



Delegated Report

Householder Planning Application

Application No:	20211108
Location:	Squirrels Chase, 67 Beechwood Drive, Meopham, Gravesend, Kent, DA13 0TX
Description:	Conversion of detached garage to games room with toilet on the ground floor and office room in the upper level including roof alterations to accommodate the first floor space.
Applicant:	Mrs Kim Austin
Site Visit:	22/12/2021

Submitted Documents/Plans

The application comprises the following documents and plans:

Application Form - dated 27/10/2021;
Covering Letter - dated 07/09/2021;
Supplementary Info - Evidence of Neighbours Development (Planning Permission Details);
Supplementary Info - Evidence of Neighbours Development (Garage Photograph);
Supplementary Info - Site Photograph of Garage;
Supplementary Info - Site Photograph of Parking Provision;
Drawing no. 001 - Rev. A - Existing Site Location Plan, Block Plan, Floor Plan and Elevations;
Drawing no. 002 - Rev. A - Proposed Block Plan, Floor Plans and Elevations.

Relevant Planning History

Application No.	Description	Status	Decision
19970871	Erection of detached bungalow with rooms in the roof space and detached double garage at front	PERMITTED	04.02.1998
19970693	Outline application for erection of detached bungalow and detached garage.	PERMITTED	06.11.1997
19881033	Erection of chalet for weekend and holiday use to replace existing caravan and installation of cesspool	PERMITTED	02.02.1990

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 - Sustainable Development
- CS02 - Scale & Distribution of Development
- CS12 - Green Infrastructure
- CS18 - Climate Change
- CS19 - Design & Development Principles

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

- 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.

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

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 - amended June 2020;
- SPG 4 - KCC Parking Standards (2006);
- Gravesham Householder Extensions/Alterations Design Guidance (SPD) (2021);
- Gravesham Landscape Character Assessment (2009).

Consultations, Publicity and Representations

Internal consultees

No comments received.

External consultees

Meopham Parish Council - We object to this application on the grounds of inappropriate development in the Green Belt due to both the bulk and height, which would also be out of keeping with the existing street scene.

KCC - Heritage - The site lies in an area of multi-period archaeological potential. However, I consider it unlikely that the proposed works will have a significant below-ground archaeological impact at this location and have no further comments to make in this case.

Neighbouring properties

A notice was displayed on site 4th November 2021.

In addition, three surrounding properties were consulted and no representations were received. The consultation period expired 3rd December 2021.

Analysis

Proposal

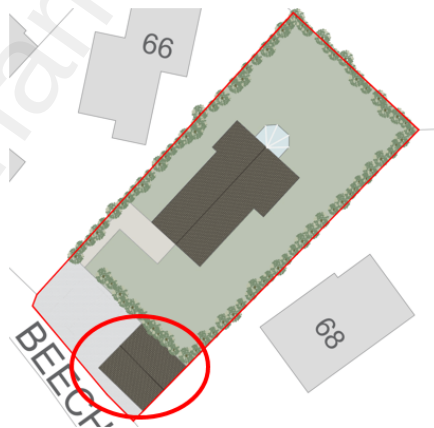
This application seeks planning permission for the conversion of the detached garage into a gym/games room and shower room at ground floor, with an office in the upper level. The conversion of the garage requires planning permission due to condition (11) attached to planning permission ref.19970871 that precluded conversion of area demarcated for vehicular parking, without prior consent from the local planning authority.

For the avoidance of doubt condition 11 is:

The areas identified on the submitted drawings for the parking of vehicles shall be formed before the bungalow hereby permitted is first occupied and thereafter used for the parking of private motor cars only and no development whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995, or any provision equivalent in that Class in any statutory instrument revoking and re-enacting that Order, shall be carried out on the site in such a manner or in such a position to preclude vehicular access thereto.

Extension to Garage

The application proposes an upward extension to the garage. The proposed garage has an increased height of 1.95m, with the new ridge at a height of 5.55m. The eave height will remain 2.6m. The garage is positioned 1.25m from the front boundary.



The principle consideration of this part of the application is that the property falls within the Green Belt which is subject to strict policy constraints. Unfortunately, there are no specific development plan policies on the provision of outbuildings in the green belt. However, adopted Core Strategy policy CS02 requires development to be compatible with national policies for protecting the Green Belt.

It is noted that while saved Policy C13 (vii) of the Local Plan First Review sets out that the Council's approach to assessing proposals for outbuildings in the countryside and makes clear

that they will be considered on their individual merits, it is out of step with the National Planning Policy Framework (NPPF). Therefore, it should be attributed minimal weight for the following reasons;

National Green Belt planning policies are detailed under Section 13 of the NPPF "Protecting Green Belt land". Paragraph 149 states that the construction of new buildings in the Green Belt is inappropriate development. It goes on to list six exceptions to this, however ancillary residential outbuildings do not form one of the exceptions specifically listed. In line with paragraph 147, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 sets out that substantial weight should be given to that harm and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In relation to saved policy C13 (vii) of the Gravesham Local Plan First Review, paragraph 219 of the NPPF sets out that 'Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). Core Strategy policy CS01 also sets out in paragraph 4.1.8;

Where there are no policies relevant to the application for relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- Specific policies in that Framework indicate that development should be restricted.*

This second bullet point is in line with paragraph 11 of the NPPF. Examples of the policies that indicate that development should be restricted are set out in a footnote in the NPPF and include land designated as Green Belt.

In addition, when considering proposals in the rural area, Policy CS02 gives further support to the policy approach set out in the NPPF stating that development outside those settlements, including affordable housing and proposals to maintain and diversify the rural economy, will be supported where it is compatible with national policies for protecting the Green Belt and policies in this plan.

On the basis of the above, it is considered that only minimal weight can be given to this part of policy C13.

Very special circumstances

Given the above determination, the national Green Belt policies contained in the NPPF are the presiding policy in determining a proposal for ancillary residential outbuildings in the Green Belt. It is considered that the proposals for a detached outbuilding would constitute inappropriate development in the Green Belt that is harmful to the Green Belt and should not be approved except in very special circumstances. Moreover, substantial weight should be given to that harm and that very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The applicant has provided not provided any very special circumstances. However, a form of supporting statement, detailing a recent planning permission for the conversion of a garage at no.66 Beechwood Drive (ref. 20210825). Whilst this statement does not set out any very special circumstances, it is an important consideration within the decision making process.

An important difference between the two applications is that the neighbouring development did not involve an extension to the garage prior to conversion. No. 66 Beechwood Drive was granted permission to erect a gable-ended garage with a steep pitched roof and space in the roof area for storage (ref. 19990871). Therefore, the recent planning application did not involve any further development within the Green Belt.

The garage at the neighbouring property has a similar design to that proposed in this application, with a tall ridge and steep pitch roof slopes. The neighbour's garage is taller than the main dwelling, which is further set-back from the highway and is not excessive in height. The neighbour's planning application was approved under historic policies, is considered to unbalance the traditional hierarchy of height, and is a poor design strategy. Furthermore, during the spring and summer months the neighbour's garage is screened behind mature trees which mitigate the harm to the street scene.

Nevertheless, the supporting statement does not present or set out any very special circumstances that exist to clearly outweigh the potential harm to the Green Belt by reason of inappropriateness, and any other harm such as the effect on openness that may result from the proposal. Notwithstanding this a judgement has been made on the details provided and it is considered that special circumstances can be justified when the proposal is considered in context with the area.

In addition to the Green Belt assessments the visual appearance must be considered as well as any other matters including; amenity of neighbours, future occupiers and impact on the highway network.

The effect of the proposal on the openness of the Green Belt

Paragraph 137 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.

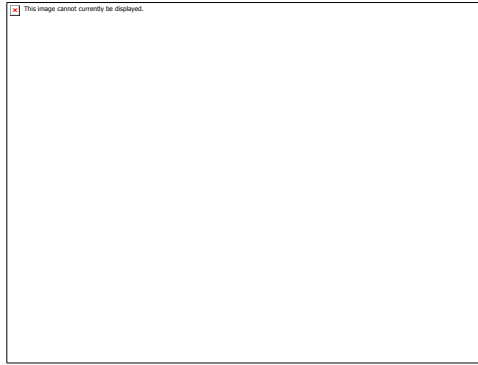
Any new built form of development is likely to impact on the openness of the Green Belt, however it is important to establish the degree of harm. The upward extension to the garage will harm the open nature of the Green Belt, means the building will no longer be subservient to the main dwelling and significantly increases its perceived bulk. As such, the development is considered harmful to the openness of the Green Belt.

Reference back to paragraphs 147 and 148 of the NPPF informs us that inappropriate development in the Green Belt should not be approved except in very special circumstances and that very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Whether the development causes any other harm and whether there are any other relevant considerations to balance the overall planning argument, should now be considered.

The effect on the character and appearance of the area

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area.

The extension to the garage will increase the height of the ridge significantly. The existing garage is subordinate and subservient to the main dwelling which is considered to be good design and an appropriate hierarchy of height.

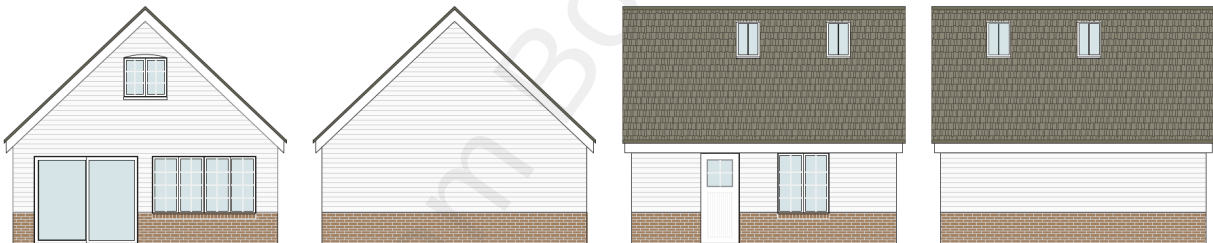


The main dwelling, Squirrels Chase, is set down from the level of the highway due to the topography and as a chalet style bungalow is not excessive in height. The original plans, although not accurately measured, show that the ridge height of the main dwelling is approximately 5.35m. Therefore, the ridge of the extended garage will at least match, or potentially exceed the height of the main dwelling. Moreover, the proximity of the garage to the highway will exacerbate its perceived height.

Existing Elevations



Proposed Elevations



As such, the extended garage is considered to be disproportionate to the main dwelling and disruptive of the established hierarchy of height. An outbuilding should be subordinate and subservient to a dwelling, and therefore the existing arrangement is significantly better in terms of design and an upward extension would be harmful to the character and appearance of the street scene.

The neighbouring properties garage and planning permission have been discussed above in the 'very special circumstances' section of this report. This section highlighted that the planning permission did not involve any extension to the garage, and stated that the neighbours garage was permitted under historic policy, is disruptive of the hierarchy of height and demonstrates the harm that a similar development would have on the street scene.

Overall, the upward extension to the garage will compete with the main dwelling in terms of height which is considered poor design and harmful to the established relationship between dwellings and outbuildings. The extension will therefore be harmful to the character of the street scene and is poor design. As such the development hereby proposed is contrary to Policy CS19 (LPCS) and Section 12 (NPPF).

Other matters

Amenity of Future Occupiers

The development is not considered to have any detrimental impact on the amenity of future occupiers and is in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Neighbouring

The development will not impact on the amenity of neighbouring properties in terms of loss of light, loss of privacy, overshadowing, outlook or sense of enclosure. As such, the development is in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Parking and Highways

The two existing parking spaces within the garage will be lost as part of this application. However, the driveway has sufficient space for two vehicles to park, which accords with Kent County Council's parking standards (SPG 4) (2006) for a three bedroom property.

Impact on the Landscape

In addition to being within the Green Belt, the site is located within the Harvel Wooded Downs Landscape Character Area. This area is characterised by varied topography, ancient wood and haphazard mosaic resident plots and small holdings.

Policy CS12 (LPCS) seeks to protect the Green infrastructure within the Borough and states at 5.7.26 the overall landscape character and valued landscapes will be conserved, restored and enhanced.

The extension to the garage is not considered to impact on the Harvel Wooded Downs Landscape Character Area as it is within a relatively well-developed part of the landscape.

Conclusion

The application has been fully considered and it is contrary to local and national planning policy.

The upward extension to the garage is harmful to the open character of the Green Belt, significantly increasing the perceived bulk of the building. In addition, the development means the garage will no longer be subservient or subordinate to the main dwelling and disrupts the hierarchy of height between outbuilding and dwelling, is considered poor design and harmful to the character of the street scene. As such, the development is contrary to Policy CS19 (LPCS) as well as Sections 12 and 13 (NPPF).

Recommendation:

Refusal

See draft Decision

Case Officer: Ethan Bonthron	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 22 nd December 2021	Dated: 22 December 2021