



Delegated Report

Householder Planning Application

Application No:	20231227
Location:	Broadeaves, Bowesden Lane, Shorne, Gravesend, Kent, DA12 3LA
Description:	Erection of a two storey side extension and a two storey rear extension with catslide roof incorporating 2no. rear dormers and detached 3 bay car port.
Applicant:	Mr L Button
Site Visit:	N/A Desktop Assessment

Submitted Documents/Plans

The application comprises the following documents and plans:

- Application Form – dated 01 December 2023;
 - Supplementary Information – Building Regs Notes;
 - Un-numbered Ordnance Survey Site Location Plan (scale – 1:1250);
 - Un-numbered Existing Block Plan (scale – 1:500) – dated 15 February 2024;
 - Un-numbered Proposed Block Plan (scale – 1:500);
 - Drawing no. 231123/1 – Existing Ground Floor Plan;
 - Drawing no. 231123/2 – Existing First Floor Plan;
 - Drawing no. 231123/3 – Existing Roof Plan;
 - Drawing no. 231123/4 – Existing Elevations;
 - Drawing no. 231123/5 – Proposed Ground Floor Plan;
 - Drawing no. 231123/6 – Proposed First Floor Plan;
 - Drawing no. 231123/7 – Proposed Roof Plan;
 - Drawing no. 231123/8 – Proposed Elevations;
 - Drawing no. 231123/9 – Proposed Sections;
 - Drawing no. LB/001 – Proposed Carport Floor Plan;
 - Drawing no. LB/002 – Proposed Carport Elevations.
- ~~Un-numbered Existing Block Plan (scale – 1:500) – received 04 December 2023 – SUPERSEDED.~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20220193	Erection of part single story part two story extension.	PERMITTED	24.05.2022

The property was formally known as Duart Lodge. The historic plans from 1938 of the original property show the floor plans and elevations that are identical as the existing property, therefore the Local Planning Authority are satisfied that the existing property is original.



Development Plan

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

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

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

- P3 - Vehicle Parking Standards
- C13 - Extensions to Dwellings in the Countryside

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (NPPF) (2023)

- Section 2 - Achieving Sustainable Development
- Section 12 - Achieving Well-Designed Places
- Section 13 - Protecting Green Belt Land
- Section 15 - Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement

- October 2015 Adopted 1996 - amended June 2020
- Technical Housing Standards - Nationally Described Space Standard (2015)
 - SPG 4 - KCC Parking Standards (2006)
 - Gravesham Householder Extensions/Alterations Design Guidance (SPD) (2021)
 - Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Internal consultees

GBC Highways Officer – I have no objections, but a parking space should be provided for a single cycle due to the additional bedroom, to comply with KCC SPG4.

Local Ward Councillors – No comment received.

External consultees

Shorne Parish Council – Broadeaves has a large, wooded curtilage. The existing house is set well back on the plot and there is room for enlargement.

Previous application ref 20220193 is noted, which was permitted.

There are two elements to this application:

1) Extensions to the main house:

The Parish Council has no objections in principle to this part of proposal.

We commented previously about the proposed side window in the new first-floor bedroom on the eastern elevation, which is unchanged. As said previously, there is a window proposed on the east elevation as well as a new window on the south (front) elevation, now with a balcony. There seems to be about 20m distance from the new side window to the eastern boundary to the neighbouring property (Heron Gate). The total distance between buildings is a little more than the minimum standard privacy distance of 26m however consideration might be given to modifying this east side window (e.g. with privacy glazing) or omitting it completely.

2) Detached 3-bay car port:

The Parish Council is concerned about loss of mature trees that currently provide valuable mutual screening between the neighbouring properties. This could be reduced, and vehicular access would be less constrained, if the large carport was set perpendicularly to the boundary fence rather than alongside.

Other comments/conditions:

The plans do not include any landscaping in the garden areas.

Submitted plans do not include a topographical plan of the site and/or a tree plan indicating which trees are to be removed or have their root systems curtailed - these should be provided.

Any relevant mature trees might be protected with Tree Preservation Orders.

In view of the amount of enlargement of the house and increase in built forms on the site

that is proposed we suggest that permitted development rights might be withdrawn for the site.

Dickens Country Protection Society – With reference to the above planning application the Society would like to suggest that if consent is granted, conditions are imposed on the carport to control any extension of conversion. There are a number of mature trees on the site that would warrant protection. In view of the quantum of development proposed, if granted, the removal of permitted development rights should be considered.

Neighbouring properties

A notice was displayed on site 19 December 2023.

In addition, nine surrounding properties were consulted and no representations were received. The consultation period expired 12 January 2024.

Preliminary Matters

This application follows planning permission for the “erection of part single story part two story extension” approved in 2022 (ref. 20220193). The planning permission is within the 3 year time limit set out in condition 1 and therefore can be implemented.



The previous permission granted a footprint increase of circa 40.6% and this is a material planning consideration for this decision.

Officer Analysis

Broadeaves is a large detached two storey dwelling located on the northern side of Bowesden Lane. The property has not previously been extended, there is no planning history and evidence has been provided by the applicant of original plans dated 1938. There is a substantial driveway on the site with adequate parking space and an open carport on the eastern boundary.



Proposed Development

This application proposes the erection of a two storey side extension and a two storey rear extension with a catslide roof incorporating 2no. rear dormers. In addition, the application proposes the erection of a detached 3 bay carport.

Existing



Proposed



The dimensions of the extensions are as follows:

Side Extension

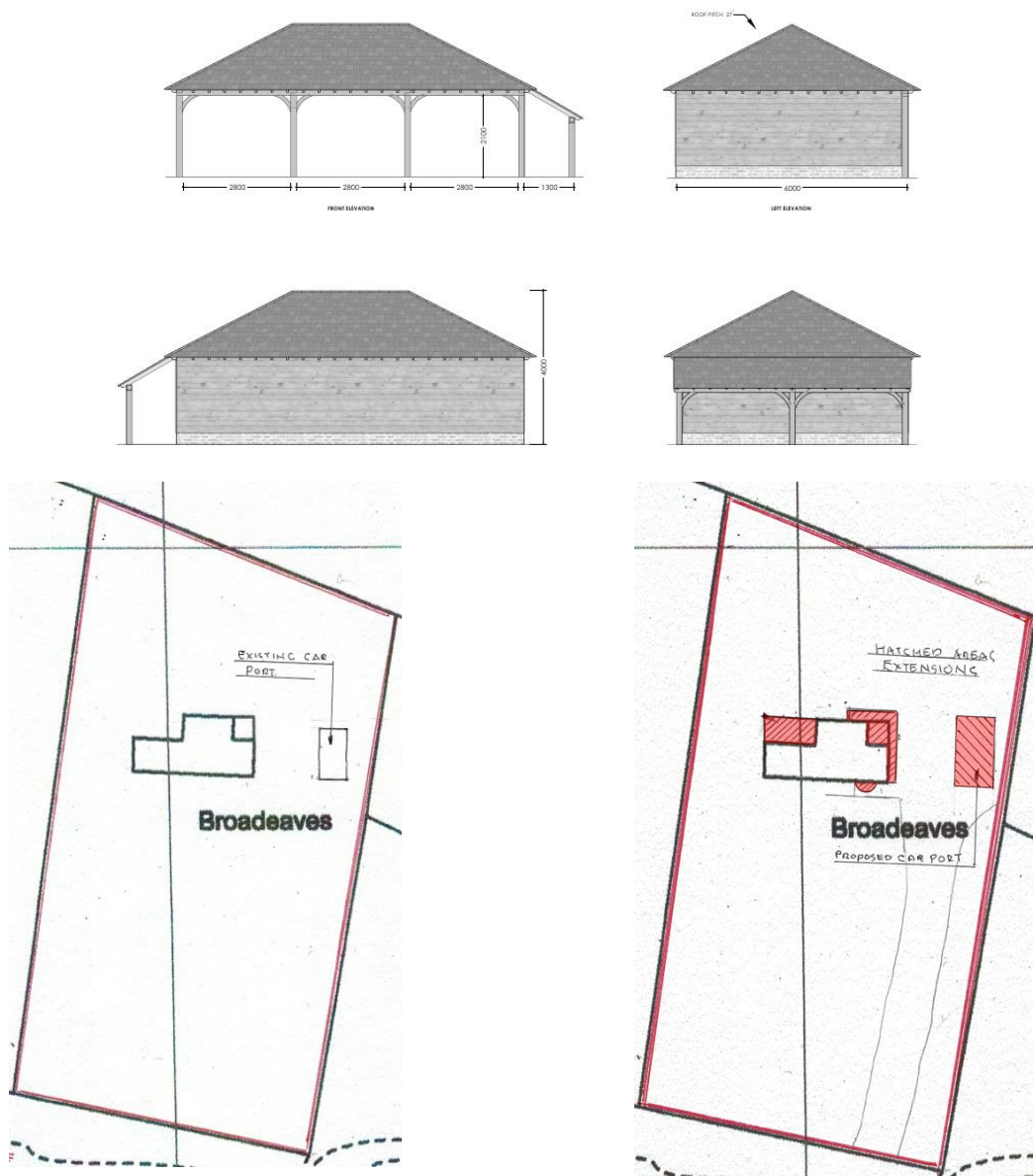
- Depth – 11.55m
- Width – 7m
- Height (max) – 6.7m
- Height (eave) – 3.45m

Rear Extension

- Depth – 3.75m
- Width – 8.25m
- Height (max) – 5.05m
- Height (eave) – 2.7m

The extensions would create space for an enlarged kitchen, new reception room, bathroom and utility room on ground floor. At first floor space would be created for a new ensuite master bedrooms with a dressing room, and a new dressing room and ensuite serving an existing bedroom.

The carport would have an open frontage, with a catslide roof form on the flank elevation. It would have an overall height of 4m, a width of 9m and a depth of 6m.



Assessment

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

There are five principle issues in determining this application;

1. Is the proposed development appropriate in the Green Belt?
2. The effect of the proposal on the openness of the Green Belt;
3. Any very special circumstances?
4. Impact on the Landscape;

5. The effect on the character and appearance of the area; and
6. Other matters.

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

Extension to the Dwelling

There are strict policy considerations within the Green Belt whereby paragraph 152 of the NPPF (2023) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 goes on to say that very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless it falls within the specified exceptions. The relevant exception to consider for this application is part c of paragraph 154 of the NPPF (2023), which states that it may be acceptable to extend or alter a building provided it does not result in disproportionate additions over and above the size of the original building.

In determining this proposal account will be taken of Saved Policy C13 of the Gravesham Local Plan First Review (LPFR) (1994) which relates to extensions to dwellings in the countryside. It sets out a number of criteria that should be met when considering proposals for domestic extensions. As the policy pre-dates the NPPF (2023), the weight attached to the policy must be considered carefully, with greater weight being given where the approach is consistent with paragraph 149 of the NPPF (2023).

In particular Policy C13 places an overall limit on extensions of one third of the gross floor area of the original dwelling unless the increased floor space has no overall effect on the existing bulk and appearance of the dwelling (criteria ii). It also requires the massing, scale and form of any extension to be appropriate to the existing dwelling and the Green Belt setting (criteria vi). It is considered that these factors are relevant in determining whether the size of an extension is proportionate and as such, these aspects of the policy are broadly in line with the NPPF (2023) and should be afforded due weight.

	Original Dwelling	Proposed Extended Dwelling	% increase above original
Footprint (m²)	142m ²	197.6m ²	39.2%
Volume	-	-	-

The calculations demonstrate that the proposed additions to the dwellinghouse exceed the one third limit set out in saved policy C13. Therefore, in purely numerical terms, the extension is/not contrary to the local plan Green Belt policy, potentially representing a disproportionate increase over the original floor area of the building. However, this proposed extension falls below the previously approved extension (ref. 20220193) in terms of footprint and built form.

However, the numerical calculation forms only a part of the overall assessment. Paragraph 154 of the NPPF (2023) states that it may be acceptable to extend or alter a building provided it does not result in disproportionate additions over and above the size of the original building. It is does not provide a figure.

The proposed extensions, although increasing the footprint of the property, will not significantly project beyond any elevation of the existing dwelling. The extensions have been designed to

ensure subservience and that they are subordinate to the main dwelling, with hipped roofs to reduce the perceived bulk.

The side extension would have a complex roof form, with multiple pitches and valleys, which give the perception of a flat roof from the front. However, the height of the extension is low and does not significantly exceed that of the existing side projection. The rear extension is an infill between the existing rear projection and the flank wall and will not extend beyond the rear wall of the existing projection and is not excessive in bulk by virtue of the catslide roof.

Overall, the extensions are considered to respect the original character of the dwelling, have been designed to reduce bulk and as such are deemed to be proportionate additions.

Erection of an Outbuilding (Carport)

It is noted that while saved Policy C13 (vii) of the Local Plan First Review sets out that the Council's approach to assessing proposals for outbuildings in the countryside and makes clear that they will be considered on their individual merits, but should be well designed, discreetly sited and subservient to the scale of the main dwelling. However, it is out of step with the NPPF (2023) and should be attributed minimal weight for the following reasons;

National Green Belt planning policies are detailed under Section 13 of the NPPF (2023) "Protecting Green Belt land". Paragraph 154 states that the construction of new buildings in the Green Belt is inappropriate development. It goes on to list six exceptions to this, however ancillary residential outbuildings do not form one of the exceptions specifically listed.

Paragraph 154(c) has some relevance, starting that the construction of new buildings 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;*

It is clear that domestic outbuildings, including garages, do not specifically fall within this list and as such are considered to be inappropriate development per se.

However, within case law it was considered (in Warwick DC v SSLUHC [2022]) that paragraph 154(c) is not confined to physically attached structures, and an "extension" can include detached structures. Therefore, it is important to consider if the proposed garage would be considered an extension to the dwelling.

The Warwick judgement references Sevenoaks' approach to the NPPF (2023) and the installation of domestic adjuncts to dwellinghouses within the Green Belt, concluding that a building can be regarded as an adjunct without being physically connected to another building, and therefore can be considered extensions of other buildings without the physical connection. It is summarised that, *"in the domestic setting it is not artificial to describe garages or other outbuildings as being extensions of the principal dwelling house"*. The use of 'not artificial' in this instance can be interpreted as not false or unnatural, and therefore it is correct and natural to consider a garage to be an extension to the principal dwelling house. As such, using the Warwick judgement, the erection of a garage would be a domestic extension to the dwelling.

In this case, the carport would replace the existing carport (which is in poor conditions, having been damaged by a fallen tree in a storm - as shown in the photograph below). The new carport would be detached but approx. 8.75m from the closest part of the side extension and therefore is in close proximity to the main house. As such, being considered as an unattached extension the overall scale and size of the proposed carport must be assessed against the main dwelling.



As aforementioned above, Policy C13 places an overall limit on extensions of one third of the gross floor area of the original dwelling. It also requires the massing, scale and form of any extension to be appropriate to the existing dwelling and the Green Belt setting (criteria vi).

The carport would be a significant addition above the footprint and volume of Broadeaves, which as referenced in Table 1, would already exceeds the one third limit with the proposed extension (39.2%). For reference the footprint of the carport is approx. 54m² and would constitute an overall 77% addition above the original dwelling. Therefore, in numerical terms, cumulatively the proposed extensions and outbuilding would be inappropriate development within the Green Belt.

In visual terms, the carport is not excessive in height and bulk, and although it would be constructed in close proximity to the main dwelling it is subservient and subordinate in scale. Therefore, visually the proposed carport is not considered to be disproportionate. Moreover, given that the carport will replace a poor quality and failing structure of a similar use, its impact on the Green Belt is reduced.

Summary of Inappropriateness

Overall, the proposed extensions and carport are considered to be proportionate additions, that are well designed and will not dominate the scale of the existing development on the site. It is therefore considered that the proposed extensions would not result in a disproportionate addition to the property and as such the proposal would not be inappropriate development, which is by definition, harmful to the Green Belt. As such, the proposal complies to Policy CS02 (LPCS), Policy C13 (LPFR) and to paragraph 154 of the NPPF (2023).

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

Paragraph 142 of the NPPF (2023) states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also states that the essential characteristics of Green Belts are their openness and permanence.

Any new built form of development is likely to impact on the openness of the Green Belt, however it is important to establish the degree of harm. The extensions are subservient to the main dwelling and have been designed with hipped roofs to reduce the perceived bulk. Moreover, the extensions will not significantly project beyond any existing elevation of the property.

As such, although introducing additional built form of development into the Green Belt, the extensions have been designed to reduce bulk and be subordinate to the dwelling, and are therefore not considered to result in any significant harm to the openness. Moreover, the carport

hereby proposed replaces a structure of similar scale and would have a limited impact on the openness of the Green Belt.

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

3. Very special circumstances

No specific arguments have been put forward by the applicant in relation to the assessment of 'very special circumstances'.

4. Impact on the Landscape

In addition to being within the Green Belt, the site is located within the Shorne Woodland Landscape Character Area. This area is characterised by an undulating topography, chestnut coppice woodland and a strong sense of enclosure. The developments are often located around traditional village greens, are buildings have varying styles and ages with chequered brickwork and ornamental brickwork.

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

The proposed development is not considered to impact on the landscape, by virtue of the minimal extension beyond the existing projections on the property and the carport replacing a pre-existing and dilapidated structure. As such, the development is in accordance with Policy CS12 (LPCS).

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

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

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

As aforementioned in this report the extensions are subordinate and subservient to the main dwelling, with the bulk of the development located at the rear. The side extension will not significantly increase the height of the existing projection, is set down from the ridge of the main dwelling and will not extend beyond the existing building line to the front or side. The dormers are proportionate and will not dominate the extension. The rear part of the side extension would have a gable design to reflect the main dwelling. The rear infill extension on the western side of the property will have a catslide roof and two dormer windows, which reduces the overall bulk, and the extension will not extend beyond the existing rear elevation of the dwelling. The extensions are considered to be well designed and due to the property being set-back and set-above, the highway there will be no impact on the street scene.

The proposed carport will have a pitched roof with hipped ends and a catslide roof on the southern side. It will be constructed using good quality materials and is considered to be good design. The carport is set 8.75m to the east of the dwelling and is at a lower height and subservient to the property. By virtue of the materials and scale, the carport is acceptable in design terms and would have limited impact on the character of the surrounding area.

There are no objections to the extension or carport in design terms, the development will not impact on the street scene and will be finished in matching materials to the dwelling and appropriate materials for the rural setting. Therefore, the proposal is in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

6. Other matters

Amenity of Future Occupiers

Policy CS19 (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users'. The proposed extensions would provide good sized rooms for future occupiers and is in accordance with local residential layout guidelines. Therefore, the development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

Neighbouring

The development will have no material impact on the amenity of any adjoining property in terms of loss of light, loss of outlook or create any sense of enclosure, due to the distances between the properties on Bowesden Lane.

No objections were received from any surrounding property consulted. However, there were some concerns with the relocation of the existing dormer window onto the roof slope of the first-floor extension above the garage. This would move the window approx. 5.55m towards the neighbour at Heron Gate, which backs onto the application property with its rear windows facing towards the proposed dormer. As such there is potential for the new dormer window to overlook and impact on the amenity of the neighbour.

Gravesham's Residential Layout Guidelines (RLG) (2020) states that the minimum window-window distance, over a private garden area, must be 26m. In this case, the existing window-window distance is approx. 34m, and the proposed distance will be approx. 28m (as demonstrated in the annotated drawings below). Therefore, the proposed distance accords with the recommendation within the RLG.

Overall, the proposed development is not considered to harm the amenity of neighbouring properties. Although introducing a dormer window closer to the immediate neighbour, the window-window distance accords with the requirements set out in the RLG. In addition, the majority of private garden area will remain private and the development will not introduce any additional windows facing the neighbour that would increase levels of perceived overlooking. As such, on balance the proposed extensions are considered to safeguard the amenity of adjoining properties in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

Parking and Highways

There are no parking or highway issues related to this proposal. Although the integral garage would be removed, the carport and driveway have sufficient space for the parking of vehicles in accordance with Gravesham's adopted parking standards (SPG4) (2006).

Impact on Biodiversity

The NPPF (Section 15) seeks to ensure that any development result in a biodiversity net gain. This application proposes the erection of a replacement carport, close to the eastern boundary of the site. The eastern boundary is well screened by laurel bushes and trees, which could be impacted by the proposed development.

The applicant highlighted that the mature oak tree was diseased and fell in a recent storm, which damaged the existing carport, as highlighted in the photographs provided. Meopham Parish Council expressed concerns with the carport impacting on existing biodiversity and the oak tree. Although the oak tree has fallen, the impact on biodiversity is a material planning consideration and in the interest of securing a net gain, a condition relating to soft landscaping will be attached to the decision notice. The condition will ensure that a soft landscaping plan is submitted and approved in writing by the Local Planning Authority prior to the first use of the carport.

Therefore, subject to condition, the development is considered to safeguard biodiversity in accordance with Section 15 of the NPPF (2023).

Conclusion:

The application has been fully considered and is in accordance with local and national planning policy.

The proposed extensions are large and will exceed the one third limit set out in saved policy C13 (LPFR), however they have been appropriately designed to reduce their bulk, are subservient and subordinate to the dwelling and do not project significantly beyond any existing elevation of the property. Therefore, the proposal is considered to be proportionate additions that are appropriately scaled within the Green Belt setting and are not harmful to its open character. The extensions will be finished in matching materials, are not visible from any public vantage point and will have no impact on the street scene. There will be no impact on the amenity of future occupiers or neighbouring properties, there is sufficient space available for off-street parking and there will be no harm caused to the character of the landscape.

In addition, the replacement carport is considered to be acceptable in terms of scale, bulk and design. It would not have any significant impact on the openness of the Green Belt compared to the existing, dilapidated structure and have no impact on the character of the landscape.

As such it is recommended that planning permission is granted, subject to conditions.

Recommendation:

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	16 January 2024	Dated:	19th February 2024