



Delegated Report

Householder Planning Application

Planning Application No: 20230774

Location: Chestnut Green Cottage Racefield Close Shorne Gravesend

Description: Retention of detached outbuilding, log store and insertion of rooflight

Applicant: Allison Franks

Site Visit Date: 06 September 2023

Submitted Documents/Plans

Householder Application for Planning Permission form;
Drawing no. DA12 LP-01 Location plan;
Drawing no. DA12 SP-01 Site plan;
Drawing no. DA12 BP-01 Existing and proposed block plans;
Drawing no. DA12 EP-01 Existing ground floor layout and existing and proposed first floor layout;
Drawing no. DA12 EE-01 Existing elevations;
Drawing no. DA12 PP-01 Proposed ground floor layout and existing and proposed first floor layout;
Drawing no. DA12 SC-01 Proposed street scene;
Drawing no. DA12 PE-01 Proposed elevations;
Drawing no. DA12 PE-02 Proposed outbuilding layout and elevations;
Planning Statement 18 July 2023; and
Design & Access Statement July 2023.

Procedural Issues

At the site visit, the case officer noted that the layout of the outbuilding shown on the submitted drawings is incorrect. The drawings do not show that there is a separate room, which has drainage and pipework for a shower/w.c. The applicant confirmed that this room used to be used as a shower room and that it will be removed, so that the proposed layout will be in line with the submitted drawings. The applicant also confirmed that she would be prepared to accept a planning condition to this effect with a three month compliance period.

It is noted that drawing no. DA12 BP-01 (existing and proposed block plans) is orientated incorrectly. The north arrow actually faces south. However, this inaccuracy has not undermined the determination of the application.

Relevant Planning History

Reference	Description	Decision	Decision Date
20150684	Application for a non-material amendment to planning permission reference no.20140809 to replace living room window with french doors, remove kitchen door and installation of one additional roof light in rear (south) elevation.	Permitted	29.07.2015

20150276	Application for approval of condition 7 attached to planning permission reference number 20140809 relating to joinery details.	Approved	02.06.2015
20150247	Application for the approval of conditions 6, 8, 9, 10, 11, 12, 13, 15, 17 and 18 attached to planning permission reference number 20140809 relating to details and samples of external facing materials, scaled drawings of the timber shed and bins stores, implementation of a programme of archaeological work, landscaping scheme, details of boundary walls, gates, fence or other means of enclosures, details of the surfaces treatments, contaminated land assessment, detailed drawing of the proposed widening of the existing vehicle access from Racefield Close, details of surface water drainage works and details of the siting and specification of wheel washing facilities.	Approved	12.05.2015
20140809	**REVISED DRAWINGS** Erection of a detached three bedroom bungalow fronting Racefield Close with two dormer windows in the front roof slope and rooms in the roof space.	Permitted	17.12.2014

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- TC3 – Development Affecting Conservation Areas
- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network

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)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places
- 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
- SPG 4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)
- Gravesham Landscape Character Assessment (2009)
- Chestnut Green Rural Conservation Area Appraisal 2017

Consultations, Publicity and Representations

GBC Conservation Officer

On balance the proposed outbuilding does not adversely impact on the conservation area and the adjacent buildings are not listed; therefore the additional rooflight does not impact on the setting of a listed building, Homewood Cottages being out of view due to their orientation.

GBC Highways Officer

There are no highway implications. No objection.

Shorne Parish Council

The Parish Council has to overall object to this application, which regrettably is retrospective.

The Applicant is aware that the plot is located in the Chestnut Green Conservation Area and that Conditions (Clauses 3 and 4) had been attached to planning permission Ref 20140809 such that any subsequent modifications required prior approval and that permitted development rights had been withdrawn.

We do not accept the attempted justifications cited in the Applicant's Planning Statement as being valid or reasons to allow the Applicant to disregard the planning rules and Conditions that were set in place to protect other residents and the local environment.

No attempt was made to discuss the proposals with the Parish Council or apparently to seek advice from Gravesham Borough Council.

The application has several sections:

1. Insertion of rooflight: We have no objection to this modification.
2. Change to log store location: We have no objection to this modification.

3. Construction of a mansard flat roofed outbuilding:

The Parish Council objects to this aspect of the application. The outbuilding is asymmetrical in footprint, built right up to the site boundary, has a 3-sided mansard style roof and one wall features a roller shutter. The roof tiles used do not match neighbouring buildings.

The building is an alien architectural feature which has negative impact on other nearby properties, and the Street Scene in a Conservation Area. Although there is some hedge screening, this could be removed by a future owner. The net result is cramped development and we disagree that it is "appealing". It is a matter of concern that if permitted it could set a precedent in the area.

If we had been asked in advance, as is proper procedure, then we would have recommended a tiled, pitched roof design matching the main house and other heritage structures in the Conservation Area. Alternatively, a formal extension to the main house would have been sympathetically considered.

In the circumstances we request that this Application should be refused, and Enforcement action should be taken.

However, should GBC Officers instead be minded to grant permission we request that the Application should be called-in to the Regulatory Board for discussion and decision and/or that Conditions should be attached such that: the outbuilding is only an annexe to the main house, cannot be joined to the main

house or have the passageway roofed over, cannot be used as a garage or living accommodation or as a separate dwelling or to operate a business, and that tall screening plantings must be maintained.

Dickens' Country Protection Society

Initial comments:

The Society opposed development on this very constrained corner site in the Chestnut Green Conservation Area. In this location, the erection of outbuildings needs to be carefully controlled. Unfortunately, this building has been erected without the benefit of planning consent. The outbuilding building is on the north side of the bungalow close to the road where, in the Society's view, it impacts on the street scene and the openness of the area. As a result, the Society wishes to register an objection.

Second comments:

Apologies. The Society misread the proposed site plan which has been presented with north at the bottom of the drawing instead of the conventional north at the top. The outbuilding is to the south of the bungalow and will not impact on the street scene when viewed from Racefield Close. It will impact the street when viewed from Tanyard Hill and the openness of the area. The Society wishes to maintain its objection.

Ward Councillors for Higham and Shorne

We are not minded to make a call-in to Planning Committee on this occasion.

Neighbouring properties

The application was publicised by a site notice, newspaper advertisement and to five neighbouring properties by letter. One representation has been received and is summarised as follows;

- Permission has only now been sought because the property is on the market for sale.
- Queries the appropriateness of allowing a retrospective application to be submitted.
- The outbuilding has been used previously as a fourth bedroom, which is a change of use.

Officer's Analysis

Design, Character and Appearance

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

The application site is located in the Chestnut Green Conservation Area and as such, Policy CS20 of the Gravesham Local Plan Core Strategy (2014) is relevant. This policy places a high priority on the preservation, protection and enhancement of the heritage and historic environment of the conservation area. Saved Policy TC3 of the Gravesham Local Plan First Review 1994 is also relevant and sets out that development within or affecting conservation areas will be carefully judged for its impact and will be expected to make a positive contribution to the conservation area.

The application site is also located in the Shorne Woodland Landscape Character Area (LCA) and as such, Policy CS12 of the Local Plan Core Strategy is 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 will be taken into account in determining applications. In relation to the Shorne Woodland Landscape Character Area, this document states that the overall condition of the landscape is good and that it has moderate sensitivity. It recommends that the key landscape elements (i.e. wooded character and the ecological interest of the woodland) should be conserved and reinforced.

In relation to outbuildings, the Householder Extensions/Alterations Design Guide (2021) sets out (amongst other things) that the Council will consider factors such as the scale, height, proximity to boundaries, roof design, finishing materials and prominence in the street scene or rear garden environment and that

proposals should not detract from the character of the area.

The application site is located within the Shorne Ridgeway village envelope. The proposed outbuilding is subservient in size to the existing dwelling and matches with its external facing materials. The outbuilding is located at the rear of the property, is screened by mature hedging on the site boundaries and is not widely visible from the conservation area or the LCA;



View from Racefield Close



View from Tanyard Hill

The roof design does not match with that of the existing dwelling but it does reduce the bulk and visibility of the building, which is an important consideration in this historical location.

The proposed log store, although more publicly visible from the conservation area and LCA, is small with matching external facing materials to the existing buildings and has an appropriate roof design.

The proposed roof light matches with the design of those existing and does not have any adverse impacts on the character or appearance of the LCA or the conservation area.

It is noted that the GBC Conservation Officer has not raised an objection to any aspect of the proposed development.

It is also noted that Shorne Parish Council and the Dickens' Country Protection Society have raised objections regarding the proposed outbuilding.

Shorne Parish Council raises concerns regarding the asymmetrical building footprint, the proximity to the side boundary, the roof design/materials, the inclusion of a roller shutter and to the proposal being a cramped development, which could set a precedent. Whilst it would have been preferable for the outbuilding to replicate the architecture of the existing dwelling, the design approach has not led to a building that is detrimental to the conservation area and is not an overdevelopment of the site. The proposed development would be unlikely to set a precedent, as every planning application is determined on its own merits, with reference to the particular circumstances of the application site, the development plan and any other material considerations.

The Dickens' Country Protection Society is concerned that the proposed outbuilding would adversely impact on the street scene and undermine openness when viewed from Tanyard Hill. However, the above image illustrates that this would not be the case. Due to the crown form roof design and boundary hedging, the outbuilding is not visible from Tanyard Hill.

Overall, the proposed development is appropriate in terms of design and does not have an adverse impact on the character or appearance of existing building, the Chestnut Green Conservation Area or the Shorne Woodlands LCA. Therefore, the proposal is in line with Policies CS12, CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014), Saved Policy TC3 of the Gravesham Local Plan First Review November 1994 and the Householder Extensions/Alterations Design Guide SPD (2021).

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to the

located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants. In this regard, the Nationally Described Space Standards (NDSS) and the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The proposed development would improve the living conditions for future occupiers and sufficient rear garden area and depth would be retained. As such, the proposal would not be detrimental to the amenity of future occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupiers. In this regard, the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The closest residential properties to the application site are nos. 1 and 3 Racefield Close (located to the west) and no. 1 Park Cottages, Tanyard Hill (located to the south). No. 2 Racefield Close and no. 12 Tanyard Cottages, Tanyard Hill are located to the north across the roadway.

Due to the design of the proposed outbuilding and log store, to the screening provided by boundary treatments and to the layout and orientation of the surrounding properties, there would be no adverse overlooking, overshadowing or overbearing impacts to the occupiers of the surroundings dwellings.

The proposed bedroom 3 rooflight faces the side elevation and private garden area of no. 1 Park Cottages, Tanyard Hill and has a cill height of some 1.4 metres. The existing rooflights at the application property have the same cill height and serve a hallway, bathroom and bedroom 2. Due to the high level of the roof light, any significant adverse overlooking impacts would be mitigated and would not be greater than that already possible through the existing rooflights.

Overall, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Parking and Highways

Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994 require new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

The proposed log store is located within the existing parking area for the application property. However sufficient depth has been retained to allow for the parking of two vehicles off road. It is noted that the GBC Highways Officer has not raised an objection to the proposal.

Overall, it is considered that the proposal would make sufficient provision for the parking of cars within the site in accordance with the Borough Council's adopted Vehicle Parking Standards and would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994.

Any Other Material Planning Considerations

A local resident has raised a number of concerns, these are summarised and commented upon as follows;

- Permission has only now been sought because the property is on the market for sale – this is not a planning matter and is not relevant to the determination of the application.
- Queries the appropriateness of allowing a retrospective application to be submitted – Section 73A of the Town and Country Planning Act 1990 (as amended) allows the submission of retrospective planning applications. Therefore, this application is appropriate.

- The outbuilding has been used previously as a fourth bedroom, which is a change of use – the applicant has confirmed that the previous use of the outbuilding for habitable accommodation (bedroom with a shower room) has ceased and that the retained outbuilding would be used for storage and as a utility room only. Planning conditions should be attached to any planning permission granted to ensure that the building is used only for incidental purposes and that the shower room will be removed, so that the proposed layout would be in line with the submitted drawings.

Shorne Parish Council has raised a number of concerns. Those relating to design have been addressed above. The remainder are summarised and commented upon as follows;

- If the Borough Council is minded to grant permission for this proposal, then the application should be called in to the Planning Committee for determination – the Parish Council does not have the power to call in a planning application to committee. However, following the response from Shorne Parish Council, the Ward Councillors have considered the Parish Council views and decided not to call the application in. Therefore, a delegated decision can be made.
- Conditions should be attached to any planning permission to ensure the outbuilding is used as an annexe and not as a garage, separate dwelling, for living accommodation or used to operate a business; that it cannot be joined to the main house or the passageway roofed over; and that screening planting must be maintained – Suggested conditions follow and it is reasonable and appropriate to control the use of the outbuilding for incidental purposes only. It is also reasonable and appropriate to condition the retention of boundary planting at the application site. It is noted that the boundary hedges formed part of the approved landscaping scheme when the dwelling was originally permitted and that they help to screen the proposal from view. A separate planning permission would be required to join the outbuilding to the main dwelling or to put a roof over the passageway between the two buildings, therefore a condition precluding this would not be required.

Suggested Conditions

Development in accordance with the approved plans

Within three months of this permission the approved floor plan shall be implemented.

Use of outbuilding incidental purposes only

Retention of hedging on site boundaries

Conclusion & Recommendation

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	03 October 2023	Dated:	03 October 2023