



Delegated Report

Householder Planning Application

Planning Application No: 20220277

Location: Polperro Rochester Road Gravesend Kent

Description: Demolition of existing garage/store and erection of new garage and store.

Applicant: Mr Aujla

Site Visit Date: 11 May 2022

Submitted Documents/Plans

Householder Planning Application form;
Drawing no. 2215-PL04 Rev. C Existing and proposed block plans;
Drawing no. 2215-PL05 Red line site boundary plan;
Drawing no. 2215-PL201 Existing layout and elevations;
Drawing no. 2215-PL202 Rev. A Proposed layout and elevations;
Drawing no. 2215-PL203 Rev. A Existing and proposed site sections; and
Email from the agent dated 02 May 2022.

Superseded Documents/Plans

~~Drawing no. 2215-PL04 Rev. B Existing and proposed block plans.~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20191049	Demolition of garage and store and erection of a two storey replacement detached garage incorporating primary living accommodation.	Refused	28.11.2019
20130173	Application for Lawful Development Certificate for the proposed erection of a detached building to provide swimming pool enclosure, gym and ancillary facilities and erection of a conservatory.	Granted	17.04.2013
20121072	Application for Lawful Development Certificate for the proposed erection of a detached building in rear garden to provide a garden pavilion.	Granted	06.02.2013
20121006	Application for Lawful Development Certificate for the proposed erection of single storey side and rear extensions to form a two bedroom annex and a conservatory.	Refused	16.01.2013
20120983	Application for Lawful Development Certificate for the proposed erection of detached building to provide swimming pool enclosure, gym, dance studio and ancillary facilities.	Refused	16.01.2013

19850120	Erection of a detached double garage at the front	Permitted	18.03.1985
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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 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- TC7 – Other Archaeological Sites
- C13 – Extension 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
- 12 – Achieving sustainable development and well-designed places
- 13 – Protecting Green Belt land
- 15 – Conserving and enhancing the natural environment
- 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); and
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

GBC Highways Officer

This application requires careful consideration, the proposed garage size does not conform to the guidance in SPG4, but given that, whilst the width may be reduced, the length is considerably longer.

Garages

B2. Experience has shown that garages provided for individual residential dwellings are unlikely to be used for the parking of a vehicle unless sufficient space is also incorporated within the garage for storage. This may have less relevance for garages that are provided as a communal facility for residential accommodation. However, the needs of the mobility impaired, either as a driver or as a passenger, should also be considered in the design of garages and sufficient space should also be allowed to enable a garage to be used as a secure location for any cycle parking provision.

Taking these factors into account the preferred internal dimensions of a garage that should be considered for residential developments in Kent are:

Preferred Garage Size for Single Car	5.5m (length) x 3.6m (width)
Preferred Garage Size for Two Cars	5.5m (length) x 6.0m (width)

Where it can be demonstrated that cycle parking is provided elsewhere width of garage can be reduced.

Extract from SPG4.

Looking at the car parking layout the minimum internal dimension for garage to accommodate two cars without any storage would be 5.4 metres by 5.5 metres, the proposal exceeds both these measurements and a separate store is also provided. I therefore have no objections.

KCC Heritage

The site lies within an area of multi-period archaeological potential. It is considered unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

National Highways

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Recommendation: No Objection: Reasons

We will be concerned with proposals that have the potential to impact on the safe, reliable and efficient operation of the SRN, in this case, particularly the proposed route of the Lower Thames Crossing in the vicinity of Gravesend.

We have assessed the application from two perspectives

a) Impact of traffic attracted to or generated by the proposed development. Given the location and small-scale nature of the potential development we have no objection from this perspective.

b) Impact on the construction and/or operation and maintenance of Lower Thames Crossing. The site is located close to the current red-line boundary for the Lower Thames Crossing. However, if the site is developed it should not affect the Crossing's construction and/or operation and maintenance. Therefore, we have no objection from this perspective.

It should be noted that it is assumed that the applicant is fully aware of the proximity of the Lower Thames Crossing route to the site as will be any future investor, developer, purchaser or occupant and that any party will make any decision in full knowledge of the potential consequences of that proximity.

On this basis, we are content that the above proposed development will not unacceptably impact on the safety, reliability and/or operational efficiency of the current and proposed SRN (the tests set out in DfT C2/13 and MHCLG NPPF2021).

Consequently, we have No Objection to application 20220277.

Neighbouring properties

The application was publicised by a site notice and to 19 neighbouring properties by letter. The consultation period expired on 29 April 2022. One representation has been received and is summarised as follows;

- Loss of view; and
- Loss of sunlight.

Officer's Analysis

The application site lies within the Green Belt outside of the urban area of Gravesend. Policy CS02 of the Gravesham Local Plan Core Strategy (September 2014) prioritises development in the urban area as a sustainable location for development. In the rural area it states that development will be supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the Local Plan Core Strategy.

The principle issues in the determination of this application are;

- Is the proposed development appropriate in the Green Belt?
- Effect on the openness of the Green Belt
- Effect on the character and appearance of the area - including landscape character
- Other matters

Is the proposed development appropriate in the Green Belt?

Paragraph 137 of the National Planning Policy Framework 2021 (NPPF 2021) sets out that the essential characteristics of Green Belts are their openness and permanence and paragraph 138 lists the five purposes that the Green Belt serves. At the application site, the Green Belt assists in safeguarding the countryside from encroachment. 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.

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 (d) identifies the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. 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.

Saved Policy C13 of the Gravesham Local Plan First Review (November 1994) 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 2021.

In particular Saved Policy C13 places an overall limit on extensions of one third of the gross floor area of the original dwelling unless the increased floor space has no overall effect on the existing bulk and appearance of the dwelling (criteria (ii)). It also requires the massing, scale and form of any extension to be appropriate to the existing dwelling and the Green Belt setting (criteria (vi)). It is considered that these factors are relevant in determining whether the size of an extension is proportionate and as such, these aspects of the policy are broadly in line with the NPPF 2021 and should be afforded weight.

The proposed erection of a garage or another 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 use of the proposed building would be for parking and storage and these uses would be ancillary to the main dwelling. However there is no close physical relationship between the proposed garage and the main dwelling, as the separation between the two buildings would be some 6 metres. It is considered that a reasonable person viewing the two buildings would not describe the garage as an extension to the dwelling. Therefore despite the ancillary use, the proposed building would not be considered to be a normal domestic adjunct, and therefore the proposal would not be regarded as an extension to the main dwelling.

The proposed development would result in the replacement of an existing single storey garage/store building with a new garage/store building. The existing building is essentially L-shaped, with a footprint of 65 square metres (measured externally) and a maximum height of 4.8 metres. The proposed development would be an L-shaped, single storey building with a footprint (measured externally) of 89 square metres. It would have a pitched roof with two barn-hipped, gable ends and one fully hipped roof. The highest ridgeline would be some 4.8 metres.

The proposed building would be in the same use as the existing building and would be the same height. However the proposal would result in an increase in floor area of 24 square metres above the existing building (or 37%). But despite this increase in floor area, it is considered that the proposed building would not be materially larger than the one it replaces.

The application site forms part of the residential curtilage of the application property and lies outside of any built-up area. As such, it falls within the definition of previously developed land. The proposal would be located mainly on land that currently comprises of a similar sized garage and store. Therefore the proposed development would not have a significantly greater impact on the openness of the Green Belt than the existing situation.

Overall, the proposal would fall within two of the exceptions set out in paragraph 149 of the NPPF 2021 (149(d) and 149(g)) and it is considered to be appropriate development in the Green Belt. The proposal is therefore in line with Policy CS02 of the Gravesham Local Plan Core Strategy September 2014 and paragraph 149 of the NPPF 2021.

Effect on the openness of the Green Belt

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 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 degree of activity levels generated (Reference ID: 64-001-20190722).

The proposed development, by its nature as an additional form of built development at the property, would erode the openness of the Green Belt. However as the proposed building would be a replacement for a similarly sized and located structure and would not be widely visible from public vantage points (due to the

existence of mature vegetation on the site boundaries), the harm to openness would not be material.

Effect on the character and appearance of the 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 (in a manner commensurate with their statutory status or identified quality in the development plan).

The application site is located in the Higham Arable Farmlands Landscape Character Area. As such, Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 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 Higham Arable Farmlands Landscape Character Area, the document highlights that the key landscape characteristics are very gently undulating topography, open arable farmland and views towards the marshes and River Thames. It states that the overall condition of the landscape is poor and it has moderate sensitivity. It recommends that the landscape elements in poor condition should be restored, whilst safeguarding the character area as a prominent landscape feature within the wider landscape.

The application site is located close to the urban area and is surrounded by farmland to the west, south and east. The plot contains a large dwelling and a number of outbuildings (including a detached garage at the front and brick buildings at the rear). There are significant areas of hard surfacing and some grass and mature vegetation on the site boundaries. As a result, the site has a somewhat semi-rural appearance. The proposed development would result in a small increase in the amount of built development within an existing residential curtilage but would not adversely affect the landscape character of the surrounding area.

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 design of the proposed development would be in keeping with the existing dwelling and the external facing materials would match those which are existing. The proposed development would be located at the side/front of the dwelling but due to the existence of mature vegetation on the site boundaries, it would not be widely visible from public vantage points.

Overall it is considered that the proposed development would not be detrimental to the character or appearance of the surrounding area and would be in line with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Other matters

Amenity of Future Occupiers

The proposed development would not harm the amenity of future occupiers 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 Gravesham Local Plan Core Strategy September 2014.

Neighbouring Amenity

The closest residential properties to the application site are nos. 335 to 343 Rochester Road (located to the north across the roadway). It is noted that the properties located on the eastern side of Thong Lane are over 250 metres to the west of the application site.

Due to the design of the proposal, the distance between the properties and the screening provided by boundary treatments/vegetation, it is considered that there would be no adverse overlooking, overshadowing or overbearing impacts to the occupiers of any surrounding residential property. Therefore

the proposed development would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014.

Parking and Highways

The proposed development would replace an existing double garage/storage building with a slightly larger double garage/storage building. There would be no alteration to the existing access arrangements. No objection has been raised by the GBC Highways Officer.

The proposal would make sufficient provision for the parking of cars within the application site in accordance with the Borough Council's adopted Vehicle Parking Standards and would not be detrimental to highway safety. As such, the proposal 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

The application site is located in an area of multi-period archaeological potential and KCC Heritage considers it unlikely that the proposed works would have a significant archaeological impact. As such, the proposal would be in line with Policy CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

The application site is located within the Lower Thames Crossing (LTC) Safeguarding Zone. National Highways have not raised an objection to the proposal in relation to the LTC and as the works would be relatively minor and would be located within the confines of an existing residential garden, it is considered that there would be no adverse impacts to the route or operation of the LTC. The applicant should be made aware of the LTC via an informative on any planning permission granted.

A local resident has raised concerns regarding the loss of view. However it should be noted that loss of view is not a material planning consideration.

Suggested Conditions

Time limit
Development in accordance with approved plans
Materials to match existing
Incidental use only

Conclusion & Recommendation

The proposal complies 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:	12th May 2022	Dated:	12 May 2022