



Appeal Decision

Site visit made on 25 November 2025

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd December 2025

Appeal Ref: APP/K2230/D/25/3373993

The Red House, Wrangling Lane, Luddesdown, Kent DA13 0XF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Andy Wilson against the decision of Gravesham Borough Council.
 - The application Ref is 20240236.
 - The development proposed is front, side and rear extensions with internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for front, side and rear extensions with internal alterations at The Red House, Wrangling Lane, Luddesdown, Kent DA13 0XF in accordance with the terms of the application, Ref 20240236, subject to the conditions in the attached schedule.

Preliminary Matters

2. At time of my site visit, the dwelling and detached garage had been refurbished, hardstanding areas had been added to the garden, and a front, side, and rear extension were under construction and substantially complete. Therefore, at time of my decision, the proposal is partly implemented. This weighs neither for nor against the proposal which I have determined on the basis of the submitted plans.
3. In addition, there are two outbuildings on site. Outbuildings 1 and 2 are annotated on the existing site plan¹ and shown in photographs within the delegated report and therefore were in situ at the time of the Council's decision. The outbuildings do not comprise a part of the appeal proposal which relates to extension works and internal alterations to the main dwelling only.

Main Issue

4. The main issue in this appeal is whether the proposed development would be inappropriate development in the Green Belt.

Reasons

5. The appeal property is a detached chalet bungalow located within a generous plot, set back from the highway by a large front garden. The site is within a countryside location within the Metropolitan Green Belt.
6. Paragraph 143 of the National Planning Policy Framework (the Framework) identifies the fundamental aim of Green Belt policy is to prevent urban sprawl by

¹ Drawing no WR/01 Rev A

keeping land permanently open, and the essential characteristics of Green Belts are their openness and their permanence.

7. Development in the Green Belt is inappropriate unless it complies with certain exceptions identified by the Framework. This includes paragraph 154(c) which indicates an extension or alteration of a building would not be inappropriate development, provided it does not result in disproportionate additions over and above the size of the original building.
8. Saved Policy C13 of the Gravesham Local Plan First Review 1994 (LP) sets out criteria for the development of extensions to dwellings in the countryside and thus applies to dwellings both within and outside the Green Belt. Policy C13 is consistent with the Framework insofar as it would limit the scale of extensions in this Green Belt location.
9. At criterion (ii), Policy C13 imposes a limit on the external floor area of extensions, requiring it not exceed one third of the gross external floor area of the original dwelling² prior to any later extension or alteration, unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling.
10. The dwelling and detached garage are shown on Kent County Council's Heritage Maps 1929-1952 and were likely in situ on 1 July 1948. This includes a demolished side extension but excludes the rear lean-to structure. The Council's delegated report concludes the proposal would result in a 43.8% increase of the original dwelling's footprint. This moderately exceeds the external floor area limit set out at Policy C13(ii).
11. From the public highway, the rear extension would be concealed from view by the dwelling's main volume. The side extension's parapet roof would minimise its height and perceived scale and would appear subservient to the main dwelling.
12. The glazed front extension would comprise an entrance hall and would sit at the centre of the front elevation. The proposed alterations to the roof would add volume at first floor level to provide additional rooms, accommodated within a hipped roof and served by pitched-roofed dormers. Therefore, the dwelling would retain its 1.5 storey form and appearance of a chalet bungalow.
13. The design of the proposed extensions has been subject to negotiations between the Council and appellant, limiting the height and overall bulk. The delegated report concludes the proposal would not result in the appearance of the property becoming unbalanced, would be symmetrical with evenly distributed dormers and barn hipped edges. In addition, the report concludes the alterations would not result in the property appearing incongruous with its surroundings. Crucially, the delegated report considers that, in isolation, the extensions to the dwelling would likely be considered acceptable.
14. Consequently, whilst the proposed extensions would exceed the external floor area limit, the proposal would not add harmful bulk nor harm the appearance of the dwelling. Therefore, the proposal would comply with the requirements of Policy C13(ii) for extensions to dwellings in the countryside.
15. Works to the garden include a widened driveway, patio, sun terrace, and a retaining wall between sections of the rear garden of differing levels. Therefore,

² As at 01 July 1948 or as first built

the proposal would increase the area of hardstanding within the site. However, the majority of the garden is laid to lawn and vegetated. Notably, the front garden includes a large lawn area interspersed with small trees and is enclosed by a new hedge which is effective in screening hardstanding areas to the front and side of the dwelling. I am satisfied that these modest engineering operations preserve openness and do not conflict with the purposes of the Green Belt.

16. The Council refer to the Warwick judgement³ which concludes that the Framework's exception for extensions in the Green Belt is not to be interpreted as being confined to physically attached structures but, for the purposes of that provision, an extension can include structures which are physically detached from the building of which they are an extension.
17. The Council consider outbuildings 1 and 2 would comprise domestic extensions to the dwelling. Considered cumulatively with the outbuildings' footprint, the proposal would result in a significant floor area increase to the original dwelling of 105%.
18. However, paragraph 43 of the Warwick judgement indicates that regard should be had to the proximity of the new building to the existing building; to the purpose and use of the buildings; and to factors such as the size of the buildings.
19. Outbuildings 1 and 2 are at the side of the dwelling, separated from it by a patio and area of garden and are visible from the site's frontage. Outbuilding 1 is a six-bay kennel block of single storey height with a large footprint. Outbuilding 2 is of low height and small footprint and houses a pond pump. Therefore, the two outbuildings differ significantly in scale.
20. Two applications for certificates of existing lawful development have been refused by the Council (hereafter, *May 25* and *Nov 25 LDC decisions*)⁴.
21. In the May 25 LDC decision, the Council conclude the application was supported by insufficient information to determine with certainty that the use of the kennel outbuilding would be incidental to the personal enjoyment of the dwellinghouse. In the Nov 25 LDC decision, the application sought to use bays 1-3 for garden machinery and garden furniture storage and bays 4-6 as kennels, which the delegated report concludes would be incidental to the dwelling. However, it is unclear how use of kennel bays only for domestic storage would be enforced.
22. The May 25 and Nov 25 LDC decisions confirm the outbuildings fail to comply with Schedule 2, Part 1, Class E.3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) on the basis the outbuildings are situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.
23. Consequently, the outbuildings are not accepted as lawful development. Furthermore, I have no compelling reason to consider permission would be granted in the event a planning application were submitted.
24. The Warwick judgement requires consideration of the building's purpose and use. To regard the outbuildings as a normal domestic adjunct would be inconsistent with the LDC decisions which confirm the outbuildings are not lawful development.

³ Warwick District Council v Secretary of State for Levelling Up, Housing and Communities & Others [2022] EWHC 2145 (Admin)

⁴ LPA refs: 20250272 refused 16 May 2025 relating to outbuildings 1 & 2, and 20250972 refused 24 November 2025 relating to outbuilding 1 only.

25. Therefore, there is insufficient justification to take account the floor area of the outbuildings for the purposes of the paragraph 154(c) assessment. Paragraph 43 of the Warwick judgement recognises there will be circumstances where some detached structures would be found to amount to extensions of existing buildings, but others would not.
26. As set out above, the proposed extensions would increase the external floor area of the dwelling but would not add harmful bulk nor harm the appearance of the dwelling. For this reason, I consider the proposal would not result in disproportionate additions over and above the size of the original building. The proposal would accord with Framework paragraph 154(c) and would not be inappropriate development in the Green Belt.
27. The proposal would therefore comply with saved LP Policy C13 which restricts extensions to dwellings in the countryside to modest extensions, and Policy CS19 of the Gravesham Local Plan Core Strategy (CS) which requires proposals conserve and enhance the character of the local built environment and integrate well with the surrounding area.
28. In addition, since the proposal relates to the extension of an existing dwelling it would be consistent with CS Policy CS02 which distributes housing and employment growth to settlements outside the Green Belt.

Other Matters

29. The site is located within the Kent Downs National Landscape (KDNL). The statutory purpose of National Landscapes is to conserve and enhance the natural beauty of the area. Section 245 of the Levelling-up and Regeneration Act 2023 requires relevant authorities 'seek to further' the statutory purposes of Protected Landscapes, including National Landscapes. Furthermore, paragraph 189 of the Framework instructs that great weight be given to conserving and enhancing the landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues.
30. The area is characterised by undulating topography with a mix of arable and pasture farmland, areas of native woodland, narrow winding lanes that follow the contours with small settlements and farmsteads located along lanes. Due to its location in quiet, rural area, and mature landscaping on the boundaries and around the site, the appeal property is of limited visibility from public vantage points. The area has a variety of building sizes and designs. As discussed above, the proposed extension would not add harmful bulk nor harm the dwelling's appearance and would not result in the property appearing incongruous with its surroundings. Therefore, the proposal would have a neutral effect on the landscape and scenic beauty of the KDNL which would be consistent with the statutory purposes of Protected Landscapes.

Conditions

31. The Council has provided a list of suggested conditions which I have considered against the Framework's tests. Since the proposal is part implemented, I have not included a condition imposing a time limit for the commencement of development. However, in the interests of certainty, I have attached a condition requiring the development be carried out in accordance with the approved plans.

32. To maintain the character and appearance of the KDNL, I have attached a condition requiring submission of details of external finishing materials.
33. To enhance biodiversity in accordance with CS Policy CS12, and to conserve protected species, I have attached conditions requiring submission of details of how the development will enhance biodiversity and requiring the development hereby be carried out in accordance with section 4 of the Bat Scoping Survey.
34. I have not imposed the suggested condition relating to the removal of permitted development rights. Paragraph 55 of the Framework indicates planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. Such a condition would not be necessary to make the appeal proposal acceptable in planning terms and would not comply with the Framework.

Conclusion

35. For the reasons given above, having regard to the development plan taken as a whole and all other relevant material considerations, I conclude the appeal should be allowed.

E Dade

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with drawing nos: Existing Location Map & Block Plan 23-028-LMBP; Existing and Proposed Site Plans WR/01 Rev A; Existing Floor Plans & Elevations WR/02; Proposed Floor Plans & Elevations WR/03.
- 2) Within 3 months of the date of this decision, details of the materials to be used in the construction of the external surfaces of the extension hereby permitted shall be submitted to the local planning authority for approval. The development shall be carried out in accordance with the approved details.
- 3) Within 3 months of the date of this decision, details of how the development will enhance biodiversity will be submitted to the Local Planning Authority for approval. The approved details will be implemented and thereafter retained.
- 4) The development hereby permitted shall be carried out in accordance with section 4 of the submitted Bat Scoping Survey (Crossman Associates, September 2024). Measures to be adhered to include precautionary measures for roosting bats (soft strip and sensitive lighting) during the development and the provision of a single, durable bat box affixed approximately 3-4m high to a mature garden tree, facing southwest or southeast and not near to any artificial light, prior to substantial completion of the development.

END OF SCHEDULE