



Delegated Report

Householder Planning Application

Planning Application No: 20230684

Location: Bucklebury, Pear Tree Lane, Shorne, Gravesend

Description: Erection of a detached garage.

Applicant: Mr Nick Turner Goldsmith

Site Visit Date: 12 July 2023

Submitted Documents/Plans

Application form
Cover letter dated 26 June 2023
Drawing no. 3440-007 (Proposed Site Plan/Plans/Elevations)

Relevant Planning History

Reference	Description	Decision	Decision Date
20230112	Application for a Lawful Development Certificate in respect of the proposed single storey rear extension to original building	Refused	22.03.2023
20220513	Erection of a first-floor rear extension above existing ground floor extension.	Permitted	01.07.2022
20220249	Proposed external appearance upgrade including roof covering replacement, guttering replacement and windows replacement; front elevation aesthetical alterations involving the installation of new reconstituted stone quoins, new reconstituted stone window heads and replacement of existing entrance porch; enlargement of some of existing windows, provision of 2no. of new windows, removal of 1 pair of French doors, removal of side entrance door; replacement oak front canopy on front elevation.	Permitted	12.05.2022
20210499	Retrospective application for erection of a single storey outbuilding to be used as a home gym.	Refused Appeal Allowed	22.06.2022 25.11.2022
20201066	Proposed alterations and remodelling of dwelling including two storey side and rear extensions to main house and use of altered roof space for additional accommodation; construction of attached pool house and subterranean games room to rear garden and triple garage in front of the dwelling.	Refused	10.12.2020
20080125	Application for Lawful Development Certificate for the proposed erection of a wall constructed of railway sleepers 0.9 metres in height along Pear Tree Lane	Certificate refused	04.04.2008

	frontage.		
20060162	Retention of the front boundary wall.	Permitted Appeal dismissed	20.09.2006 27.11.2007
20000470	Removal of existing conservatory and erection of single storey rear extension to form study, dining area and kitchen.	Permitted	22.08.2000
19590170	Erection of detached house, double garage and outbuildings	Permitted	04.08.1959
19560114	Erection of house and private garage	Permitted	10.04.1957

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Design and Development Principles

Gravesham Local Plan First Review (1994)

- T1 – Impact of Development on the Highway Network
- P3 – Vehicle Parking Standards
- C13 – Extensions to Dwellings in the Countryside

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)

- Section 2 – Achieving sustainable development
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance (SPG)

- SPG2 – Residential Layout Guidelines (2020)
- SPG4 – KCC Parking Standards (2006)
- SPD – Householder Extensions/Alterations Design Guide (2021)
- Technical Housing Standards – Nationally Described Space Standards (2015)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

External Consultees

Shorne Parish Council

The Parish Council has to object to this application, for the reasons given below:

- The proposed garage is in front of the house and building line. Other new front located garage applications in the immediate area have been refused so any permission would set a precedent.
- The proposed garage has bays that are only 2.8m wide, which is likely to be insufficient.
- The property had a garage previously but it was converted to residential accommodation by a previous owner.
- The application does not state what is to happen to the existing large carport area attached to the front of the house, whether that is being retained or demolished.
- Further significant extension of the paving on the site (already installed) regrettably gives an incongruous urban appearance. This area is described on the plans as “Courtyard Area” but courtyards are enclosed by built forms (walls/other buildings).
- An L-shaped wall (seen on previous plans) and 3 small squares are noted on the plans at the rear of the house.
- If to be permitted, Conditions should be attached preventing use other than as a domestic garage, preventing future residential conversion and requiring permanent visual screening to Pear Tree Lane.

Dickens’ Country Protection Society

In the Society’s view, in the interest of amenity the proposed garage should be sited further from the road, i.e. nearer to the house, and should be conditioned that it can only be used to house motor vehicles.

Neighbouring properties

The application has been advertised by individual neighbour letter to 1 property and on site. The overall consultation period expired on 4 August 2023.

No letters of representation have been received.

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

Officer’s Analysis

Proposal

This application seeks permission for the erection of a detached garage.

The garage will be timber framed with a tiled roof, open at the front and timber clad to three sides. It will measure approximately 10m by 7m. It will be approximately 5.2m to the ridge and 2.5m to eaves level. It will contain three bays.



The garage will be positioned to the front of the house on an area of existing lawn and trees, and the existing driveway would be extended across the front of the garage.

The site plan illustrates the proposed development at 100/102A. Key features include:

- SHRUB SCREENING TO RETAINING WALL:** A green-shaded area along the northern boundary of the courtyard.
- SHRUB SCREENING TO GARAGE:** A green-shaded area along the western boundary of the courtyard.
- COURTYARD AREA:** A central open space, partially paved (grey) and partially landscaped (green).
- EXISTING DRIVE:** A road running along the eastern and southern boundaries of the site.
- EXISTING HOUSE:** A large building located to the southeast of the site.
- Landscaping and Structures:** The plan shows various trees (e.g., LA, CE, OA, HC, CY), shrubs, brick walls, and a retaining wall. Dimensions and material specifications are provided for many elements.
- Other Labels:** 'TIC' (Topographical Information Centre) is noted near the northern boundary. 'PEA' (Public Access) is indicated near the top of the plan.

The application site is located in the countryside, outside any rural settlement and in the Green Belt. It is also within the Shorne Woodland Landscape Character Area. Taking into account these designations, the main issues for consideration in the determination of this application are the principle of the development in the Green Belt, and the impacts on landscape character and the appearance of the surrounding area, on residential amenities and on highways.

The application site comprises a two storey detached and extended dwelling situated in the Green Belt.

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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.

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.

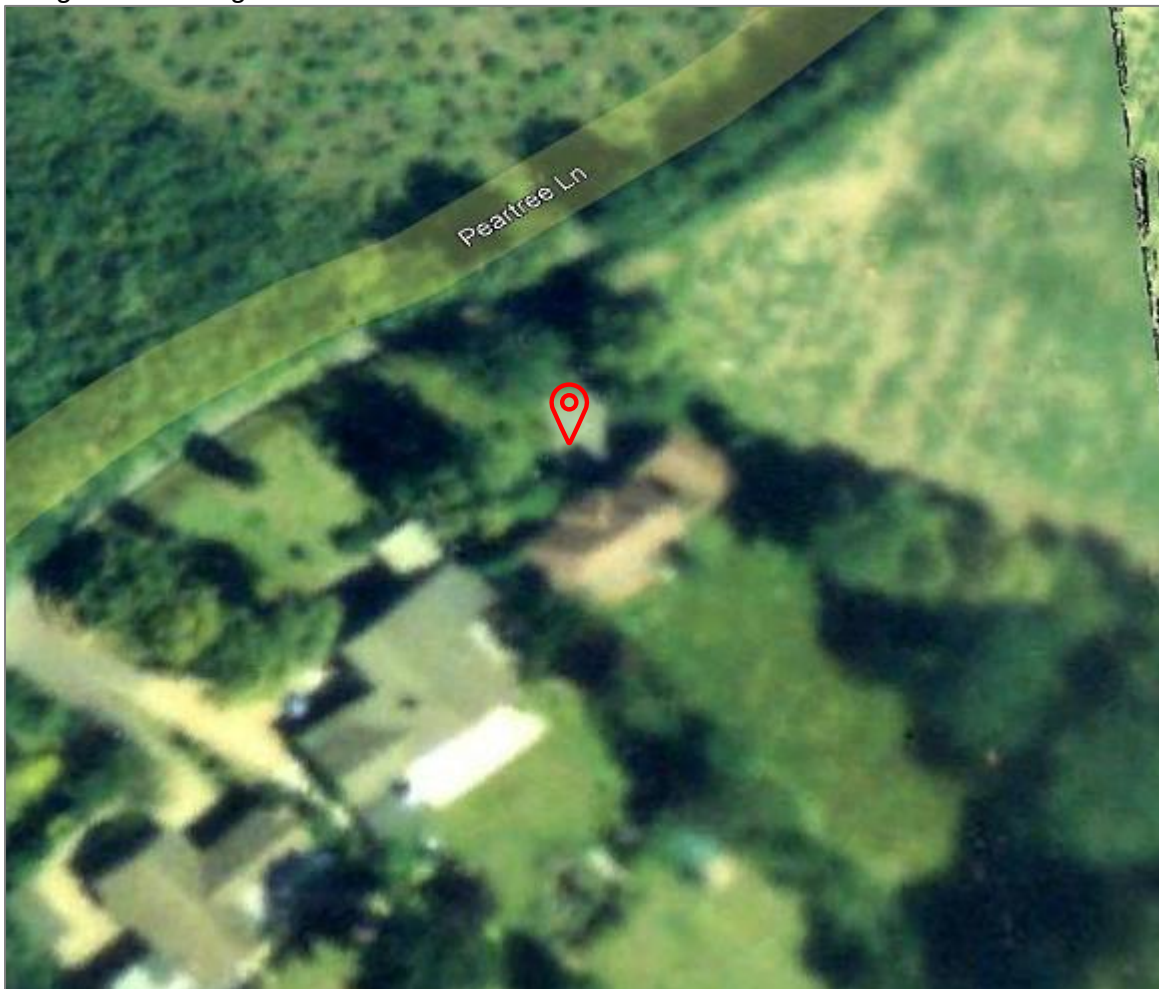
In determining proposals for garages and outbuildings in the countryside account should be taken of saved Policy C13 of the Local Plan 1994. It states that proposals 'for domestic garages and outbuildings will be considered on their individual merits but will be required to be well designed, discreetly 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 policy must be considered carefully, with greater weight being given where the approach is consistent with paragraph 145 of the NPPF. The main aspects of the policy are broadly in line with the NPPF and should therefore be afforded due weight.

The proposed erection of a garage or other 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 proposed garage would be used for the parking of cars for the host dwelling and would be within its curtilage with a close visual relationship to it, and so it is considered that it would be grouped with the main dwelling. Therefore, the proposed garage could be regarded as an extension to the dwelling for the purposes of paragraph 149(c) of the NPPF 2021.

In this case, as such, it falls to be considered whether the proposed garage is a disproportionate addition to the dwelling.

As it can be seen from the planning history above, as well as evidenced from Google Earth, the application property has been significantly extended over time:

Google Earth Image from 1990:



Bucklebury from current Google Earth image:



The existing extensions to the property exceed the general one third allowance set out in Policy C13 of the Local Plan 1994. This was clarified under the most recent application granted for the property (application 20220513 for the erection of a first-floor rear extension above existing ground floor extension), where the calculations for the original property and resultant extensions were set out as follows:

	Original gross external floor area (m²)	Gross external floor area (m²) post-1948 extensions	Current proposed gross external floor area (m²)	Difference in gross external floor area between original and proposed (m²)
Dwelling (ground and first floor)	305	371 (>66)	437(>66)	>132
Percentage		<u>>22%</u>	<u>>18%</u>	<u>>43%</u>

The further 'extension' of the application property with a large tripe garage with an additional 70m² of floorspace, that would be prominently sited to the front of the dwelling, would not be considered to be a proportionate addition to the property, given that the existing property has already been extended over 40% of its original size. It must also be noted that the existing property already has a car port to the front/side (which has been in situ for many years):



The proposal is therefore considered to be an inappropriate development in the Green Belt and would not be considered an exception as set out in paragraph 149 of the NPPF. Consequently, it is considered harmful to the openness of the Green Belt, and there are no very special circumstances to justify such a development and to override the harm.

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. Paragraph 001 of the Planning Practice Guidance 2019 on Green Belts looks to assess the impact of a proposal on the openness of the Green Belt by taking into account the spatial and visual aspects of a development, its duration and remediability, and the activity levels generated.

As established above, the application proposal, by its size, would involve an inappropriate form of development at the application site that would erode the openness of the Green Belt.

The application site can be described as previously developed land as it is part of an existing residential site. As the proposed development would not provide affordable housing, the proposal can also be judged against the first part of paragraph 149(g) of the NPPF 2021, which seeks to prevent a greater impact on the openness of the Green Belt than the existing development on a site. In this case, the proposal is considered as inappropriate development but its impact on the openness of the Green Belt must be also assessed, and in turn the impact on the character and appearance of the area.

The proposed garage will introduce a large, permanent structure into what is currently open space at the front of the site, together with an increase in the amount of hardstanding on the site, and this will clearly reduce and cause harm to the openness of the Green Belt in this location. The development is therefore clearly contrary to the requirements of paragraph 149(g) of the NPPF 2021.

Design and 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.

The application site is located in the Shorne Woodland Landscape Character Area (LCA) and as such, Policy CS12 of the Core Strategy 2014 is also 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 (GLCA) will be taken into account in determining applications.

In relation to the wider Shorne Woodlands Landscape Character Area within which the property sits, the undulating landform and extensive tree cover within this area provides an enclosed character and subsequent low visibility within the area. The overall condition of the landscape is good and has moderate sensitivity. It is recommended that key landscape elements should be conserved and reinforced, including the wooded character of the area.

The application site is located within the countryside on a wooded lane, with a large, detached dwelling adjacent to the south-western boundary (Bethany) and a few further detached dwellings beyond. Open fields surround the site to the north-east and south-east, with woodland across the road to the north-west. To the front of the application property there is hardstanding from the entrance up to and across the front of the house, with the frontmost part of the garden laid to grass, with many shrubs and trees on and around the site, including large specimens in close proximity to the proposed garage (which do not all appear to be shown on the submitted plans).



The proposed garage and hardstanding 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 that is currently open. Similar to the application site, the front gardens of the dwellings along the road are also generally deep and open. It is recognised that there is soft landscaping to the front boundary of the application site that could screen the proposed garage to some extent, but as the land level slopes up from the road to the dwellings on this side of the road, the proposed garage would also be raised above road level as well as positioned in front of the house, and at up to 5.2m high, this will add to its prominence. There are no other garages in forward positions along this part of the road. The proposal will result in the

loss of lawn and trees at the front of this site and the proposed garage and hardstanding would unacceptably further urbanise the character of this site. As such, the proposed development would be detrimental to the rural landscape character of the surrounding area.

Specifically in terms of design, paragraph 130 of the NPPF 2021 sets out various design requirements and includes the need for 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.

As referenced above, saved Policy C13 of the Local Plan 1994 specifically states that proposals for garages in the countryside are required to be well designed, discreetly sited and subservient to the scale of the main dwelling on the plot.

Whilst the design of the proposed garage alone is not unacceptable, at 10m by 7m, and up to 5.2m high, it would appear overly large and would introduce new built development on a currently undeveloped and highly visible site frontage. It would further urbanise the application site and be out of keeping with the character of surrounding properties.

Overall, it is considered that the proposed development would be excessive in size, prominent in position and detrimental to the character and appearance of the surrounding area. The proposal would be contrary to the requirements of Policies CS12 and CS19 of the Core Strategy 2014 and saved Policy C13 of the Local Plan 1994.

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 garage would not harm the amenity of future occupiers of the property 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 of the Core Strategy 2014.

Neighbouring Properties

Whilst large, the single storey nature and position of the proposed garage would not cause any sense of enclosure, loss of light, outlook or privacy to the only affected neighbouring property, Bethany. The submitted plans show no encroachment onto neighbouring land. Details of landscaping/boundary treatment would have to be conditioned to ensure that the proposal is integrated back into its surroundings, and the property boundaries and landscaping are retained.

Overall, the proposal would therefore safeguard the amenities of neighbouring properties, and as such, would comply with Policy CS19 of the Core Strategy 2014 and paragraph 130(f) of the NPPF 2021.

Parking and Highways

As there is already more than adequate car parking provision on the site, there are no objections to the proposal. However, a condition should be imposed regarding the provision of suitable surface water drainage to ensure that water cannot discharge from the roof onto the highway either directly or indirectly. On this basis, the proposal would be acceptable in relation to parking and highway safety, in accordance with Policy CS11 of the Core Strategy 2014 and saved Policy P3 of the Local Plan 1994.

Conclusion and Recommendation

The proposed detached garage is considered to comprise an inappropriate development in the Green Belt that would introduce built development into this open front garden, causing permanent detriment to the openness of the Green Belt. There are no very special circumstances that exist that would outweigh the harm resulting from the proposal by reason of inappropriateness, or any other harm. The development is therefore contrary to the requirements of paragraphs 11, 137, 138, 147, 148 and 149 of the National Planning Policy Framework 2021, and Policy CS02 of the Gravesham Local Plan Core Strategy 2014.

The size and prominent location of the proposed detached garage to the front of the main dwelling would be out of keeping with the character and appearance of surrounding properties and detrimental to the rural landscape characteristics of the wider Shorne Woodland Landscape Character Area. As such, the proposal would fail to comply with the requirements of Policies CS02, CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014, saved Policy C13 of the Gravesham Local Plan 1994 and paragraphs 130 and 174 of the National Planning Policy Framework 2021.

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

Case Officer:	Mrs Katherine Parkin	Team Leader:	Miss Faye Hobbs
Signed:	<i>K. Parkin</i>	Signed:	
Dated:	10 August 2023	Dated:	11 August 2023