



Delegated Report

Householder Planning Application

Planning Application No: 20221323

Location: Cobhambury Court Cobhambury Road Cobham Gravesend

Description: Erection of a single storey extension to the existing lawful dwelling

Applicant: Mr & Mrs Montila

Site Visit Date: 29th December 2022

Submitted Documents/Plans

Planning Application Form;
Planning Statement;
Drawing No. 221028-E-001 – Existing Plans and Elevations Location Plan; and
Drawing No. 221028-P-001 Rev a – Proposed Plans and Elevations.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220511	Erection of an extension to existing lawful dwelling together with a new self-contained link-attached dwelling.	Refused	01.08.2022
20180257	Application for a Lawful Development Certificate in respect of the continued use of part of the outbuilding as a three bedroom residential dwelling and retention of the extension to the western elevation to the outbuilding.	Certificate Granted	13.09.2019
20180268	Application for a Lawful Development Certificate in respect of the retention of the swimming pool.	Certificate Granted	01.02.2019
20180269	Application for a Lawful Development Certificate in respect of the retention of the swimming pool.	Withdrawn	30.04.2018
20180270	Application for a Lawful Development Certificate in respect of the continued use of land east of the outbuilding as B8 (storage and distribution).	Certificate Granted	01.02.2019
20180578	Retention of the single storey side extension to the main dwellinghouse and infill extension to the existing outbuilding.	Permission	15.02.2019
19970562	**AMENDED APPLICATION/REVISED DESCRIPTION** Partial demolition of barn and its conversion and part rebuilding into a six bedroom dwelling; conversion and part rebuilding of outbuildings to form garaging, gymnasium/sauna room, games room, store and 3 no. stables, involving demolition of 'Atcost' barn building; laying out of associated manoeuvring area and retention of portacabins during construction works.	Permission	06.02.1998

19970519	**AMENDED APPLICATION/REVISED DESCRIPTION** Conversion and part rebuilding of barn into a six bedroom dwelling; conversion and part rebuilding of outbuildings to form garaging, gymnasium/sauna room, games room, store and 3 no. stables, involving demolition of 'Atcost' barn building; laying out of associated manoeuvring area and retention of portacabins during construction works.	Refused	11.12.1997
19970562	**AMENDED APPLICATION/REVISED DESCRIPTION** Partial demolition of barn and its conversion and part rebuilding into a six bedroom dwelling; conversion and part rebuilding of outbuildings to form garaging, gymnasium/sauna room, games room, store and 3 no. stables, involving demolition of 'Atcost' barn building; laying out of associated manoeuvring area and retention of portacabins during construction works.	Permission	06.02.1998
19860542	Conversion of former agricultural barn into a residential dwelling	Refused	21.10.1986
19750436	Removal of agricultural tie	Refused	13.01.1975

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Design & Development Principles
- CS20 – Heritage and the Historic Environment

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

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network
- TC2 – Development Affecting the Setting of a Listed Building
- TC3 – Development Affecting Conservation Areas

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 4 – Decision-making

- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Cobham Rural Conservation Area Appraisal (2017);
- Gravesham Landscape Character Assessment (2009); and
- Kent Downs Area of Outstanding Natural Beauty Management Plan (2021-2026).

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The Council has a statutory requirement under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant listed building consent for any works 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.

Under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a statutory duty in considering whether to grant planning permission for development which affects a listed building or its setting 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.

As the site lies within the Kent Downs Area of Outstanding Natural Beauty (AONB), the adopted Kent Downs AONB Management Plan is also relevant, particularly;

- SD2 - 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.
- SD7 - New projects, proposals and programmes shall conserve and enhance tranquillity and where possible dark night skies.
- SD8 - 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.

Consultations, Publicity and Representations

External

Dickens Country Protection Society

The Society is concerned that in this Green Belt location, the proposed extension would go beyond the original range of the 'L' shaped range of buildings.

Cobham Parish Council

No comments received.

Internal

GBC – Conservation Architect

No comments received.

Neighbouring properties

A site notice was displayed on site and 2 letters were sent out to surrounding properties with an overall consultation expiry date of 30th January 2023. No letters of representation have been received.

Analysis

Background

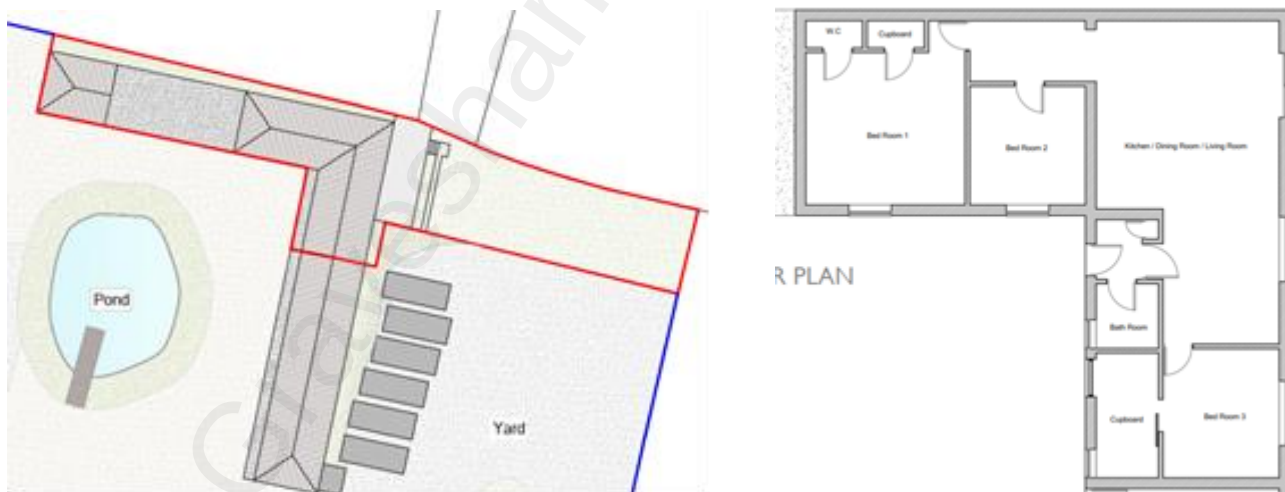
As can be seen from the planning history, a lawful development certificate as granted in 2019 *in respect of the continued use of part of the outbuilding as a three bedroom residential dwelling and retention of the extension to the western elevation to the outbuilding* (Ref. 20180257). It was granted for the following reason;

1. The Borough Council is satisfied that the applicant has provided and shown sufficient evidence that, on the balance of probability, the extension and use of the building as self-contained dwelling was constructed and in use in excess of 4 years prior to the date of the application.

The Borough Council is therefore satisfied that the existing extension and dwelling are exempt from enforcement action by reason of section 171B (1) and (2) of the Town and Country Planning Act 1990, as amended.

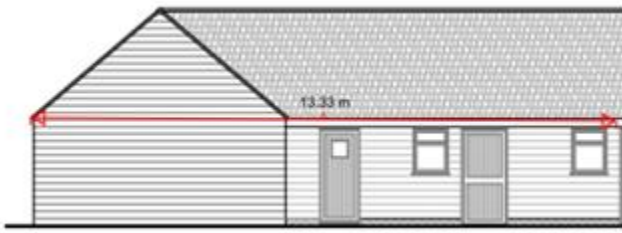
The development is therefore lawful by reason of section 191 (2) (a) of the Act and a Certificate of Existing Lawful Use is duly issued.

In terms of the extent of the lawful development certificate, the below section of drawing shows the area outlined in red as the part of the detached outbuilding that the certificate relates to:

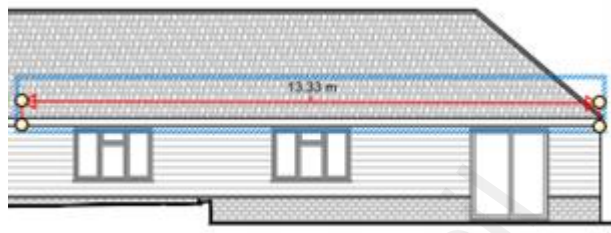


It would appear from the plans available that the dwelling has not been extended or altered since the granting of the lawful development certificate. Therefore, for the purpose of this application assessment, the property appears to be the 'original' property as originally converted.

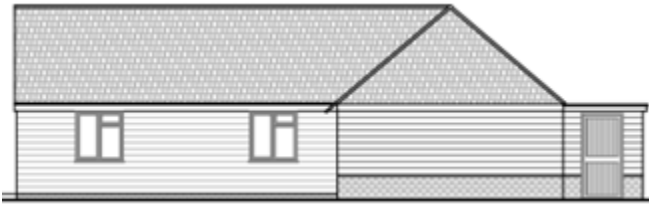
Front (West) Elevation



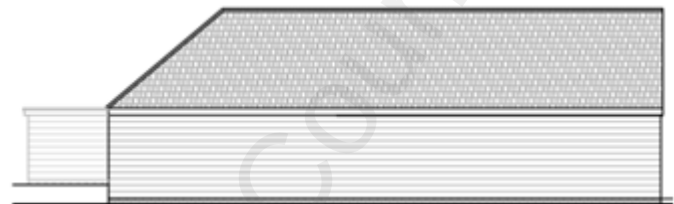
Rear (North) Elevation



Side (South) Elevation



Side (North) Elevation



The key issues in consideration of this application is whether;

- the proposal would be inappropriate development in the Green Belt and, if inappropriate its effect on the openness of the Green Belt and the purposes of including land with it;
- the proposal would impact on adjoining properties;
- the proposal would impact the living conditions of future occupiers
- the proposal would result in any parking and highway safety issues;
- the proposal would adversely impact on the landscape character of the site;

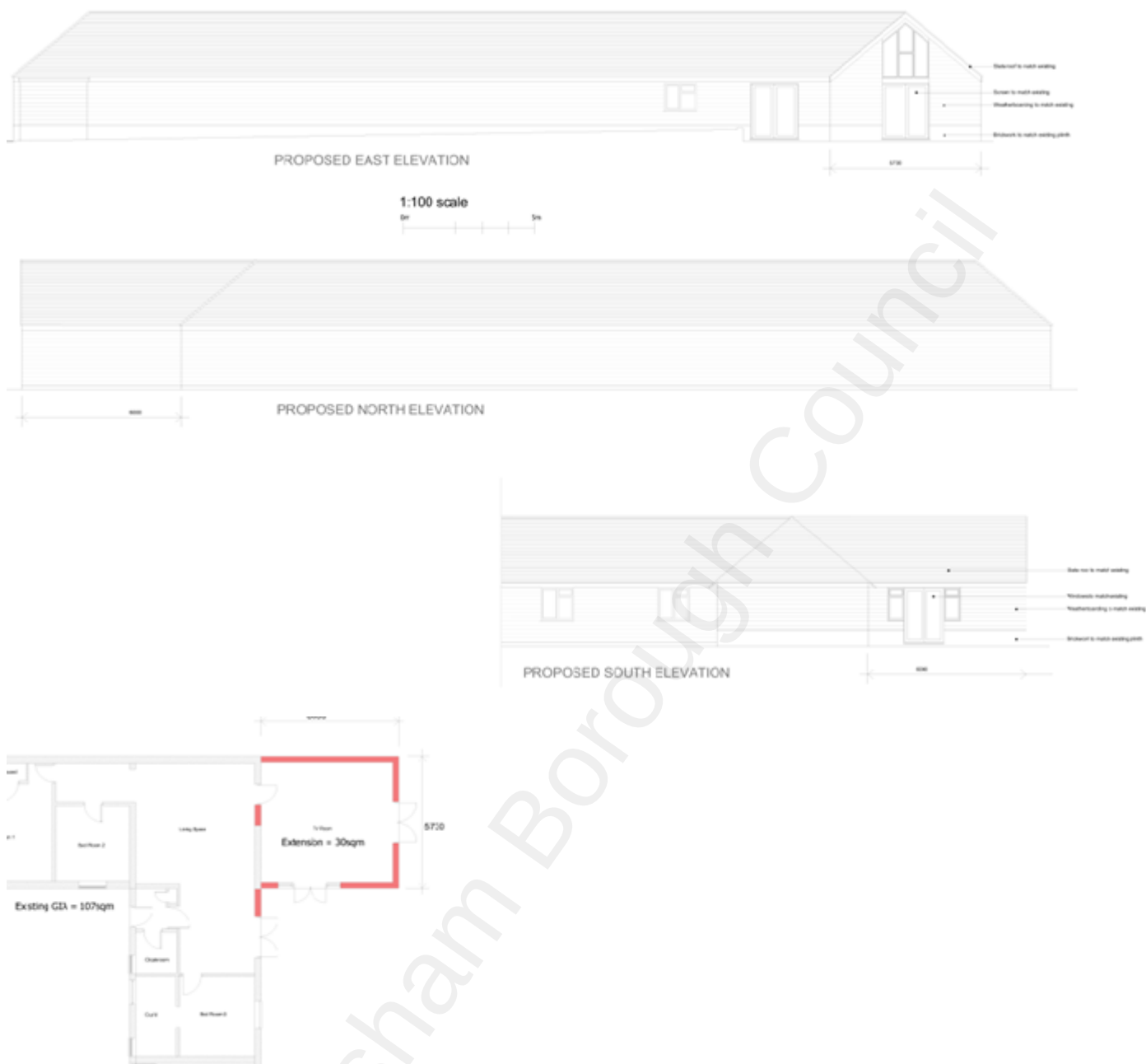
Site Location and Surrounding Area

The site is located in the Green Belt and in the Luddesdown Downs Landscape Character Area as defined on the adopted Gravesham Local Plan Core Strategy policies map and this must be the starting point for determining this application.

The application site is the partly converted outbuilding associated with Cobhambury Barn. The property benefits from its own access, open plan kitchen/dining/living room, 3no. bedrooms, bathroom, storage and its own garden area to the rear. Parking is available to the front and within the existing open carport that forms part of the original outbuilding, however this part of the outbuilding is outside of the residential curtilage associated with the dwelling. The property is a self-contained unit which is occupied separate to the main dwelling.

Proposal

The proposal is for a single storey extension to the eastern facing side elevation of the property. The extension would have a hip roof on the eastern and northern sides with glazed gable on the south facing elevation. It would project 6m to the east of the property, have a depth of 5.73m, with an eaves height of 2.5m and ridge height of 4.9m which would be the same as the host dwelling. It would have a gross internal floor area of 30m² and has been labelled as a TV Room on the proposed plan. All external materials would match the existing property.



The appropriateness of the development within the Green Belt

Inappropriate development in the Green Belt is development that by definition, is harmful to the Green Belt and should not be of approved except in very special circumstances. Paragraph 148 goes on to say that very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The NPPF (2021) notes that 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 permanence. At paragraph 138 the NPPF (2021) lists the 5 purposes which the Green Belt serves. Of particular relevance in this case is that it assists in safeguarding the countryside from encroachment.

The NPPF (2021) makes it clear that new buildings in the Green Belt should be regarded as inappropriate, with a small number of exceptions (paragraph 149). The listed exceptions include 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.

Policy CS02 of the Gravesham Local Plan Core Strategy (September 2014) (LPCS) 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 (LPCS).

Furthermore, Saved Policy C13 of the Gravesham Local Plan First Review (November 1994) (LPFR), which relates to extensions to dwellings in the countryside, sets out a number of criteria that should be met when considering proposals for domestic extensions. As the policy pre-dates the NPPF (2021), the weight attached to the policy must be considered carefully; with greater weight being given where the approach is consistent with paragraph 149 the NPPF (2021).

In particular Policy C13 (LPFR) places an overall limit on extensions of one third of the gross floor area of the original dwelling, unless the increased floor space has no overall effect on the existing bulk and appearance of the dwelling (criteria (ii)). It also requires the massing, scale and form any extension to be appropriate to the existing dwelling and the Green Belt setting (criteria (vi)). It is considered that these factors are relevant in determining whether the size of an extension is proportionate and as such, these aspects of the policy are broadly in line with the NPPF (2021) and should be afforded weight.

In determining proposals for residential extensions in the Green Belt an assessment will be made against the impact of the 'original' existing development. The original building is the building as it existed on 1 July 1948, however, for older homes constructed prior to July 1st, 1948, the 'original dwelling' refers to the floorspace of the dwelling as it was on this date. Any additions that have occurred since the 'original' dwelling date are considered cumulatively and will be counted as part of the overall increase in floorspace of the dwelling when new additions are being assessed. The reason for this is small reductions in openness, repeated many times, can have a cumulatively detrimental effect.

The existing dwelling in this case does not appear to have been extended since the granting of the lawful development certificate.

Existing dwelling (as converted)

Ground Floor: 123.33m²

Proposed Extension

Ground Floor: 30m²

Total floor space increase proposed: **153.33m²**

Total floor space increase of proposed extension over original dwelling: **24.32%**

Saved Policy C13 (LPFR) provides the local interpretation of national policy and states 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.

In this case the increased floorspace would be within the one third limit and therefore is within the parameters set by Policy C13 (LPFR). However, it will also be necessary to assess the impact of the extension on the existing bulk and massing of the host dwelling.

The original dwelling was originally an outbuilding associated to the main Cobhambury Barn. It was partially converted and resulted in a modest single storey three bedroom dwelling. The proposed extension would have an external footprint of 34.68m². The existing dwelling is an 'L' shape which formed part of the original stables for Cobhambury Barn. The proposal would result in an awkward extension which would erode the existing shape and layout of the dwelling. With the eaves and ridge height being the same as the main dwelling it would also create additional bulk and appearance of the building. Therefore although the proposed extension may be under one third limit set out in Policy C13 (LPFR), the position of the proposed

extension appears disproportionate in relation to the historic farmstead arrangement of the outbuilding by interrupting the original L-shape design.

In summary it is considered that this extension is contrary to local and national planning policy.

Impact on openness and the purposes of the Green Belt

In terms of the effect on the openness and the purposes of including land in the Green Belt, the NPPF (2021) notes that 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 permanence.

The proposed extension would have a 6m projection along the eastern elevation of the existing dwelling which would have an awkward relationship with the 'L' of the original stable block. It would also result in additional built form projecting further to the east and toward the open countryside beyond. It would result in an increased external footprint of the dwelling by 34.68m² and whilst in an urban area could be considered a modest extension, by virtue of the projection and height, would encroach further into the countryside. As a result, it is considered that the proposal would result in a material harm to the openness of the Green Belt or represent encroachment into the countryside.

Therefore, the proposed extension is considered to be in contrary to Policy CS02 (LPCS) and Section 13 of the NPPF (2021).

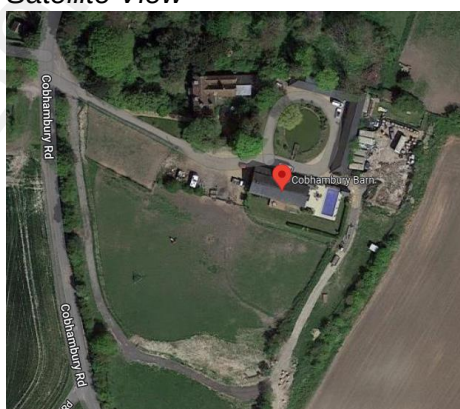
Character and Appearance

The application site falls within the Cobham Conservation Area.

Conservation Area Boundary



Satellite View



Cobhambury Farm and buildings are fundamental to the character of the of Conservation Area with the buildings being detailed within the Cobham Conservation Area Appraisal. The application property forms part of the historic farmstead and it is therefore important to retain as much of the original layout and features.

Policy CS20 (LPCS) states the council will accord a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource, central to the regeneration of the area and the reinforcement of sense of space.

It is considered that the proposed extension would neither preserve or enhance the original building but would instead erode the original layout and fabric of this historic building.

When evaluating the design of this proposal it needs to be considered against the design principles of Policy CS19 (LPCS) which require development to conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. At a national level the NPPF (2021) in paragraph 126 provides guidance on providing good design.

Cobhambury Barn is a traditional timber barn conversion and the associated outbuilding is a single storey timber 'L' shaped stable building. The proposed extension, whilst modest in size would interrupt the traditional 'L' shape of the stable block, resulting in a form of development that would not respect the host building and as such is considered to be an unacceptable addition to the property, contrary to Policies CS02, CS19 and CS20 (LPCS) and Sections 12 and 16 of the NPPF (2021).

External works

The proposed plans show all materials to match, including slate roof tiles, weatherboarding and plinth brickwork.

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

There is no conflict with Policy CS19 of the Core Strategy 2014 in respect of the living conditions for future occupants of the dwelling.

Neighbouring Properties

The proposed extension would be set approximately 38m from the nearest residential property and would be obscured by the existing building. Due to the distances to surrounding properties and the existing boundaries, it is considered that there would be no detrimental impact to the surrounding properties. Furthermore, no objections have been received.

Overall, the proposal would comply with Policy CS19 of the Core Strategy 2014.

Parking and Highways

The parking requirements for the property would be unaffected as a result of the proposal. There would therefore be no conflict with Saved Policy T1 of the Local Plan 1994 and Policies CS11 and CS19 of the Core Strategy 2014.

Any Other Material Planning Considerations

Impact on the Landscape

Section 15 of the NPPF (2021) highlights the importance of conserving and enhancing the natural environment, one aspect of which is the protection and enhancement of valued landscapes. Policy CS12 of Gravesham Local Plan Core Strategy states that the overall landscape character and valued landscapes within the Borough will be conserved, restored and enhanced and that proposals will take account of the Gravesham Landscape Character Assessment.

In May 2009 the Local Planning Authority published the Gravesham Landscape Character Assessment which identified 11 distinct areas within the borough. The application site falls within Luddesdown Downs Character Assessment.

The 2009 Landscape Character Assessment lists the following key characteristics found within Luddesdown Downs as follows:

- Very undulating topography with farmland used as arable and pasture
- Irregular field pattern with fields of various shapes and sizes
- Fields divided by native hedgerows
- Areas of native woodland
- Narrow winding lanes which follow contours
- Properties and farmsteads along lanes
- Small settlements within valleys
- Traditional timber framed outbuildings and Kent peg tiles

The Gravesham Landscape Character Assessment demonstrates the qualities which make the landscape area special and undermines Policy CS12 (LPCS) which seeks to conserve and enhance its quality.

The proposed development would increase the size of the property, but despite its minor increase in scale is considered to harm the landscape character of the site due to the interruption to the traditional 'L' shape stable conversion and increase in domestic features and so it would be detrimental to the traditional rural landscape character of the surrounding area.

In respect of landscape character, the proposal is therefore considered contrary to Policy CS12 (LPCS) and Section 15 of the NPPF (2021).

Impact on an Area of Outstanding Natural Beauty

The site is also located within an Area of Outstanding Natural Beauty. The adopted Kent Downs AONB Management Plan 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. It also states that it should be ensured that proposals 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 would bring the built form of the dwelling further into the countryside, eroding the traditional 'L' shape of the stable block, resulting in a negative impact on the Kent Downs AONB.

Impact on the Setting of a Listed Building

The application site is located to the east of Cobhambury House, a Grade II Listed Building. The part of the site relevant to this application is located approximately 38m from the curtilage of the listed building and the development would be located to the side of the existing dwelling. As such it is considered that the proposals would not result in a negative impact on the listed building and there are no objections in this regard.

Conclusion & Recommendation

For the reasons given above, the proposed alterations would be unacceptable and contrary to local and national planning policy and is therefore recommended for refusal.

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

Case Officer:	Mrs Amanda Grout	Team Leader:	Miss Faye Hobbs
Signed:	A Grout	Signed:	

Dated:	10 th February 2023	Dated:	10 February 2023
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Gravesham Borough Council