



Delegated Report

Householder Planning Application

Planning Application No: 20260530

Location: Springhill Pear Tree Lane Shorne Gravesend

Description: Erection of a submerged basement area to the rear of the existing dwelling and an extension to the existing garage at the front entrance courtyard.

Applicant: Mr Colin Basi

Site Visit Date: 2nd March 2026

Submitted Documents/Plans

Planning Application Form;
Drawing No. 3587 - 001 – Existing Site Plan;
Drawing No. 3587 - 002 – Proposed Ground Floor Plan;
Drawing No. 3587 - 004 Rev C – Proposed Section Through Basement;
Drawing No. 3587 - 005 Rev D – Proposed Site Plan;
Drawing No. 3587 - 006 Rev B – Location Plan;
Drawing No. 3587 - 007 Rev A – Block Plan;
Drawing No. 3587 - 008 Rev A – Existing and Proposed Site Sections;
Drawing No. 3587 - 009 Rev A – Existing Garage;
Drawing No. 3587 - 010 Rev A – Proposed Existing Garage Extension;
Drawing No. 3587 - 011 Rev A – Proposed Garage Extension Proposed Site Plan;
Drawing No. 3587 - 012 – Garage Extension Existing Site Plan;
Drawing No. 3587 - 013 – Existing Floor Plans; and
Covering Letter.

Relevant Planning History

Reference	Description	Decision	Decision Date
20200150	Application for approval of condition 2 attached to planning permission reference no. 20191115 for retention of landscaping of rear garden forming an engineering operation including retaining walls.	Approval of details	30.04.2020
20191115	Retention of landscaping of rear garden forming an engineering operation including retaining walls.	Permitted	02.01.2020
20181142	**AMENDED DESCRIPTION** Erection of a detached garage into existing sloping site, associated engineering works, landscaping and new front boundary treatment	Permitted	25.06.2019
20180515	Application for a Lawful Development Certificate in respect of the proposed demolition of an existing conservatory and erection of a two storey rear extension, single storey side extension and conversion of the existing garage into habitable room.	Certificate Granted	17.07.2018

20170813	Erection of a single storey front extension, a two storey front extension, porch and a part single and part two storey rear extension.	Application Refused Appeal Dismissed	26.04.2018 17.09.2018
20080794	Alterations to the existing vehicular access.	Permitted	07.10.2008
20080337	Erection of first floor side extension incorporating ground floor infill extension to form an enlarged utility room with a bedroom, ensuite shower room/wc and dressing room at first floor level; two storey rear extension to form study at ground floor level, staircase and ensuite dressing room at first floor level; erection of a conservatory at the rear and pitched roof over front porch.	Permitted	18.06.2008

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- C13 – Extensions to Dwellings in the Countryside
- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision making
- Section 9 – Promoting sustainable transport
- 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 Guide (2021)
- Design for Gravesham – Design Code (2024)

- Gravesham Landscape Character Assessment (2009).

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

Shorne Parish Council

The Parish Council has no objection in principle to the proposal, subject to there not being significant matters raised by neighbours, but has concerns and comments as set out below:

- The house has previously been extended, plus residential outbuildings have been built in the garden (the proposal removes one of these). Significant landscaping works received retrospective permission. The front garden has been fully paved despite the Green Belt and semi-rural location.
- The application form states that there was a pre-application discussion with GBC in March 2026.

Subterranean basement:

- The proposal: a very large, internally 14.5m by 14m (203sqm), basement and subterranean further extension, which will greatly increase the total floor area of the house. It is located partly under the existing house.
- Purpose: The purpose of the single room is not stated and no layout plan of the room is provided, so the situation regarding internal structure, supports and sub-divisions is unknown.

- Staircase: The staircase is shown as straight with 17 treads (18 risers) and apparently open plan to the room so without fire protection. There is no emergency exit, which will limit its use.
- Lack of natural light: There are no windows or rooflights shown.
- Landscaping etc: Landscaping, planting and exterior lighting plans should be required. Given the Green Belt and semi-rural location, the further increase in paved surfaces is a large concern.
- Excavation and removal of materials: Groundwork for creating the structure will require very considerable excavation of materials and their removal from site, resulting in a very large number of lorry movements which could cause nuisance to neighbours and interfere with traffic on Pear Tree Lane. Standard Conditions in this respect should be attached to any permission.
- Excavation depth: Excavation should not be deeper than the minimum required for creation of the foundations of the room as shown on the plans.
- Other Conditions: The proposed room should be only for domestic residential use in connection with the existing residential property. In view of the large increase in floor area that is proposed, permitted development rights should be withdrawn.

Garage extension:

- The extension to the garage is acceptable as it should be the same as the existing garage permitted under ref 20181142.
- Conditions should be attached again requiring the green roof and maintaining the screening vegetation to the roadway.

Dickens Country Protection Society

The Society would comment that the proposal is significant for engineering works. The Society is concerned the appropriate conditions should be imposed to control any change of use and ensure that the structures remain concealed.

Neighbouring properties

The application was advertised by way of the displaying of a site notice and individual letters sent to four surrounding properties with an overall expiry date of 18th June 2026. No comments have been received.

Officer's Analysis

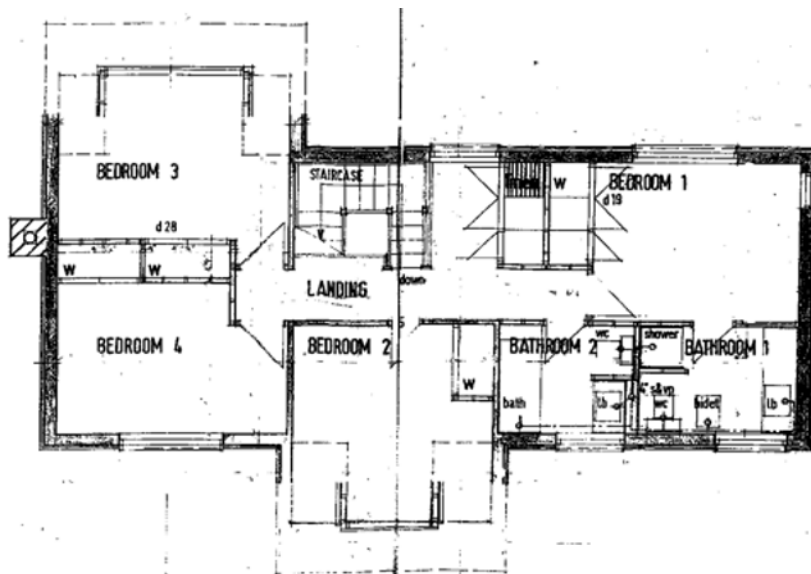
Background and Principle

From the planning history, there have been a number of planning applications to extend the property and therefore the current property is not the original dwelling.

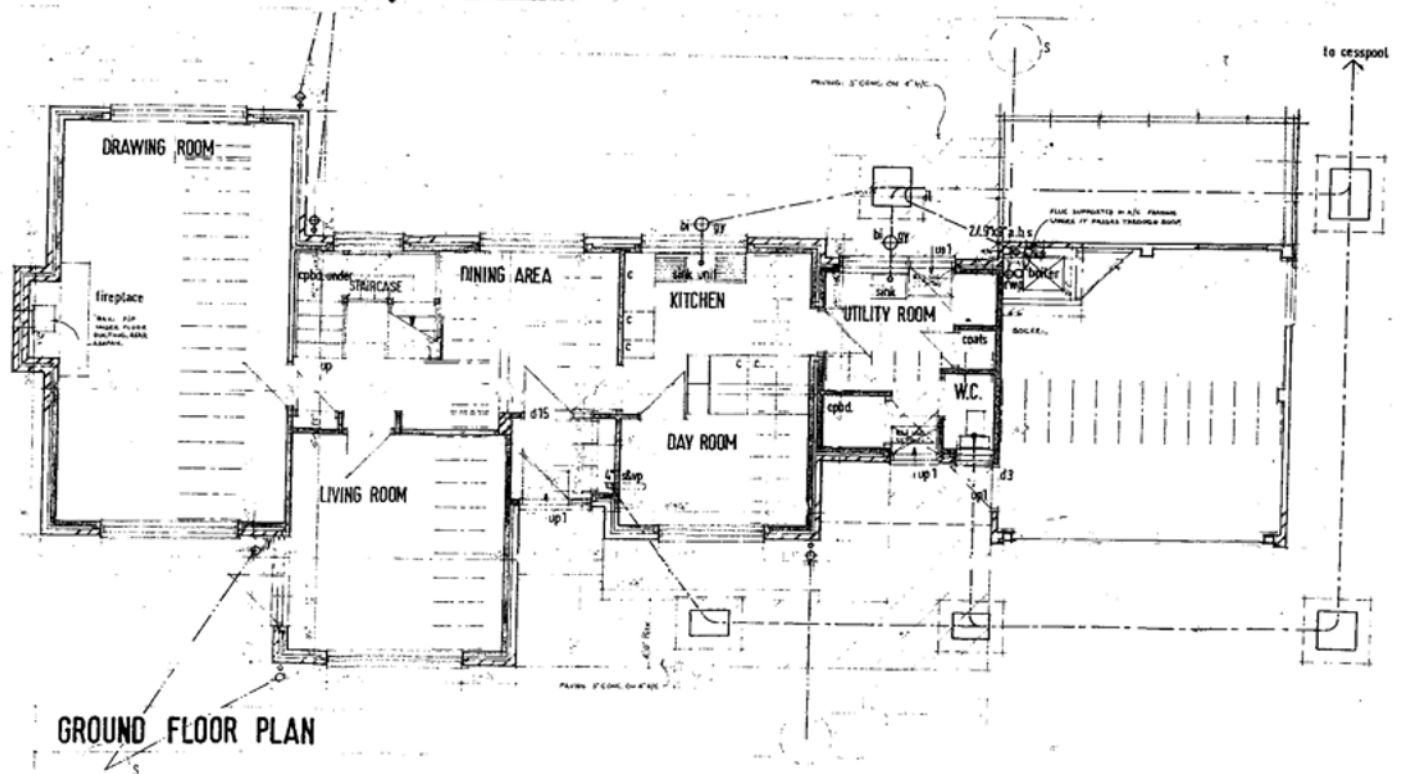
Original Floor Plan as Shown from App. Ref. 20080337

080337

15 APR 2008



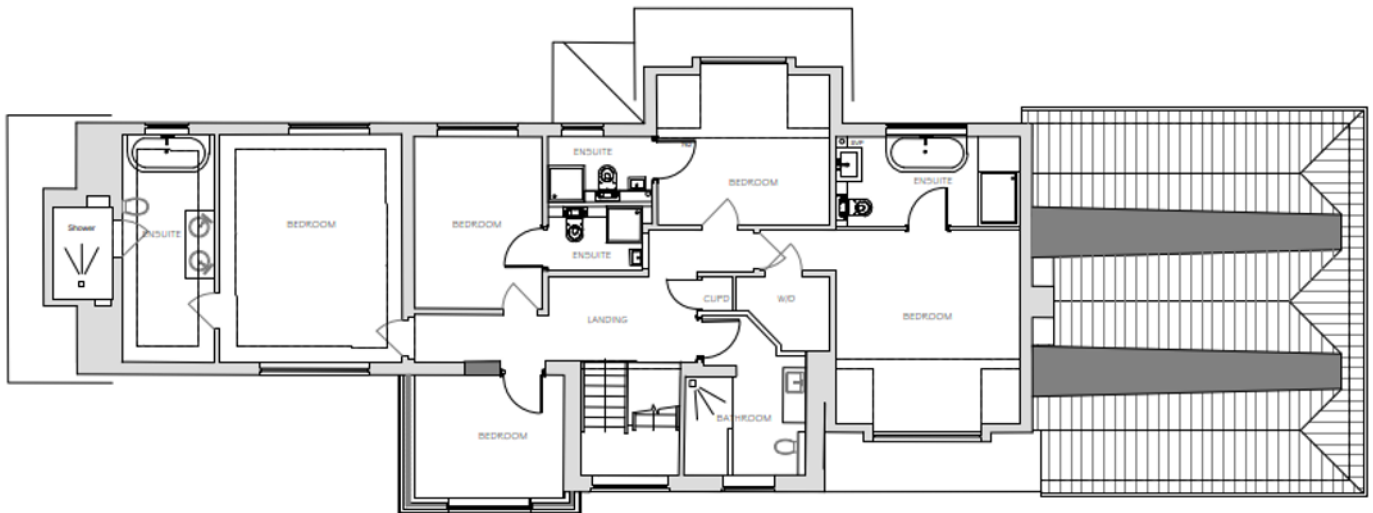
FIRST FLOOR PLAN



GROUND FLOOR PLAN

Current Property

EXISTING



First Floor Plan.



The key issues in consideration of this application is whether;

- the proposal would be inappropriate development in the Green Belt and, if inappropriate its effect on
- the openness of the Green Belt and the purposes of including land with it
- the proposal would adversely impact on the landscape character of the site
- the proposal would impact on amenity
- the proposal would result in any parking and highway safety issues

Site Location and Surrounding Area

The application site lies within the Metropolitan Green Belt and Shorne Woodland Landscape Character Area as defined on the adopted Gravesham Local Plan Core Strategy policies map and this must be the starting point for determining this application.

The application site at Springhill, Pear Tree Lane is a large detached two storey dwelling set in a large plot. The property benefits from a detached double garage to the front and off road parking to the front for more than three cars.

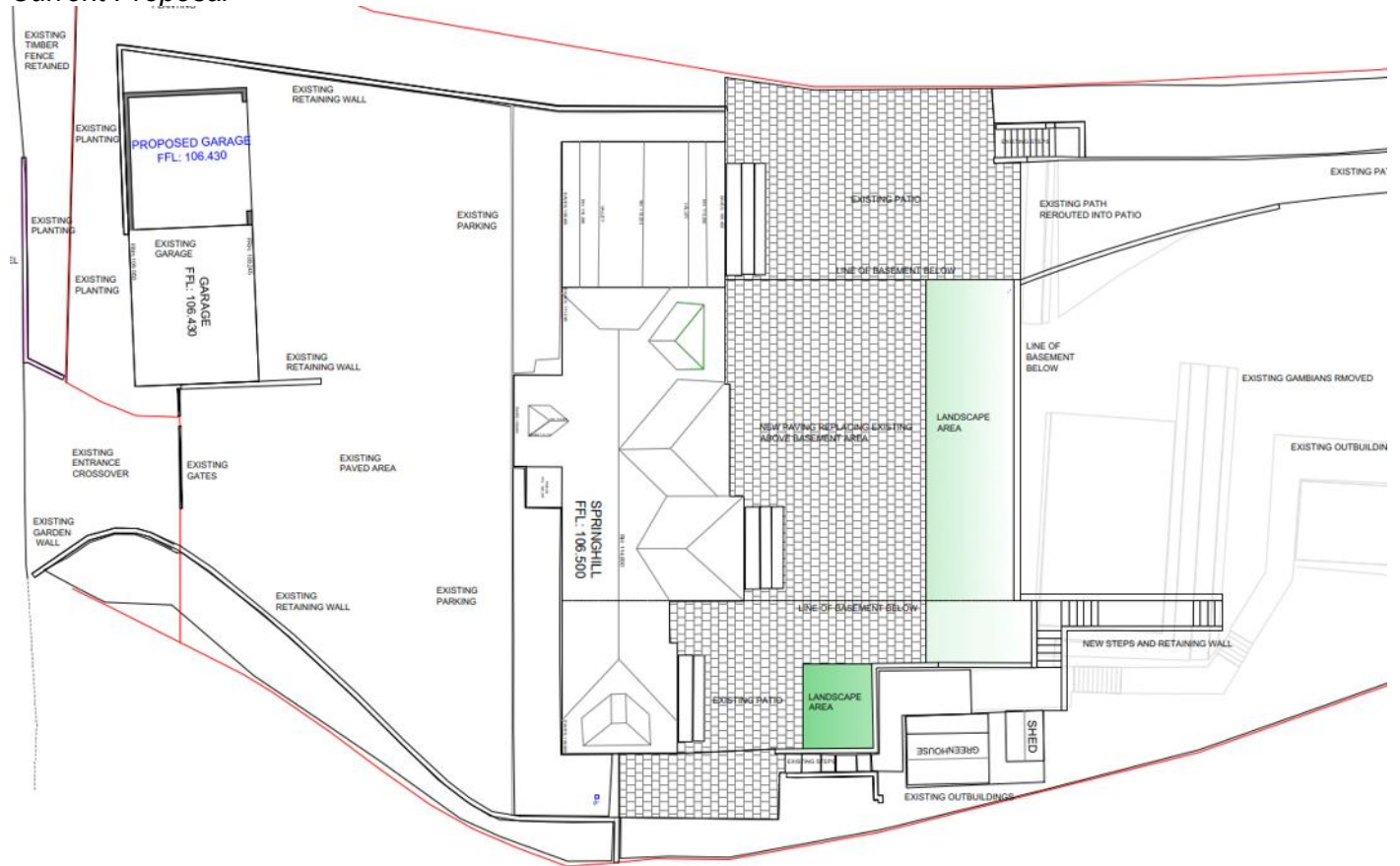
Proposal

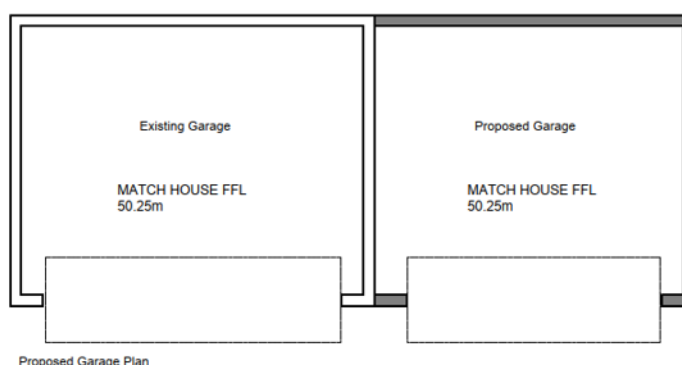
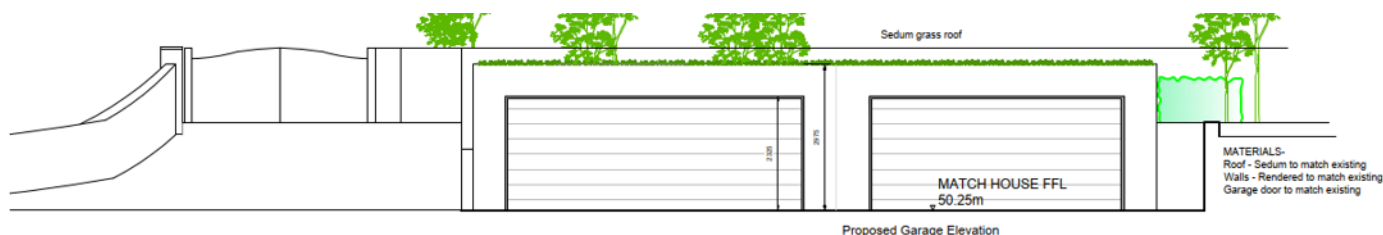
The proposal comprises of the erection of a submerged basement area to the rear of the existing dwelling and an extension to the existing garage at the front entrance courtyard. The basement would be

completely submerged below where part of the existing house and the existing patio/terrace and would have an overall length of 18.15m, be 15.28m wide and would be sunk 4.08m from the existing patio/terrace.

The proposed garage extension would extend 6.54m from the side of the existing garage, be 5.87m deep and 2.86m high with a sedum grass flat roof.

Current Proposal





The appropriateness of the development within the Green Belt

Inappropriate development in the Green Belt is development that by definition, is 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.

The NPPF (2024) notes that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence. At paragraph 143 the NPPF (2024) lists the 5 purposes which the Green Belt serves. Of particular relevance in this case is that it assists in safeguarding the countryside from encroachment.

The NPPF (2024) makes it clear that new buildings in the Green Belt should be regarded as inappropriate, with a small number of exceptions (paragraph 154). The listed exceptions include 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.

Policy CS02 of the Gravesham Local Plan Core Strategy (September 2014) (LPCS) prioritises development in the urban area as a sustainable location for development. In the rural area it 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 (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in (LPCS).

Furthermore, Saved Policy C13 of the Gravesham Local Plan First Review (November 1994) (LPFR), which relates to extensions to dwellings in the countryside, sets out a number of criteria that should be met when considering proposals for domestic extensions. As the policy pre-dates the NPPF (2024), the weight attached to the policy must be considered carefully; with greater weight being given where the approach is consistent with paragraph 154 the NPPF (2024).

In particular Policy C13 (LPFR) 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 (2024) and should be afforded weight.

In determining proposals for residential extensions in the Green Belt an assessment will be made against the impact of the 'original' existing development. The original building is the building as it existed on 1 July 1948, however, for older homes constructed prior to July 1st, 1948, the 'original dwelling' refers to the floorspace of the dwelling as it was on this date. Any additions that have occurred since the 'original' dwelling date are considered cumulatively and will be counted as part of the overall increase in floorspace of the dwelling when new additions are being assessed. The reason for this is small reductions in openness, repeated many times, can have a cumulatively detrimental effect.

The existing dwelling in this case appears to have been extended, as shown in the planning history and background sections above, by way of first floor side extension incorporating ground floor infill extension and two storey rear extension and a further two storey rear extension, single storey side extension and conversion of the existing garage into habitable room.

Saved Policy C13 (LPFR) provides the local interpretation of national policy and states there will be an overall limit of one third of the gross floor area of the original dwelling (measured externally) prior to any later extension or alteration, unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling.

Due to the proposed basement being completely submerged, it would not have an overall effect on the existing bulk and appearance of the dwelling. In addition, previously, case law has determined that fully submerged basements do not have an impact on openness of the Green Belt and therefore it would be unreasonable to include this in any calculations.

With regard to the garage extension, this would infill a portion of the existing courtyard to the side, would not result in additional living floorspace, and due to the garage being set lower than the highway and obscured by existing landscaping and the sedum grass roof, would not result in an unacceptable level of bulk or massing.

Therefore, whilst the existing property has already increased its floorspace above the one third limit, the proposal would not result in an increase in bulk or appearance of the dwelling and therefore would accord with saved Policy C13 (LPFR).

Furthermore, Policy CS19 of Gravesham Core Strategy (LPCS) 2014 require new development to be visually attractive, fit for purpose and locally distinctive. This proposal therefore meets the requirements of CS19 (LPCS) as well.

In summary it is considered that this extension complies with local and national planning policy.

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

Having determined that the proposal is an appropriate development in the Green Belt, it is necessary to assess the effect on the openness and the purposes of including land in the Green Belt. Paragraph 142 of the NPPF 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.

As stated above, the proposed basement would be completely submerged with the patio re-laid over the top. The proposed garage extension would not be highly visible due to the location, land levels and existing landscaping. As a result, it is considered that the proposal does not result in any further material harm to the openness of the Green Belt or represent encroachment into the countryside.

Therefore, the proposal is considered to be in accordance with Policy CS02 (LPCS) and Section 13 of the NPPF (2024).

External Materials

The submitted information states that the proposed materials for the garage would match the existing. As such, the proposed materials are considered acceptable.

Design and visual impact

Section 12 of the NPPF relates to “achieving well-designed places” and sets out the Government’s requirements in relation to design issues. Paragraph 131 is particularly relevant:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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.

The aims set out in paragraph 131 of the NPPF are reflected in Policy CS19 of the Core Strategy. This requires new development to be “visually attractive, fit for purpose and locally distinctive” and to “conserve and enhance the character of the local built, historic and natural environment”. It also requires new development to “integrate well with the surrounding local area”. In addition, Policy CS19 requires the following:

“...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. Account will be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings.”

The application property is located on Pear Tree Lane, outside of any rural settlements. The property is set generously back from the highway with extensive soft landscaping surrounding the property. The majority of the views of the garage are obscured from the wider area and the proposed basement would be fully submerged. Overall, it is considered that the proposals are acceptable additions to the dwelling that would not detract or result in a detrimental impact on the host property.

Taking account of all the above, it is considered that the proposal would accord with Policies CS02 and CS19 (LPCS) and Section 12 of the NPPF (2024).

Impact on landscape

Section 15 of the NPPF highlights the importance of conserving and enhancing the natural environment, one aspect of which is the protection and enhancement of valued landscapes. Policy CS12 of Gravesham Local Plan Core Strategy states that the overall landscape character and valued landscapes within the Borough will be conserved, restored and enhanced and that proposals will take account of the Gravesham Landscape Character Assessment.

The appeal site is within the Shorne Wooded Downs Landscape Character Area. Having regard to the Gravesham Landscape Character Assessment, the landscape has an undulating landform with significant areas of woodland providing a strong sense of enclosure. Traditional properties within Shorne and Shorne Ridgeway are distinct and promote a strong sense of place. Guidelines for the landscape seek to reinforce the distinctive features of the landscape and reinforce character through the use of vernacular elements.

Due to the nature of this proposal there will be no direct impact on the landscape character area. As such the proposal would accord with Policy CS12 (LPCS) and Section 15 of the NPPF (2024).

Impacts on residential amenity

Paragraph 135 of the NPPF requires planning decisions to, *inter alia*, provide “a high standard of amenity for existing and future users”. In addition, Policy CS19 of the Core Strategy requires new development to be located, designed and constructed to “safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land”.

Given the separation distance between properties and the scale of the proposal, it is considered the proposal would not result in loss of light, privacy, outlook and increased overshadowing. No objections have been received.

In light of these considerations, the proposed extension would not have a detrimental impact upon the residential amenity of existing/future or neighbouring occupiers and would meet the tests set out in the NPPF and Policy CS19 of the Core Strategy.

Highway issues

The proposal would not result in an increase in bedrooms and the existing garage and driveway provide parking for more than three vehicles, with the proposed extension to the garage creating two additional spaces. Therefore the development would accord with KCC Vehicle Parking Standards, and the proposals would therefore comply with Saved Policy P3 of the Local Plan and Policy CS11 (LPCS).

Conclusion

For the reasons set out in this report, this development would not result in “disproportionate additions over and above the size of the original building” and has been designed to have a subservient and appropriate appearance to the host dwelling. As such it would not constitute inappropriate development within the Green Belt. Furthermore, it would not impact the openness of the Green Belt.

In all other respects the proposal is also seen as acceptable. It has been shown to be appropriate in terms of its design and visual impact, its impact upon the Shorne Wooded Downs Landscape Character Area and its impact upon residential amenity. It is also considered acceptable in terms of highway.

Recommendation:

Permission.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:	<i>A Cue</i>	Signed:	<i>R Hart</i>
Dated:	13th July 2026	Dated:	14th July 2026