



Delegated Report

Householder Planning Application

Planning Application No: 20240508

Location: East Court Manor Church Lane Gravesend Kent

Description: Construction of 3 no. entrance gates, gate piers/posts, intercoms and speed humps.

Applicant: Harbinder Bhandal

Site Visit Date: 04/07/2024

Submitted Documents/Plans

- Cover Letter;
- Application form;
- Site Location Plan;
- Drawing no. ECM/BP – Block Plan;
- Drawing no. ECM/0424/01 Rev. B – South entrance drive as existing and as proposed;
- Heritage Statement; and
- Photo.

Relevant Planning History

Reference	Description	Decision	Decision Date
20230927	Application for approval of conditions 2 attached to listed building reference number 20230322 relating to a detailed methodology.	Approval of details	
20230746	Application for approval of conditions 3, 4, 5 and 7 attached to listed building reference number 20230322 relating to details of their material, design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:10 scale, and ½ or full size, samples or detailed specifications of the new roof tiles/slates, samples of all new bricks/stone to be used in the works and full details of the siting, appearance and materials to be used in the construction of all extractor vents, heater flues, meter boxes, airbricks, soil and vent pipes, rainwater goods or any other external accretion.	Approval of details	
20230322	Application for Listed Building consent for the 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	Permitted	

	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.		
20230321	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.	Permitted	

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- TC2 – Listed Buildings
- T1 – Impact of Development on the Highway Network

Other material considerations

Under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, 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 architect or historic interest which it possesses.

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving well-designed and beautiful 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);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009).

Consultations, Publicity and Representations

Consultees

GBC Conservation Officer

No adverse comments subject to detail conditions for the gates and posts at a scale of 1/10 and 1/2 or full size. If not in oak, which should be left to weather naturally, then painted and colour to be approved.

Neighbouring properties

10 surrounding properties were consulted plus site and press notices – overall consultation expiry date was 26.07.2024 – one in objection, one in support and the other was neither objecting to or in support. The comments made can be summarised as follows:

Objection

Will not be in keeping with the image of an entrance to a farmstead, where open access is normal (this is being retained on the other entrance), the numerous gates and controls are more in keeping with paddocks than an entrance;

Proposed gates will prevent them from entering their property without going through numerous gates and controls, whilst they may be provided with fobs, service vehicles won't be able to gain entry, may place them in breach of their planning approval, gates not in line with the boundaries and access provisions of the title deeds;

Support

Will increase security bordering their property;

Will slow the vehicles entering the properties as they are Air BnB's that are not always familiar with area;

Have witnessed a large group running races along the drive that is not part of their Air BnB, this would help stop behaviour like this.

Neither objecting to nor in support

Wishes to point out the presence of a historic monument situated within the curtilage of this listed property - Kent Historic Environment Record (HER) with the number; TQ 67 SE 1160 East Court Farm Second World War road block buoys, Church Lane, Chalk. The monument referred to lies on the south driveway entrance next to the location of the proposed gates with Church Lane. In the interest of amenity and heritage of the listed property's setting, this monument should be protected in any planning permission consent.

Officer's Analysis

The application site consists of a grade II listed building situated in the Green Belt and in the Higham Arable Farmlands Landscape Character Area.

The principle considerations are considered to be:

Whether the proposal would be inappropriate development in the Green Belt including impact on openness

The site lies within the Metropolitan Green Belt. Paragraph 142 of the NPPF (2023) states that the government attaches great importance to Green Belts and that the fundamental aim of Green Belt policies is to prevent urban sprawl by keeping land permanently open with their essential characteristics being their openness and permanence. Paragraph 143 of the NPPF (2023) sets out that the Green Belt has five purposes:

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

Paragraph 152 of the NPPF (2023) sets out that 'inappropriate development' is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the NPPF (2023) advises that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF (2023) states that the construction of new buildings should be regarded as inappropriate development in the Green Belt, but lists certain exceptions which are:

- a) buildings for agriculture and forestry
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it
- 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
- e) limited infilling in villages
- f) limited affordable housing for local community needs under policies set out in the Local Plan (including policies for rural exception sites), and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within an area of the local planning authority

Of relevance to the proposal is (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

The proposal would not result in any extensions to the building but is for new gates, speed humps and intercoms in the front garden so could most closely come under an 'alteration'. There would be three gates - an outer gate, front drive gates and inner gates. The gates with brick piers would be modest in size and of traditional design and made of timber. The intercom points and humps are minor accompanying elements. The proposed development is considered to be minor development to the front garden area of the dwelling which would not result in a disproportionate addition over and above the size of the original building.

As the proposal is for minor development which is modest in scale and of acceptable design in keeping its rural character it considered the proposal would also not impact on the openness of the Green Belt.

As the proposal would not be a disproportionate addition, the proposal would meet the exception (c) of paragraph 149 of the NPPF (2023). The proposal would also preserve the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt/ As such the proposal is considered compliant with Policy CS02 (LPCS).

Landscape Character

The site is located in the Higham Arable Farmlands Landscape Character Area. Due to the proposal being of modest gates and piers in the front garden which would be acceptable in respect of scale and materials, it is considered that the proposal would have no adverse impact on landscape character. In respect of landscape character the proposal is therefore considered compliant with Policies CS12 and CS19 (LPCS).

Whether the proposal would protect the setting of this grade II Listed Building

East Court Manor is a grade II listed building. The building has an in and out drive which runs in front of the house and then a second drive which runs to the rear of the building and to access other curtilage buildings which are now in separate ownership.

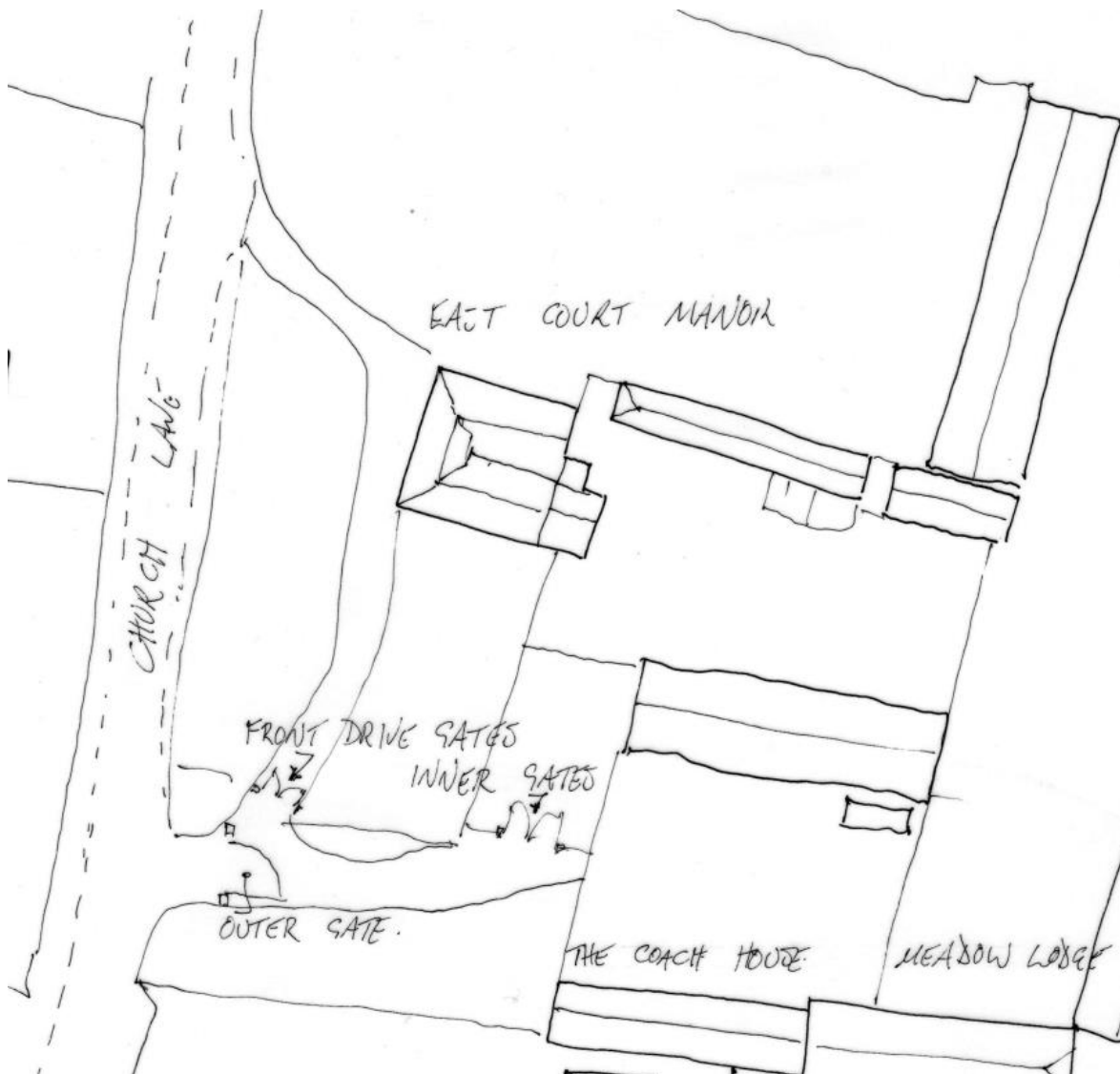
The proposal is for the erection of three sets of gates, speed bumps and intercoms. The existing drive is made of tarmac and the speed bumps would be tarmac also. In respect of the gates these would be as follows.

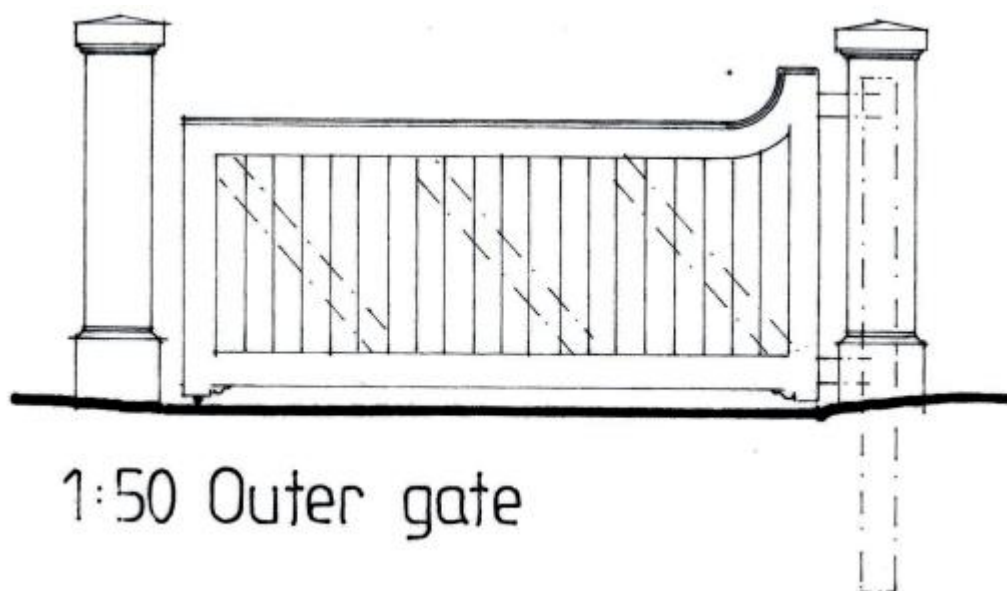
There would be an outer gate with piers set in from the southernmost access from Church Lane with an intercom before the gates and a speed bump and intercom after. This gate and piers would range in height from 1.9m to 2.6m.

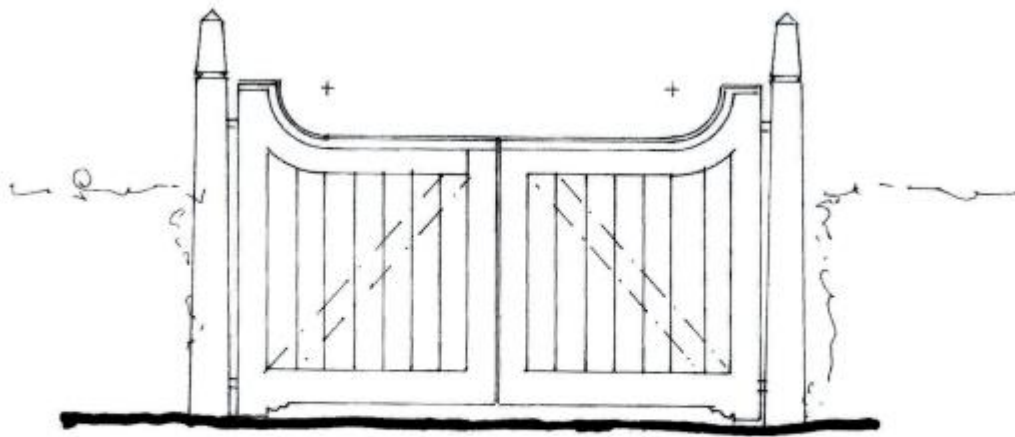
There would be a pair of gates with piers at the southern end of the front drive with an intercom before it. These gates and piers would range in height from 1.8 to 2.6m in height.

Lastly there would be a pair of gates at the eastern end of the southern access which would have closed boarded fence either side and an intercom behind. The fencing gates and piers would range in height from 1.8m to 2.7m.

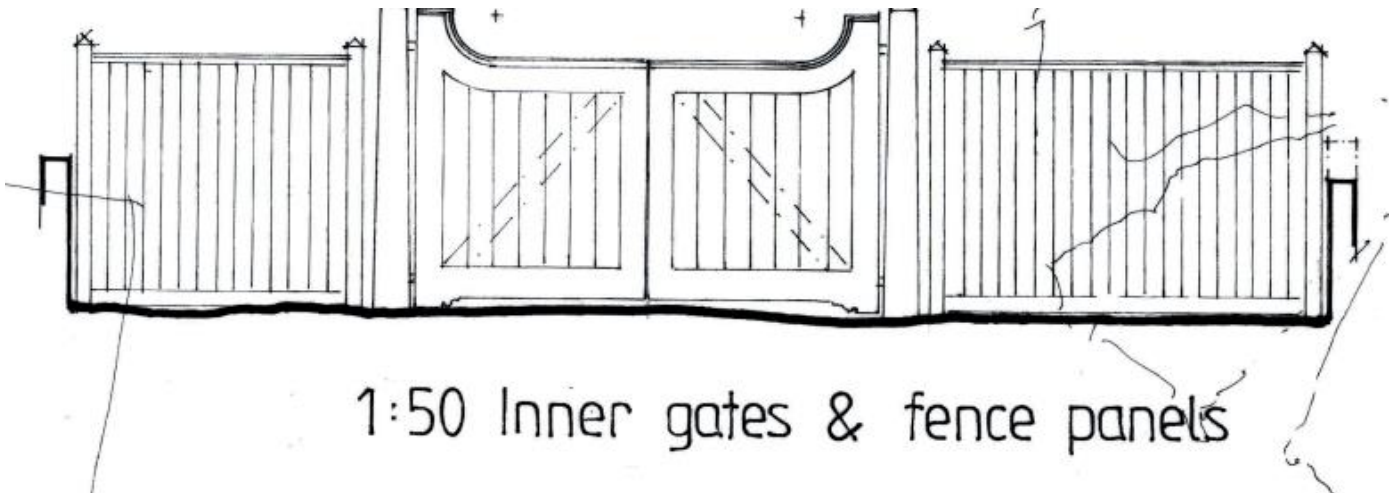
The proposed gates, piers and fencing with intercom and speed bumps can be seen below:







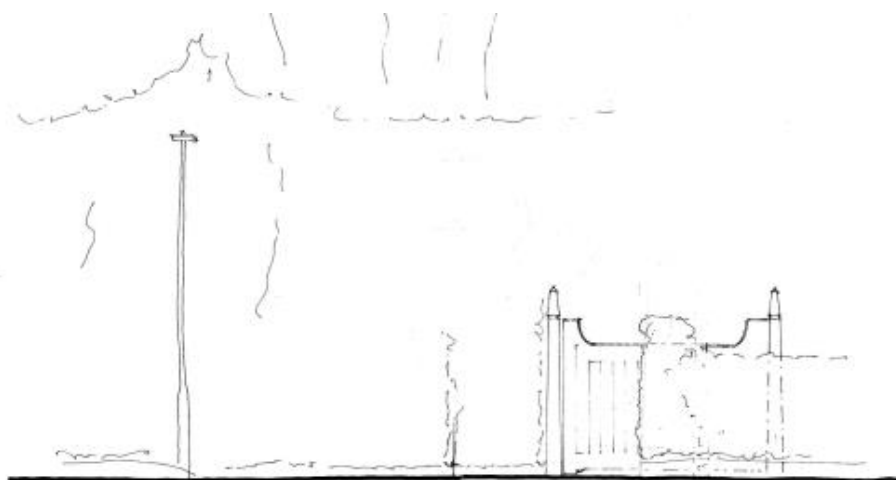
1:50 Front drive gates



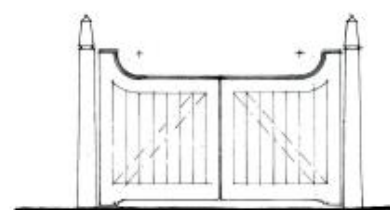
1:50 Inner gates & fence panels

The gates and piers are considered to be of a simple traditional design, of modest size and would be constructed of a sympathetic material i.e. timber which would have a painted finish.

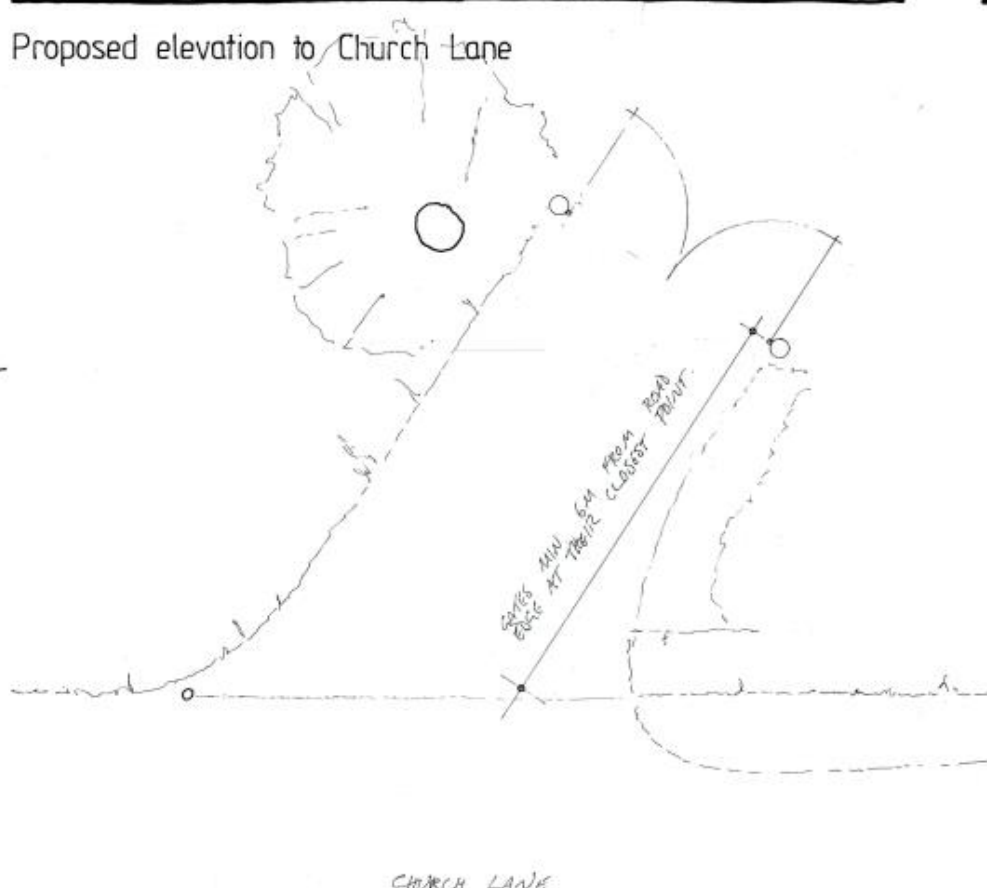
The proposed gates match the appearance of a pair of gates that were approved to the north drive under planning and listed building consent application refs. 20230231 & 20230232 and would be in addition to those gates. The gates approved on the north drive are shown below:



Proposed elevation to Church Lane



Elevation of gates



Proposed plan

The Conservation Officer raises no objections to the proposal but requests detailed conditions for the gates and posts at a scale of 1/10 and 1/2 or full size and detail of paint colour of gates.

In application ref. 20210232 condition 3 was attached to request full details of the colour/design of the entrance gates, this condition has not as yet been applied for discharge.

Subject to conditioning details of the gates at a scale of 1/10 and 1/2 or full size and detail of paint colour of gates it is also considered necessary to condition details of the finish for the fencing which would be installed either side of the entrance gates.

Subject to such conditions it is considered that the proposed gates, fencing, speed bumps and intercoms would not cause any harm to the significance of this grade II listed building and in regard to this matter the

proposal would be compliant with Policies CS19 and CS20 (LPCS), saved Policy TC2 (LPFR) and sections 12 & 16 of the NPPF (2023).

Amenity of Occupiers

The proposal would have no impact on the private rear garden of the property and in respect of the amenity of occupiers the proposal is compliant with Policy CS19 (LPCS).

Neighbouring Amenity

Due to the scale and siting of the proposal it would cause no harm to the amenity or privacy of any neighbouring properties and in regard to neighbouring amenity the proposal is therefore considered compliant with Policy CS19 (LPCS).

Comments have been made in neighbour consultations regarding preventing access to other people's properties but this would be a civil matter between the applicant and any other property owners.

Parking and Highway Safety

The outer gates would be set back 6m from Church Lane to ensure a vehicle would not obstruct the highway while waiting for the gates to open. The proposal would therefore have no impact on parking or highway and in this regard would be compliant with Policy CS11 (LPCS) and saved Policies T1 (LPFR).

Other

Comments have been made as a result of the publicity of the application regarding there being an historic monument situated within the curtilage of the listed property - Kent Historic Environment Record (HER) with the number; TQ 67 SE 1160 East Court Farm Second World War road block buoys, Church Lane, Chalk. This is not a formal Scheduled Ancient Monument and so is not afforded any statutory protection.

Any Other Material Planning Considerations

None.

Conclusion & Recommendation

The proposal would not constitute inappropriate development in the Green Belt, would not impact on the openness of the Green Belt, would not impact on landscape character, would not harm the significance of this grade II listed building, would not harm occupier or neighbouring amenity and would be acceptable in respect of parking and highway safety. It is therefore compliant with national and local planning policy.

Recommendation: Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	13th August 2024	Dated:	13 August 2024