properties.

The proposals would comply with Policy CS19 of the Core Strategy 2014.

Parking and Highways

There are no changes to the parking or access arrangements. The position of the proposed gates has been set back from the edge of carriageway to ensure a car can be parked clear of the carriageway.

There would not be a significant impact on parking or highway safety. The proposal would therefore comply with Saved Policies T1 and P3 of the Local Plan 1994 and Policies CS11 and CS19 of the Core Strategy 2014.

Conclusion and Recommendation

Subject to conditions, overall the proposed alterations would be appropriate in the Green Belt and would preserve the character and appearance of the surrounding rural landscape. In addition, they would have no adverse impact on the architectural integrity or the setting of the listed building. The proposals are also considered to be acceptable with regards to residential amenity and highway matters.

As such, the proposals would comply with the requirements of Policies CS02, CS11, CS12, CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014, saved Policies TC2, T1 and P3 of the Gravesham Local Plan 1994 and paragraphs 111, 126, 130, 137, 138, 147, 148, 149, 174 and 197 of the National Planning Policy Framework 2021.

The listed building consent and planning applications are therefore recommended for permission.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Katherine Parkin	Team Leader:	
Signed:	<i>K. Parkin</i>	Signed:	
Dated:	7 June 2023	Dated:	