

# Delegated Report

## *Householder Planning Application*

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**Planning Application No:** 20250018

**Location:** 2 Nursery Cottages Canal Road Higham Rochester

**Description:** Retrospective application for the creation of summer house / playroom mounted on a raised patio / platform.

**Applicant:** Jade Jenkins

**Site Visit Date:** **24.06.2025**

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### **Submitted Documents/Plans**

- Application Form
- Pre Existing block Plan
- Proposed Block Plan
- Section D
- Section A
- Section B
- Site Location Map
- Drawing No: BDC2501 (Existing Plans and Elevations)

### **Relevant Planning History**

No relevant planning history.

### **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

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

- TC3 – Development affecting Conservation Areas

Paragraph 34 of the NPPF (2024) 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) general conform with the National Planning Policy Framework (2024), the Council will also seek to replace these.

## **Other material considerations**

### National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving Well-Designed Places
- Section 16 – Conserving and enhancing the Historic environment

### Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Lower Higham - Rural Conservation area Character Appraisal (2017)
- Rural Conservation Area Management Plan January (2016)
- Gravesham Landscape Character Assessment (2009)

## **Consultations, Publicity and Representations**

### Local Ward Councillors

No comments received.

### GBC – Conservation Officer

No comments received.

### Higham Parish Council

As a Parish Council, we feel it is in the best interest of our parishioners to provide comments to the planning application submitted for the above property for the “retrospective application for the creation of summer house / playroom mounted on a raised patio/platform.”

Our councillors are concerned about the height of the summer house / playroom to the neighbour's boundary, especially being mounted on a raised patio / platform. Furthermore, councillors feel there could be noise nuisance for surrounding properties if the structure is used as a playroom.

Please consider our comments carefully when reviewing this planning application.

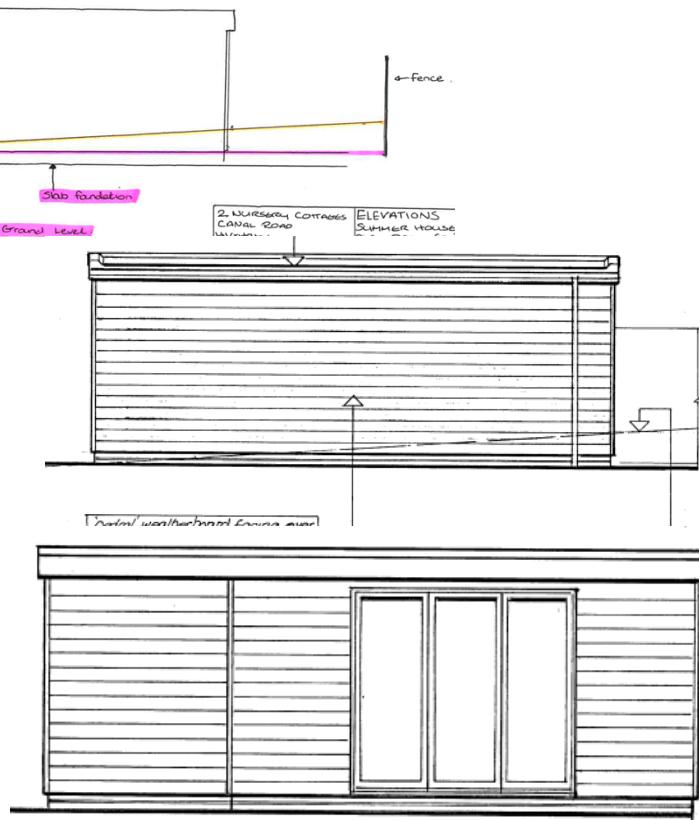
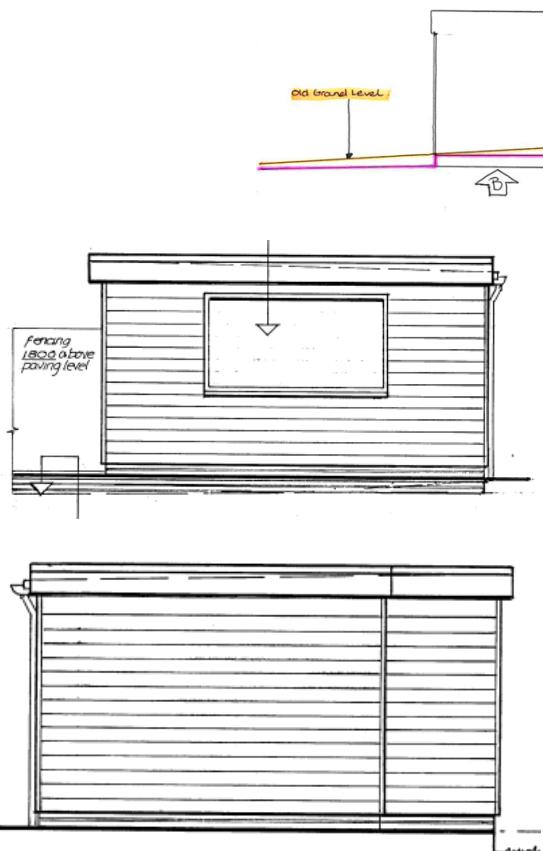
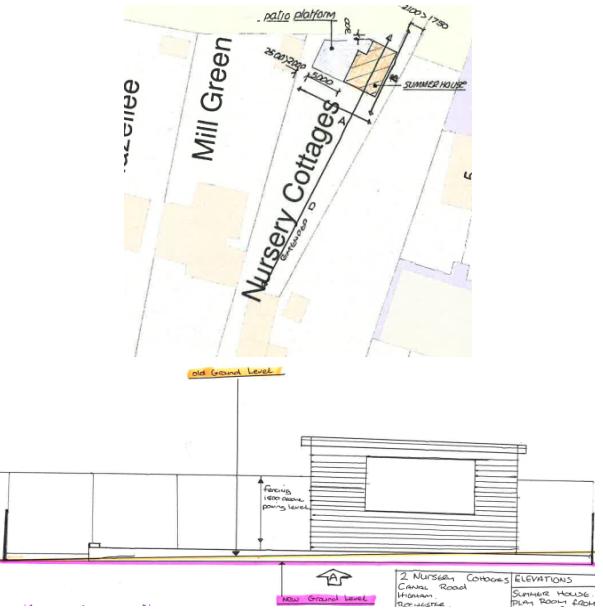
### Neighbouring properties

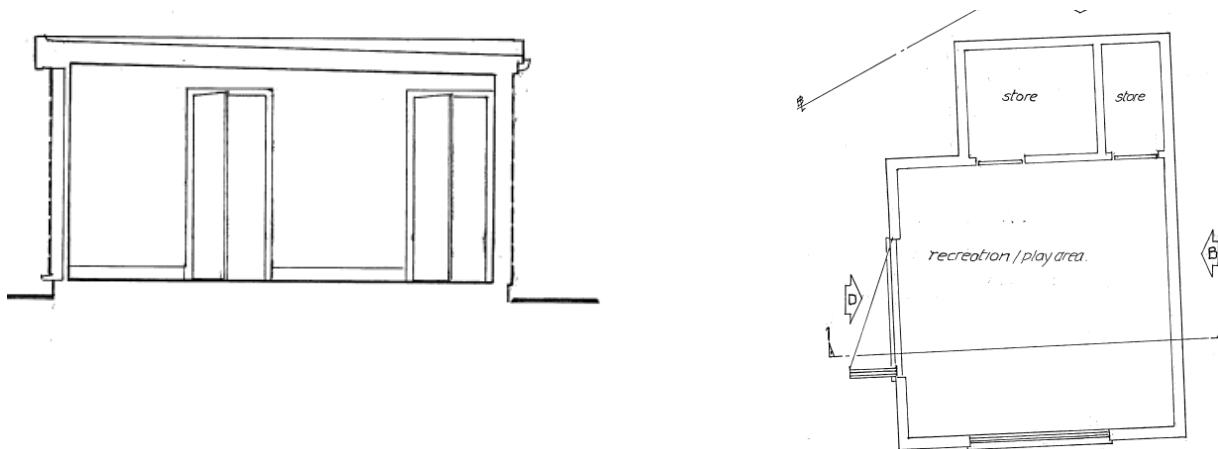
The application was advertised by way of site notice and letters to 4 surrounding properties. The consultation period expired on 13.06.2025 and no comments were received.

## **Analysis**

### Proposal

The proposal seeks to regularise an existing outbuilding situated on a raised platform which has been constructed for the purpose of a summerhouse/playroom incidental to the main dwelling.





## Background

The existing outbuilding has already been constructed circa 2024 and due to its height would not constitute permitted development. The structure therefore requires the benefit of planning consent.

## Conservation Area

Conservation areas are defined as 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance' in the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). The local planning authority must consider the desirability of preserving or enhancing the character or appearance of the conservation area when assessing relevant applications.

Amongst a range of other things, policies set out in the National Planning Policy Framework (NPPF, 2024) are also material planning considerations in the determination of planning applications. Of particular importance in this respect is paragraph 203(f) of the NPPF (2024) which states that, in determining applications, the local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

The application site forms a pair of semi detached properties which are unlisted buildings but are considered to make some contribution to the conservation area character. These properties are described as two storeys with two storey rear outshuts built in late 19<sup>th</sup>/early 20<sup>th</sup> century and as 'a bit of a cut above the standard agricultural workers cottages'.

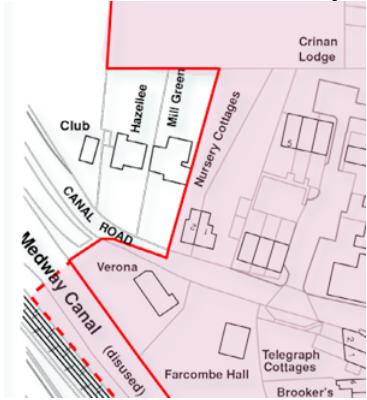
The development that has occurred does not form part of the main dwelling and is an outbuilding which is situated to the rear of the plot, some 30 metres away. The outbuilding is not visible from the main street scene and so its impact on the conservation area would be negligible. The proposed development is therefore not considered to have any impact on the conservation area.

The development is considered to preserve the Conservation Area in which it is located and therefore is compliant with Policies CS19 and CS20 of the Local Plan Core Strategy 2014 and Policy TC3 of the Gravesham Local Plan First Review 1994 and para 203(f) of the National Planning Policy Framework 2024.

## Character and Appearance

The application site is located in Higham, which is inset from the Green Belt. The site is located within the Lower Higham Conservation Area;

**Conservation Area Map**



**Greenbelt Map**



Para 10.14 of the Council Adopted design guidance states:

*An outbuilding should normally only be used for purposes incidental to the enjoyment of the house.*

Para 10.15 states:

*Outbuilding should not deprive the existing property of adequate private garden space and should be subordinate in scale to the existing dwelling and to the plot.*

And para 10.6 further states:

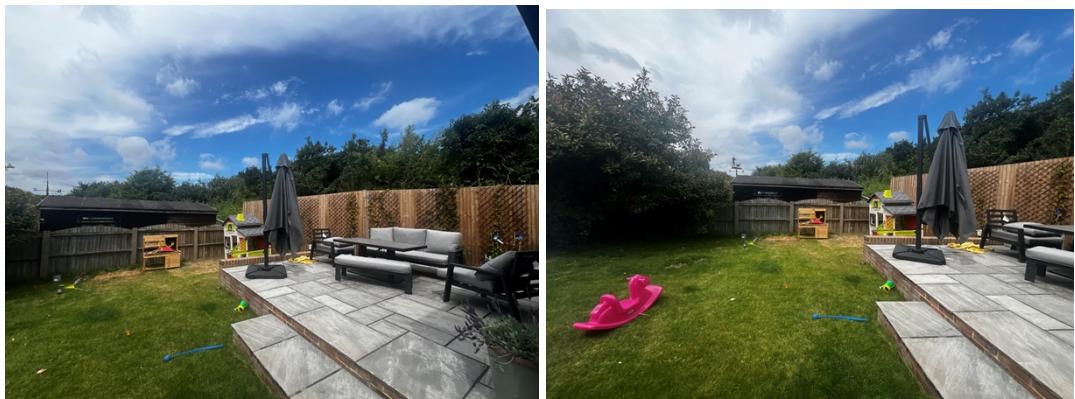
*As with all extensions, outbuildings should not detract from the character of the area (this is especially important where the outbuilding will be visible from the street) and should be unobtrusively located to the side and rear of the existing dwelling. They should also not have an adverse impact on the amenity of the surrounding properties in terms of noise and disturbance created through access or overlooking / overshadowing of existing properties.*

The outbuilding has been constructed as a summer/playhouse and will be used incidentally to the main dwelling. This can be further conditioned to ensure the development is retained within an incidental use.

Nursery cottages benefits from a generous garden, and despite there being two other structures in situ, it is clear that there is sufficient garden space to meet the needs of the dwelling. This will also be further addressed in the latter section of this report.



The development will not detract from the local area due to its rearward location. It will be visible from neighbouring gardens, however other properties have undertaken similar development and so the proposed outbuilding is not deemed an out of character addition.



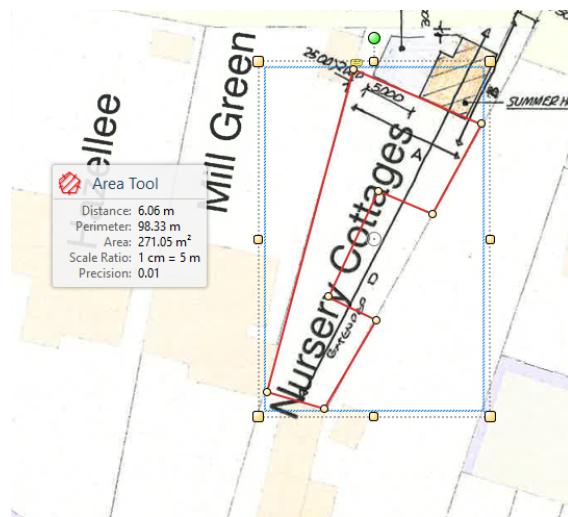
*Neighbouring outbuilding.*

The outbuilding has been erected on a raised platform which has a height of circa 0.2m. However it is also noted that the land levels have been lowered which reduces the impact of the overall height of the development.

The proposed development complies with CS19 Local Plan Core Strategy and SPD4 Householder Alterations and Extensions Guidance 2021.

#### Amenity of Future Occupiers

The submitted block plan does not show the existing two buildings which are in place. However an estimate of their size and location shows the garden area is still sufficient and compliant with the council's technical standards.

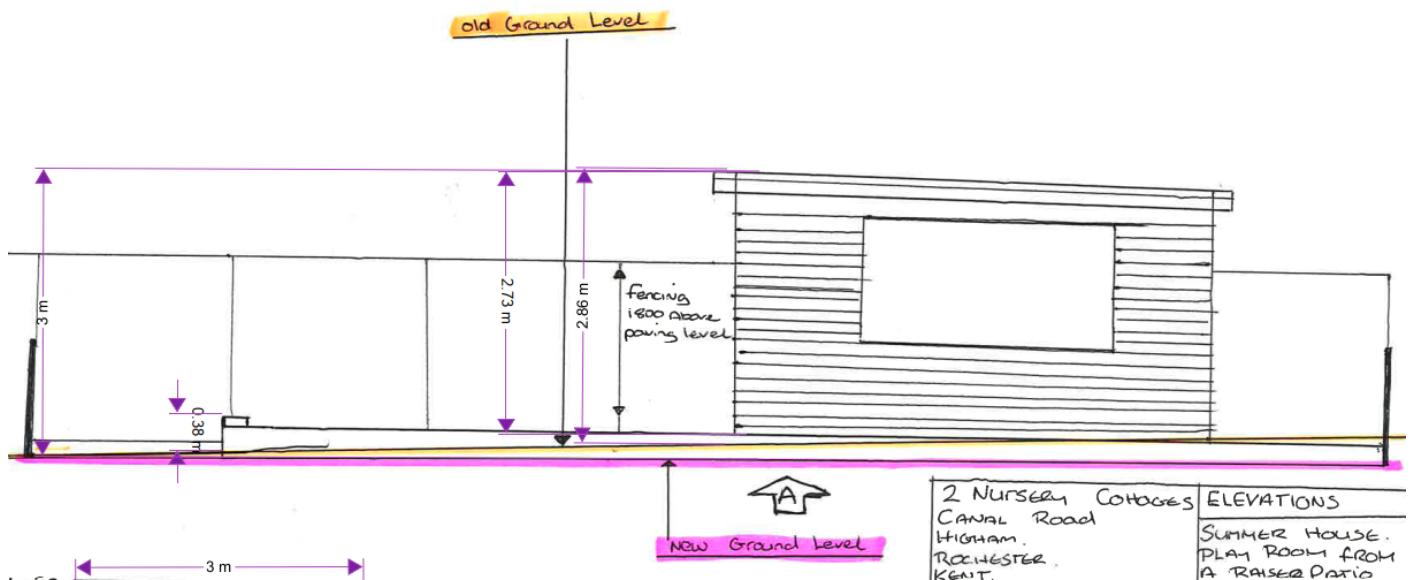


The development is considered to safeguard the amenity of future occupiers in line with the requirements of CS19 Local Plan Core Strategy 2014 and SPG2 Residential Layout Guidelines 2020.

#### Neighbouring Amenity

The proposed outbuilding is located at the foot of the plot. Whilst the outbuilding is not located on a boundary it is within 2m of the north and east boundaries and therefore cannot exceed 2.5m in the case of permitted development. The outbuilding has a flat roof and an overall height of 2.8m which exceeds PD rights and so planning permission is required.

It is noted that some of the land has been excavated, and a platform has been erected to accommodate the outbuilding.



The land levels vary, however, if measured from the lowest ground level the outbuilding is some 3m high, however in reality the outbuilding is only approx. 2.8m from the natural ground level. The garden of Nursery Cottages slopes up and so any outbuilding would appear high however the development is not considered to be excessive.

It is noted that there is a large window in the southern elevation which looks into the garden. This window is located some 22m from the rear elevation of Mill Green and 40m from the rear elevation of the adjoining property.

On balance if the outbuilding height was reduced and compliant with PD such fenestrations would be permissible so a refusal is not considered to be justified. In this instance regularising the outbuilding through traditional planning routes enables the imposition of planning conditions which restrict and control its use.

Given the sites rural location, a condition restricting the installation of external lighting on the outbuilding would safeguard visual amenity, especially for that of neighbouring properties whilst also reducing light pollution.

The outbuilding will be used ancillary to the main dwelling and will not be continually occupied and so any concerns regarding loss of privacy are not justified as occupants of the dwelling could be expected to use the garden area at the same levels as the outbuilding. A condition will be imposed to restrict the use of the outbuilding and ensure it remains ancillary to the host dwelling and is not used for the purpose of business.

Appropriate screening by way of boundary treatment can be erected up to a height of 2.0m which can further mitigate any overlooking concerns.

No neighbour representations have been received in relation to this application.

On balance the proposal is considered to safeguard neighbouring amenity in line with the requirements of CS19 Local Plan Core Strategy 2014 and SPG2 Residential Layout Guidelines 2020.

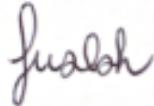
#### Any Other Material Planning Considerations

The site is located within the Higham Arable Farmlands Character Area. The guidelines focus on restoring landscape elements in poor condition, whilst safeguarding it as a prominent landscape feature within the wider landscape. Proposals that introduce extensive or obtrusive elements within visually sensitive areas of the open landscape should be resisted. The proposal will not expand the settlement or result in built form that would appear as a strident incursion into the open rural landscape around Lower Higham. Therefore there would be no harm to the landscape and thus a conflict with Policies CS12 and CS19 of the Local Plan Core Strategy 2014 in so far as they seek to conserve landscape character.

#### **Conclusion & Recommendation**

The proposal has been fully considered and is recommended for permission subject to conditions.

(For detailed conditions and informatics, see draft Decision)

<b>Case Officer:</b>	Mrs Sharon Sahota	<b>Team Leader:</b>	Mrs Faye Walsh
<b>Signed:</b>		<b>Signed:</b>	
<b>Dated:</b>	25.06.2025	<b>Dated:</b>	01 July 2025