



Delegated Report

Application No: 20211555

Location: Lonicera, Rhododendron Avenue, Meopham DA13 0TT

Description: Erection of a single storey detached building to provide a one bedroom annexe ancillary to the main dwelling.

Applicant: Lisa Horsfall and Tristan Skinner

Site Visit Date: Desk based

Submitted Documents/Plans

The application comprises the following documents and plans:

Application form received 20 December 2021.
 Drawing no. 101A (existing plans) received 20 December 2021.
 Drawing no. 102 (proposed site plans) received 20 December 2021.
 Drawing no. 103 (proposed plans) received 20 December 2021.

Relevant Planning History

20120454	**REVISED/AMENDED DESCRIPTION** Erection of a detached double garage at the front.	Permit	14.08.2012
20110912	Retention of the five outbuildings in garden.	Permit	27.02.2012
19990145	Erection of a detached dwelling with 3 bedrooms and bathroom in the roof space, wine cellar and games room in cellar; detached garage in the front garden and the laying out of associated driveway in substitution to that permitted under planning permission reference number GR/98/533.	Permit	16.06.1999
19980533	Erection of a detached dwelling with 3 bedrooms and bathroom in the roof space, wine cellar and games room in cellar; detached garage in the front garden and the	Permit	09.10.1998

laying out of associated driveway.

19960121	Erection of detached bungalow with double garage at rear.	Refuse	23.04.1996
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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 - Design & Development Principles

Paragraph 33 of the National Planning Policy Framework (2021) sets out those 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 The review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

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

- T1 – Impact of Development
- P3 – Vehicle Parking Standards
- C13 – Extensions to dwellings in the countryside

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- Technical Housing Standards – Nationally Described Space Standards (March 2015)
- Housing Standards Policy Statement (1st October 2015)
- Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Meopham Parish Council

Object on the grounds of inappropriate development in the Green Belt.

PRoW Officer

Public Rights of Way NS294 lies to the west of the site and may be affected by the application and I therefore enclose a copy of the Public Rights of Way network map showing the definitive line of this path for your information.

It is important to advise the applicants that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.

Highway Development Management Officer

The property is fenced and could act independently of the main dwelling. So, I would suggest a parking plan is provided with a right of access through the existing property. Otherwise, property would have to set back 2.4m from edge of carriageway to ensure the correct set back is available for any sight line. The sight line would need to be established at the time an access was formed and potentially couldn't be provided resulting in a property without a vehicular access.

Not sure what building regulations would think of a dwelling or annex so close to a septic tank, but that needs further research or building regulations to comment. Also is the tank of adequate capacity to accommodate the annex, although that may just be a case of more frequent emptying. I wouldn't wish to see any overflowing onto the road, although that again needs more research or submissions regarding gradients etc.

KCC Heritage

No objection.

Neighbouring properties

The application has been advertised by site and press notice and individual letters to 8 neighbouring properties. No letters of representation have been received.

Analysis

Proposal

This application seeks planning permission for the erection of a single storey detached building to provide a one bedroom annexe ancillary to the main dwelling. The building will be 6m wide and 5m deep (6.8m deep including the porch). It will be 4m high with a barn hipped roof. It will have an overhang to the front to create a porch area and will be enclosed by boundary treatment that already exists.

Green Belt, Landscape Character and Appearance

The application site is located within the Green Belt and the Harvel Wooded Downs Landscape Character.

The application site is a detached two storey dwelling chalet bungalow with a barn hipped roof. To the front is a detached garage building also with a barn hipped roof. The properties in the street are mainly set in the middle of their plots back from the road and have garages to the front as is the case at the application site.



Green Belt

The Government attaches great importance to Green Belts. 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 their permanence.

Para. 147 of the National Planning Policy Framework 2021 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para. 148 states 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.

Para. 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this 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 development 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; or
- 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 the area of the local planning authority.

The proposed building does meet any of the criteria listed under a-f. The site is garden area for the application property and, as this is located in the rural area, can be classed as 'previously developed land'. However the annexe of the NPPF states that, even in the case of previously developed land, it should not be assumed that the whole curtilage should be developed. Even if the proposal did meet the exception (g) the impact of the development on the openness of the Green Belt has to be considered. The construction of a new building to the front of the property where there is currently open space that forms the front garden undoubtedly impacts on the openness of the Green Belt.

The proposed annexe cannot be considered ancillary to the main dwelling. It contains all the accommodation necessary to be an independent dwelling. As it cannot be considered ancillary to the main dwelling it is therefore is an additional dwelling in the Green Belt. As such the development will no doubt bring residential paraphernalia such as boundary treatment, patios, sheds and driveways that would all impact negatively on the openness of the Green Belt.

No information has been provided to explain why special circumstances might exist and therefore the proposal conflicts with paragraph 148 of the National Planning Policy Framework 2021.

In determining this proposal account will be taken of Saved Policy C13 of the Gravesham Local Plan First Review (LPFR) (November 1994) which relates to extensions to dwellings in the countryside. It 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 of the NPPF.

Point (vii) 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. In this case the building is shown to the front of the property in a prominent location and therefore cannot be considered discreet. The cumulative impact of this outbuilding and the existing garage and house will create an overdevelopment of the site where plots are generally more spacious. The proposed therefore conflicts with the objectives of this policy.

The proposed annexe, due to its location within the Green Belt, self-contained nature of the development and siting within the plot is considered inappropriate development in the Green Belt where no special circumstance exist. It therefore conflicts with para. 147 of the National Planning Policy Framework 2021, policy CS02 of the Gravesham Local Plan Core Strategy 2014 and policy C13 of the Gravesham Local Plan First Review 1994.

Character and Appearance

The application site is also located within the Harvel Wooded Downs Landscape Character. The key characteristics are a varied topography, ancient woodlands and a haphazard mosaic of residential plots. The condition is moderate and distractors include derelict buildings, caravans, poor fencing and fly tipping. The sensitivity is moderate where more recent plots and buildings are indistinct and enclosed by mis-matched fencing or suburbanised walls, gates and railings. The proposed building will add further modern development and, as it is self-contained, will be

accompanied by residential paraphernalia in a prominent location that will not enhance the landscape character of the area. In terms of appearance, as discussed above, the additional building to the front of this dwelling will further urbanise the appearance of the area to the detriment of its character.

The proposed annexe therefore conflicts with policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

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.

The use of the annexe would not appear to be incidental to the main dwelling as it would not require any shared facilities with the main house and would essentially provide a wholly separate unit of accommodation including a bedroom, bathroom and living area that could accommodate a kitchenette and, due to the location to the front of the site, could easily have its own separate access.

No details have been provided with regards to why the annexe is required and who is intended to use it. The potential for the separation of the annexe and the subdivision of the plot is too likely in this case.

Future Occupiers

The internal layout of the proposed dwelling provides insufficient floor space for a one bedroom, two person dwelling. The National Housing Standards require a floor area of 39sqm and the proposed building provides for 25sqm. The bedroom has a floor area of approx. 7.6sqm which does not meet the standards for a double and therefore can only be considered as a single. The building would however provide for sufficient outlook, sunlight and daylight. Whilst the building may provide for sufficient levels of privacy, the outside space is overlooked from the road.

Neighbouring Amenity

The site is surrounded by neighbouring dwellings however, the proposed building would be located to the front which means any overlooking of neighbouring properties would not be of private amenity areas. The building will be single storey and therefore any boundary treatment would screen the habitable room windows in the southern flank.

The proposal therefore conflicts with the objectives of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021.

Parking and Highways

The site is large enough to accommodate any additional parking however, if this was an independent dwelling, a parking plan would be required to demonstrate sufficient and safe parking and access.

Conclusion

The proposed annexe, due to its location to front of the dwelling, self-contained nature and potential for its own access, is not considered to be for a use incidental to the main dwelling, which together with the inadequate levels of internal floor area, will have an adverse impact on the residential amenities of future occupiers. The proposal would thereby fail to comply with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130(f) of the National Planning Policy Framework 2021.

The application site lies within the locally designated Harvel Wooded Downs Landscape Character Area, where local and national planning policy and guidance expect developments to conserve, restore and enhance the natural landscape. However, the proposed development would be harmful to the landscape character by reason of the intensification of residential development and resultant domestic paraphernalia, parking areas and associated hard and soft landscaping that would result. The application is therefore contrary to Policies CS12 and CS19 of the Borough Council's adopted Core Strategy and paras. 174 and 176 of the National Planning Policy Framework 2021.

The application site lies within the Metropolitan Green Belt within which inappropriate development should not be approved except in very special circumstances. The proposed annexe comprises inappropriate development that is, by definition, harmful to the openness of the Green Belt. The development will not preserve the openness of the Green Belt and will conflict with one of the purposes of including land within it. In the absence of any 'very special circumstances' that may otherwise outweigh the harm by reason of inappropriateness, and any other harm, the proposed development is contrary to national planning guidance contained in paragraphs 148 and 150 of the National Planning Policy Framework 2021 and Policy CS02 of the Borough Council's adopted Core Strategy.

Recommendation:

Refuse

See draft Decision

Case Officer: AW	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 2 February 2022.	Dated: 2 nd February 2022