



Delegated Report

Householder Planning Application

Planning Application No:	20230450
Location:	Gardeners Cottage, Brewers Road, Shorne, Gravesend
Description:	Erection of detached garage with loft space at first floor level
Applicant:	K Mercer & L McCord
Site Visit Date:	20 June 2023

Submitted Documents/Plans

Application form
Drawing no. 717-16 Rev. A (Proposed Ground and Loft Layouts)
Drawing no. 717-17 Rev. A (Proposed Elevations – East & North)
Drawing no. 717-18 Rev. A (Proposed Elevations – South & West)
Drawing no. 717-19 Rev. A (Existing Ground Floor Layout)
Drawing no. 717-22 Rev. A (Location and Site Plans)
Planning Statement dated April 2023

Relevant Planning History

Reference	Description	Decision	Decision Date
20210663	Demolition of the existing two storey extension on the north (front) elevation, formation of new entrance, two dormer windows within the roof slope and a two storey extension to the eastern end. New single storey extension to the west elevation and alterations to the fenestration on the south (rear) elevation and roof. Lean-to storage shed on east elevation.	Permitted	10.08.2021
20190489	Application for a Lawful Development Certificate in respect of the retention of a first floor steel frame platform and glazed balustrade including alteration of the first floor window to double doors.	Granted	11.07.2019
20010236	**AMENDED DESCRIPTION** Erection of single storey extension on the west elevation to form enlarged kitchen/breakfast room, bedroom, shower room and cupboard.	Refused	31.07.2001
20000633	Erection of single storey extension on the western elevation to form enlarged kitchen, bedroom with ensuite shower room/wc, utility room and a raised	Refused	07.12.2000

	decking area with railings.		
19910449	Erection of single storey loggia at the sides and rear.	Permitted	19.07.1991
19900595	Erection of single storey loggia at side and rear	Permitted	13.09.1990
19870509	Erection of a single storey front extension to form utility room porch	Permitted	04.09.1987
19860862	Erection of single storey front extension to form lounge and entrance lobby single storey side extension to form kitchen and detached double garage with storage over	Permitted	24.02.1987

It should be noted that not all the above permissions were implemented. According to the Officer report from the 20010236 application, the only implemented permission was 19870509. Following this, the steel platform was added.

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

Saved Policies in the Gravesham Local Plan First Review 1994

- C13 – Extensions to Dwellings in the Countryside
- P3 – Vehicle Parking Standards

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
- 13 – Protecting Green Belt land
- 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)
- Gravesham Landscape Character Assessment (2009)
- Kent Downs Area of Outstanding Natural Beauty Management Plan 2014-2019
- Technical Housing Standards - Nationally Described Space Standards (2015)

Consultations, Publicity and Representations

External Consultees

Dickens' Country Protection Society

The Society would suggest that conditions are imposed restricting the use of the building to a garage and store, to control any potential residential use.

KCC Biodiversity

The only ecological concern we have is that of the proximity of the proposed garage to the adjacent ancient woodland. Natural England/Forestry Commission's standing advice states that development should not take place within 15m of ancient woodland (to prevent root damage – ancient woodland is specifically protected from harm within the NPPF). We suggest that, prior to determination, it is confirmed that the structure is situated 15m from the ancient woodland.

We also advise that any associated external lighting (and, therefore, an increase in light spill) is also likely to adversely impact the ancient woodland. If any lighting is to be installed, we advise that this sensor activated only.

KCC Heritage

The site lies within an area of multi-period archaeological potential. However, I consider it unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

Shorne Parish Council

The Parish Council has no objection to this proposal, subject to there not being any significant valid objection from neighbours.

Previous application ref 19860862 is noted, it is stated that the concrete base for the garage permitted in that application was built. The presently proposed plans are similar. Will the previously installed concrete base now be removed again?

It is more practical to have the garage near the house and this also conserves openness of the site, which is in the Green Belt and AONB. There could be archaeological potential in the new excavations.

Two exterior doors are now shown (as well as the garage doors) but one might be sufficient.

No exterior lights are shown. If installed these should be daylight sensitive and have minimum times of operation.

In view of the second storey loft area conditions should be attached preventing use of the garage as accommodation or as a separate dwelling, or joining of the garage to the house. Due to the large increase in built form on the site, permitted development rights should be withdrawn.

Internal Consultees

GBC Highways

I have no highway objections, the garage complies with guidance.

Neighbouring properties

The application has been advertised by individual neighbour letters to 2 properties and on site. The overall consultation period expired on 2 June 2023.

No letters of representation have been received.

The Kent Downs AONB Management Unit and Local Ward Councillors were also consulted, and no responses were received.

Officer's Analysis

Site Description and Background

The application site is defined on the Gravesham Local Plan Core Strategy Policies Map 2014 as lying in the rural area within the Green Belt and in the Kent Downs Area of Outstanding Natural Beauty (AONB) and the Shorne Woodland Landscape Character Area. It also lies within Ancient Woodland and is immediately adjacent the Shorne and Ashenbank Woods Site of Scientific Interest (SSSI).

The site currently contains a part single/part two storey detached four bedroom dwelling accessed via a woodland track from the north of the site. The house is positioned to the northern end of the site.

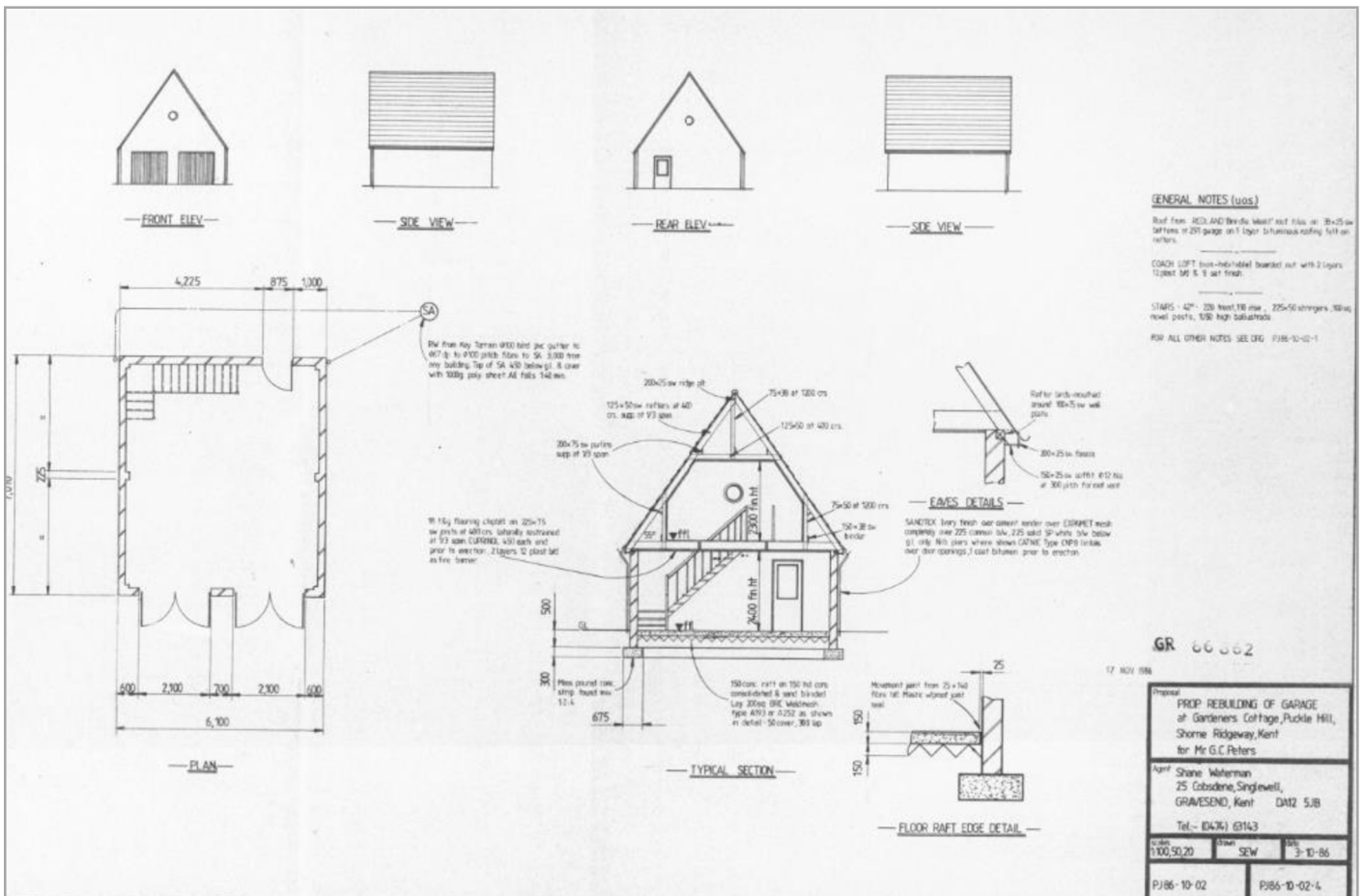
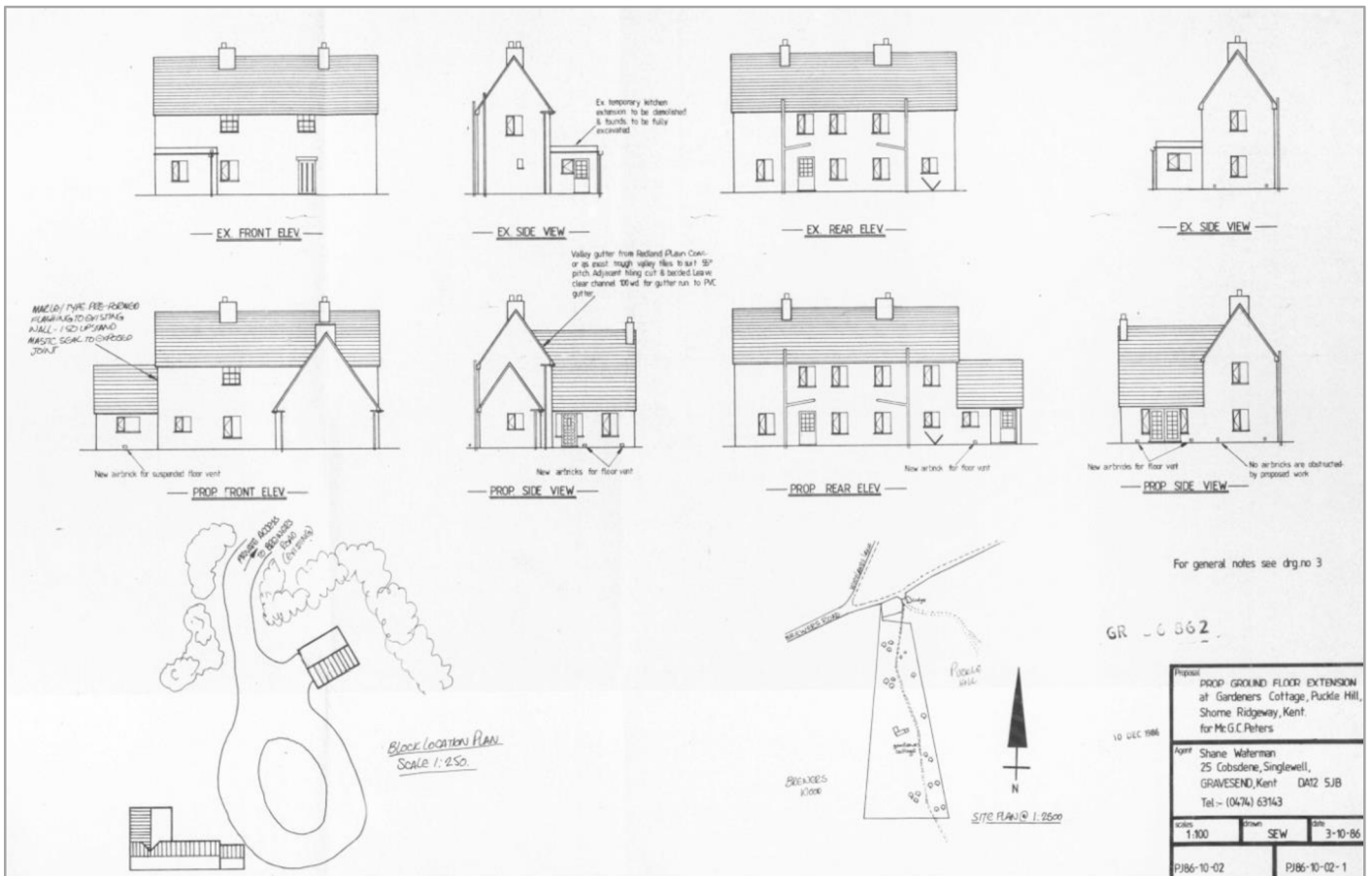
Current Google Earth Image:



The site has had built additions to it in the past, as can be seen from the above planning history, and was recently granted further permission under application 20210663 for the demolition of existing extensions and the construction of various new extensions to the property. Works on this have not yet been started.

There is also a concrete base for a detached garage at the northernmost part of the site by the entrance gate, which was granted under application 86/862. The submitted Planning Statement states that the proposal seeks to substitute the extant permission for a garage under this partially implemented permission (ref.1986/0862). Under this permission, changes to the house were partially implemented and the base for the garage was constructed but never built.

Plans granted under application 86/862:

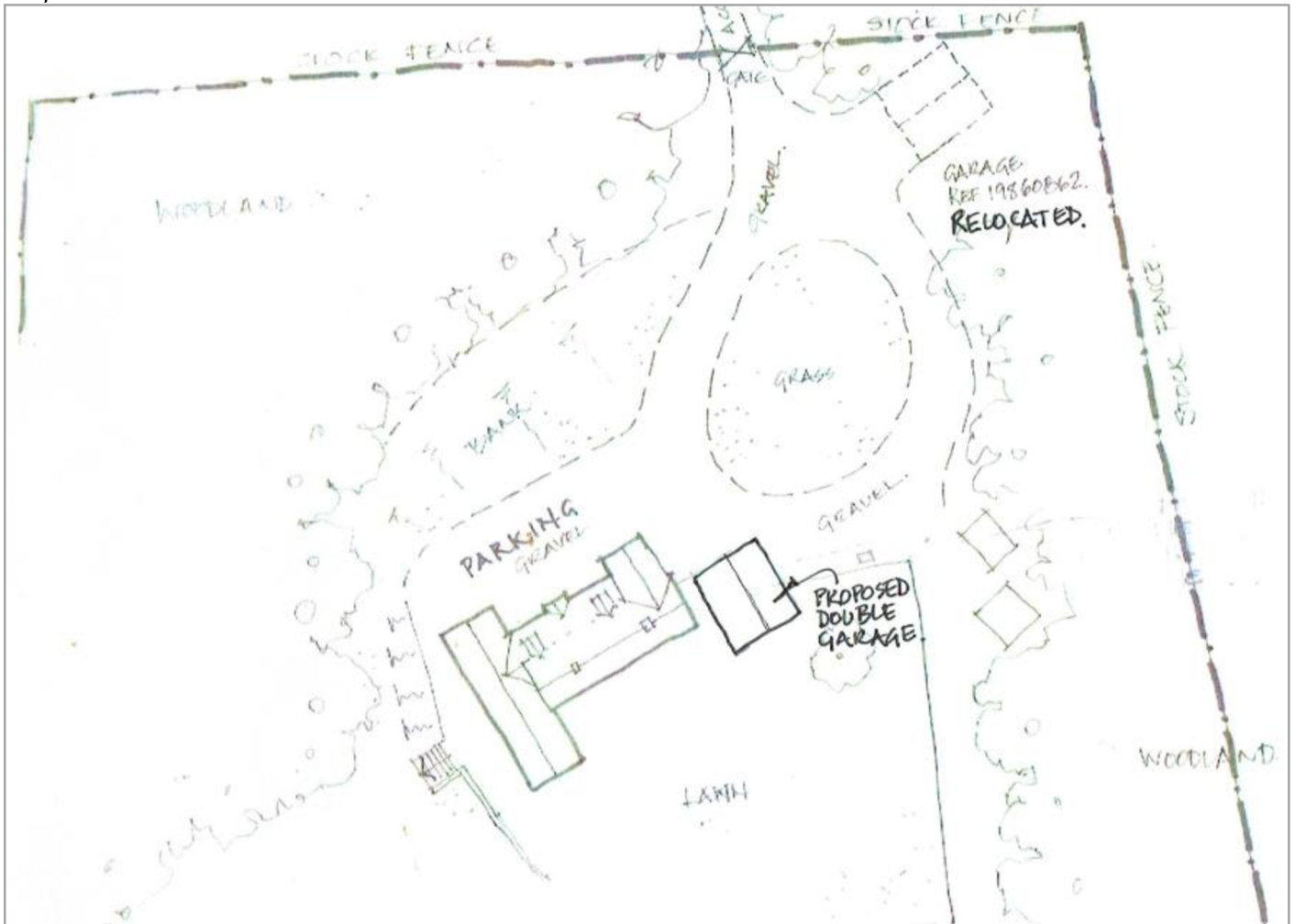


Proposal

This application seeks planning permission for the erection of detached double garage with a loft space at first floor level.

The proposed garage would be 'relocated' from its position granted under planning permission 19860862, to a position next to the house. In addition, a single storey store at the eastern side of the property granted under planning permission 20210663 would not be built, but instead would be incorporated into the proposed garage.

Proposed Site Plan:



Proposed front (north) elevation:

- Design
- Landscape character
- Biodiversity

There are no residential amenity or highways concerns.

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.

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.

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 that it does not result in disproportionate additions over and above the size of the original building;
- (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- (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.

With regards to 149 (d), whilst the application seeks to consider the proposed garage as a replacement building, the previously approved garage has not been constructed, apart from its base. It would, however, be a genuine fall back in considering a proposal for a detached garage on the site. Nonetheless, in this case, the exceptions under paragraph 149 (c) and (g) would seem more appropriate in the assessment of the proposal given that there is no garage currently on the site. The proposed outbuilding would be incidental to the main dwelling, as it lies within its clearly defined curtilage and would have a close visual relationship with it (much closer than the previously approved garage). Its use as a garage/store would be domestic and ancillary to the main house. The proposal can therefore be treated as an extension to the dwelling; which essentially considers the size of the resultant building when assessing the impact on the Green Belt.

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. In relation to this proposal, criteria ii) states there will be an overall limit of one third of the gross floor area of the original dwelling prior to any later extension or alteration, unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling. Criteria (vii) is also relevant, which states that proposals for domestic garages and for other 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.

Turning to the matter of whether the proposed garage would be a disproportionate addition, the previous application 20210663 considered the size of the original dwelling and the proposed extensions to it:

	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 existing and proposed (m²)
Dwelling	112.3	200.5	233.9	>33.4
Percentage				>17%

Overall, with the proposal involving the demolition of parts of the existing building (65m²), the proposed extensions increased the total size dwelling by 33.4m², or 17%.

The proposed garage would have a gross external floor area of 79m². Less the floor area for the previously granted single storey side store (which would not be constructed if this proposal were to be granted), this would increase the proposed gross external floor area of the dwelling up to 307m² and increase the difference in current and proposed external floor area from 17% to 34%. This goes up to 63% when considering the difference between the original and proposed floor areas. This would be considered a disproportionate addition to the original property, and would be considered inappropriate in the Green Belt.

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 would involve an inappropriate form of development at the application site.

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.

The proposed detached garage is similar in size and scale to that granted under the previous partially implemented 19860862 permission. Therefore, in terms of openness, given that the 1986 permission is considered a genuine fall back and could reasonably be fully implemented at any time, the impact from the proposed building is considered negligible. This consideration would amount to special circumstances in this regard. Arguably, the proposed position of the garage is preferable to the 1986 permission in terms of the impact on openness, as the garage would be contained within the area of the existing building on the site, rather than in a currently open area under tree cover. There would therefore be no additional harm to the openness of the Green Belt from the current proposal and this is considered to overcome the harm from inappropriateness in this case.

Design

Development Plan policy places considerable emphasis on the importance of achieving high quality, beautiful and sustainable buildings and places (paragraph 126 of the NPPF 2021). 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.

In terms of the design of the proposed garage building alone, its appearance largely mirrors that of the previously approved detached garage, is good quality and would be satisfactory, disregarding everything else. However, as the building is now proposed to be positioned 1.5m from the side of the house, and is two storeys in height with the ridge only 0.7m lower than the main dwelling, the proposed garage/store building would appear particularly dominant in the context of the main building on the site. Previously, it was not read as part of the context of the main building as it was positioned away from the house, and as a result would have appeared more discrete and subservient. It is therefore determined that the proposed garage building is of an excessive size height for such an ancillary building. This is considered to be at odds and out of character with the appearance of the existing modestly sized rural dwelling on the site, and contrary to the requirements of Policy C13 of the Local Plan, where proposals for domestic garages are required to be subservient to the scale of the main dwelling on the plot.

The proposal is therefore considered to be an inappropriate, excessively large and dominant development that would have an adverse impact on the character and appearance of the existing dwelling. The proposal would therefore fail to accord with the requirements of Policy CS19 of the Core Strategy and paragraph 130 of the NPPF (2021) to be sympathetic to the surrounding built environment.

Landscape Character

Paragraph 174 of the NPPF 2021 aims for development to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. The site lies within the Kent Downs Area of Outstanding Natural Beauty (AONB). Reflective of paragraph 176 of the NPPF 2021, Policy SD2 of the Management Plan 2021-2026 recognises the need to conserve and enhance the local character, qualities, distinctiveness and natural resources of the AONB. Principle SD8 seeks to ensure that proposals do not negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the AONB.

Policy CS12 of the Gravesham Core Strategy 2014 is also 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 Shorne Woodlands Landscape Character Area, where the undulating landform and extensive tree cover 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.

Gardeners Cottage is set well back from the road within an extensive wooded setting. It cannot be seen from any public view and therefore the impact on the wider landscape from the proposal would be limited and very localised. On this basis, the proposal would not result in an adverse visual impact on landscape character and in a similar vein, the proposed outbuilding would not be considered to be intrusive within its AONB setting. It must also be considered that a similar building has previously been approved on the site.

Overall, it is considered that the proposed garage would conserve the rural landscape context of this site within the AONB and Shorne Woodlands Landscape Character Area. As such, the proposal would comply with the relevant requirements of Policies CS02 and CS12 of the Core Strategy 2014, and paragraphs 130, 174 and 176 of the NPPF 2021.

Any Other Material Planning Considerations

Trees and Biodiversity

The NPPF 2021 in paragraph 180(a) states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or as a last resort compensated for, then planning permission should be refused. Policy CS12 of the Core Strategy 2014 reflects this stance and states that sites designated for their biodiversity value will be protected. There will be no net loss of biodiversity in the Borough, and opportunities to enhance, restore, re-create and maintain habitats will be sought, in particular within the Biodiversity Opportunity areas, where this site is located. It would therefore be important for the proposed building to incorporate biodiversity features, such as bird boxes, and this could be conditioned.

The site is also located adjacent Ancient Woodland. Paragraph 180 of the NPPF 2021 therefore applies, which seeks to prevent the loss or deterioration of such irreplaceable habitats. However, the location of the proposed garage would be more than 15m away from the woodland (as sought in Natural England/the Forestry Commission's standing advice), and this should help prevent root damage.

Any associated external lighting (and, therefore, an increase in light spill) is also likely to adversely impact the ancient woodland. If any lighting is to be installed, this should be sensor activated only. This can also be conditioned.

Conclusion and Recommendation

Whilst the size of the proposed garage would be inappropriate in the Green Belt and a disproportionate addition to the original dwelling, the previous (and partially implemented) 1986 permission for a similar building on the site, albeit in a different location, would be considered to amount to the very special circumstances required to outweigh the harm to the Green Belt in this case. However, the current proposed position of the garage adjacent to the main dwelling, Gardeners Cottage, would mean that the building would be seen in a different context, and in design terms, this is not considered to be acceptable, and the application should be refused on the following grounds:

The proposed garage is considered to be unacceptable due to its excessive size and height being dominant and obtrusive, failing to respect the character and appearance of this modest rural dwelling. The proposal would therefore be contrary to the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130 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:		Signed:	
Dated:	21 June 2023	Dated:	23 June 2023