

Delegated Report

Full Planning Application

Planning Application No: 20240256

Location: Meopham Veterinary Surgery, Wrotham Road, Meopham, Gravesend

Description: Erection of first floor infill extension.

Applicant: Mr M Hobbs, Meopham Veterinary Surgery

Site Visit Date: 30th April 2024

Submitted Documents/Plans

Planning Application Form;
Drawing No. 01 - Site Location Plan;
Drawing No. 02 Rev A - Existing Block Plan;
Drawing No. 03 - Existing Ground Floor Plan;
Drawing No. 04 - Existing First Floor Plan;
Drawing No. 05 - Existing Elevations;
Drawing No. 06 Rev B - Proposed Block Plan;
Drawing No. 07 Rev A - Proposed First Floor Plan;
Drawing No. 08 Rev A - Proposed Elevations; and
Updated Planning Design and Access Statement (September 2024).
Appendix 1 – Appeal Decision – APP/K2230/D/22/3298308;
Appendix 2 – Appeal Decision - APP/K2230/W/22/3309853;
Appendix 3 – Appeal Decision - APP/K2230/W/22/3255704; and
Appendix 4 – Appeal Decision - APP/G2245/W/19/3230759.

Superseded Documents/Plans

~~Drawing No. 06 – Proposed Block Plan;~~
~~Drawing No. 07 – Proposed First Floor Plan;~~
~~Drawing No. 08 – Proposed Elevations;~~
~~Planning, Design & Access Statement;~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20220583	Erection of a rear extension and change of use of land to form an extended carpark with EV charging comprising 10no. additional parking spaces on the adjoining parcel of land.	Refused Appeal Dismissed	26.07.2022 28.09.2023
20200865	Engineering works and change of use of paddock land to create 20 parking spaces including landscaping, access and associated works.	Refused	27.10.2020
20190698	Application for the approval of condition 4 of planning permission reference number 20181229 relating to a	Approval of Details	02.09.2019

	noise impact assessment due to animals in veterinary kennels.		
20181229	Erection of a single storey rear extension existing building to provide 14no. additional kennels.	Permitted	22.01.2019
20140694	Erection of single storey side and rear extension with enlarged rear gables and two dormer windows to form enlarged veterinary hospital and re-modelling of car park to form additional parking facilities with improved landscaping.	Permitted	22.12.2014
20090066	Application for approval of condition 1 of planning application reference number 20050002 allowed on Appeal reference number APP/K2230/A/05/1177669 relating to the revised details of parking and turning area for horse boxes and trailers.	Approval of Details	27.02.2009
20081083	Application for approval of condition 6 of planning permission reference number 20080822 relating to the landscaping scheme.	Approval of Details	06.01.2009
20081080	Application for approval of condition 2 of planning permission reference number 20080822 relating to the environmental noise assessment.	Approval of Details	12.01.2009
20080822	Erection of single storey rear extension in substitution to that previously permitted under planning permission reference number 20080195 for revised internal layout of the rooms.	Permitted	04.11.2008
20080195	Erection of single storey rear extension to form sterilisation/slucie room, ophthalmic room and surgical instrument store.	Permitted	28.04.2008
20060819	Erection of storage shed to replace existing greenhouse.	Permitted	23.11.2006
20050864	Alterations to the rear roof to provide a gable end to south west wing and conversion of additional roof space into overnight veterinary accommodation and an enlarged office.	Permitted	02.12.2005
20050002	Application for variation of condition 17 of planning permission reference number GR/2002/159 which prevents horse boxes being kept or parked on the site at any time, to allow horse boxes and trailers to be parked in the car park.	Refused Appeal Allowed	17.02.2005 29.06.2005
20020159	Change of use of dwelling/former nursing home into a veterinary surgery with associated offices, overnight accommodation and the laying out of 18 no. car parking spaces.	Permitted	08.07.2002

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills
- CS10 – Physical and Social Infrastructure
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- 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)

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

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006);
- Gravesham Landscape Character Assessment (2009); and
- Design for Gravesham Design Code (2024).

Consultations, Publicity and Representations

Consultees

GBC – Environmental Protection

This application is for additional/improved staff facilities and there will be no increased area for treatment rooms or kennelling etc. In this respect, there is no objection to the application. There are no conditions of informatives that we need to recommend.

Meopham Parish Council

Raise no objection to this application.

Neighbouring properties

The application has been advertised by way of the displaying of a site notice on 10th April 2024 and 9 surrounding properties were consulted via individual letters with an overall expiry date of 1st May 2024.

Three letters of representation have been received objecting the proposal for the following summarised reasons;

- Continual expansion and urbanisation of this site is detrimental;
- Increase of floorspace;
- Impact on Green Belt;
- Removal of vegetation and hedges (impact on biodiversity);
- Parking;
- Light pollution;
- Increase traffic;
- Impact on neighbours.

Officer's Analysis

Principle of the Development and Green Belt Policy

Paragraph 152 of the NPPF (2023) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 of the NPPF list exceptions to this. The list at Para 154 c) includes 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. Therefore, the case officer will need to make a judgment on whether the current proposal involves a disproportionate addition to the original building.

When considering any applicable planning application, the Borough Council in its role as the Local Planning Authority is required via Para 153 of the NPPF to ensure that substantial weight is given to any harm to the Green Belt. With very special circumstances not existing 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.

The application site falls within the Green Belt and there are stringent planning policies to protect the openness of the land. In this regard, paragraph 142 of National Planning Policy Framework (NPPF) 2023 sets out that the fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open, and the essential characteristics of the Green Belt is their openness and their permanence. Paragraph 143 of NPPF sets out five purposes for including land within Green Belts.

The national and strategic advice on "limited" extensions, "disproportionate" additions and "modest" extension are given meaning by the Saved Local Plan Policies in the Gravesham Local Plan First Review (policy C13) which set out the criteria to be applied by the Local Planning Authority in determining planning applications for extensions to dwellings in the countryside and Green Belt. However, there is no local planning policy relating to extensions to non-residential buildings in the Green Belt, as such this application has to be considered in light of the requirements set out within the NPPF 2023, and in Paragraphs 152-154 of the NPPF.

	Ground Floor m ²	Cumulative Ground Floor m ²	Cumulative Ground Floor Increase %	First Floor m ²	Cumulative First Floor m ²	Cumulative Total m ²	Cumulative Total Increase %
Original building	210m ²	-	-	53m ²	-	263m ²	0
Planning Permissions granted and implemented between 1982-2008	269m ²	479m ²	128.1%	92m ²	145m ²	624m ²	137.3%
2014 there was permission granted and implemented	173 m ²	652m ²	210.5%	46m ²	191m ²	843m ²	220.5%
2019 there was permission granted and implemented	36.5 m ²	688.5m ²	227.9%	-	-	879.5m ²	234.4%
2024 proposed additions	-	688.5m ²	227.9%	71m ²	262m ²	950.5m ²	261.4%

The current proposal does not alter the footprint of the original building with previously implemented planning permissions, however it does result in the provision of additional floorspace at the first floor, which takes the cumulative total for floor space from 263m² for the original building, to 950.5m² for the original building with the implemented and proposed additions. This results in a further 27% increase above the original floor space, bringing the total additions to approx. 260% increase over the original floorspace.

The NPPF 2023 does not define 'disproportionate'. As such consideration of proportionality is a matter of planning judgement taking into account a range of factors including height, floorspace, volume, design and the configuration of the plot, building and proposal.

The original building would have been a large bungalow set within a large plot. In the 1980's planning permission was granted to allow a change of use so that the premises could be used as a nursing home for up to 3 elderly persons. As part of this permission the Local Planning Authority, granted permission for the loft space of the bungalow's pitched roof to be converted to a first floor with a rear dormer, in order to provide additional bedrooms and a bathroom. Planning permission was subsequently granted in the early 2000's for a further change of use from a residential and nursing home use to a veterinary surgery with associated offices. In the intervening period the Local Planning Authority has granted planning permission to allow the veterinary surgery to expand allowing for further enlarged veterinary accommodation, associated offices and storage.

The most recent approval in 2019 (under reference 20181229) concluded, that the proposal would result in disproportionate additions above the original building. Reviewing the footprint, floorspace and associated volumetric metrics for the current proposal, this view is supported. As such based-on footprint, floorspace and volume it is considered that the proposal does result in disproportionate additions to the original building.

The plot was previously configured in a manner that resulted in it being enclosed by trees and hedges, which screened what is now a considerably bulky building from the street and from neighbouring fields and gardens. Much of this landscaping has been removed, and the applicant is proposing to address the loss of screening through the introduction of new native landscaping which will reduce views of the building from the road and neighbouring gardens. However, it has to be accepted that this landscaping will take a period of time to establish itself and screen views of the building.

The design of the infill extension will minimise its visual impact on the building from the street and neighbouring fields and gardens, with the infill extension being primarily visible from the field to the rear. However, as the proposed infill extension does increase the height of the property it's perceived impact within the street scene will be lessened.

As such, the proposal would create a further addition to a building that already has been considerably extend which would be disproportionate to the size of the original dwelling. This is reflected by the significant increase in floorspace, volume, bulk and massing compared to the size of the original dwelling. As it has not been demonstrated that the proposal would be any of the exceptions listed in Paragraph 149 of the NPPF, it would amount to inappropriate development in the Green Belt. This would be, by definition, harmful to the Green Belt and would conflict with Local Plan Policy CS02 and Paragraph and the NPPF for the reasons set out.

Effect on openness

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and its essential characteristics are therefore its permanence and openness. Due to the scale and massing of the proposed infill extension, the proposal would fail to preserve the openness of the Green Belt.

Whilst there would be no further loss of openness around the existing building, the proposal would be screened, which would reduce the visual sense of the loss of openness. The loss of openness has to be

viewed against the backdrop of existing site and the local area. The visual loss of openness would be limited to those close to the development. However, openness has a spatial as well as visual dimension which this development would harm by reason of its extent, irrespective of the lack of visibility. Thus, there would be a small yet harmful loss of openness within the Green Belt.

Whether there would be Very Special Circumstances

Paragraphs 152 and 153 of the NPPF set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development 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.

Having concluded that the proposal would be inappropriate development that would, by definition, harm the Green Belt, it has also been concluded that it would result in harm to the openness of the Green Belt. As such the NPPF at Para. 153 requires substantial weight to be given to any harm to the Green Belt.

Therefore the issue of very special circumstances has to be considered inline with the requirements of Para. 153 of the NPPF.

The applicant has provided a detailed case regarding very special circumstances within the Updated Planning, Design & Access Statement and states the following reasons for having very special circumstances.

1. No other harm could be reasonably associated with such a proposal. To the contrary, the proposal presents an opportunity to improve the appearance of the site, leading to a positive effect on the character of the area generally;
2. A proposed package of biodiversity enhancements could be secured by condition to assist in adding to the ecological value of the Site;
3. This is a well-established rural business that has been located within Meopham Green for the past 28 years and now employs almost 50 people, many of whom live within the local community;
4. The business has expanded steadily over the years and they have found themselves with an urgent need to provide a larger amount accommodation to allow them to continue to offer an acceptable veterinary service that specifically includes adequate staff and meeting room facilities;
5. The business is a RCVS certified hospital (one of only eight in the county);
6. The Site has specialist equipment and facilities essential to meet the needs in the Gravesham area, with one of only three CT scanners used by vets in the county;
7. The veterinary profession is currently listed on the Government's 'Skilled Worker Visa: Shortage occupation (updated February 2022)';
8. The future viability of this business can be secured through the proposed development;
9. Significant support for rural businesses, such as this, is clearly set out in the Framework;
10. The proposal does not conflict with any of the five purposes of including land in the Green Belt, as:
 - (a) it will not result in the unrestricted sprawl of large built up areas, because it is not adjacent to such an area;
 - (b) it will not result in neighbouring towns merging into one another;
 - (c) it is not open countryside and the applicants are an existing rural business who wish to infill previously developed land in a village;
 - (d) it is not adjacent to an historic town;
 - (e) it will not have any impact on urban

regeneration of derelict or other urban land.

11. The applicants have, for some time, been seeking an alternative site to address the future needs of the business, but without success. The preference of the applicants has always been to stay within the Site;
12. Current employee conditions are not ideal. Office, meeting space and staff welfare space is spread out across the existing building. Such a planning application would enable the funding to be provided to reorganise the existing internal layout as well as provide essential additional space;
13. A modern and fit for purpose building and layout is urgently required as is stated in a response to a RCVS inspection. Furthermore, since COVID-19, staff are feeling particularly vulnerable and sensitive about continuing to work within cramped working conditions. The business cannot provide and maintain safe and sufficient working distances for all members of staff across the building. It is not possible for employees of this business to work remotely and new extensions, coupled with internal reorganisations will improve the welfare and safety of the employees, whilst also helping to address an increase in demand for vets, again due to COVID-19;
14. The business provides an essential 'community service' and constitutes 'community infrastructure' necessary to provide sustainable communities;
15. Should the application be successful, following occupation, the business will be able to maximise its role as an incidental training centre for veterinary professionals. The proposed ongoing and improved training facility will help to address the chronic shortage of suitably qualified and skilled veterinary professionals. It will remain the case that due to the Tier 3 RCVS accreditation, a maximum of two students will be on site at any time. Under this accreditation they are not permitted to allow any more students at any one time, so the first floor rear extension will have no impact on the amount of students attending the site over and above the current number – it will simply provide improved facilities for them.

Local Plan Policy CS02 of the Core Strategy states that development outside of rural settlements including 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 the local plan. In addition to this Local Plan Policy CS07 of the Core Strategy supports the appropriate expansion and diversification of the rural economy.

The NPPF does not define what constitutes 'very special circumstances' and they are assessed on individual merits which gives a degree of flexibility and judgement. When considering very special circumstances, the weight of each of the factors put forward and the degree of weight to be accorded to each is a matter for the decision taker, acting within the "Wednesbury Principles".

This stage will often be divided into two steps. The first is to determine whether any individual factor taken by itself outweighs the harm and the second is to determine whether some or all of the factors in combination outweigh the harm. There is case law that says that a number of factors, none of them "very special" when considered in isolation, may when combined together amount to very special circumstances and goes on to say that "there is no reason why a number or factors ordinary in themselves cannot combine to create something very special.

The weight to be given to any particular factor will be very much a matter of degree and planning judgement and something for the decision-taker. There cannot be a formula for providing a ready answer to any

development control question on the green belt. Neither is there any categoric way of deciding whether any particular factor is a 'very special circumstance' and the list is endless but the case must be decided on the planning balance qualitatively rather than quantitatively.

Factors which have been previously considered to constitute 'very special circumstances' in isolation or in combination have included;

1. A lack of Gypsy and traveller provision plus personal circumstances
2. Unmet housing need plus social infrastructure
3. Unmet housing need plus the site being the most appropriate one for new homes
4. Economic benefit plus site-specific circumstances
5. Community benefit plus site-specific circumstances
6. A need for rural worker accommodation plus business viability
7. A need for a strategic rail freight interchange
8. Environmental and economic benefit
9. Enabling the conservation of a listed building
10. A need for crematorium provision

The above list is not exhaustive but for the purposes of this application, points 4, 5 and 8 are relevant. Meopham Veterinary Hospital is a long standing and well-established practice that serves the local and wider community of Meopham, the Borough of Gravesham as a whole and serves a sub-regional catchment. The practice is a local employer that contributes to the local economy through directly employing a significant number of employees for a rural business, as well as supporting local businesses through associated spend from being located in Meopham.

Currently the first floor consists of a number of smaller rooms that are cramped and make the working, rest/break conditions, changing and overnight facilities for night staff inappropriate, as detailed in paragraph 2.3 of the supporting planning statement. The proposed first floor infill extension allows for the layout of the first floor to be improved for the benefits of the staff, which would improve the overall facilities within the building and practice as a whole, and support it's important local function.

As an example, an appeal decision in September 2018 (Appeal Reference Number: APP/A1910/W/17/3192066) allowed for the continuation of a motor vehicle-related activities which supported 27 fulltime employees, as well as providing recreation benefits. The Inspector concluded in paragraphs 68 and 69 of the decision notice that substantial weight to the base-line against which the proposal should be considered and also to the economic benefits of the development and that looking at the case as whole, that very special circumstances exist which justify the development. A copy of the appeal decision is attached as Appendix 1 to the decision notice.

Taking above into account, without the improved facilities, the building would remain unfit for purpose and fail to support the successful rural businesses that has become established in the area of the previous 20+ years. Reducing the number of employees on site would have a direct impact on the ability of the practice to provide services within the Borough and harm the viability of the practice. The proposed development will support and improve the conditions for the existing staff and training facilities, allowing the practice to continue to operate and support the local and wider community.

Having considered the above arguments it is considered the benefit the practice brings to the local area, wider area of Gravesham, supporting the rural economy and providing jobs and a training facility constitutes 'very special circumstances' which are afforded significant weight in favour of the proposal. In these specific circumstances, it is considered that the harm to the Green Belt is clearly outweighed by other considerations and therefore the very special circumstances necessary to justify the development exist.

The proposal is for a first floor infill extension and the overall footprint of the building would not be extended as a result of this application. As such the overall impact on openness is considered to be limited.

In addition, to mitigate any potential harm to the openness of the green belt and to improve the aesthetics

of the practice in general, the outbuilding to the rear will be moved and new planning/landscaping is proposed throughout the site and in particular along the southern boundary of the car park, as laid out in proposed plan (Drawing No. 06 Rev B). The implementation of this will be stipulated in conditions within the decision notice.

The proposed extension therefore accords with Policies CS02 and CS07 as well as Section 13 of the National Planning Policy Framework 2023.

Character and Appearance

The site is located within the Meopham Downs Landscape Character Area where the topography is gently undulating and the dominant land use is agricultural with a mix of grazed pasture and arable use. There is a presence of horse related activity scattered throughout the landscape. The condition of the landscape is good and its sensitivity is moderate. Overall, the guidelines state that Meopham Downs should be conserved and reinforced. It is not considered that the proposed infill extension of the north-western corner of the veterinary building will interfere with these objectives.

Policy CS19 sets out the key principles for the design of proposals. This states that new development will be visually attractive, fit for purpose and locally distinctive. The proposed infill extension will be within the existing roof to the rear, on the western elevation of the building and will not extend further to the rear or above the existing roof height and as such would not be visible from the streetscene or the wider area due to dense landscaping. The finish will match the existing property.

The proposal will have limited visibility from the streetscene and will be relatively well screened from the northernmost neighbour due to a high acoustic fence on the shared boundary together with a vegetation screen.

The gable roof design would create a central gable between the two existing gables, obscuring the flat roof elements, which would therefore respect the existing building.

The proposed extension therefore complies with the objectives of Policy CS19 of the Core Strategy and Section 12 of the NPPF (2023).

Neighbouring Amenity

The closest neighbour to the site of the proposed extension is that directly to the north. The proposal will not extend any further to the rear and the additional first floor window would be centrally located and afford the same views as the existing. Between the two properties is vegetation and a high acoustic fence. The proposed development will have no detrimental impact on this neighbour in terms of loss of outlook, privacy, sunlight or daylight.

Concerns have been raised by local residents in relation to continual expansion of the premises. This application is for additional/improved staff facilities and it is not proposed that there will be an increase in staffing numbers or further expansion. In this respect, there is no objection to the application in terms of impact on additional noise or expansion of treatment rooms that would have a detrimental impact on local residents.

The proposed development therefore accords with Policy CS19 of the Core Strategy and paragraph 135f of the NPPF (2023).

Parking and Highways

The proposal accords with Gravesham Local Plan Core Strategy policy CS11 and saved policy P3 of the Gravesham Local Plan First Review.

Conclusions and Balancing Exercise

The proposed infill extension, whilst located within the Green Belt, is demonstrated to have special circumstances in line with paragraph 153 of the NPPF 2023, due to the service the practice provides to the community and the level of employment it delivers.

The proposed infill extension will have no significant impact on the streetscene, neighbouring amenities, parking or highway safety and therefore accords with the abovementioned Policies and is recommended for approval, subject to conditions.

Recommendation:

Permitted

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Ms Amanda Cue	Team Leader:	Mr Shazad Ghani
Signed:		Signed:	
Dated:	4 th October 2024	Dated:	11 th October 2024