



Delegated Report

Householder Planning Application

Planning Application No: 20240376

Location: Azila Dean Lane Harvel Gravesend

Description: Demolition of existing rear porch and erection of single storey rear extension with 4 roof lights.

Applicant: Mr T Harrar

Site Visit Date: 23/05/2024

Submitted Documents/Plans

Application Form

01 – Site Location Plan and Existing Block Plan

02 – Existing Floor Plans

03 – Existing Elevations

04 A – Proposed Block Plan

05 A – Proposed Floor Plans

06 A – Proposed Elevations

Relevant Planning History

Reference	Description	Decision	Decision Date
20240239	Demolition of existing workshop and garage buildings and erection of replacement garage and new outbuilding.	Permitted	21.05.2024
20240114	Application for Lawful Development Certificate for the proposed erection of 2no. single storey rear extensions.	Certificate Granted	27.03.2024
20231103	Application for a Lawful Development Certificate in respect of the proposed 4m deep single storey rear extension and loft conversion with 8 rooflights.	Certificate Refused	29.11.2023
20200230	Demolish two existing dwellings (Four Acres and Azila) and associated outbuildings, and replace with two single storey dwellings and two garden sheds.	Permitted (not implemented)	04.05.2020
19490080	Replacement of a timber and asbestos bungalow with brick built structure	Permission	06.06.1949

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- C13 – Extensions to dwellings in the Countryside

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 4 – Decision-making
- Section 8 – Promoting healthy and safe communities
- 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 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009)
- The Kent AONB Management Plan 2021-2026

Consultations, Publicity and Representations

Consultees

Ward Councillors

No comments received.

Meopham Parish Council

The proposed structures are likely to be a better fit in terms of appearance - through design and materials proposed - for the location in which they are proposed.

I therefore find no objections to raise against this application providing GBC sees no issue with the combined increased footprint of this application along with application number 20240239 when taken as a whole.

KCC Heritage

The site lies within an area of multi-period archaeological potential. However, based on existing Historic Environment Record data for the area and the past development of the site, I consider it unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

KCC Highways

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

KCC Biodiversity/Ecology

SUMMARY – SUFFICIENT INFORMATION PROVIDED

We have reviewed the information submitted by the applicant for this application of porch demolition and construction of a single storey extension and the associated information for the recent planning application 20240239 for the outbuilding on this property and advise that sufficient ecological information has been provided.

We have taken this view as photographs provided of all aspects of the building and surroundings, show the building surrounded by scaffolding, with an intact roof except for one corner which is covered and would prevent any bat access.

The area surrounding the building has been cleared, as there is a lack of vegetation and a hardcore surface appears widespread. Although, the property is within a rural area with good hedgerow connectivity and adjacent to Strawberry Hill, Pasture & Woodland, Meopham Local Wildlife Site (GR6) which supports ancient semi-natural broadleaved woodland, with notable species such as reptiles and badgers recorded, therefore the potential for commuting, foraging and sheltering individuals need to be considered for this site.

Historic aerial imagery below, accessed on Google Earth Pro, and photographs provided show that there have been significant changes to the vegetation on this site.

If there has been vegetation clearance works and any habitats previous on-site have supported protected/notable species, it is likely that the works have resulted in a breach of wildlife legislation. Any enhancement plans need to fully consider any losses to habitats and ensure there is a net gain in biodiversity based on the habitats present on site, prior to any vegetation clearance works.

PRECAUTIONARY WORKING MEASURES

The site is adjacent to Strawberry Hill, Pasture & Woodland, Meopham Local Wildlife Site and there is some potential for mobile wildlife to use the site and precautionary working methods are recommended to avoid any harm during clearance and construction phases. All trees/hedgerows within or bordering the proposed development shall be protected during construction in line with standard arboriculture best practice (BS5837:2012). A suggested precautionary mitigation approach suggested condition wording is below;

From commencement of works (including site clearance), to avoid impacts to protected and priority species, retained habitats and the adjacent LWS, the following precautionary mitigation should be implemented:

- 1) The adjacent hedgerow and trees, including their roots, will be protected from damage;
- 2) All temporarily stored building materials (that might act as temporary resting places) will be isolated within hardstanding areas and raised off the ground, e.g. on pallets.
- 3) If at any time a protected species is discovered within the works area all works must stop while a suitably qualified ecologist and/or Natural England are consulted. Works will not resume until any required surveys and/or mitigation are completed
- 4) Backfilling of trenches, covering of open pipes and other excavations will be undertaken before nightfall, or a ramp will be left in trenches to allow any animals to easily exit;

5) All excavations and trenches will be checked each morning throughout the construction period and prior to infilling;

LIGHTING

Nocturnal animals (including bats) are likely to be present foraging around the site and surrounding rural area and any lighting associated with the proposal may have a negative impact. This includes external lighting and that from roof lights. We advise that the condition wording for any external lighting (if granted) requires the following requirements:

- Plan showing location of lighting and light spill with lux levels
- Downward facing
- On a motion sensor
- Follow the recommendations within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night'

ENHANCEMENTS

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) 2023, biodiversity should be maintained and enhanced through the planning system. As such, if planning permission is granted, we advise that a condition is included requiring an ecological enhancement plan to be submitted. We recommend that a whole site approach is carried out and combined with enhancements for application 20240239, noting the comments above concerning any habitat loss. We recommend the following wording:

Within three months of works commencing, detailed plans showing how the development on this site will enhance and maintain biodiversity, compared to baselines from before the clearance work commenced. An establishment and management plan for native planting, will be submitted to, and approved in writing by, the local planning authority. This will include details of native and wildlife-friendly planting, integrated bat and bird bricks and/or durable boxes, and hedgehog holes in any close board fencing. The approved measures will be implemented and retained thereafter.

Appendix 1 provides some generic (non-exhaustive) information regarding the most common enhancements we see proposed. To provide a view regarding the potential ecological benefits of any project, in line with relevant legislation and planning policy, we require sufficient detail to be submitted. Without sufficient detail we are unable to provide an opinion regarding the suitability of any proposed measures. Suitable detail may include the provision of information such as:

- The proposed target species;
- Make and model of any boxes;
- Location information such as height, aspect, surrounding habitat;
- Detailed planting schedules; and
- Relevant management necessary to ensure the habitat is suitable for the target species.

Kent Down National Landscape Management Unit

On 22 November 2023, all designated Areas of Outstanding Beauty (AONBs) in England and Wales were renamed 'National Landscapes' (NLs). Accordingly, the Kent Downs AONB is now the Kent Downs National Landscape. Its legal designation and policy status remain the same.

Also of note is the changes introduced through the Levelling-Up and Regeneration Act 2023, which came into force on 26/December 2023. The Act amends the Countryside and Rights of Way Act, which is the primary legislation relating to AONBs and replaces the previous Duty of Regard to AONBs set out at S85 with a new, strengthened requirement that:

'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty'.

(Part 12 - Miscellaneous; Section 245. Protected Landscapes; paras (5) - (10).

This places a much stronger duty on relevant authorities, which includes local authorities, to ensure that their actions and decisions seek to conserve and enhance AONBs, marking a significant change to the legal context of AONB policy.

Further guidance is provided in Appendix 2.

The Kent Downs National Landscape Team has seen a recent uplift in the number of consultations on planning applications. In accordance with the agreed Kent Downs Planning Protocol, which sets out that the Kent Downs Landscape Team will only have a limited land use planning role and will prioritise its involvement in planning to planning policy matters, we will not normally provide bespoke comments on more minor applications such as this. This does not imply support for, or objection to, the proposal. If our input would be particularly valued in this instance, please get in touch and we endeavour to provide informal advice where our current planning capacity allows.

In determining the application, the local planning authority has a new statutory duty, as set out above, to seek to further the purpose of conserving and enhancing the natural beauty of the Kent Downs National Landscape. Further advice on the new duty is provided in Appendix 2 of this letter and in our Interim Advice Note for Local Planning Authorities. The Kent Downs National Landscape Team recommends that to help fulfill the new statutory duty, the Local Planning Authority should ensure that the decision is consistent with relevant national and local planning policy and takes into account the aims, objectives and principles set out in the Kent Downs AONB Management Plan and its associated guidance documents. Further details of these are provided in Appendix 1.

Neighbouring properties

5 surrounding properties were consulted and a site notice was also displayed. 0 comments were received from members of the public. The final date to submit comments ended on 14th June 2024.

Officer's Analysis

Principle of Development

The development would be located in the rural area, in the Green Belt. In such areas, Policy CS02 of the Local Plan Core Strategy (2014), states that development will be supported where it is compatible with national policies for protecting the Green Belt and policies in this plan.

Therefore, whether the development is acceptable in principle will be dependent on the assessment of all material planning considerations. In this instance the following considerations will be made:

- Impact on the Green Belt
- Impact on Openness
- Design, Character and Appearance
- Impact on the National Landscape and the Landscape Character Area
- Future Amenity of Occupiers
- Neighbouring Amenity
- Ecology

Impact on the Green Belt

National Planning Policy Framework (NPPF)

Paragraphs 152-156 of the NPPF address proposals which would affect the Green Belt. It seeks to ensure that inappropriate development in the Green Belt would not be approved except in very special circumstance.

The relevant exceptions to this policy are as follows:

Paragraph 154(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', as an exception to this policy.

Paragraph 154(g) identifies another exception as;

'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'

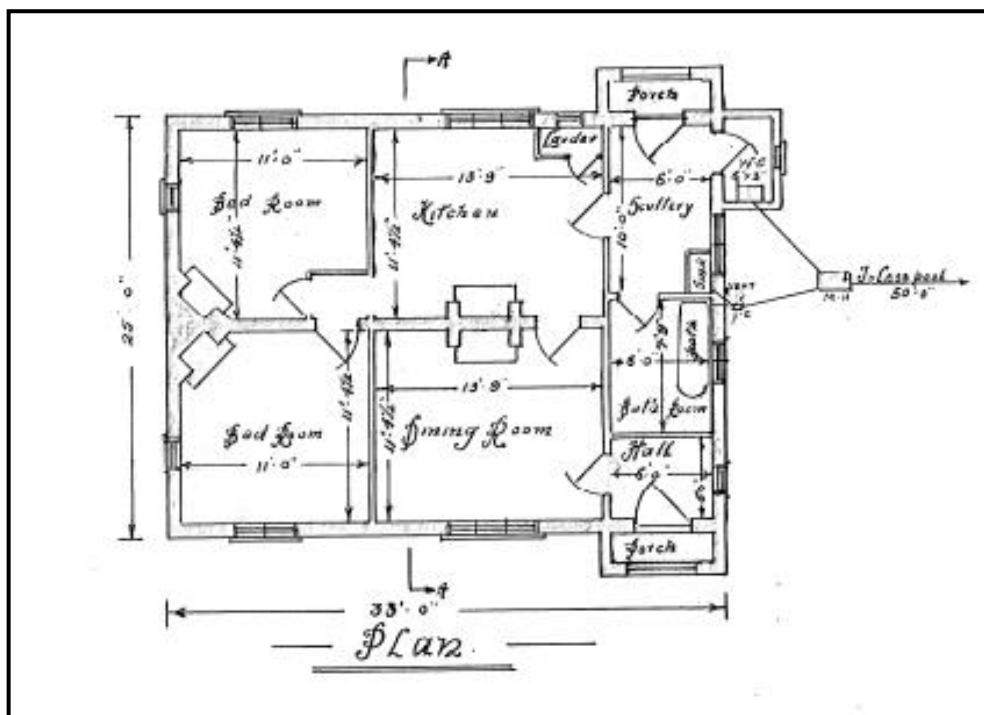
Gravesham Local Plan Core Strategy 2014

Core Policy CS02 sets out where development should be distributed in the borough. Preference is given to those urbanised area as sustainable locations. Outside urbanised areas, those rural settlements which are inset from the Green Belt would also be considered acceptable in principle. This site is in a rural area, in the Greenbelt NOT forming part of settlement inset from the Greenbelt. In this context the policy states that developments; 'will be supported where it is compatible with national policies for protecting the Green Belt and policies in this plan.'

Saved Policies in the Gravesham Local Plan First Review 1994

It is appropriate to have regard to saved Local Plan First Review 1994 Policy C13 which relates principally to extensions to dwellings in the countryside, as well as proposals for domestic outbuildings. This policy (part ii) applies a one third limit of the gross of floor area of the original dwelling (measured externally) prior to any later extension or alteration, unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling. "Original dwelling" for the purpose of Policy C13 means the building in permanent residential use at 1st July 1948.

The extent of the original dwelling house is highlighted visually below.



19490080 Plan

Based on the plans provided, the existing building appears to have not increased in footprint from the

original building. The attic space is not currently served by stairs and so is not considered to be a habitable room. The proposed plans however show that the attic space would become habitable bedroom and bathroom with a staircase added. The agent has highlighted that these elements of the plans are not included in the proposals. However, the changes to the first floor shown on the plans provided, cannot be ignored and the single storey elements of the scheme cannot be assessed in a vacuum. The floorspace calculation as follows will include the first-floor elements:

Original Ground Floor: 83.5m²
Original Loft Space: 51.2m²
Total: 134.7m²

Proposed Ground Floor: 124m²
Proposed First Floor: 51.2m²
Total: 175.2m²

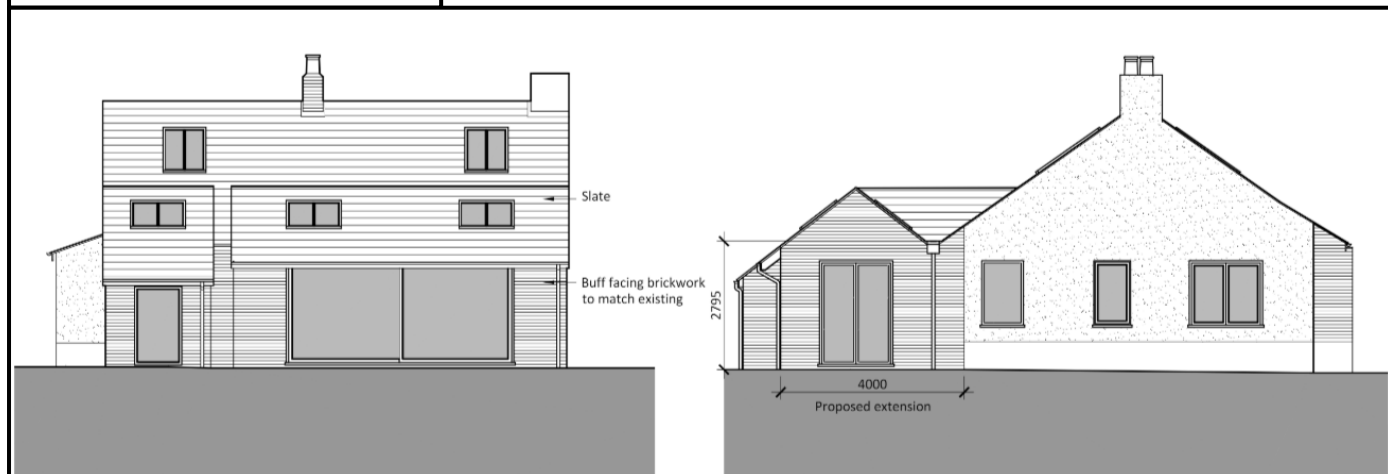
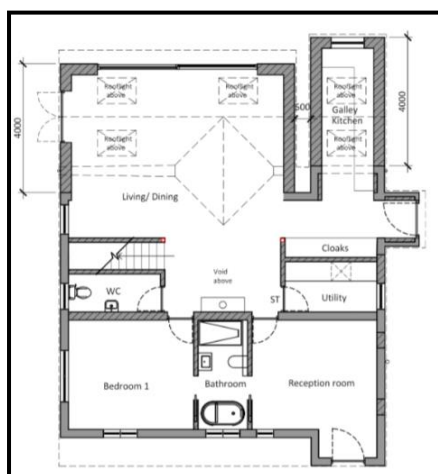
Total Increase: 40.5m² / 30%

The proposed 30% increase in floorspace, would be within the one third limit applied by policy C13.

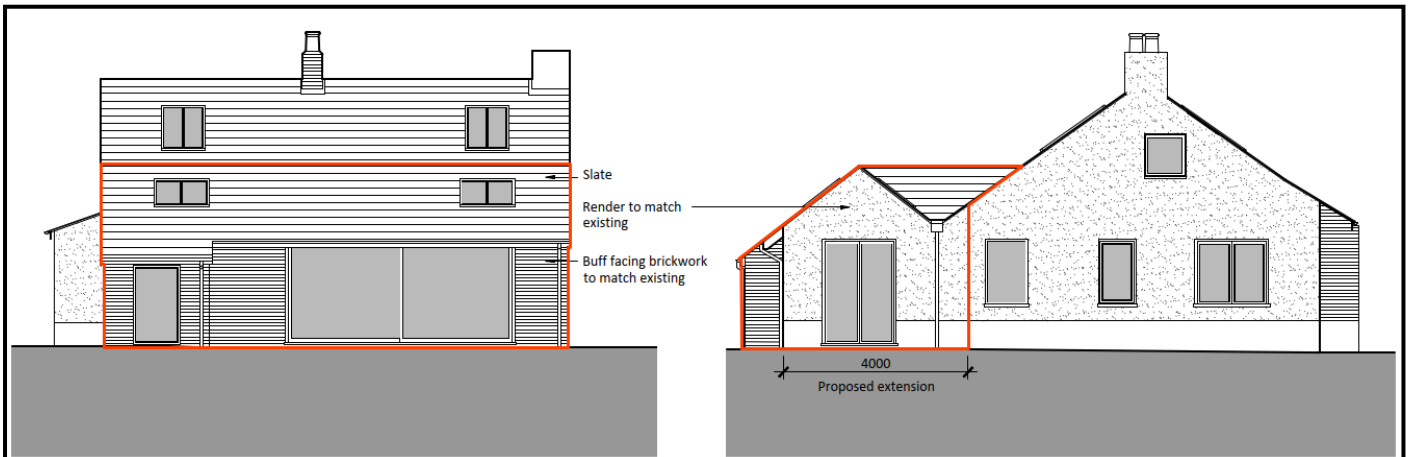
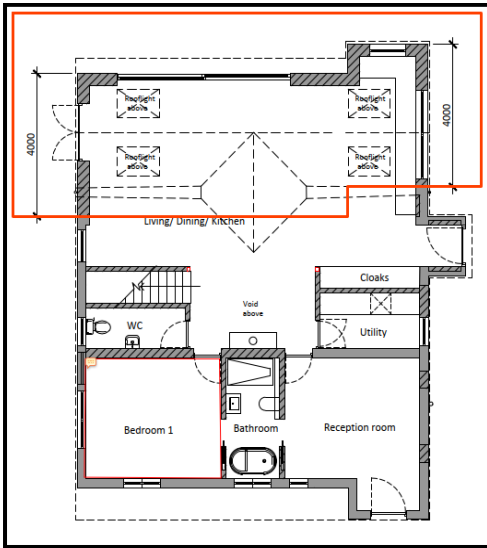
However, in considering whether the additions would be disproportionate to the existing dwellinghouse, a visual assessment is necessary in combination with the floorspace data.

It is important to note here that the site has a Lawful Development Certificate for '*erection of 2no. single storey rear extensions.*' under planning ref 20240114.

The permitted plans are shown as follows (Single storey rear elements only):



In comparison the proposed plans are shown as follows:



As can be seen, the proposed plans would be similar to the permitted extensions except that the two rear extensions would form a single joined structure and there would be variation in the rooflights proposed to the single storey extension.

Some effort has been made to ensure the roof would be similar to the existing, however, it would not be cohesive with the main dwellinghouse in that the multi-gable elevation to the side would appear incongruent. However, the fallback position from the permitted Lawful Development Certificate cannot be denied. To the rear, the addition would be subservient, and it would not extend beyond either side elevation. Its visibility from the streetscene would be limited. The site visit photo below, shows how the set back and orientation of the dwellinghouse from the access, would limit the visibility of the rear extension.



In this instance, the proposed single storey rear extension would be subservient in scale and have a limited impact on the streetscene. Whilst the roof form would be undesirable in terms of its cohesiveness with the main dwellinghouse, the fallback position of the similar rear extensions permitted by Lawful Development Certificate would use the same roof type and use a similar scale and design.

Impact on Openness

Paragraph 142 of the NPPF (2023) 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.

Having established that the proposal is appropriate development in the Green Belt it is considered that the location of the extension and its encompassing scale and design, would result in neutral impact on the openness of the site as a whole, given its subordinate appearance. Therefore, there is no conflict with local or national planning policy, in this regard.

The proposed development would result in building which would not be disproportionate in scale and its design would not result in significant harm to the character of the area. As such, the scheme would comply with paragraph 135 and 154 of the NPPF (2023) and, Policy C13 of the Gravesham Local Plan First Review (1994) and Policy CS02 and CS19 of the Core Strategy Local Plan (2014).

National Landscape and Landscape Character Area

The site forms part of the Kent Downs National Landscape (formally AONB) and is in the Harvel Wooded Down Character Area.

Section 15 of the NPPF highlights the importance of conserving and enhancing the natural environment, one aspect of which is the protection and enhancement of valued landscapes. Policy CS12 of the Gravesham Local Plan Core Strategy (2014) states that the overall landscape character and valued landscapes within the Borough will be conserved, restored and enhanced and, that proposals will take account of the Gravesham Landscape Character Assessment.

Policy CS19 of the Core Strategy 2014 requires that new development is well designed and respects the character and appearance of surrounding area. This application is located in a rural area. Whilst there are some areas of built form, such as this existing dwellinghouse, the landscape of the area is overwhelmingly rural and open, without built form. The dwellinghouses which form part of this cluster, are largely single storey and have limited footprints. The majority of these dwellinghouses have been converted over time from holiday chalets to become permanent residences, hence their small scale, more appropriate for the rural countryside. This site in particular forms part of the Harvel Wooded Downs Landscape Character Area.

The Landscape Character Assessment described the modern development of the area as follows:

'In the mid 20th Century the land to the north of Harvel was divided into a multitude of small plots that has resulted in sporadic and piecemeal development. These plots are enclosed by a variety of boundaries including fencing, hedgerows and other materials, or defined by clearings in the woodland to create a haphazard mosaic of small-scale housing plots within the woodland. The style of properties is varied in terms of size, scale and style. Many plots accommodate derelict caravans adjacent to small brick bungalows. Security gates and fencing are dominant throughout the area. Many properties appear to have small adjoining paddocks accommodating a small amount of livestock and associated equipment.'

It continues to say:

'The uncharacteristic and sporadic settlement of small plots within coppice woodland is a dominant element within the area creating an incoherent landscape. There are many visual detractors, including derelict buildings and caravans, overgrown gardens, poor fencing, disjointed fencing materials and fly tipping. The visual unity is significantly interrupted, although the wooded nature of the area conceals much of the visual clutter from wider views.'

Given the harm caused to the landscape character from the areas of small plots such as the one referred to in this application, the condition of the landscape area is considered moderate and requiring a Conserve and Create approach, as noted in the Landscape Character Appraisal; 'The strong landscape elements within the Harvel Wooded Downs should be conserved, whilst design standards should be defined to halt the erosion of the area with inappropriate development.' Of particular relevance, the Landscape Character Assessment provides the following guidance to 'halt the erosion of the area with inappropriate development.':

- Conserve and maintain traditional and distinct buildings, materials and elements.
- Resist proposals that introduce inappropriate designs and materials.
- Improve and soften new development using characteristic landscape elements such as woodland blocks and hedgerows.
- Conserve enclosure of settlements within wooded areas.

In this instance, as has already been ascertained, the proposed development would result in the increase in built form to this plot. However, given its design and wider context, it is considered visually appropriate and proportional to the character of the area.

Overall and on this basis, the proposal would comply with the requirements of Policy CS02 and CS19 of the Gravesham Core Strategy 2014, Policy C13 of the Gravesham Local Plan 1994 and Section 13 of the NPPF (2023).

Amenity of Future Occupiers

The NPPF (2023) states that planning decisions should aim to secure a high standard of amenity for all existing and future users. The impact on amenity is also considered with regard to the criteria with Policy CS19 of the Core Strategy, 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 impact on neighbours will be assessed in the next section of the report.

The proposed single storey rear extension would result in an open plan Living, Dining and Kitchen Area with an internal floor area of 60.4m². The floor area of the first-floor elements shown in the proposed have not been calculated as these elements are not included in the description of the works and would not be consented as part of this application, if approved. The proposed external amenity space would be adequate, given the large plot on which the building is located.

Neighbouring Amenity

As outlined above, it is important that any development safeguards the amenity of neighbouring properties and land. Following a period of consultation with neighbouring properties, no objection to the proposal was received.

The building as proposed would be 12.8m away from the neighbouring property closest, to the north. The proposed position, scale and design of the proposed extension would not result in an increased impact on the residential amenity of neighbouring properties.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014.

Ecology

Initially when consulted, KCC Ecology requested additional photographs, which were provided by the planning agent. They noted that it appeared that vegetation removal had taken place and that any enhancement plans would need to consider losses to habitats and the biodiversity net gain would be based on the habitats present on the site, prior to any vegetation clearance works. They have not objected, subject to conditions covering; Precautionary Working Measures, Lighting and Biodiversity Enhancements.

Therefore, the development would comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 185 and 186) of the National Planning Policy Framework 2023 and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

Any Other Material Planning Considerations

Agreement for imposition of pre-commencement condition(s) - In accordance with The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 and paragraph 36 of the Planning Practice Guidance the Local Planning Authority has agreed in writing with the applicant on 21 June 2024 to the inclusion of the following pre-commencement conditions.

Condition 4 - Tree and Hedgerow Protection Measures.

Conclusion & Recommendation

The proposed development complies with all relevant national and local planning policies subject to details reserved by planning condition. The recommendation is therefore to approve the application.

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

Case Officer:	Mrs Lisa Fisher	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	20th June 2024	Dated:	26 June 2024