

Planning and Heritage Statement

Siting of mobile home for residential use on land at Rabbits Corner, David Street, Harvel, Kent DA13 0BT

1. Rabbits Corner is a detached, small cottage in residential use, set within a large curtilage. The main dwelling, which fronts David Street, is Grade II listed. The primary access point is off Heron Hill, and this directly serves a relatively new residential building, a detached two-storey, 'granny annexe' of modern construction. This building, has only one bedroom, and was granted both planning permission and listed building consent in 2011.
2. Beyond the above building, both to its east, west and north is the cottage's garden. A shed and greenhouse lie close to the boundary with Bay Tree House.
3. The site lies within both the green belt and also the Kent North Downs National Landscape.

The proposal

4. It is proposed that a mobile home be erected close to the site's south-west boundary, beyond which lies the garden of 'Oak Trees'. Reference should be made to the proposed site layout (drawing no 1898:SK:A1:03)
5. The cottage, which has a floor area of approximately only 64 sqm, is currently occupied by [REDACTED]. The granny annexe is occupied by [REDACTED] and it is proposed that the mobile home be occupied by [REDACTED]. Accordingly, it is intended that the mobile home would have two bedrooms.
6. The arrangement would allow the family to look after, and administer care to [REDACTED].





7. The aerial photograph shows the cottage (annotated on the above site plan) set just off the junction of Heron Hill and David Street. It can be seen that the cottage is surrounded by heavy verdure. The detached 'granny annexe', which is externally clad, with dark-stained weatherboarded timber, is situated within the rear garden, some distance south-west of the cottage.

The listed building and its significance

8. The timber-framed, thatch-roofed, two-storey cottage is set within a large garden and retains its historic relationship with the open land nearby. It has a generally rural setting, which contributes to its significance as a heritage asset.
9. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
10. In this instance the significance of the listed building derives primarily from its age, and architectural interest as a rural vernacular dwelling of traditional materials and construction.

11. Paragraph 212 of the National Planning Policy Framework (NPPF) states that, when considering the significance of a designated heritage asset, great weight should be given to that asset's conservation. Significance can be harmed or lost through alteration of the heritage asset, or if its setting is affected, and in instances where harm is identified, the degree of such is a matter for the decision maker's assessment, and this must be given considerable weight.
12. The setting of a listed building refers to the surroundings in which the heritage asset is experienced, and alterations to curtilage buildings or the erection of structures can diminish the visual or functional relationship with the main building.

Planning history

13. The granny annexe, which involved the demolition of a then existing building that occupied a similar footprint, and its replacement, was granted planning permission under 20101027, subject to a s106 legal agreement, dated 10 June 2011, which obligated the property's owners to:
 - not to use the annexe for any purpose other than for use by the owner's family and their visitors; and
 - not to sell, part with, let or exchange part of the annexe as a separate dwelling from the site.
14. The planning permission was subsequently implemented in accordance with its terms and conditions. The annexe's footprint measures some 10.7m x 5.7m. It has an open-plan layout at ground floor level and contains a single bedroom in its roofspace.

Planning policies

15. Contemporary green belt policy and advice as to the protection of National Landscapes (formerly AONBs) are set out in the NPPF. More specific to this minor proposal the local development plan is the Gravesham Local Plan Core Strategy, which was adopted in 2014. Policy CS19 'Development and Design Principles' requires that new development is visually attractive, conserving and enhancing the character of the local, historic and natural environment. Emphasis is also placed on safeguarding amenity and privacy and ensuring the protection of daylight and sunlight entry.
16. Policy CS20 'Heritage and the Historic Environment' requires, in accordance, with section 16(2) of the LBCA, that special regard be had to the desirability of preserving the building, its setting, or any special architectural/historic features it possesses.

Assessment

17. It is accepted that the proposal would represent inappropriate within the green belt, for the purposes of the NPPF. Accordingly, very special circumstances need to be demonstrated in order to outweigh the fundamental policy objection.
18. However, the above aside, the mobile home would fall within the parameters of Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (GPDO) were it not that the mobile home would be set within the curtilage of a listed building.



19. On this basis, planning permission is required for the development. Listed building consent is also required for the erection of an outbuilding within the curtilage of a listed building if it is considered to affect the building's setting or character.
20. The intended siting is shown on drawing no 1898:SK:A1:03, and reference should be made to the elevational plans and internal layout indicated on drawing no 1898:SK:A1:04, and it has to be the case that there will be some degree of impact resulting.
21. The NPPF says that National Landscapes have the highest level of protection. It also makes the point that, inappropriate development within the green belt is, by definition, harmful thereto. Accordingly, this weighs strongly against the proposal.
22. However, as can be seen from the aerial photograph the site contains a number of mature trees which, along with the two-storey height granny annexe building, would tend to limit the effect on the green belt's openness.
23. Also, importantly, as it is not intended that the requirement for additional accommodation at the site would extend beyond the period of care required, the applicant is prepared to enter into a s106 agreement which, when this period is over, would necessitate the cessation of the use of the mobile home by named persons and also its removal from the land.
24. Accordingly, the proposal is merely a response to a short-term need and represents a temporary solution for such. On this basis, and in stipulating the persons occupying the mobile home, it is considered that very special circumstances can be demonstrated.
25. In terms of the listed building, having had special regard to the preservation of the building and its setting in accordance with the LBCA, and the great weight that should be given to the asset's conservation in accordance with the Framework, I consider that the designated heritage asset's character would be affected. However, any resultant harm is somewhat tempered by the siting of the granny annexe which is located closer to the cottage and also the site's heavy verdure.
26. The proposal does not conflict with the requirements of policy CS19, but would reasonably run contrary to the aims and objectives of policy CS20. However, the objection would be largely negated given the temporary nature of the development.
27. Taking all relevant factors into account it is requested that both planning permission – effectively for a time limited period - and listed building consent be granted for the proposed development, with the former subject to a s106 agreement to ensure the mobile home's removal at the earliest opportunity and, that it be occupied only by stated persons from the [REDACTED] family.
28. A draft legal agreement to this effect is provided alongside this application.

