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## SUMMARY REPORT

<b>Application Ref:</b>	20190265
<b>Site Address:</b>	The Barn East Court Farm Church Lane Gravesend DA12 2NL
<b>Application Description:</b>	Removal of stable building and outbuilding and replacement with an 8 bay domestic garage building with lift facility for double stacking of vehicles
<b>Applicant:</b>	Mr Harwinder Singh
<b>Agent:</b>	Mr Philip Graham, The Duncan And Graham Partnership
<b>Ward:</b>	Chalk Ward
<b>Parish:</b>	Non-Parish Area - Adjoining Parish is Shorne approx. 400m east
<b>Decision due date:</b>	24 May 2019
<b>Publicity expiry date:</b>	26 April 2019
<b>Decision Level:</b>	Planning Regulatory Board - 12 June 2019
<b>Reason for referral:</b>	At the request of Cllr Brian Sangha to enable Board Members to assess:  <ol style="list-style-type: none"><li>1. Whether or not the size and scale of the proposed garage is insensitive or over intensive development within the curtilage of the site.</li><li>2. The impact of the garage on the openness and character of the Green Belt; and</li><li>3. The impact of the garage on the visual amenity of near neighbours and nearby properties.</li></ol>
<b>Recommendation:</b>	REFUSAL on Green Belt grounds as being inappropriate development

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### **Summary of Reasons for Recommendation**

The application site is located on the east side of Church Lane Chalk, Gravesend.

The site is within the Green Belt and is part of an original farmstead within the former curtilage of East Court Manor (farmhouse) which is a Grade II listed building. 4 new dwellings have been created by the conversion of former agricultural buildings and which were curtilage listed buildings. The most recent conversion (Meadow Lodge) involved the use of an open barn intended as storage and garaging for the other dwelling units.

This proposal is for:

*Removal of stable building and outbuilding and replacement with an 8 bay domestic garage building with lift facility for double stacking of vehicles*

The construction of new buildings (paragraph 145 of the National Planning Policy Framework - NPPF) is considered to be 'inappropriate' development in the Green Belt except where this involves (amongst other things) the:

- 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; and
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

Domestic outbuildings, including garages, do not specifically fall within this list and it is therefore considered that the development is inappropriate development within the Green Belt.

The garage/outbuilding will have a suburbanising effect that will detract from the character and appearance of this rural location and further cause moderate harm the openness of the Green Belt, i.e. absence of built development.

The reasons set out in the applicants Design and Access Statement to justify the development do not sufficiently amount to very special circumstances to warrant setting aside the fact that this proposal would by definition cause harm to the Green Belt.

It is therefore recommended that the application be refused on Green Belt grounds as being inappropriate development contrary to national policy set out in Section 13 (Protecting Green Belt Land) of the National Planning Policy Framework and Policy CS02 of the Gravesham Local Plan Core Strategy (September 2014), saved policy C13 (vii) of the Gravesham Local Plan First Review and emerging Policy DM 6: Extensions, Replacement Buildings and Ancillary Development in the Green Belt of the Gravesham Site Allocations and Development Management Policies DPD (Regulation 18, Stage 1, Part 2 consultation draft – April 2018).

The proposed garage/outbuilding is not reasonably required to serve the needs of the dwelling and its scale, mass and height is not subordinate or subservient to the main building.

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## MAIN REPORT

### 1. Site Description

- 1.1 East Court Farm is located on the east side of Church Lane, Chalk and originally comprised a quadrangle of a number of redundant farm buildings adjacent to East Court Manor (Farmhouse) which is a Grade II listed building. The listing date was 23 January 1952 and the listing description is:

*An L-shaped C18 farmhouse, 2 storeys red brick. 3 windows facing west and 3 windows facing south. Hipped tiled roof with coved wooden cornice. Ground floor windows are 3-light sashes and have cambered heads. Unusual doorcase with pilasters, moulded surround set in the centre of these, projecting cornice over, rectangular fanlight and door of 6 moulded and fielded panels.*

- 1.2 The main barn on the east side of the site is a former oak framed threshing barn, which was unused over the last 20 or so years, other than for some low key storage, and consisted of 10 bays and dating possibly from the 1840's or even earlier. The barn was of feather edged weatherboarding with brick plinth and the roof was previously clad with fibre cement sheeting. To the south of the main barn there is a lower range of buildings and originally comprising an open 8 bay Wagon/Cart Lodge of brick with a plain tiled roof (which replaced modern concrete tiles), previously used for storage, and a stable and

Waggoner's accommodation which was also previously used for storage and had a partial first floor. It was originally painted brickwork with a concrete tiled roof. The stable and Waggoner's accommodation has been converted into a dwelling unit as part of a planning permission granted in 2005. The brickwork walls were restored and the roof re-clad with plain tiles.

- 1.3 The farm buildings including the threshing barn and cart lodge are considered as curtilage listed buildings.
- 1.4 A post war Dutch barn to the north of the stable and granary building and west of the threshing barn was removed a few years ago and the site was grassed and planted. Two single storey ranges of buildings to the north (one of brick and one of weather boarding) and immediately east of East Court Manor also remain but are used in connection with the farmhouse either for domestic purposes or for stabling of horses and these are in separate ownership, alongside the main listed farmhouse.
- 1.5 The farmstead is set within a scatter of development outside of the urban area to the east of Gravesend. Immediately to the south of the farmstead is East Court Oast which was converted into living accommodation in the 1980's. There are open fields and open countryside beyond the site to the east. To the north of the main barn there is a paddock of 3 hectares used for the grazing and exercising of horses and contains some stables.
- 1.6 Church Lane is a narrow rural lane with lighting that links Lower Higham Road with the A226 Rochester Road. There are no public footpaths within the vicinity of the site. The barn and other surrounding buildings are all within the Green Belt. It is outside the flood risk zone in the Environment Agency's flood maps.
- 1.7 The main threshing barn has now been converted into two dwellings (The Barn which comprises the northern half of the former barn building and The Granary, which comprises the southern half of the former agricultural building) following a planning permission and listed building consent granted in January 2017 (refs 20151207 and 20160336), and as subsequently amended, and with both dwellings now occupied.
- 1.8 The side barn/wagon lodge has also been converted into a further dwelling unit (under a planning permission and listed building consent (refs 20170820 and 20170821, as subsequently amended). This is also now occupied and named as Meadow Lodge
- 1.9 There is also a newly constructed vehicular access at the south side of the field/horse paddock and to the north of the converted barns and runs along the north side of the garden curtilage of the listed farmhouse (East Court Manor). This was originally a temporary construction access created in the horse paddock while the farm buildings were being converted although there was an original entrance gate into the field from Church Lane. A padel court enclosed by fencing has been built to the north of the main barn.

## **2. Planning History**

- 2.1 The planning history relating to the application site is as follows:

### Original applications for Change of Use

19920437: Change of use of barn to bulk storage in connection with a wholesale drinks business. Permitted 24.11.1992

20040447: Conversion of redundant farm buildings into 3 residential units and comprising:

conversion of southern-most building and insertion of part first floor to form a two storey, three bedroom unit with work area, domestic store, covered amenity space and covered parking spaces (for Unit 1) and covered parking spaces and garden store (for Unit 2); conversion of the eastern-most building and insertion of new first floor to form 2 two storey, three bedroom units each with studio work rooms at ground floor (Units 2 & 3); demolition of existing Dutch barn; construction of access drives and external parking spaces and formation of garden areas. Permitted 14.04.2005

20040448: Application for Listed Building Consent for alterations in connection with:- conversion of redundant farm buildings into 3 residential units and comprising: conversion of southern-most building and insertion of part first floor to form a two storey, three bedroom unit with work area, domestic store, covered amenity space and covered parking spaces (for Unit 1) and covered parking spaces and garden store (for Unit 2); conversion of the eastern-most building and insertion of new first floor to form 2 two storey, three bedroom units each with studio work rooms at ground floor (Units 2 & 3); demolition of existing Dutch barn; construction of access drives and external parking spaces and formation of garden areas. Permitted 14.04.2005

20110952: Application for minor material amendment to planning permission reference number 20040447 for conversion of 'cart shed' to residential use with amended access to same and units 2 and 3 via existing access to north of Eastcourt Manor. Application Withdrawn 13.08.2012

20110953: Application for Listed Building Consent for internal and external alterations in connection with a minor material amendment to Listed Building Consent reference number 20040448 for conversion of 'cart shed' to residential use with amended access to same and units 2 and 3 via existing access to north of Eastcourt Manor. Application Withdrawn 13.08.2012

20111109: Change of use of existing implement shed to a live work unit and formation of new access. Application Withdrawn 13.08.2012

20111110: Application for Listed Building Consent for internal and external alterations in connection with the change of use of the implement shed to a live work unit and formation of new access. Application Withdrawn 13.08.2012

20120631: Application for variation of conditions 2, 6, 7, 8, 9 (Part), 10 and 11 attached to planning permission reference number 20040447 for conversion of redundant farm building into 3 residential units in order to allow the occupation of part of the development prior to the whole development having been completed and to allow the submission of other details of the development including materials, joinery, surface treatments, external timbers, rainwater goods, vents and pipes and boundary treatments. Permitted 10.06.2013

20120632: Application for variation of conditions 2, 6, 7, 8, 9 (Part) 10 and 11 attached to Listed Building consent reference number 20040448 for conversion of redundant farm building into 3 residential units in order to allow the occupation of part of the development prior to the whole development having been completed and to allow the submission of other details of the development including materials, joinery, surface treatments, external timbers, rainwater goods, vents and pipes and boundary treatments. Permitted 10.06.2013

20120647: Application for the approval of conditions 20 and 26 of planning permission reference number 20040447 and Listed Building consent reference number 20040448 relating to the contaminated land assessment and bat and owl report for the whole development. (DUPLICATE APPLICATION) Application Withdrawn 03.08.2012

20120678: Application for approval of conditions 20, 22, 23 and 26 attached to planning permission reference number 20040447 relating to the contaminated land assessment, timber repair/replacement, landscaping/surface treatment (part) and the bat and owl survey. Approval of details 10.06.2013

20120679: Application for approval of conditions 20, 22, 23 and 26 attached to Listed Building Consent reference number 20040448 relating to the contaminated land assessment, timber repair/replacement, landscaping/surface treatment (part) and the bat and owl survey. Approval of details 10.06.2013

#### Recent Applications for the Conversion of the Main Barn

20151207: Conversion of the former threshing barn and insertion of new first floor to form 2 no. two storey three bedroom units each with studio work rooms at ground floor, provision of covered parking spaces and garden store within part of southern most barn and provision of external parking spaces and formation of garden areas in accordance with the plans and details permitted under reference 20040447 as subsequently amended and revised by application reference 20120631 with variations to allow the roof covering to be changed from thatch to clay plain tiles; revisions to the internal layout; amendments to the external alterations to the building including revisions to the entrance doors at the front and rear, the insertion of additional windows and doors and insertion of roof lights in the rear roof slope; revisions to and enlargement of the external garden spaces; and including the submission of details relating to external materials, joinery details, surface treatments, rainwater goods, boundary treatments and soft landscaping pursuant to the previous planning conditions. Permission 10 January 2017

20160336: Application for Listed Building Consent for alterations in connection with the conversion of the former threshing barn and insertion of new first floor to form 2 no. two storey three bedroom units each with studio work rooms at ground floor, provision of covered parking spaces and garden store within part of southern most barn and provision of external parking spaces and formation of garden areas in accordance with the plans and details granted consent under reference 20040448 as subsequently amended and revised by application reference 20120632 with variations to allow the roof covering to be changed from thatch to clay plain tiles; revisions to the internal layout; amendments to the external alterations to the building including revisions to the entrance doors at the front and rear, the insertion of additional windows and doors and insertion of rooflights in the rear roof slope; revisions to and enlargement of the external garden spaces; and including the submission of details relating to external materials, joinery details, surface treatments, rainwater goods, boundary treatments and soft landscaping pursuant to the previous planning conditions. Consent 10 January 2017

#### Subsequent Permissions/Approvals:

20170205: Application for approval of condition 4 attached to planning application reference number 20151207 relating details of the repairs to and replacement, where necessary, of the timber frame of the building. Approved 27.04.17

20170214: Formation of temporary site entrance for use during the conversion works. Permitted 25.05.17

20170581: Application for approval of condition 25 attached to planning permission reference number 20151207 relating details of a scheme or obligation to provide or contribute to mitigation measures to offset the potential impact of the recreational needs arising from the approved development on the integrity of the Thames Estuary and Marshes Special Protection Area (SPA) or Ramsar Site. Approved 22 September 2017

20170594: Application for variation of condition 2 attached to planning permission 20151207 for the conversion of the threshing barn into two dwellings etc., to allow the substitution of revised drawings for those approved showing revised internal alterations namely removal of original diagonal braces from first floor level down and omitting rebuilding of dwarf walls at ground floor level to the back aisle to the rear of the main frames and revised first floor support. Permitted 22 September 2017

20181087: Retention of existing temporary vehicular access and access driveway on a permanent basis including provision of fencing and gates, surfacing and landscaping works and bunding. Permission 13 December 2018

20190265: *This Application*

20190289: Erection of a relocated stable building comprising two loose boxes and tack room into the meadow area beyond the private garden area of The Granary, East Court Farm; construction of concrete hardstanding and use of meadow area for grazing/exercising of horses; variation of condition 24 of application ref 20151207 to allow the continued use of the stable building for keeping of horses rather than as domestic storage. *Currently Invalid Application*

#### Side Barn Permissions

20170820: Conversion of open fronted side barn (wagon lodge) linked to existing converted residential brick barn into a two bedroom dwelling including internal and external alterations; provision of external parking spaces and formation of garden area. Permitted 21 February 2018

20170821: Application for Listed Building Consent for the conversion of open fronted side barn (wagon lodge) linked to existing converted residential brick barn into a two bedroom dwelling including internal and external alterations; provision of external parking spaces and formation of garden area. Listed Building Consent granted 21 February 2018

#### Amendments to the Internal Layout of the Side Barns

20180376: Application for variation of condition 2 of planning application reference number 20170820 for conversion of open fronted side barn (wagon lodge) into a two bedroom dwelling to amend the proposed internal layout of the dwelling. Permitted 04 June 2018

20180377: Application for variation of condition 2 of listed building consent reference number 20170821 for conversion of open fronted side barn (wagon lodge) into a two bedroom dwelling to amend the proposed internal layout of the dwelling. Consent 31 May 2018

20180848: Application for variation of conditions 2 and 11 of planning permission reference number 20170820, as amended by 20180376, for conversion of open fronted side barn (wagon lodge) into a two bedroom dwelling; to allow the first floor loft space to be used for additional residential accommodation including two further bedrooms both with en-suite bathrooms and for storage, including amendment to ground floor layout; also including removal of one rooflight on the rear elevation and the making good of the roof slope, insertion of obscure glazing to three of the 4 remaining existing rooflights in the rear elevation and the provision of one additional conservation roof light in the front roof slope Permitted 18 October 2018

20180849: Application for Listed Building Consent for variation of conditions 2 and 11 of

listed building consent reference number 20170821, as amended by 20180377, for conversion of open fronted side barn (wagon lodge) into a two bedroom dwelling; to allow the first floor loft space to be used for additional residential accommodation including two further bedrooms both with en-suite bathrooms and for storage, including amendment to ground floor layout. Permitted 18<sup>th</sup> October 2018.

#### Applications to discharge planning conditions relating to the side barn

20180316: Application for the approval of conditions 5, 6, 7, 13, 14, 15 and 16 attached to planning permission reference no. 20170820 relating to details of any flues, vents or cover holes in the building including details of their design and colour, details of the front elevation and eaves/soffit of the setback of the proposed new inserted wall, external facing materials, hard and soft landscaping and surface treatments, boundary treatments and refuse storage. Approved 20.06.2018

20180577: Application for approval of condition 5, 6, 7, 13, 14, 15 and 16 attached to listed building consent reference number 20170821 relating to details of any flues, vents or cover holes in the building including details of their design and colour, details of the front elevation and eaves/soffit of the setback of the proposed new inserted wall, external facing materials, hard and soft landscaping and surface treatments, boundary treatments and refuse storage. Approved 20.06.2018

#### Applications for Padel Court

20180425: Construction of a Padel Court within the residential garden area and enclosed by glass panels surmounted by wire mesh panels and fencing consisting of posts and wire mesh varying from 3m-4m in height. Permitted 25 July 2018

20180426: Application for Listed Building Consent for the construction of a padel court within the residential garden area and enclosed by glass panels surmounted by wire mesh panels and fencing consisting of posts and wire mesh varying from 3m-4m in height. Permitted 25 July 2018

#### Applications for variation to conditions relating to the Threshing Barn (seeking approval as converted/as built)

20180374: Application for variation of conditions to planning permission reference number 20151207, as subsequently amended by 20170594, for conversion of The Threshing Barn into two dwellings etc., to allow the substitution of revised drawing (as built) for those approved, and being:

1. revisions to internal layout/partitions on ground and first floor to both units;
2. provision of storage/loft space to second floor;
3. amendment to floor levels;
4. extended paved areas to rear and side of both units;
5. revised landscaping/surface treatments to front;
6. domestic paraphernalia within private garden areas to both units and
7. provision/locations of external appendages including air conditioning units, flues, vents, lighting, cctv, tv/satellite antenna. Permitted 24.07.2018

20180375: Listed Building Consent for variation of condition's to listed building consent reference number 20160336, as subsequently amended by 20170594, for conversion of The Threshing Barn into two dwellings etc., to allow the substitution of revised drawing (as built) for those approved:

1. revisions to internal layout/partitions on ground and first floor to both units;
2. provision of storage/loft space to second floor;

3. amendment to floor levels;
4. extended paved areas to rear and side of both units;
5. revised landscaping/surface treatments to front;
6. domestic paraphernalia within private garden areas to both units and
7. provision/locations of external appendages including air conditioning units, flues, vents, lighting, CCTV, tv/satellite antenna. Permitted 24.07.2018

### **3. Proposal**

- 3.1 This planning application is for the following development proposal:

*Removal of stable building and outbuilding and replacement with an 8 bay domestic garage building with lift facility for double stacking of vehicles*

#### Submitted Drawings/Documents

- 3.2 The documents and plans supporting the application are as follows:

Application Form;  
Drawing No 15.040 74: Existing Location Plan;  
Drawing No 15.040 75: Existing Site Plan;  
Drawing No 15.040 72 Rev A: Proposed Garages Plan and Site Plan;  
Drawing No 15.040 75: Proposed Garage Elevations, Roof Plan and Block Plan;

Design and Access Statement by the Duncan and Graham Partnership dated March 2019;

### **4. Development Plan and other Relevant Planning Policies and Guidance**

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

- 4.2 The Development Plan for Gravesham therefore now comprises:-

- The Gravesham Local Plan Core Strategy (September 2014)
- Remaining Saved Policies of the Local Plan First Review (1994)
- Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016)

- 4.3 There are a number of other planning policy documents which are of some relevance to the consideration of planning applications and are material considerations, including national planning advice and guidance in the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), and supplementary planning guidance and where they exist neighbourhood plans. There are currently no relevant neighbourhood plans.

- 4.4 Previous decisions on planning applications and appeals relating to the site and relevant case law etc. are also capable of being material considerations.

- 4.5 In addition, the Council has recently published a Regulation 18 (stage 1) consultation on its proposed Site Allocations and Development Management Policies DPD, which will in due

course form part of and update the Gravesham local plan. Under paragraph 216 of the NPPF, policies in this document may be accorded weight in the decision making process with this varying according to its stage of preparation; the extent to which there are unresolved objections; and the degree of consistency of policy with those in the Framework.

- 4.6 As the Site Allocations and Development Management Policies DPD is at a very early stage and the fact that the consultation is still on-going, the policies therein should at this stage be given very limited weight. It should be noted, in any event, that many of the relevant policies reflect those set out in the Framework and for the purposes of this application these should be relied on instead.

*Gravesham Local Plan Core Strategy, September 2014*

- 4.7 The Core Strategy sets out the Council's spatial vision and strategic objectives for the Borough to 2028 and the policies which will deliver them. It identifies the main areas where major change is likely to take place and allocates sites which are key to achieving the strategy.

- 4.8 The development site is shown as being within a Green Belt area in the Gravesham Local Plan Policies Map.

- 4.9 The most relevant policies from the adopted Core Strategy in relation to this development are as follows:

Core Strategy Policy CS01: Sustainable Development  
Core Strategy Policy CS02: Scale and Distribution of Development  
Core Strategy Policy CS11: Transport  
Core Strategy Policy CS12: Green Infrastructure  
Core Strategy Policy CS18: Climate Change  
Core Strategy Policy CS19: Development and Design Principles  
Core Strategy Policy CS20: Heritage and the Historic Environment

- 4.10 Policy CS01 (Sustainable Development) sets out that support will be given to proposals that accord with the development plan. A positive approach to new development will be taken that reflects the presumption in favour of sustainable development set out in the NPPF and the Local Plan Core Strategy.
- 4.11 Policy CS02 (Scale and Distribution of Development) embeds national policy in relation to the Green Belt into the local plan, whilst identifying the urban area and rural settlements inset from the Green Belt as locations for development.
- 4.12 Policy CS11 (Transport) sets out that new developments should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel. Sufficient parking in new development will be provided in accordance with adopted parking standards reflecting the availability of alternative means of transport and accessibility to services and facilities.
- 4.13 Policy CS12 (Green Infrastructure) sets out that the overall landscape character and valued landscapes within the borough will be conserved and enhanced, with greatest weight being accorded the Kent Downs AONB. In other areas, the Gravesham Landscape Character Assessment and any relevant Cluster Study should be taken into account.

- 4.14 Policy CS18 (Climate Change) seeks to ensure that Water Framework Directive objectives are secured and that the impact of development on waste water drainage systems is minimised. Surface water run-off from all new development should, as a minimum, have no greater adverse impact than the existing use. It requires the use of Sustainable Drainage Systems where technically and financially feasible. It requires the water efficiency measures to be installed to achieve the equivalent of level 3/4 of the Code for Sustainable Homes (105 litres per person per day)<sup>1</sup>
- 4.15 Policy CS19 (Development and Design Principles) sets out detailed criteria against which the acceptability or otherwise of proposed development will be evaluated. In particular it requires new development to be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. It requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and avoid adverse environmental impacts from pollution. Proposals should include details of appropriate hard and soft landscaping, protect and where opportunities arise enhance biodiversity and provide appropriate facilities for the storage and disposal of waste.
- 4.16 Policy CS20 (Heritage and the Historic Environment) Strategic policy according a high priority toward the preservation, protection and enhancement of the borough's heritage and historic environment as a non-renewable resource. In accordance with national policy, the weight accorded a designated heritage asset's conservation value will vary having regard to the importance and significance of the asset and the degree of impact.

#### ***Gravesham Local Plan First Review 1994***

- 4.17 The Gravesham Local Plan First Review was originally adopted in November 1994.
- 4.18 A substantial number of policies of the Gravesham Local Plan First Review were saved by a Direction dated 25 September 2007 of the Secretary of State under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 as transitional arrangements pending adoption of the Core Strategy.
- 4.19 Saved policies contained in the Gravesham Local Plan First Review should still be accorded significant weight, albeit that the weight accorded should be greater where policies are consistent with the National Planning Policy Framework (NPPF, paragraph 215).
- 4.20 Those Local Plan First Review policies that remain in force are listed in Appendix 1 of the Local Plan Core Strategy. The remaining saved policies will be replaced following the adoption of the Site Allocations and Development Management Policies Development Plan Document.
- 4.21 The following remaining saved policies are relevant to the consideration of this development:

Policy TC2: Policy for Listed Buildings

Policy C11: Change of Use of Redundant Buildings in the Countryside

Policy C13: Policy for Extensions to Dwellings in the Countryside

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<sup>1</sup> Now equivalent to 110 litres per person per day as required by National Standard – see GBC Housing Standards Policy Statement (2015) at [http://www.gravesham.gov.uk/\\_\\_data/assets/pdf\\_file/0016/201625/Housing-Standards-Policy-Statement.pdf](http://www.gravesham.gov.uk/__data/assets/pdf_file/0016/201625/Housing-Standards-Policy-Statement.pdf)

Policy T1: Impact of Development on the Highway Network  
Policy T3: Development Not Well Related to the Primary and District Distributor Network  
Policy T4: Development outside the Built-Up Area  
Policy T5: New Accesses onto Highway Network  
Policy P3: Policy for Vehicle Parking Standards

- 4.22 Saved Policy TC2 (Listed Buildings) sets out that the primary consideration will be the preservation of the integrity of the Listed Building when considering development within its setting. Proposals should be sympathetic to the Listed Building in terms of massing, scale, appearance and materials. The policy not entirely consistent with that set out in the NPPF, which should take precedence.
- 4.23 Saved Policy C13 (Extensions to Dwellings in the Countryside) aside from setting out local plan policy in relation to domestic extensions, sets out that the Council will consider proposals for domestic garages and other outbuildings on their merits having regard to whether they are well designed, discreetly sited and subservient to the scale of the main dwelling on the plot. It should be noted that the policy is inconsistent with national policy in that NPPF paragraph 145 does not exempt domestic outbuildings from Green Belt policy as 'inappropriate development' where permission is required.
- 4.24 Saved Policy P3 indicates that development will be expected to make provision for vehicle parking in accordance with the KCC Vehicle Parking Standards.
- 4.25 Saved Policy T5 requires that the formation of new accesses or the intensification of use of existing accesses to the roads forming the highway network shown on the Proposals Map, will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to a standard acceptable to the Local Planning and Highway Authorities.

***Gravesham Local Plan Regulation 18 Stage 1 Consultation Part 2: Development Management Policies Document April 2018***

- 4.26 The following draft policies from the Regulation 18 (Stage 1) Site Allocations and Development Management Policies DPD (2018) are considered relevant to the consideration of this application, albeit the weight that may be accorded them is limited
- Proposed Policy DM 6: Extensions, Replacement Buildings and Ancillary Development in the Green Belt;
  - Policy DM28: Domestic Extensions, Outbuildings and other Development;
  - Policy DM42: Development Involving Heritage Assets – along with policy DM43 on Listed Buildings;

**Proposed Policy DM 6: Extensions, Replacement Buildings and Ancillary Development in the Green Belt**

The subtext to the policy in paragraphs 2.7.7 to 2.7.9 is as follows:

*The Council also recognises that residents who live in the Green Belt may wish to build ancillary outbuildings, such as garages, summerhouses and swimming pools, within the curtilage of their dwelling. Whilst some of these proposals can be built under permitted development rights, national policy does not recognise these as exceptions to Green Belt policy in the circumstances when planning permission is required*

*Where planning permission is required, the Council will treat such proposals as inappropriate development which must be justified by the demonstration of very special circumstances that clearly outweigh harm to the Green Belt and any other harm.*

*In determining whether a proposal is acceptable in terms of Green Belt policy, the Council will have regard to the need for the building, its function, size, and location on the site and whether any existing buildings could be used which negate the need for a new one. This will be weighed against any impact on the openness of the Green Belt and any conflict with the purposes of including land in it.*

In respect of ancillary development the above emerging policy states:

2.7.16. Proposals for ancillary domestic buildings requiring planning permission will only be allowed where the applicant can demonstrate very special circumstances that clearly outweigh harm to the Green Belt and any other harm.

2.7.17. The following will be taken into account in determining whether very special circumstances exist:

- a. the proposal should be reasonably required to serve the needs of the dwelling;
- b. there should be no other buildings on the site which could be re-used or adapted;
- c. their scale, mass and height should be subordinate to the main building;
- d. their size should be appropriate to their function;
- e. they should be discreetly located and not visually intrusive; and
- f. they should not be replacements for an outbuilding which has been re-used for an alternative residential use.

2.7.18. Ancillary domestic buildings will not be permitted outside the residential curtilage of the dwelling they are intended to serve, unless the land forms part of the same planning unit and there is no reasonable alternative location within the curtilage that would have a lesser impact on the Green Belt.

2.7.19. Ancillary domestic buildings capable of subsequent conversion to separate habitable dwellings due to scale, form and configuration will not be permitted.

In respect of replacement buildings the emerging policy states:

2.7.14. Proposals for the replacement of an existing building in the Green Belt will only be allowed where the new building is in the same use and will not result in a materially larger building unless justified by very special circumstances that clearly outweigh harm to the Green Belt and any other harm. The following will be taken into account in determining whether the proposal is materially larger:

- a. its footprint, floorspace, volume and height compared to the existing building; and
- b. its scale and mass compared to the existing building.

2.7.15. In addition to the above, Core Strategy Policy CS19 will apply in determining whether the design of any proposed replacement building is appropriate, having regard to the presence of existing development on the site, prominence, visual impact, and whether the building could be relocated within the site to have less impact on the Green Belt.

#### National Planning Policy Guidance

#### ***The National Planning Policy Framework (NPPF)***

- 4.27 The National Planning Policy Framework (NPPF) March 2012, and revised July 2018 and February 2019, has replaced all the national planning policy guidance (PPG's) and statements (PPS's) and is a material consideration.

- 4.28 At the heart of the NPPF is a presumption in favour of sustainable development (NPPF 2018 - paragraph 11) which means approving development proposals that accord with the development plan without delay and where there are no relevant development plan policies or where the policies are out of date planning permission should be granted unless policies of the Framework provide a clear reason for refusing the development such as where land is designated as Green Belt or any adverse impacts would so significantly and demonstrably outweigh the benefits or specific policies in the NPPF taken as a whole.
- 4.29 The NPPF includes (in paragraph 8) three overarching objectives to achieving sustainable development:
- An economic objective;
  - A social objective; and
  - An environmental objective.
- 4.30 Numerous sections of the NPPF are directly relevant to the consideration of this development. The following paragraphs are specifically highlighted as being of importance to the consideration of the development proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered. Reference to relevant parts of the NPPF are referred to in the analysis section of this report

Section 4, Paragraphs 38 - 58: Decision Making

Section 6, Paragraphs 80 - 84: Building a Strong, Competitive Economy

Section 9, Paragraphs 102 - 111: Promoting Sustainable Transport

Section 12, Paragraphs 124 - 132: Achieving well-designed places

Section 13, Paragraphs 133 - 147: Protecting Green Belt Land

Section 14, Paragraphs 148 - 169: Meeting the Challenge of Climate Change, Flooding and Coastal Change

Section 15, Paragraphs 170 - 183: Conserving and Enhancing the Natural Environment

Section 16, Paragraphs 184 - 202: Conserving and Enhancing the Historic Environment

### ***The National Planning Practice Guidance (NPPG)***

- 4.31 On the 6<sup>th</sup> of March 2014 a new web-based resource for Planning Practice Guidance was launched (<http://planningguidance.planningportal.gov.uk/>). It supports and clarifies areas in the NPPF and replaces a substantial list of guidance documents published from 1978-2013.
- 4.32 It contains guidance on assessing housing need; design; public consultation; open space provision in new development; travel plans, transport assessments and statements in decision-taking; health and wellbeing; water supply, wastewater and water quality; light pollution; determining a planning application; the use of planning conditions and viability, amongst other things.
- 4.33 The NPPG gives guidance on what is a material planning consideration in determining a planning application indicating that the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.
- 4.34 The NPPG includes more detailed advice on the use of planning conditions (replacing the cancelled Circular 11/95).

### Supplementary Planning Guidance and other Documents

- 4.35 The Council has adopted a number of Supplementary Planning Guidance documents, Development Briefs and Conservation Area Appraisals. These elaborate on saved policies

in the Gravesham Local Plan First Review and policies in the Gravesham Local Plan Core Strategy and are material considerations in determining planning applications.

- 4.36 In addition the Council has adopted a number of documents that have been produced by Kent County Council also as Supplementary Guidance.
- 4.37 The following documents are relevant to the consideration of this development:
- Kent Design Guide (SPG 5 published December 2005, adopted July 2006)
  - Adopted Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006)
  - Planning Policy for vehicular accesses to classified highways (SPG 6, November 1992)
  - Kent County Council Supplementary Planning Guidance SPG1: Landscape Character (adopted July 2006)
  - Gravesham Landscape Character Assessment, May 2009 (a technical document which underpins Local Plan Core Strategy Policy CS12).
- 4.38 The Gravesham Landscape Character Assessment (2009) identifies the application site as lying within the Higham Arable Farmlands Character Area.<sup>2</sup> The Shorne to Shore Green Cluster Study (2011) is also of relevance.<sup>3</sup>

## **5. Consultations, Publicity and Representations**

### ***Consultations***

- 5.1 The following consultations responses have been received.

GBC - Planning Policy Manager

- 5.2 Recommends refusal based on Green Belt grounds. Has not looked at the heritage issues or whether the garage would be within the residential curtilage of the house but I suspect that creates more issues for the applicant.

Shorne Parish Council

- 5.3 This application lies just outside the Parish Boundary but could have adverse visual and landscape impact on Parish areas. The Parish Council wishes to make the following comments about this proposal:

1. The proposal includes removal of a stable building and outbuilding, we are unclear about the age and historic value and nature of these buildings and what has been their use to date.
2. It is unclear whether the stable building is redundant or whether this application will lead to another stable building being required elsewhere on the property.
3. It is unclear whether the proposed location is presently part of the residential curtilage of the Barn and with residential rights or just adjacent land in the ownership of the applicant.

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<sup>2</sup>See [http://selfservice.gravesham.gov.uk:8081/webdocs/Environment%20and%20Planning/GLP/HER-01\\_Gravesham\\_Landscape\\_Character\\_Assessment\\_May\\_2009.pdf?\\_ga=2.62194724.948347563.1528288234-1881602276.1472724650](http://selfservice.gravesham.gov.uk:8081/webdocs/Environment%20and%20Planning/GLP/HER-01_Gravesham_Landscape_Character_Assessment_May_2009.pdf?_ga=2.62194724.948347563.1528288234-1881602276.1472724650)

<sup>3</sup> See [http://selfservice.gravesham.gov.uk:8081/webdocs/Environment%20and%20Planning/GLP/REG-03\\_Green\\_Cluster\\_Studies\\_Shorne\\_to\\_Shore\\_Technical\\_Report\\_January\\_2011.pdf?\\_ga=2.63768743.948347563.1528288234-1881602276.1472724650](http://selfservice.gravesham.gov.uk:8081/webdocs/Environment%20and%20Planning/GLP/REG-03_Green_Cluster_Studies_Shorne_to_Shore_Technical_Report_January_2011.pdf?_ga=2.63768743.948347563.1528288234-1881602276.1472724650)

4. The proposed site has another building immediately adjacent to the south, the present residential use of this needs to be taken into consideration.
5. The proposal will affect the setting of a listed building (East Court Manor).
6. The semi-detached barn conversions were permitted with the intention that the side barn to the south would provide domestic garaging. The applicant themselves chose to instead convert that building into another dwelling and now wants a non-domestic garage. While it might not be altogether unreasonable for a standard domestic garage to be added, that would be of standard height and size and probably only two bays or at most three in width.
7. What is proposed is a thickly walled building that measures approximately 29.5m long by 8m deep by 7m high. This compares closely to the converted barn itself which is 34m long by 9.5m deep (by 19m high), i.e. the proposed garage is almost as large in floor area as the very large residential double barn conversion itself.
8. The building will require a significant extent of hardstanding area (not shown clearly on the plans, unclear if already built) in order for vehicles to be manoeuvred plus parking an additional four collection cars is mentioned above the number of any domestic cars also routinely using the site.
9. It is assumed that cars are driven onto/off the site under their own power for storage rather than requiring specialist haulage. Such vehicle movements should be minimised.
10. Although increasing security is mentioned, aspects such as external lighting and possible light pollution are not covered. Collecting so many cars together in one building creates its own security risks.
11. It would be expected that part of the enjoyment of a home includes being able to undertake hobbies there, but generally personal hobbies do not require very large additional buildings or impact on neighbouring properties and the general landscape. We are uncertain as to the extent to which hobbies creating such needs require support within a domestic curtilage especially in the Green Belt, and do not consider supporting of personal hobbies to constitute "very special circumstances". The building will not be ancillary to the barn itself as it will not be used for associated domestic garaging.
12. We consider that the size of the building proposed is excessive, constituting inappropriate development in the Green Belt. We consider this proposal to be overall inappropriate, over-intensification and overdevelopment of the site.
13. We are further concerned that the proposed building has the potential to be converted to residential accommodation at a later date, thereby creating a new dwelling in the Green Belt where one would not normally be permitted.
14. We would suggest that any permission granted should if possible have strong conditions attached that the building is only a storage garage associated only by joint ownership with the north half barn and that it cannot be used as a domestic garage, for any residential purposes or as a separate dwelling. The purpose of the building is stated to be only for storage of non-domestic vehicles. No vehicle repair or maintenance work should take place on the site, and no commercial car dealing/sales activities. Any permission granted should furthermore be only personal to the applicant for their personal hobby use and therefore the building must be demolished when no longer required by the applicant for this purpose.

#### GBC Conservation Architect

- 5.4 The comments from the Shorne Parish Council are thorough and I am happy to support them. I have no further comments to add.

#### Kent County Council Highways and Transportation

- 5.5 The proposal involves the demolition of an existing barn, and a replacement 8 bay garage with a lift facility to accommodate 16 vehicles. The site is accessed from Church Lane via

an existing access which was granted permission in 2018 (reference 20181087).

- 5.6 In line with the above, and having considered the development proposals and the effect on the highway network, I raise no objection on behalf of the local highway authority. Requests that the standard informative be imposed.

#### GBC - Highways Development Management Officer

- 5.7 Technically this is a gross over provision of parking for a dwelling and should be refused, given the Council's parking standards/guidance.
- 5.8 There is also concern that the building could be used for commercial purposes.
- 5.9 However, given the nature of the home owner's hobby I have no objection to the proposal providing the use of the building is limited and is ancillary to the occupation of the main dwelling.

#### Health and Safety Executive

- 5.10 HSE does not advise on safety grounds against the granting of planning permission in this case.

#### Others

- 5.11 No comments were received from KCC Planning, National Grid or GBC Regulatory Services

### ***Publicity and Representations***

- 5.12 The application was advertised on site and in a local newspaper as development affecting the setting of a listed building (East Court Farmhouse). In addition individual notification was sent to the owners/occupiers of 10 nearby dwellings/premises and other interested parties.
- 5.13 The final expiry date for the receipt of representations was 26 April 2019. No representations have been received

## **6. Planning Analysis and Planning Manager Comments**

### Introduction and Planning Background/History

- 6.1 The application site is part of a former farmstead and agricultural holding from which extensive arable agricultural land at Chalk and Shorne was farmed based around East Court Manor (Farmhouse) which is a Grade II Listed Building.
- 6.2 A number of agricultural buildings to the east of the farmhouse within the original farmstead were sold off probably in the late 1980's/early 1990s whilst some other farm buildings within the farmstead were retained for domestic/storage/stable by the owners of East Court Manor. The sold off farm buildings to the east and south east of the farmhouse were considered as being redundant to farming and no longer suitable for modern agricultural

requirements with the centre of farming operations being located elsewhere.

- 6.3 In 2005 planning permission and listed building consent were granted for the conversion of the sold off farm buildings. This included the conversion of the main threshing barn (a weatherboard clad building with a cement roof but which was apparently originally thatched) into 2 live/work residential units and for a third dwelling within a brick building (to which a first floor was added) and with an open cart shed retained as garaging and domestic storage.
- 6.4 Only the brick building was converted at that time (now known as the Coach House) with the remainder of the scheme unimplemented. The threshing barn and the open cart shed remained unused and neglected for some years.
- 6.5 A revised application for the conversion of the main threshing barn into two dwellings (with the insertion internally of a first floor) was subsequently granted permission/listed building consent in early 2017 to the current applicant when he acquired the site. The threshing barn now comprises two units known as The Barn and The Granary.
- 6.6 The conversion and re-use of the agricultural buildings accorded with Green Belt policy both locally and nationally and brought back into use curtilage listed buildings.
- 6.7 Fundamentally the conversion of these agricultural buildings has involved very careful planning and heritage scrutiny and assessment to ensure that the conversion works were sympathetic to the character and appearance of the farm buildings and did not result in over-suburbanisation of the site. This included not just appropriate detailing and materials (particularly reducing significantly the number of openings in the building as originally proposed) but also ensuring that the setting of the buildings was appropriate and did not result in a domestic setting thus avoiding any enlargement of the buildings, new outbuildings and other domestic paraphernalia and ensuring that the garden areas were the minimum necessary to serve the residential units. The garden area to the east of the main threshing barn was limited to a depth of 11m with a large field area of a further 50m beyond to be used only as a meadow area rather than as garden curtilage.
- 6.8 During the course of conversion of the buildings some works of alteration and notably to the historic frame of the main barn were prematurely carried out and not in accordance with the original approved timber frame alterations resulting in the loss of some historic fabric and consequently resulted in some compromises and remediation.
- 6.9 Subsequently the side barn/cart lodge, originally intended to be retained for garaging and storage for the other new dwelling units in the converted threshing barn, was granted planning permission/Listed Building consent as a further dwelling unit (now named as Meadow Lodge) in 2018.
- 6.10 There are therefore currently 4 dwellings within these former agricultural buildings that originally were part of the East Court Manor Farmstead and are occupied by the applicant and other family members.
- 6.11 The current application proposes the removal of an existing timber stable/outbuilding within the north-west corner of the grounds of East Court barn (The Barn and The Granary) and to replace the stable/outbuilding with an 8 bay domestic garage building with a lift facility for double stacking of vehicles.
- 6.12 A separate planning application (ref 20190289) has simultaneously been submitted for relocating the existing stable building within the meadow area to the east of one of the residential units within the converted threshing barn (The Granary) although at the time of

the preparing this report that application had not been formally validated. Therefore if that other application is progressed and the stable is relocated the proposed garage building would effectively be a new building in its own right rather than necessarily replacing an existing built structure within the site.

- 6.13 The existing timber stable building has a length of 9.65m a width of 3.63m and an overhang of a further one metre and an overall height of 3m to the ridge of the roof.
- 6.14 The proposed garage building will have a length of 29.5m, a width of 7.9m and a height to the ridge of 6.9m. It would be constructed of blockwork walls clad in black stained timber weatherboarding and with a brick plinth and a pitched roof covered in clay plain tiles to match those on the main converted barns.
- 6.15 The application also indicates that another outbuilding will also be removed from the site. There are no other structures on this site either than an old container on the site and a more recent mobile home that is being used on a temporary basis during construction works. Both the stable building and the container have been built/placed on the site since 2006 (based on google earth images). The container is approx. 6m x 2.4m.

- 6.16 The applicants submitted Design and Access Statement states:

*The existing stable building on site represents 95 cubic metres and the other smaller outbuilding represents 38.2cubic metres and these buildings will be removed from the application site. The new building represents a volume of 1087 cubic metres.*

- 6.17 Based on the applicant's agent's figures the built volume of the proposed garage represents an increase in new built volume of 800% on the site.

- 6.18 The proposed garage is to house the applicant's hobby of collecting cars. The applicants Design and Access Statement states:

*The applicant is an avid collector of both classic and modern cars and the number of cars on site on a regular basis is between 8-12 cars with a number off site either being stored or restored. The desire now is to consolidate the cars in one location on site which will allow easier and regular access to them while also providing security for the cars.*

- 6.19 It should be noted that in the granting of planning permission for the conversion of the agricultural barns to residential accommodation planning conditions were imposed removing all permitted development rights that might ensue for the construction of extensions, alterations and outbuildings under various classes of the Development Order. Notwithstanding that the current proposal would in any event have fallen outside the scope of permitted development and would require planning permission in its own right.

#### The Key Issues

- 6.20 The proposal raises a number of key planning issues to be considered, namely:

1. The Principle of the Development and Policy Issues, and notably

- (i) Whether the development would constitute inappropriate development in the Green Belt;  
(ii) The effect of the development on the openness of the Green Belt and the purposes of including land in it; and  
(iii) if the development would be inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances needed to justify it.

2. Conservation/Design Issues
3. Impact on the Wider Landscape
4. Highways, Access and Parking Issues
5. Environmental Impacts/Amenity Impacts

#### Principle of the Development and Policy Issues

- 6.21 The fundamental consideration in assessing this development proposal is whether the proposed garage is inappropriate development or not within the Green Belt
- 6.22 Policy CS02 of the adopted Gravesham Local Plan Core Strategy (2014) embeds national policy on Green Belt into the local plan. National policies for protecting the Green Belt are set out in section 13 of the NPPF.
- 6.23 Great importance is attached by the Government to Green Belts, with their fundamental aim being to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence (NPPF/paragraph 133).
- 6.24 Green Belts serve five purposes (NPPF/paragraph 134):
- To check the unrestricted sprawl of large built up areas;
  - To prevent neighbouring towns merging into one another;
  - To assist in safeguarding the countryside from encroachment;
  - To preserve the setting and special character of historic towns; and
  - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.25 Whilst the adopted Gravesham Local Plan Core Strategy (2014) includes local purposes of the Green Belt (at 4.2.7) these are not relevant in this case. Inappropriate development is deemed to be, by definition, harmful to the Green Belt under national policy and should not be approved except in 'very special circumstances'.
- 6.26 Substantial weight should be given to harm to the Green Belt in the decision making process and '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 (NPPF/paragraph 144).
- 6.27 The NPPF (at paragraphs 145 & 146) then goes on to set out certain types of development which should not be considered 'inappropriate' in Green Belt terms in the form of two 'closed' lists.
- 6.28 The construction of new buildings (paragraph 145) is considered to be 'inappropriate' development in the Green Belt except where this involves (amongst other things) the:
- 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; and
  - the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- 6.29 Domestic outbuildings, including garages, do not specifically fall within this list and as such they are inappropriate development.
- 6.30 Conversely there are some appeal decisions relating to garages and outbuildings in the Green Belt where such development has also been regarded as an extension to a dwelling as a matter of fact and degree in some circumstances. The basis for this was a court case

of Sevenoaks District Council v SSE and Dawe (1997).

- 6.31 However in this case the proposed garage is not close to the host dwelling and having regard to its scale and proposed use plus the fact that the dwelling itself was created by reason of conversion from an agricultural building it could not be considered as a normal domestic adjunct of the dwelling and thus not fall within the exceptions to development in the Green Belt (part c) of paragraph 148 of the Framework).
- 6.32 Notwithstanding that outbuildings and garages are inappropriate development in the Green Belt in a national policy context, there has to be some flexibility in considering such development proposals on a case by case basis considering all material circumstances and also having regard to the saved local policy in Gravesham Local Plan First Review policy C13 that indicates the such proposals for domestic garages and outbuildings in the wider countryside (rather than specifically in the Green Belt) are considered on their merits but are required to be well designed, discreetly sited and subservient to the main dwelling. Only limited weight can be given to the policy although there is a similar emerging policy in policy DM6 of the Councils Development Management Policies DPD 2018, again which only carries limited weight, that indicates that ancillary domestic outbuildings in the Green Belt will only be allowed where very special circumstances are demonstrated taking into account whether the proposal is reasonably required, there are no other outbuildings that could be used, the scale and mass is subordinate, the size is appropriate to its function, it is discreetly sited and not visually intrusive and it should not be re-used for residential use.
- 6.33 Turning to issues of whether the garage building is reasonably required and in respect of the scale and mass and whether it is subordinate or not, it is clearly evident that the proposal goes beyond what could be considered as reasonably required for domestic purposes for garaging of cars being for an 8 bay garage with double stacking and for hobby purposes and its height at nearly 7m and with a length of 29.5 is neither subservient or subordinate to the main dwelling. The proposed garage would have a greater footprint than the dwelling (The Barn) that it would serve (and which by itself has a length of 16m) and is only marginally less than the entire length of the converted barn (33m being the total length of The Barn/The Granary).
- 6.34 It is relevant to consider that the applicants originally had garaging/storage within the side barn/cart lodge. This originally would have provided at least a 4 bay garage with covered amenity area, a store and garden store. This was converted into a further dwelling unit (Meadow Lodge) as a result of a planning permission in 2018. It should be noted that the current building is for garaging only. There is no provision on site for covered storage of domestic equipment, gardening equipment etc. and potentially could also be sought.
- 6.35 It is acknowledged that the garage building is replacing a stable and a container (neither of which are there with any permission, but appear to date from circa 2006) but there is a separate proposal to relocate the stable and the building is not a straight replacement being of both a substantially greater size and also substantially greater volume.
- 6.36 The applicants Design and Access Statement list some reasons as 'very special circumstances' as to why the building should be permitted and therefore to set aside the harm by reason of inappropriateness including that:
- The building is close to host dwelling and a normal adjunct of the dwelling (but this has been considered earlier);
  - That it is screened and tucked away;
  - The design is sympathetic;
  - It would reduce clutter;

- 6.37 However it is not considered that these sufficiently amount to very special circumstances to warrant setting aside the fact that this proposal would by definition cause harm to the Green Belt.
- 6.38 Having determined that the proposal is by definition inappropriate development in the Green Belt it is necessary to assess the effect on the openness of the Green Belt. There is no definition of openness but generally it is taken to mean free from built development.
- 6.39 The site of the building is within part of an original farmstead and which is now wholly within residential use. Effectively the scale of built development is such that the proposal would further suburbanise the site.
- 6.40 Paragraph 133 of the Framework is clear that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It is noted (and referred to in the applicants Design and Access Statement) that the Court of Appeal judgement in 2016 (Lee Valley Regional Park Authority, R(on the application of ) v Epping Forest District Council & Anor (Rev1) concluded where development is found to be 'not inappropriate' it should not be regarded as harmful to openness or to the purposes of including land in the Green Belt. However as indicated earlier the development should in all the circumstances be considered as inappropriate development.
- 6.41 Whilst it is noted that the site is partly screened and partly enclosed there would still be some moderate harm to the openness of the Green Belt.

#### Conservation/Design

- 6.42 At a national level the NPPF in Paragraph 124 (Achieving well-designed places) advises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 indicates that, amongst other things, planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change
- 6.43 At a local level Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 states that the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area.
- 6.44 In respect of historic impacts the Framework (NPPF) states that the significance of a heritage asset such as a listed building can be harmed or lost through development within its setting (paragraph 193) while at a local level Policy CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy 2014 advises that the weight accorded a designated heritage asset's conservation value will vary having regard to the importance and significance of the asset and the degree of impact.
- 6.45 The site adjoins the current garden curtilage of a Grade II listed building, East Court Manor, and the existing converted farm buildings were regarded as curtilage listed building.
- 6.46 Having regard to the height of the existing screening and the distances from the listed building, East Court Manor, it is not considered that there would be material harm to the setting of the listed building or the character and appearance of the converted barn and

which is a curtilage listed building and therefore the development would not be contrary to Core Strategy policies CS19 and CS20 or saved policy TC2 or the national planning policies in the NPPF.

- 6.47 The building is designed as a barn and with similar materials as have been used in the conversion of the agricultural buildings on the site in dwelling units. There is no objection to the design of the building as a barn per se and therefore no material conflict with local and national design policies referred to above.

#### Impact on the Wider Landscape

- 6.48 Paragraph 170 of the NPPF indicates that planning decisions should contribute to and enhance the natural and local environment by, amongst other things:
- (a) protecting and enhancing valued landscapes,
  - (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
  - (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- 6.49 The site is located within the countryside where policies CS12 and CS19 of the Gravesham Local Plan Core Strategy state that development should be visually attractive and locally distinctive and that the character of and landscape of the countryside should be conserved, restored and enhanced.
- 6.50 The site is within the Higham Arable Farmlands landscape character area in the Gravesham Landscape Character Assessment where the key characteristics are the very gently undulating topography, open arable farmland, views out to the marshes and the River Thames in the north, isolated farmsteads and scattered properties with locally distinct styles and materials, amongst other things. The site is not within the Kent Downs AONB, which lies further to the south.
- 6.51 The garage building would reflect the agricultural character and given it is enclosed by trees and hedgerows, albeit in part outside of the site, on balance there would be no material harm to the character and landscape of the surrounding countryside and thus the development is not contrary to Gravesham Local Plan Core Strategy Policies CS12 (Green Infrastructure) or CS19 (Development and Design Principles) or the national planning policies in the NPPF.

#### Highways and Access

- 6.52 Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy indicates, amongst other things, that sufficient parking in new developments will be provided in accordance with adopted parking standards reflecting the availability of alternative means of transport and accessibility to services and facilities.
- 6.53 The proposal is intended as being a garage for the storing of cars as a hobby and not as a business use. This is in addition to the open parking within the site that was required/provided as part of the conversion of the former agricultural buildings. There is adequate access to the application site via the new access to the north of East Court Manor although Church Lane is a narrow rural lane without footpaths.

- 6.54 There are no overriding highway objections to the development from either the GBC Highways Development Management Officer of KCC Highways and Transportation
- 6.55 The development is therefore not contrary to Gravesham Local Plan Core Strategy Policy CS11 (Transport).

#### Environmental Impacts/Amenity Impacts

- 6.56 At a local level Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land.
- 6.57 The building would be located away from neighbouring residential occupiers such that it would not materially affect their living conditions including privacy, daylight and sunlight. The building will be to the level of existing trees and hedges on the boundary of the site to East Court Manor although in part the screening is not wholly within the control of the applicant and it is not known whether the screening is effective all year round.
- 6.58 There are however no neighbour objections as a result of the publicity given to the application.
- 6.59 On balance and subject to the use of the building being only for a hobby and not as a business there is no conflict with Gravesham Local Plan Core Strategy Policy CS19 in terms of amenity impacts or to the Framework

### **7. Conclusions and Balancing Exercise**

- 7.1 As set out above, the proposed 8 bay garage is inappropriate development in the Green Belt as it is not one of the excepted forms of development listed in paragraph 145 of the National Planning Policy Framework (NPPF). The proposal will result in some moderate harm the openness of the Green Belt and conflicts with one of the purposes of included land within it, namely encroachment into the countryside, and further suburbanising the site.
- 7.2 The applicant has not provided such very special circumstances that would sufficiently and clearly outweigh the harm to the Green Belt by reason of inappropriateness, and the harm to the character of the local area give the insensitive scale, height and bulk of the proposed garage. It is not considered to be subordinate or subservient to the main converted barn building.
- 7.3 It is therefore concluded that the application should be refused as being contrary to Green Belt policy as inappropriate development although it has been concluded that there are not sufficient grounds in respect of conservation/design impacts, impacts on local amenity or the wider landscape or traffic/highway reasons to reject the scheme.

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### **RECOMMENDATION**

**REFUSED** on the following grounds:

The application site lies within the Green Belt, as defined by the Gravesham Local Plan Core Strategy (September 2014). The garage/outbuilding does not meet any of the exceptions related to development within the Green Belt, as set out in the closed list of exceptions at paragraph 145 of the National Planning Policy Framework (NPPF). Therefore the garage/outbuilding is inappropriate development within the Green Belt, and by definition, harmful to its openness and its purposes for which it has been designated. Furthermore the garage/outbuilding will have a suburbanising effect that will detract from the character and appearance of this rural location and further harm the openness of the Green Belt. The applicant has not provided sufficient evidence to demonstrate that very special circumstances exist which would outweigh the harm to the Green Belt.

The proposal is therefore contrary to national planning policy set out in Section 13 (Protecting Green Belt Land) of the National Planning Policy Framework and Policy CS02 of the Gravesham Local Plan Core Strategy (September 2014), as well as saved policy C13 (vii) of the Gravesham Local Plan First Review 1994 and emerging Policy DM 6 (Extensions, Replacement Buildings and Ancillary Development in the Green Belt) of the Gravesham Site Allocations and Development Management Policies DPD (Regulation 18, Stage 1, Part 2 consultation draft – April 2018). The proposed garage/outbuilding is not reasonably required to serve the needs of the dwelling and its scale, mass and height is not subordinate or subservient to the main building.

## **INFORMATIVES**

### **1. DRAWINGS AND DOCUMENTS**

For the avoidance of doubt the decision to refuse this application was taken in relation to the following plans and documents:

- Application Form
- Drawing No 15.040 74: Existing Location Plan;
- Drawing No 15.040 75: Existing Site Plan;
- Drawing No 15.040 72 Rev A: Proposed Garages Plan and Site Plan;
- Drawing No 15.040 75: Proposed Garage Elevations, Roof Plan and Block Plan;
- Design and Access Statement by the Duncan and Graham Partnership dated March 2019

### **2 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION TAKING**

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2019, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

In this instance, the application is contrary to local and national planning policy and the planning objections could not be overcome by amendments to the scheme or through the imposition of acceptable and appropriate planning conditions.