



Delegated Report

Full Planning Application

Application No:	20240462
Location:	The Oaks, Ridge Lane, Meopham, Gravesend, Kent, DA13 0DP
Description:	Demolition of existing dwelling and erection of a self build 3 bedroom property.
Applicant:	Mr & Mrs Higgins
Site Visit:	22 July 2024

Submitted Documents/Plans

The application comprises the following documents and plans:

- Application Form – dated 06 June 2024
- Gravesham Borough Council – Self-Build Form
- Design and Access Statement by AK Studios
- Drawing no. PL001 – Site Location Plan (scale – 1:1250)
- Drawing no. PL003 – Existing Block Plan (scale – 1:200)
- Drawing no. PL004 – Existing Plans and Elevations
- Drawing no. PL005 – Proposed Block Plan (scale – 1:200)
- Drawing no. PL006 – Proposed Plans and Sections (AA and BB)
- Drawing no. PL007 – Proposed Elevations
- Drawing no. PL008 – Proposed Section CC

Relevant Planning History

No relevant planning history.

Development Plan

Gravesham Local Plan Core Strategy (LPCS) (September 2014):

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

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

- P3 - Vehicle Parking Standards
- C12 - Replacement 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.

Other material considerations

National Planning Policy Framework (NPPF) (2023)

- Section 2 - Achieving Sustainable Development
- Section 12 - Achieving Well-Designed 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)
- Gravesham Householder Extensions/Alterations Design Guidance (SPD) (2021)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Internal consultees

Local Ward Councillors – No comment received.

External consultees

Meopham Parish Council – No comment received.

Neighbouring properties

A notice was displayed on site 14 June 2024.

In addition, ten surrounding properties were consulted and no representations were received. The consultation period expired 05 July 2024.

Analysis

Site Description

The Oaks is a modest one bedroom chalet bungalow located to the north-west of Ridge Lane. The property is accessed by a track to the north of Maple Lodge and is in a densely wooded part of the valley, not visible from the highway.



The property benefits from a detached garage and a driveway.

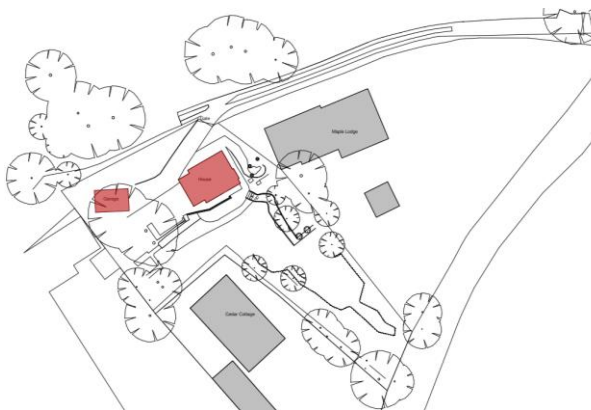
Proposed Development

This application seeks planning permission for the demolition of the existing chalet and the erection of a new replacement dwelling. The replacement dwelling would be a chalet style bungalow, with a more contemporary and modern design.

Existing



Proposed



The dwelling would have an overall height of 6.5m, with an eave height of 2.85m, with a gambrel roof design. It would measure 8.88m deep and 9.55m wide, and have front gable roof projections

in the front and rear elevations at varied heights.

Green Belt

The application site is located in the Green Belt and as such Policy CS02 of the Gravesham Local Plan Core Strategy (LPCS) (2014) is relevant. Development in the urban area is prioritised as the sustainable location for development. In the rural area, Policy CS02 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, i.e. in the Green Belt, will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS.

There are five principle issues in determining this application;

1. Is the proposed development appropriate in the Green Belt?
2. The effect of the proposal on the openness of the Green Belt;
3. Any very special circumstances?
4. Impact on the Landscape;
5. The effect on the character and appearance of the area; and
6. Other matters.

1. Is the proposed development appropriate in the Green Belt?

Replacement Dwelling

There are strict policy considerations within the Green Belt whereby paragraph 152 of the National Planning Policy Framework (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 153 goes on to say that very special circumstances 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. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless it falls within the specified exceptions. The relevant exception to consider for this application is part d of paragraph 154 of the NPPF (2023), which states that it may be acceptable to replace a building, provided the new building is in the same use and not materially larger than the one it replaces.

The table below compares the floor area of the original dwelling to the proposed replacement dwelling.

	Original Dwelling	Proposed Dwelling	% increase
Footprint (m ²)	45m ²	73.5m ²	63.3%

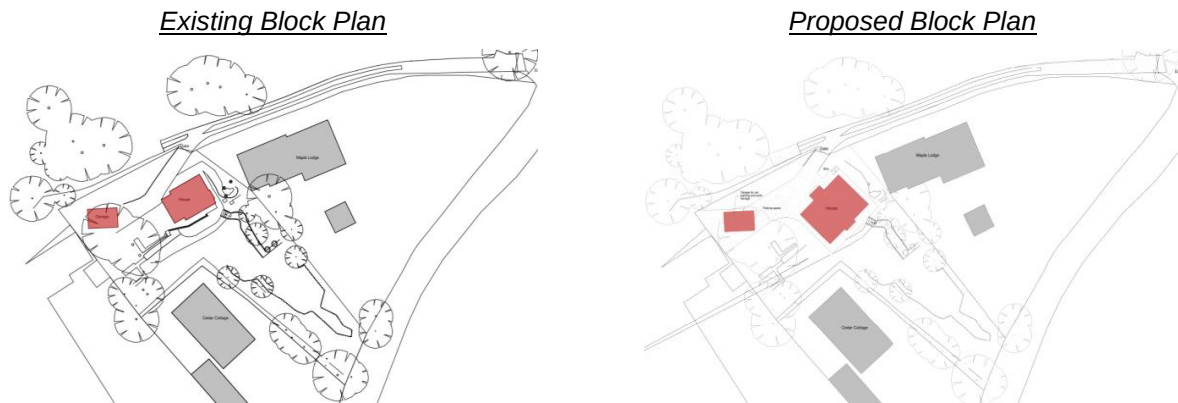
As demonstrated above, the proposed dwelling would result in an increase above the existing footprint of the dwelling by 63.3%. Saved Policy C12 of the Gravesham's Local Plan First Review (LPFR) (1994) relates to replacement dwellings in the countryside. This states that there will be a strong presumption against allowing the replacement of existing dwellings, which will only be set aside if the listed criteria are met. Criteria (iii) states that the 'replacement dwelling must be of similar scale and mass to the existing dwelling and must be no larger than the existing dwelling, unless it can be demonstrated that modest enlargement is required to allow the provision of essential basic amenities such as a bathroom, toilet or kitchen, which currently do not exist or are clearly inadequate or to meet the special needs of the occupants'.

The proposed replacement dwelling is larger than the existing dwelling, however consideration should be given to increases in development as set out under saved policy C13 (LPFR). Saved policy C13 (LPFR) allows a one third limit increase on extensions to properties within the Green Belt and therefore an increase in footprint by 63.3% above the existing footprint is considered to be a disproportionate increase above the original dwelling. Therefore, the replacement dwelling is considered contrary to saved policy C12 (LPFR) and paragraph 153 of the NPPF (2023).

2. *The effect of the proposal on the openness of the Green Belt*

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.

The openness of the Green Belt has both spatial and visual aspects, and any new built form of development is harmful to its open character. The proposed dwelling would be positioned in a similar part of the site, with the original property demolished and the garage retained in its existing position (as demonstrated in the images below):



In relation to the spatial aspect to openness it is necessary to compare the mass of existing and proposed developments. It is clear from the images that the scale of the built form would increase and the new dwelling would be materially larger than the existing dwelling. Therefore, in spatial terms the new dwelling would have a material impact on the Green Belt.

In visual terms, the new chalet dwelling will be larger and taller than the existing building and therefore would have an increased impact on openness. However, the proposed dwelling has been designed to reduce visual bulk, with a gambrel roof, low eaves and hips to the roof. Moreover, the dwelling is a back land site with minimal visibility and well screened from view which serves to reduce the overall impact on the visual openness. Therefore, on balance, the proposed dwelling is considered to have minimal impact on the visual openness.

Overall, the proposal would have a greater impact spatially on the openness of the Green Belt than the existing development and would not therefore satisfy paragraph 142 of the NPPF (2023). As such, the proposal would amount to inappropriate development, which is harmful to the openness of the Green Belt.

Reference back to paragraphs 152 and 153 of the NPPF (2023) informs us that inappropriate development in the Green Belt should not be approved except in very special circumstances and that very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Whether the development causes any other harm and whether there are any other relevant considerations to balance the overall planning argument, should now be considered.

3. *Very special circumstances*

No specific arguments have been put forward by the applicant in relation to the assessment of 'very special circumstances'. However, the design and access statement highlights that the existing building has been redundant for many years, although this claim is not supported by any evidence and the property could function as a one bedroom dwelling. Therefore, this argument is not considered to be a very special circumstance.

4. *Impact on the Landscape*

In addition to being within the Green Belt, the site is located within the Harvel Wooded Downs Landscape Character Area. This area is characterised by varied topography, ancient wood and haphazard mosaic resident plots and small holdings. The style of properties is varied in terms of scale and style, with many plots being derelict caravans and small brick bungalows.

The Landscape Character Assessment (2009) continues to state that incongruous elements within the area involve replacing more traditional features through to modernisation of vernacular buildings. This is continued in the guidelines which set out how to conserve strong elements and "halt the erosion of the area with inappropriate development", and include the following points:

- Conserve and maintain traditional and distinct buildings, materials and elements;
- Assess development proposals through the area to modify variety in building styles and materials;
- Resist proposals that introduce inappropriate designs and materials.

Policy CS12 (LPCS) seeks to protect the Green infrastructure within the Borough and states at 5.7.26 the overall landscape character and valued landscapes will be conserved, restored and enhanced.

The development is not considered to impact on the landscape as the property is located in a wooded and relatively well-developed area, is well-designed and, subject to conditions, will be finished in appropriate materials. Therefore, the proposal accords with Policy CS12 (LPCS) and safeguards the quality of the Harvel Wooded Downs Landscape Character Area.

5. *The effect on the character and appearance of the area*

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well-designed and beautiful places) of the NPPF (2023) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

Gravesham's newly published Householder Extensions/Alterations Design Guidance SPD (2021) set out key principles for developments. Generally, the SPD highlights the importance of new development complimenting and corresponding to existing character and the wider context. In this case, the rural character of the area and other surrounding dwellings should be considered.

The surrounding properties on Ridge Lane and Valley Lane have a rural character and are predominantly chalet style bungalows, with varied size and appearance. These properties were originally single storey bungalows and many have been extended into chalet style properties. The proposed dwelling has adopted a similar characteristic, utilising a gambrel roof design with low eaves and dormers allowing for habitable rooms within the loft space. The design and access statement demonstrates that the design of the building takes reference from a number of other dwellings in the local area, and the overall design is considered to limit its impact on the landscape

and tie in with the prevailing character in the area. Therefore, the design of the dwelling is considered to be acceptable and the back land location of the site means that the property would not be overly visible from any public vantage point.

Overall, the development will not impact on the street scene and, if permission were forthcoming would be conditioned so that the material are agreed in writing prior to above ground works to ensure they are appropriate for the rural setting. Therefore, the proposal is in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

6. Other matters

Amenity of Future Occupiers

Policy CS19 (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines' (RLG) (2020). Moreover, on 25 March 2015 the Government issued a written ministerial statement, which introduced new technical housing standards in England and set out how these would be applied through planning policy. These standards came into effect on 1 October 2015.

The proposed dwelling has a gross floorspace of 114m². The Nationally Described Space Standards require a two storey, three bedroom, six person (maximum) dwelling to have a minimum floor area of 102m², and as such the dwelling would significantly exceed the minimum requirement of the NDSS.

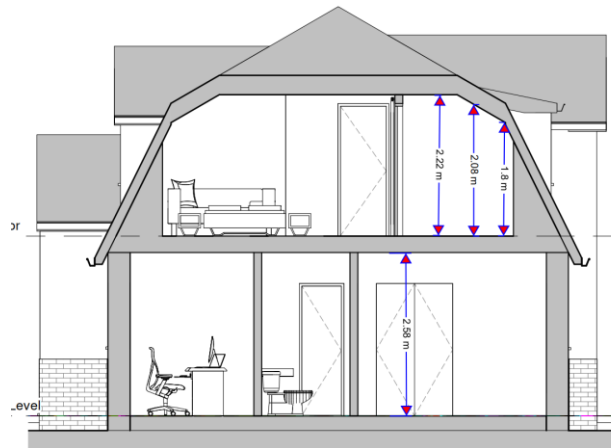
Notwithstanding this, Gravesham's RLG breaks down the measurements further, recommending minimum floor areas for specific rooms as shown in the table below. These recommended minimum floor areas have been compared to the proposed room sizes within the property:

	RLG (minimum floor area)	Proposed Room Size
Living/Diner	25.2m ²	29m ²
Kitchen	13.2m ²	10m ²
Study	N/A	7m ²
Shower room	3.6m ²	3m ²
Double Bedroom (x3)	11.5m ²	13m ²
		12m ²
		9m ²
Ensuite Bathroom	3.6m ²	6m ²
Bathroom	3.6m ²	4m ²

The table has been colour coded (green complies, red fails) to show which rooms within dwelling meet the guidance within the RLG. The table demonstrates that most of the rooms comply with the minimum floor area recommendations, with the exception of the kitchen, shower room and third bedroom. The undersized shower room is not considered to have an impact on amenity, by virtue of the RLG providing a floor area for a bathroom and a bath occupying a greater area than a shower basin. However, the kitchen and third bedroom would have a greater impact on amenity. The bedroom is shown to contain a double bed and would therefore be undersized. Similarly, a kitchen within a three bedroom dwelling should meet the minimum RLG requirement to provide a good quality living environment.

Further to the floor area calculations, the NDSS states that a minimum floor to ceiling height of

2.3m should be provided, for at least 75% of the internal area. The section drawings provided highlight that the ground floors of the building has a floor-ceiling height of 2.58m, however the first floor has a maximum height of 2.22m and would therefore not be usable space (as demonstrated in the screenshot below).



The first floor level equates to approx. 42% of the internal area of the building and as such the proposal does not achieve the target of 75% usable space achieving a height of 2.3m. Therefore, in addition to some rooms within the dwelling falling below the RLG minimums, the dwelling does not achieve acceptable floor-ceiling heights and the proposal is a cramped form of development, is substandard and would provide poor quality living environment for future occupiers.

In terms of amenity space, the proposed dwelling would have a garden space measuring a total area of 431m² and an overall depth of approx. 33m.

Overall, the proposed dwelling is a cramped form of development that fails to provide acceptable amenity for future occupiers by virtue of substandard living accommodation and unusable internal spaces contrary to Gravesham's Residential Layout Guidelines (2020) and the Nationally Described Space Standards (2015). Therefore, the development fails to safeguard the amenity of future occupiers and is contrary to Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

Neighbouring

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring properties and land and Section 12 of the NPPF (2023) requires development to have a high standard of amenity for existing users (in this case surrounding properties).

The proposed dwelling is to be located in the same position on the site, approx. 7.7m from the nearest dwelling to the south-west (Cedarwood). The proposal is a chalet bungalow with dormers and a central gable feature facing toward Cedarwood, which is a notable uplift in glazing facing the property. The boundary between the two properties is heavily screened by mature trees and the layout of Cedarwood means that the amenity space is located to the front of the dwelling. Therefore, the new windows would not significantly impact privacy and the first floor windows located on the western side serve bathrooms and would be obscure glazed, which also serves to mitigate any potential overlooking.

The distance between the proposed dwelling and Cedarwood, as well as the orientation of the two properties means that there would be no overshadowing impact, nor is there considered to be any loss of outlook or sense of enclosure as a result of the proposed development.

To the south of the application site, is the neighbour Maple Lodge. This property is approx. 4.1m from the proposed dwelling and is positioned close to the shared boundary. Similarly, the boundary between the two properties is screened by dense vegetation and tree coverage. The approved plans for the neighbouring (ref. 20040922) show that no windows face north towards The Oaks and therefore, there is not considered to be any overshadowing, loss of outlook or sense of enclosure impacts. In addition, there would be no direct overlooking into habitable windows and based on the orientation of the two buildings, the oblique angle would limit overlooking onto the private amenity space of residents of Maple Lodge.

Overall, the proposal is considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

Parking and Highways

There are no parking or highways issues relating to the proposed development. The plan provided shows that there would be a parking area on the site with space for at least two vehicles (on the driveway and in the garage), which is in accordance with Gravesham's adopted parking standards (SPG4) (2006) for a three bedroom property.

Biodiversity Net Gain

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

The application has been submitted with a self-build form, indicating that the applicant would undertake the building works themselves. The self-build of a development consisting of no more than 9 dwellings, on a site that has an area below 0.5 hectares and meets the definition of self-build housebuilding in section 1(A1) of the Self-build and Custom Housebuilding Act 2015, is an exemption to the BNG requirement.

The application seeks to construct a single dwelling on a site of 0.092716 hectares, and the construction of the dwelling is considered to meet the definition of self-build. Therefore, no additional information is required under Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 for BNG.

Conclusion:

The application has been fully considered and is contrary to local and national planning policy.

The proposed replacement dwelling is inappropriate development and would result in an adverse impact on the openness of the Green Belt, by virtue of being at a disproportionate scale and

increasing built form significantly above the original dwelling. As such, the proposal is contrary to the saved policy C12 of Gravesham's Local Plan First Review (1994) and Section 13 of the National Planning Policy Framework (2023).

The proposed dwelling is a cramped form of development that fails to provide acceptable amenity for future occupiers by virtue of substandard living accommodation and unusable internal spaces contrary to Gravesham's Residential Layout Guidelines (SPG 2) (2020) and the Nationally Described Space Standards (2015). Therefore, the development fails to safeguard the amenity of future occupiers and is contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2023).

Recommendation:

Refusal

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

Case Officer:	Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	23 July 2024	Dated:	24 July 2024