



Delegated Report

Householder Planning Application

Planning Application No: 20221136

Location: Meadow Court, Dillywood Lane, Higham, Rochester

Description: Erection of a wooden double garage with a tiled roof.

Applicant: Mr Andrew Moss

Site Visit Date: 15 November 2022

Submitted Documents/Plans

Application form;
Site Plan;
Drawing no. 31-2923-SHEET1 ;
Drawing no. 31-2923-SHEET2;
Drawing 'Site Plan Proposed';
Proposed Block Plan;
Tree Plan 1;
Drawing 'Floor/Site Plan Existing'; and
Drawing 'Floor/Site Plan Proposed'.

Relevant Planning History

Reference	Description	Decision	Decision Date
20161124	Erection of a single storey side extension and provision of canopy to front elevation.	Permitted	17.01.2017
20160731	Application for a Lawful Development Certificate in respect of the proposed erection of a detached outbuilding at the rear to accommodate a swimming pool.	Granted	04.08.2016
20150197	Erection of a single storey rear extension.	Permitted	27.04.2015
20140926	Application for a Lawful Development Certificate in respect of the proposed erection of a single storey rear extension to form utility room.	Granted	14.11.2014
20140620	Application for a Lawful Development Certificate in respect of the proposed erection of a single storey side extension to form enlarged lounge and dining room.	Granted	18.08.2014
20140619	Application for a Lawful Development Certificate in respect of the proposed erection of a single storey rear extension to form enlarged kitchen and separate utility room.	Refused	18.08.2014
20140190	Application for a Lawful Development Certificate in respect of the proposed erection of a single storey	Refused	14.04.2014

	side extension to form enlarged lounge and dining room and single storey rear extension to form enlarged kitchen and separate utility room.		
20020623	Erection of a conservatory at the rear.	Permitted	04.11.2002
19940495	Outline application for the erection of a detached dwelling.	Refused	20.10.1994
19930038	Erection of two storey extension on the north-east elevation to form utility room, enlarged kitchen/ breakfast area and w.c. with bedroom and w.c./ shower room over.	Permitted	10.03.1993
19870237	Erection of a detached part single and part two storey dwelling with integral garage fronting Dillywood Lane	Refused	01.06.1987
19810246	Outline application for residential development	Refused	18.05.1981
19540335	Erection of a house and garage	Permitted	10.11.1954
19530183	Development of land for three dwellings	Permitted	07.10.1953

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)

- 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

Supplementary Planning Guidance

- SPG2 – Residential Layout Guidelines (2020)

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

Consultations, Publicity and Representations

Consultees

Dickens Country Protection Society

In the Society's view, the front garden, close to the road, is not the ideal location for a garage. If consent is granted the Society would suggest that conditions are imposed such that the building can only be used as a garage and any alteration or extension should require planning consent.

GBC Highways

I have no objections, there is more than adequate on-site car parking. I would however suggest a condition regarding the provision of suitable surface water drainage to ensure that water cannot discharge from the roof onto the highway either directly or indirectly.

Neighbouring properties

The application has been advertised by individual neighbour letters to 5 properties, and on site. The consultation periods expired on 5 and 16 December 2022 respectively.

One letter of representation has been received, which stated that in principle there is no objection to the erection of a garage, but what is objectionable is the further disruption that neighbours will have to put up with in the Lane and in their lives. Dillywood Lane has large lorries parking for extended periods and, while using the lane, damaging the road surface and banks. At times vans connected with construction have parked in front of driveways making it difficult for owners to exit their properties. Restrictions should be put in place.

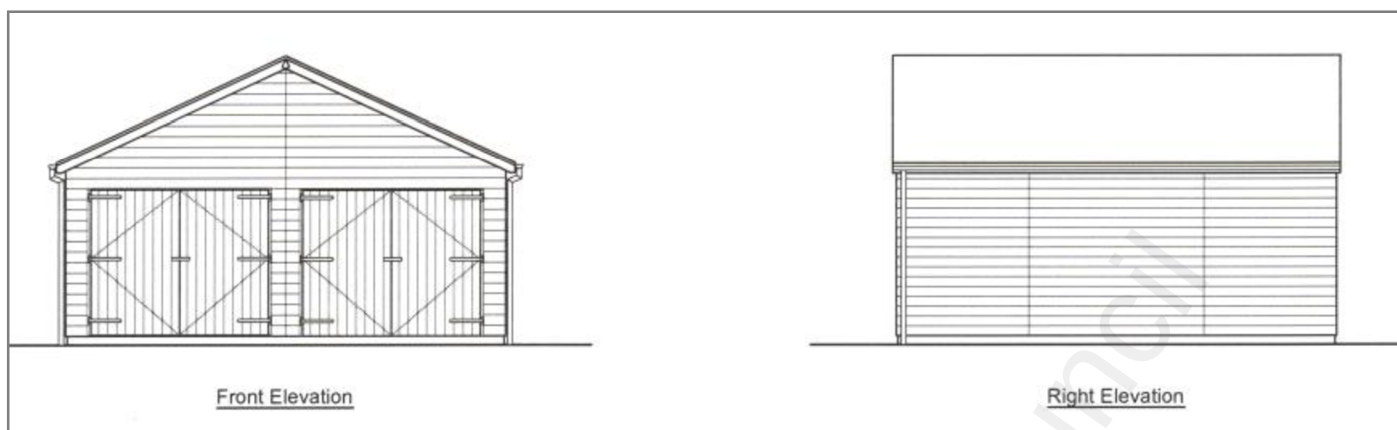
Higham Parish Council and the Local Ward Councillors were also consulted, and no formal responses were received.

Officer's Analysis

Proposal

This application seeks permission for the erection of a wooden double garage with a tiled roof.

The garage would be 6m by 6m, with an eaves height of 2.3m and a ridge height of 3.82m. It would be positioned to the front of the dwelling in the western corner.



Principle Issues

The main issues to consider in the determination of this application are the principle of the development in the Green Belt, and the impacts on the character and appearance of the surrounding area, on residential amenities and on highways.

Principle of Development in the Green Belt

The application site comprises a two storey detached and extended dwelling, with accommodation in the roof, situated in the Green Belt and the Higham Arable Farmlands Landscape Character Area.

Existing frontage:



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. These aspects of the policy are broadly in line with the NPPF and should 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 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 evidence from Google Earth, the application property has been significantly extended over time:

Google Earth Image from 1990:



Meadow Court from Google Earth image:



The existing extensions to the property clearly 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 20161124 for a single storey side extension and canopy to the front), where the calculations for the original property and resultant extensions were set out as follows:

Original dwelling: (7.9m wide by 7.6m deep x two storey) 120.10m²

Original floor space = 120.10m²

Existing extensions: Two storey side extension (19930038) 22.86m²
Rear conservation extension (20020623) 22.14m²

Existing extension total = 45.00m²

Proposed side extension: 3.8m x 7.6m = **28.88m²**

Greenbelt Calculation: $45 + 28.88 \times 100 = 7388$
 $7388 \div 120.10 = 61.5$

TOTAL = 61.5% increase

The further 'extension' of the application property with a large double garage with an additional 36m² 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. It must also be noted that the existing property already has a large garage to the side (indeed, it is larger than the proposed garage at approximately 6.9m x 7.4m):



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 double garage will introduce a large, permanent structure into what is currently open space at the front of 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 Higham Arable Farmlands Landscape Character Area 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 (LCA) will be taken into account in determining applications.

The Higham Arable Farmlands Landscape Character Area is characterised in the LCA by gently undulating topography with open arable farmland, views out to the marshes and the River Thames in the north, marsh side hamlets and settlements, isolated farmsteads and scattered properties with locally distinct styles and materials and pockets of orchards and garden nurseries. It states that the overall condition of the landscape is poor and it has moderate sensitivity. It recommends that the landscape characteristics should be restored and created.

This part of Dillywood Lane contains detached houses to either side set back in sizable plots off this narrow rural road. More widely, farmland surrounds the area to the north, south, east and west.

The proposed development 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 which is currently open. Similar to the application site, the front gardens of the dwellings along the road are generally deep and open. It is recognised that soft landscaping to the front boundary of the application site would screen the proposed garage to some extent but as the land level slopes up from the road to the dwellings on this side of Dillywood Lane, the proposed garage would also be raised above road level as well as positioned in front of the house, adding to its prominence. As such, the proposed development

would be detrimental to the open, rural landscape character of the surrounding area.

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.

The proposed double garage would appear overly large and would introduce new built development on a currently undeveloped site frontage. This would further urbanise the application site and be out of keeping with the character of surrounding properties.

It is noted there is a detached garage which has been permitted at the neighbouring property Dillybank (ref. 20210553 permitted in October 2021 – not yet implemented) but this is to replace an existing detached garage to the front of the property that has been there since the 1990s so is not considered reason to justify the proposed development in this case.

Overall it is considered that the proposed development would be prominent and detrimental to the character and appearance of the surrounding area and would be contrary to Policies CS12 and CS19 of the Core Strategy 2014 and 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

The single storey nature of the proposed garage would not cause any sense of enclosure, loss of light, outlook or privacy to neighbouring properties. The submitted plans show no encroachment onto neighbouring land. Details of landscaping/boundary treatment should 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 more than adequate car parking 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 double 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 double 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 open, rural landscape characteristics of the wider Higham Arable Farmlands 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:		Signed:	
Dated:	19 December 2022	Dated:	19 December 2022