



Delegated Report

Householder Planning Application

Planning Application No: 20220951

Location: Davenpen Forge Lane Shorne Gravesend

Description: Installation of solar panels onto garage roof.

Applicant: Mr Mark Donovan

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Planning Application Form;
Heritage Statement;
Drawing No. 01 – Plans & Elevations As Existing;
Drawing No. 02 – Plans & Elevations As Proposed;
Drawing No. 03 – Site Location Plan; and
Drawing No. 04A – Block Plans As Existing & As Proposed.

Relevant Planning History

Reference	Description	Decision	Decision Date
20120122	Application for approval of condition 3 attached to planning permission reference number 20110787 relating to the material samples.	Approval of Details	20.03.2012
20120079	Conversion of existing double garage to provide granny annexe comprising living room, hall, w.c./cloakroom with bedroom and bathroom at first floor level incorporating the infilling of the ground floor passageway linking to the main dwelling and construction of a dormer extension in the rear roof slope	Permission	02.04.2012
20110788	Conversion of existing double garage to provide granny annexe comprising living room, hall, w.c./cloakroom with bedroom and bathroom at first floor level incorporating the infilling of the ground floor passageway linking to the main dwelling, construction of a dormer extension in the rear roof slope and erection of a single storey front extension.	Refused	07.11.2011
20110787	Erection of detached double garage at the rear.	Permission	16.11.2011
20030098	**REVISED PLANS** Conversion of attached garage into living room; construction of dormer extension in rear roof slope; conversion of roof space into an enlarged bedroom Permitted Erection of a single storey front extension to form a w.c.	Split	09.05.2003

	and enlarged hall and erection of a detached double garage Refused		
19990208	Erection of a detached two storey dwelling with detached double garage at the side and alterations to the existing vehicular access onto Forge Lane to provide new vehicular access road to St. Katherine's Cottages, Little St. Katherine's and the new dwelling.	Refused	24.06.1999

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
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- TC3 – Development Affecting Conservation Areas

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
- 14 – Meeting the challenge of climate change, flooding and coastal change
- 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);
- KCC Solar Policy Position Statement (August 2014);
- Shorne Conservation Area Appraisal (2017); and
- Gravesham Landscape Character Assessment (2009).

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The Council has a statutory requirement under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a statutory duty in considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Consultations, Publicity and Representations

Consultees

KCC – Biodiversity

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos and biological records) and the information submitted with the planning application, we advise that the proposed development has limited potential to result in ecological impacts and as such we are satisfied that there is no requirement for an ecological survey to be carried out.

We have taken this view because the photos within the Heritage Statement suggest that the garage is in good condition which limits the potential of the garage to be used by roosting bats.

Shorne Parish Council

This property, which has extensive grounds, lies within the Shorne Village Conservation Area.

The house itself is a modern building fronting Forge Lane, the garage lies some way to the rear of the house, at a lower level.

The property is situated close to buildings of historical interest but the Parish Council considers that the proposed design is not likely to result in significant impact on the historic buildings or on the wider landscape.

GBC – Conservation Officer

No comments received.

Neighbouring properties

Consultation was by way of displaying of a site notice, press notice and letters sent to four surrounding properties with an overall expiry date of 31st October 2022. No comments have been received.

Officer's Analysis

Proposal

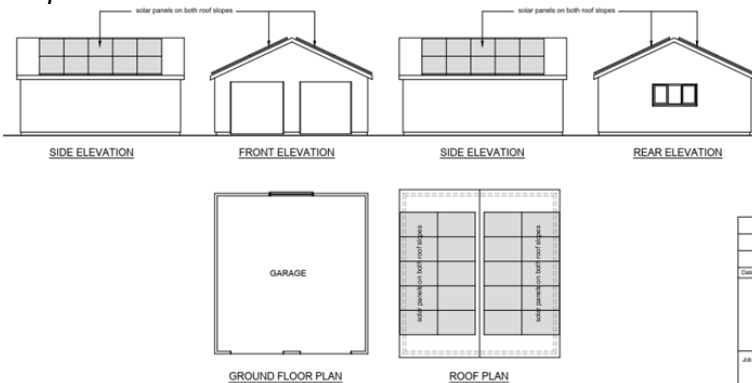
This application seeks permission for the installation of a 10no. 1000 x 1700mm panels on each roof slope of the existing garage.

The panels would not be installed above the highest part of the roof and would project no more than 200mm from the roof slope. The panel frames would have a black finish.

Location of Garage and Proposed Location of Panels



Proposed Elevations and Roof Plan



Proposed Panels



Site Description and Surroundings

The application site is defined on the Gravesham Local Plan Core Strategy 2014 Policies Map as lying within the rural area of Shorne, within the Green Belt and within the Shorne Conservation Area. The application site shares a landscape character area boundary with Shorne Woodland Landscape Character Area and the Higham Arable Farmlands Landscape Character Area, with the associated property and the detached garage to which this application relates, falling within the latter.

The application relates to the detached garage which is located to the rear of the host dwelling and within the residential curtilage of Davenport. Due to the set back nature and the surrounding properties, views of the garage from Forge Lane are only afforded when directly in front of the property. Due to the elevated position of the property and garage, some views may be afforded from the open fields to the north and west of the site.

Streetscene



Satellite View



The proposed panels would be located on the existing roofslope which is black slate. The panels would be framed finished in black.

The main issues for consideration in the determination of this application are as follows:

- the principle of development in the Green Belt, including appropriateness and the effect on openness;
- the design of the proposed solar panels and the impact on the character and appearance of the conservation area;
- the effect of the proposal on the amenities of existing neighbouring properties;
- parking and highways; and
- other material considerations – very special circumstances.

Principle of Development in the Green Belt

The application site is located in the Green Belt. Policy CS02 of the Core Strategy 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 Core Strategy 2014.

Green Belts are of great importance. The fundamental aim of Green Belt policy is to prevent urban sprawl by preserving the open and permanent characteristics of Green Belts (paragraph 137 of the NPPF 2021). 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. 'Very special circumstances' will not exist 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.

With regards to renewable energy projects in the Green Belt, paragraph 151 of the NPPF 2021 is most relevant. This states that elements of many renewable energy projects will comprise inappropriate development, and this is the starting point for considering the application proposal. In such cases, developers will need to demonstrate very special circumstances if projects are to proceed, which may include wider environmental benefits.

As the proposal comprises an inappropriate development in the Green Belt, the effect of the proposal on the openness of, and purposes of including the land within, the Green Belt must be considered.

Openness and Purposes

As stated above, 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 2019 on Green Belts looks to assess the impact of a proposal on the openness of the Green Belt by taking the following into account:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remendability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.

In this case, the application site would appear to be within the residential curtilage of Davenpen. The panels would be located on both roofslopes of an existing detached garage located to the rear of the property. The installation of 20 solar panels on an existing roofslope would not reduce the current

openness of the site and being set within the residential curtilage of the property would not represent an encroachment of development into the countryside.

On this basis, it is considered that the proposal would not result in detrimental impact on openness and would not result in urban sprawl within the Green Belt.

Character and Appearance of Surrounding Area

Davenpen is a detached single residential dwelling located on Forge Lane within residential dwellings either side. It benefits from an existing single storey detached double garage with black slate style pitch roof. The proposed solar panels would be located on the existing roofslopes. Whilst the property is located within the Shorne Conservation Area, the garage is set back from the main road with views not being afforded from the wider streetscene.

The site falls within the Shorne Woodland Landscape Character Area and the Higham Arable Farmlands Landscape Character Area, of which a key characteristic is its very gently undulating topography and open arable farmland. The majority of the area surrounding the application site reflects this character, consisting of open fields and wooded and hedgerow edges. With regard to the impact on the landscape, Policy CS12 of the Gravesham Core Strategy 2014 is relevant to this application, relating to green infrastructure. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment (LCA) 2009 will be taken into account in determining applications.

Paragraph 130 of the NPPF 2021 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The site for the proposed solar panels sits within the residential curtilage and is obscured from wider views by the surrounding dwellings. The proposed solar array would sit on the existing roofslopes of the garage and would be similar in colour to the rooftiles.

The garage is located to the rear of the property and as such some views maybe afforded from the open fields to the rear. However due to the location on the existing building and roofslope, visibility of the site from a public vantage point would be negligible given the existence of the site boundaries and surrounding buildings.

There are no other such similar installations in the wider area, and therefore no cumulative impact would result from the proposal.

Overall, whilst the proposed solar panels would appear out of place within the wider landscape, the visual impact of the proposal would be limited and localised. In addition, the panels are located on an existing roof and finished in similar colour to the rooftiles. On this basis, whilst there is some conflict with the conservation requirements of Policy CS12 of the Local Plan, it is not considered that this is significant enough to justify a refusal on the basis of the harm to the character and appearance of the area.

Taking into account the above, it is considered the proposal would not represent a significant change in the character and appearance of the site, and would not therefore result in any significant adverse visual impact on landscape character or the Shorne Conservation Area. It must also be considered that solar panels are not permanent (indeed, they have a warranty of 25 years), and could be removed, and the area of the site could revert back. There are no significant activity levels related to the presence of solar panels.

These factors together limit the impact on the landscape and heritage of the site and area and indeed, on openness. The proposal is considered acceptable, and would comply with the overall aims of Policies CS12, CS19 and CS20 of the Core Strategy 2014, and paragraphs 130, 174 and 197 of the NPPF 2021.

Residential Amenity

The NPPF 2021 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, 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.

Future Occupiers

There is no conflict with Policy CS19 of the Core Strategy 2014 in respect of the living conditions for future occupants of the dwelling.

Neighbouring Properties

The detached garage and thus the solar panels are set approximately 22.6m from the nearest residential property on the existing roofslope. Due to the distances to surrounding properties and the existing boundaries, it is considered that there would be no detrimental impact to the surrounding properties. Furthermore, no objections have been received.

Overall, the proposal would comply with Policy CS19 of the Core Strategy 2014.

Parking and Highways

The parking requirements for the property would be unaffected as a result of the proposal. There would therefore be no conflict with Saved Policy T1 of the Local Plan 1994 and Policies CS11 and CS19 of the Core Strategy 2014.

Other Material Planning Considerations

The provision of renewable and low carbon energy is central to the economic, social and environmental dimensions of sustainable development set out in the NPPF 2021. There is strong national policy support for the development of renewable energy sources, including solar power, to ensure the country has a secure energy supply, and to reduce greenhouse gas emissions. Although the scheme is modest in size, paragraph 158(a) of the Framework confirms that even 'small-scale projects provide a valuable contribution to cutting greenhouse gas emissions'. Moreover, it is not necessary for the appellant to demonstrate the overall need for the proposal.

Paragraph 158(b) of the NPPF 2021 states that when determining applications for such development, local planning authorities should approve the application if its impacts are (or can be) made acceptable.

Policy CS18 of the Core Strategy 2014 also seeks to reduce the overall carbon footprint of the Borough, and supports stand-alone renewable energy development where it is compatible with national policies for protecting the Green Belt and policies in the Core Strategy.

KCC also produced a Solar Policy Position Statement in 2014 in relation to large-scale solar arrays. In summary, it is supportive in principle of the installation of renewable and low carbon energy generation technologies. In Section 3 (Green Belt), it states that very special circumstances will need to be demonstrated before such proposals can be supported, and arguments in favour will need to be weighed against the harm to the Green Belt.

In June 2019, this Council declared a climate emergency which commits the Council to taking a lead in achieving Carbon Neutral status. As acknowledged by the Council and its Climate Change strategy, Climate Change is a reality and over the course of the Over the course of the last 250 years, the actions of humanity have increased carbon dioxide emissions by more than 30%, resulting in higher temperatures and changing the world we live in. Without taking action now, the impact will be devastating.

Given the above policy support, the renewable energy benefits of the proposal should be given substantial weight.

Conclusion and Overall Balancing Exercise

The proposed development would be an appropriate development in the Green Belt due to there being no encroachment or loss of openness arising from the proposal.

Furthermore, the harm to the character and appearance of the area from the proposal is considered to be limited and localised, and given the nature of the proposal and the remediable aspects of it, such harm is not considered to be substantial enough to warrant a refusal on this basis.

Paragraph 151 of the NPPF 2021, very special circumstances must be demonstrated if renewable energy projects in the Green Belt are to proceed. These include the wider environmental benefits associated with increased production of energy from renewable sources. Although modest in scale, the proposed solar panels would make a valuable contribution to cutting greenhouse gas emissions, and this should be afforded significant weight.

Paragraph 158 of the NPPF 2021 goes on to state that renewable energy applications should be approved if their impacts are, or can be, made acceptable. Given the existing built form including the structures within the site and the existing boundaries, it is considered that the location of the panels are acceptable. Furthermore, a condition to require their removal as and when they are no longer needed can be used to ensure the condition of the land would be restored to its former state.

The environmental benefits of the proposal and the acceptability of the impact on the character and appearance of the area and the Shorne Conservation Area, together with the proposal being considered to amount to the very special circumstances required to justify the proposal in line with the requirements of paragraph 148 of the NPPF 2021 and Policy CS02 of the Core Strategy 2014.

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

Case Officer:	Mrs Amanda Grout	Team Leader:	Richard Hart
Signed:	<i>A Grout</i>	Signed:	<i>R Hart</i>
Dated:	4 th November 2022	Dated:	7th December 2022