



OUR REF: 3871.SC

PLANNING DESIGN & ACCESS STATEMENT

VALLEY VIEW WRANGLING LANE LUDDESDOWN DA13 0XF

1 INTRODUCTION

- 1.1** This statement is prepared in support of a revised householder planning application submitted on behalf of Dr. Shirin Lakhani following refusal of application 20211069 and a subsequent dismissed appeal (decision dated 7 September 2022). Planning permission is sought for the following development

Hip to gable roof extension (with bonnet hip) to south west and north east elevations, erection of a chimney and two additional dormer windows to front, enlarged windows to south west elevation, juliette balcony to north east elevation, insertion of sliding/opening doors to front elevation. Resubmission following appeal decision dated 07/09/2022 (Application 20211069).

2 SITE CONTEXT

- 2.1** The application property, Valley View is situated to the north-west of Wrangling Lane to the south-west of Luddesdown and Great Buckland. It lies on the north-western side of a dry valley within the dip slope of the North Downs. Wrangling Lane runs along its north-eastern side just above the valley floor.
- 2.2** The property sits within the designated Kent Downs Area of Outstanding Natural Beauty (AONB) and the Metropolitan Green Belt. Valley View is bounded to its north, north-west and south-west by woodland, that comprises a Local Wildlife Site (LWS). Some of the woodland is classified as Ancient Semi-Natural Woodland.
- 2.3** The property, a detached house, is situated on the north-west side of the valley on higher land than the valley floor and Wrangling Lane (between 10-15m above the lane and valley floor) but at a considerable distance from Wrangling Lane (approximately 112m). It is set within spacious grounds of around 0.5ha in area with additional land lower down the valley slope of around 0.9ha comprising paddocks and a large pond. The site is well screened from the lane even in the winter months.
- 2.4** The upper floor of the house is largely set within the roofspace with the bedrooms lit by a number of dormer windows of differing sizes. The majority of the upstairs rooms are therefore affected by low headroom rendering their use difficult and impracticable. The house also has a basement that is currently very compartmentalised with varying head heights. To the NNE of the house is a detached double garage with a stable block to its north (rear). There is also a triple garage located to the SW of the house.

3 PLANNING HISTORY

- 3.1** Recent and other relevant planning history relating to the property is as follows.

20030379: Erection of two storey rear extension to form enlarged kitchen, and covered area with bedroom and balcony over; construction of 2 mini- dormer windows in the south-west side roof slope, a dormer window in the north-east side roof slope and two dormer windows in the front roof slope with velux windows on the existing north east and south west roof slope and conversion of roof space into three bedrooms, bathroom and en-suite bathroom and erection of an open-fronted porch on the south-west side elevation: APPROVED 23/06/2003

20060255: Construction of dormer window to replace two velux windows in south west roof slope: APPROVED 05/05/2006

20070026: Construction of dormer window in north eastern roof slope to replace existing rooflights: APPROVED 28/02/2007

20080956: Erection of two storey side/rear extension to provide a granny annexe comprising living room at ground floor level with bedroom and ensuite bathroom/wc at first floor level: REFUSED 18/12/2008

20090978: Application for Lawful Development Certificate for the proposed erection of single storey rear extensions to form a garden room and an enlarged utility room: GRANTED 29/01/2010

20100332: Erection of single storey rear extensions to form a garden room and an enlarged utility room APPROVED 15/06/2010

20150329: Construction of a dormer window in the side (north eastern) roof slope to ensuite bathroom: APPROVED 16/06/2015

20211069: Hip to gable roof extension to south west and north east elevations, erection of a chimney and two additional dormer windows to front, enlarged windows to south west elevation, juliette balcony to north east elevation, insertion of sliding doors and basement floor windows to front elevation, enlargement and conversion of basement area to home gym and games room and enlargement of terrace on south east side. REFUSED 22/10/2021 APPEAL DISMISSED 07/09/2022 (Appeal decision attached at **Appendix One**)

- 3.2** Following the dismissed appeal the Inspector's decision was reviewed in consultation with the applicant and formal pre-application advice sought from the Council (GBC ref: PRE20220269). This advice is attached at **Appendix Two**. The scheme was further refined following receipt of this advice.

4 PROPOSALS

- 4.1** Full planning permission is sought for the following works;

Hip to gable roof extension (with bonnet hip) to south west and north east elevations, erection of a chimney and two additional dormer windows to front, enlarged windows to south west elevation, juliette balcony to north east elevation, insertion of sliding/opening doors to front elevation. Resubmission following appeal decision dated 07/09/2022 (Application 20211069).

- 4.2** The current proposals differ from the earlier scheme in the following main ways
- The alterations to and extension of the basement are no longer proposed
 - The extension of the existing terrace is no longer proposed
 - The hip-to-gable extensions have been provided with bonnet/barn hips as recommended in the pre-application advice.
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- The front south-east elevation has been provided with larger opening doors to enable the integration of the existing external terrace and the internal living space. This was also suggested in the pre-application response.
- It is proposed to change existing windows throughout the property to powder-coated aluminium to provide a consistent and updated elevational treatment to the dwelling.

5 PLANNING POLICY

- 5.1 Section 38(6) of the Planning and Compensation Act 2004 requires that where regard is had to the Development Plan decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan for the District comprises the Core Strategy 2014 and the saved policies of the Gravesham Local Plan First Review 1994.
- 5.2 There have been no material change in Development Plan or National Planning Policy and advice since the appeal decision and the subsequent issuing of the pre-application advice.
- 5.3 Relevant policies in the Core Strategy remain policy CS01 (relating to sustainable development that reflects the advice in the NPPF and the presumption in favour of approving development that accords with the development plan), CS02 (Scale and location of New Development), CS19 Development and Design Principles (Sets out general design principles to which new development should seek to comply). The relevant policy in the Gravesham Local Plan First Review 2014 is Policy C13, which covers extensions to dwellings in the countryside. The policies are attached at **Appendix Three**.
- 5.4 The National Planning Policy Framework (NPPF) 2021 is also relevant as a material consideration. Paragraph 7 advises that the fundamental basis of the planning system is to achieve sustainable development and paragraph 8 outlines the three integral and intertwined overarching objectives in pursuit of sustainable development (economic, environmental and social). Paragraphs 10 and 11 set out a presumption in favour of sustainable development and advise that proposals should be approved without delay where they are in accordance with an up-to-date development plan or in cases where the development plan policies are not up-to-date or are silent unless there would be unacceptable harm to specified areas (such designated Green Belt land or land within AONBs) or where the disadvantages of granting permission significantly and demonstrably outweigh the benefits.
- 5.5 Chapter 13 of the NPPF covers the protection of Green Belt land in respect of which, the protection of the function of the Green Belt and maintenance of openness is of great importance and weight. Green Belts have five main functions as set out in NPPF paragraph 138 as follows.
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;

- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 5.6 Paragraph 147 of the NPPF advises that inappropriate development is by definition harmful to the Green Belt. Paragraph 149 sets out the types of development that may be considered as appropriate development which includes inter-alia extensions to existing buildings provided that certain caveats are met.
- 5.7 The implications of the site's Green Belt location are addressed in detail later in this statement proposed development.
- 5.8 Paragraphs 176 and 177 of the NPPF provide advice for the consideration of proposals in protected and designated areas such as AONBs.

PLANNING ISSUES

- 6.1 The Inspector considered four main issues in their decision.
- i) Whether the development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - ii) The effect on the openness of the Green Belt;
 - iii) The effect of the development on the character and appearance of the area including the Kent Downs Area of Outstanding Natural Beauty (AONB), and;
 - iv) Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the development.
- i) Whether inappropriate development.
- 6.2 The Inspector did consider the proposed development to be inappropriate development for the reasons set out in paragraph 7 of the decision.

‘Together with the floorspace and footprint uplifts, I find that the overall increase in the size of the original building resulting from the works would be significant. Consequently the appeal scheme would result in disproportionate additions over and above the size of the original building. Thus, it would be inappropriate development.’

This revised scheme has removed the proposed extension to the terrace and basement. This was considered to be a positive step in the pre-application response.

The Council also suggested that ‘an alteration to the design of the dwelling is required to be more proportionate to the original dwelling and reduce the perceived bulk.’

This revised scheme now proposes the bonnet/barn hips to the gable ends of the hip-to-gable extensions and has thus addressed the Council's comments.

It is considered that the revised proposals should not now be considered as inappropriate development.

ii) The effect on the openness of the Green Belt

- 6.3** The Inspector concluded in paragraph 10 of the decision letter that the impact on the visual openness of the Green Belt from the proposed development would, given the context of the property be limited. In spatial terms the Inspector considered the impact on openness to be moderate.

‘11. In spatial terms, the appeal scheme would increase the bulk and volume of the roof forms through the introduction of two substantial gable features and new larger dormer windows to the southeast facing roof slope. The proposed basement extension would also add to the bulk of the property and its spread on the land. In combination these factors would result in a reduction in openness of the Green Belt in spatial terms. It would also result in a degree of encroachment in the countryside, in conflict with the purposes of including land within the Green Belt as set out in paragraph 138 of the Framework.

12. However, I acknowledge there are multiple dormer windows and varied roof forms across the existing property which give bulk to the first floor level. Taken in combination with the locational context of the appeal site and the scale of the works proposed relative to the existing, I find that the degree of harm to the openness of the Green Belt, and the purposes of including land within the Green Belt, is moderate.’

The pre-application response concluded as follows on openness. ‘Therefore, it is considered that the development would not be harmful to the open character of the Green Belt. However, as detailed in the section above, the introduction of barn hipped edges to the roof of the proposal would remove harsh edges and perceived bulk which is beneficial to the openness and is encouraged.’

The current proposals have removed the basement and terraced extensions and have provided a hip to the gable extensions at first floor level. It is considered therefore that the revised proposals will be acceptable in terms of the openness of the Green Belt.

iii) The effect of the development on the character and appearance of the area and the AONB

- 6.4** The Inspector found as follows in terms of the visibility of the property.

‘14. As a result of its remote location and the mature landscaping on and around the site, the property experiences very limited visibility from surrounding public or private view points. Some glimpses of the property are possible from the point of access on Wrangling Lane, but this is heavily restricted by substantial laurel hedging. I have no substantive evidence before me to suggest that the property is visible in any far reaching views.

They also concluded that the proposals whilst altering the character and appearance of the property would not unbalance its appearance particularly as the first floor would

still remain within the roofslopes. They considered that as a standalone building in a remote location the alterations would not result in the property appearing incongruous with its surroundings and that in any event the wider visibility of the proposed alterations would be extremely limited

On this issue the Inspector's overall conclusion was as follows

'17. For these reasons the proposal would not cause harm to the character or appearance of the area, but would preserve those attributes which contribute positively to the special landscape character of the AONB and the Luddesdown Down Landscape Character Area. The appeal scheme would comply with Policies CS12 and CS19 of the CS which require development to be visually attractive and to conserve landscape character. Insofar as this main issue is concerned, it would meet the aims of saved Policy C13 of the GLPFR insofar as it requires the appearance, massing, scale, form and materials to be appropriate to the dwelling and setting. I do not find conflict with the aims of the Householder Extensions/ Alterations Design Supplementary Planning Document 2021, nor the design objectives of the Framework.'

The Council's pre-app advice accepted the Inspector's conclusions but nevertheless advised that consideration should be given to hiping the roof edges. The Council has subsequently suggested that consideration be given to lowering the ridge line of the two new front dormers further below the existing ridge line of the dwelling.

The overall form and design of the proposed alterations is as previously considered acceptable. The revised scheme has addressed the pre-application advice and hips are proposed to soften the edges of the roof extension.

The ridge line of the new dormers as proposed are below the main ridge of the dwelling. Consideration has been given to lowering these further, but this would have a consequential adverse impact on the extent of suitable headroom (1.8m and above) within the affected rooms below and negate from the applicant's reasons for pursuing the proposals in the first instance. It should of course be noted that the Inspector also raised no objections to the form and appearance of the dormers. For these reasons they have been retained as originally proposed.

The scheme as now submitted is therefore considered acceptable.

(iv) Very Special Circumstances

- 6.5 Given that the revised proposals have sought to address both the Inspector's conclusions and the Council's subsequent pre-application advice and recommendations, it is contended that the proposals no longer constitute inappropriate development and that therefore it is not necessary to demonstrate Very Special Circumstances in this case.**

Other matters

- 6.6 The proposed development would not result in any impact on the local highway network. Furthermore, there are no neighbouring properties that would be affected by**

the development and the proposed changes to the house.

7.0 CONCLUSIONS

- 7.1** The proposals would not be in conflict with the five purposes of the Green Belt as set out in paragraphs 138 of the NPPF.
- 7.2** The proposals as amended and now submitted following consideration of the Appeal Decision and the subsequent pre-application advice, are considered to constitute appropriate development in the Green Belt, that will have an acceptable impact on its openness.
- 7.3** The proposals are acceptable in terms of their overall design as now amended and in terms of their impact on the character of the surrounding area and this part of the Kent Downs AONB.
- 7.4** For all these reasons, the Council are respectfully requested to grant planning permission for these revised development proposals.

DESIGN AND ACCESS STATEMENT

Amount of Development

The proposed development will add minimal additional floorspace to the dwelling overall. The hip-to-gable change will not materially add to floorspace but will make the existing first floor space more useable.

Layout

The overall footprint of the development will not significantly change. The north and south bedrooms at the front of the house on the first floor will become more useable with headroom improved. The new glazed entrance will enhance light in the enlarged hallway and highlight the new staircase as a feature.

Scale

The building will not increase significantly in scale and mass. Visually the most apparent change will be the hip-to-gable alteration and the movement of the two dormer windows to the front elevation of the house. The alterations will not however, result in the overall height of the dwelling being raised and the dormers are subservient and in keeping with the scale of the roof. A hip has been added to the roof extensions following pre-application advice from the Council.

Appearance

The proposed development will significantly enhance the character and appearance of the dwelling. It will make a positive contribution to the character of this part of the Kent Downs AONB and surrounding countryside and will not result in unacceptable harm to the landscape character of the Luddesdown Downs character area. It will enhance the existing sparse and distinctive character of the built development that exists in the area.

Landscaping

The house is set in a mature existing landscape that will not be affected by the development. The development does not result in the need to provide additional landscaping.

Access

Vehicular and pedestrian access to the site and building will remain as it currently is. No change to car parking provision is shown or needed as the number of bedrooms is not increasing.

Analysis

The proposed appearance, massing, scale, form and materials would be appropriate to the existing dwelling and would not cause visual harm to the Green Belt, the Area of Outstanding Natural Beauty or the landscape character of the Luddesdown Downs, maintaining and enhancing the character of sparse and distinctive built development.

APPENDIX ONE

APPEAL DECISION DATED 07/09/2022



Appeal Decision

Site visit made on 23 August 2022

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 September 2022

Appeal Ref: APP/K2230/D/21/3286550

Valley View, Wrangling Lane, Luddesdown DA13 0XF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Dr Shirin Lakhani against the decision of Gravesham Borough Council.
 - The application Ref 20211069, dated 25 August 2021, was refused by notice dated 22 October 2021.
 - The development proposed is described as 'Construction of 2no. dormer windows to the front (south-east) elevation, carrying out of hip-to-gable roof extensions to the south-west and north-east elevations and associated alterations to these elevations, enlargement of the existing basement area (and provision of new windows) and existing ground floor terrace on the south-east side of the dwelling together with associated internal alterations to the dwelling.'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. There is dispute between the parties regarding the description of development. The description given in the banner heading above is taken from the planning application form, as this accurately describes the proposal.

Main Issues

3. The main issues are:
 - i) Whether the development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - ii) The effect on the openness of the Green Belt;
 - iii) The effect of the development on the character and appearance of the area including the Kent Downs Area of Outstanding Natural Beauty (AONB), and;
 - iv) Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the development.

Reasons

Whether Inappropriate Development

4. The Framework in paragraph 137 identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate development, but lists exceptions in paragraph 149. One such exception, at paragraph 149c), is 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.
5. Saved Policy C13 of the GLPFR¹ contains the Council's policy for extensions to dwellings in the countryside. The supporting text clarifies that this policy seeks, among other things, to maintain the open character of the Green Belt. Part ii) states there will be an overall limit of one third of the gross floor area of the original dwelling prior to any later extension or alteration, unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling.
6. The appellant accepts that the property has been extended beyond the limit set out in saved Policy C13 and I find that the proposed development would have an overall effect on the existing bulk and appearance of the dwelling, including at the basement level where new windows are proposed. The Council report that, together with earlier additions, the works would entail a 140% uplift from the original internal floor area and a 98% uplift in footprint. Those figures have not been disputed by the appellant and, even if saved Policy C13 were considered to be out of date, the uplifts from the original would be substantial.
7. Based on the descriptions listed within the planning history, extensions and alterations to the building have included conversion of the roofspace with dormers, a two storey rear extension, and a nearby outbuilding. Together with the floorspace and footprint uplifts, I find that the overall increase in the size of the original building resulting from the works would be significant. Consequently the appeal scheme would result in disproportionate additions over and above the size of the original building. Thus, it would be inappropriate development.
8. The proposed development would conflict with saved Policy C13 of the GLPFR and Policy CS02 of the CS² insofar as it supports development where it is compatible with national policies for protecting the Green Belt.

Openness

9. The openness of the Green Belt has a spatial as well as a visual aspect. The appeal site is in a secluded location and the openness of the wider area is established by the dispersed pattern of development and the predominance of open fields, woodland and vegetation.
10. The appeal site is surrounded by mature trees and woodland, which extend across the appeal site. While the property is on raised ground on the valley

¹ The Gravesham Local Plan First Review: Saved and Deleted Policies Version 2014

² The Gravesham Local Plan Core Strategy 2014

side, the alterations to the property would experience little visibility from the surrounding area, including from Wrangling Lane. As a result of these factors the visual impact of the proposed development on the openness of the Green Belt would be limited.

11. In spatial terms, the appeal scheme would increase the bulk and volume of the roof forms through the introduction of two substantial gable features and new larger dormer windows to the southeast facing roof slope. The proposed basement extension would also add to the bulk of the property and its spread on the land. In combination these factors would result in a reduction in openness of the Green Belt in spatial terms. It would also result in a degree of encroachment in the countryside, in conflict with the purposes of including land within the Green Belt as set out in paragraph 138 of the Framework.
12. However, I acknowledge there are multiple dormer windows and varied roof forms across the existing property which give bulk to the first floor level. Taken in combination with the locational context of the appeal site and the scale of the works proposed relative to the existing, I find that the degree of harm to the openness of the Green Belt, and the purposes of including land within the Green Belt, is moderate.

Character and Appearance

13. The appeal site occupies an extensive area which includes a pond and paddock on the lowest ground closest to Wrangling Lane. The property of Valley View and two existing outbuildings sit towards the back of the site where the ground rises steeply, resulting in the property being nestled into the hillside. The site is peppered with mature trees and landscaping and is bound by dense woodland to the north, south, and west, which form an integral part of its verdant and rural character. The site lies within the Kent Downs AONB, and the Luddesdown Downs Landscape Character Area as defined by the Gravesham Landscape Character Assessment 2009. This identifies, among other things, that development proposals should maintain the character of sparse and distinctive built development.
14. As a result of its remote location and the mature landscaping on and around the site, the property experiences very limited visibility from surrounding public or private view points. Some glimpses of the property are possible from the point of access on Wrangling Lane, but this is heavily restricted by substantial laurel hedging. I have no substantive evidence before me to suggest that the property is visible in any far reaching views.
15. The proposed alterations would undoubtedly alter the character and appearance of the property, particularly through increasing the bulk and prominence of the first floor level, and emphasising the existence of a basement through the installation of windows. The amended window designs, larger dormer windows and glazed balustrade would give a more modern appearance. However, I do not find that this would result in the appearance of the property becoming unbalanced, particularly as the first floor would still remain within the roofslopes. As the building is already pale in colour I do not find the change of the colour would cause harm, and while the extent of glazing would increase it would not dominate the elevations of the property. As this is a standalone building in a remote location, the alterations would not result in the property appearing incongruous with its surroundings. Furthermore, and in

any event, the wider visibility of the proposed alterations would be extremely limited.

16. While the proposed flue would be incongruous to some degree with the domestic appearance of the property, its profile would be slim and it would be set partially behind one of the dormer windows. As suggested by the parties, if the appeal scheme were otherwise acceptable, a dark and matt finish could be secured by condition to reduce its visual impact. Given these factors and the limited visibility as already described, I do not consider this element would cause visual harm.
17. For these reasons the proposal would not cause harm to the character or appearance of the area, but would preserve those attributes which contribute positively to the special landscape character of the AONB and the Luddesdown Down Landscape Character Area. The appeal scheme would comply with Policies CS12 and CS19 of the CS which require development to be visually attractive and to conserve landscape character. Insofar as this main issue is concerned, it would meet the aims of saved Policy C13 of the GLPFR insofar as it requires the appearance, massing, scale, form and materials to be appropriate to the dwelling and setting. I do not find conflict with the aims of the Householder Extensions/ Alterations Design Supplementary Planning Document 2021, nor the design objectives of the Framework.

Other Considerations

18. Harm has been found to the Green Belt through being inappropriate development and through a reduction in openness in spatial terms. The Framework makes clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
19. The roof level alterations would improve the ceiling heights within two of the existing bedrooms, which are heavily constrained by the existing roofslopes. While this would make a notable improvement to the conditions in those bedrooms this is, nonetheless, a private benefit to the appellant rather than a public one. Furthermore, there may be other solutions available to achieve this benefit and I afford this limited weight.
20. The appellant considers the proposal would represent an enhancement to the building and its setting. While this is the view of the appellant, I have no substantive evidence to suggest that the existing building is of a design or appearance which causes harm to its setting, nor is it in a dilapidated state. As such I afford limited weight to the benefit of the new appearance. While I have not found harm to the character and appearance of the area, this is a neutral matter that does not weigh in favour of the development.
21. A lawful development certificate was granted for the erection of a garden room/gym to be positioned to the north-west of the house³ and the appellant states this would have a greater impact on openness, and introduce a greater built footprint on the site compared to the appeal scheme. Limited details of this alternative scheme have been submitted, including any details of the

³ Reference 20210707

appellant's intent to carry out those works. Based on the evidence, I am not satisfied that there is a real prospect of the outbuilding otherwise being implemented or that this would have similar or worse effects than the appeal scheme. For these reasons I afford this limited weight as a fall back position.

22. There has also been planning permission granted previously for the insertion of windows in the basement level⁴. Even if that permission remained extant, the windows were part of a scheme of works which would appear to be materially different to the current appeal scheme which includes the extension of the basement area. As such I am unable to give this consideration more than minimal weight.
23. The appellant has drawn my attention to an appeal decision relating to an extension in the Green Belt on a site elsewhere within Gravesham Borough⁵. I note that the Inspector found very special circumstances to exist in that case, arising from matters including visual enhancements and the removal of dilapidated structures which improved openness. I therefore find the circumstances of that appeal to be materially different to that before me.
24. While the appellant would accept a condition preventing the future use of permitted development rights for outbuildings, this would be unlikely to meet the test of reasonableness as confirmed by the Planning Practice Guidance. The absence of harm in respect of other issues considered by the Council, including highways matters, are neutral matters.

Conclusion

25. Overall, the weight of other considerations in this instance would not be sufficient to clearly outweigh the harm to the Green Belt, which I am required to give substantial weight. Consequently, the very special circumstances necessary to justify the development do not exist.
26. For the reasons set out above, the proposal would conflict with the development plan and the Framework. There are no material considerations that would indicate a decision other than in accordance with it and the appeal is therefore dismissed.

C Shearing

INSPECTOR

⁴ Ref 20030379

⁵ APP/K2230/W/17/3179791

APPENDIX TWO

PRE-APPLICATION ADVICE (PRE20220269)

Pre-Application Response

Reference	PRE20220269
Site	Valley View, Wrangling Lane, Luddesdown, Gravesend, Kent, DA13 0XF
Proposed Development	Proposed extension
Case Officer Details	Mr Ethan Bonthron E-mail: Ethan.Bonthron@gravesham.gov.uk
Date of Advice	23 January 2023

I am writing with reference to your request for pre-application advice at the above site, received as valid on 5th October 2022.

I have now had the opportunity to review your proposal, following the pre-application meeting and other discussions, and can offer the following comments:

Proposal

This pre-application seeks advice on a proposed roof extension to the property, following planning refusal (20211069) and a dismissed appeal (2021/00061/REF). The planning application was refused by the Local Planning Authority on the following ground:

- The proposed development significantly alters the character and appearance of the dwelling, creates an unbalanced appearance, introduces disproportionate features and is poor design. These additions result in increased bulk and incongruous appearance which is both inappropriate development within and harmful to the openness of the Green Belt as well as the AONB and Luddesdown Downs Landscape Character Area. Therefore the development hereby proposed is contrary to Policies CS02 (Scale & Distribution of Development), CS12 (Green Infrastructure) and CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014), saved Policy C13 (Extensions to Dwellings in the Countryside) of Gravesham Local Plan First Review (1994) as well as Sections 12, 13 and 15 of the National Planning Policy Framework (2021).*

The appeal was dismissed by the Planning Inspector as inappropriate development and disproportionate additions over and above the original property, concluding:

"The weight of other considerations in this instance would not be sufficient to clearly outweigh the harm to the Green Belt, which I am required to give substantial weight. Consequently, the very special circumstances necessary to justify the development do not exist.... the proposal would conflict with the development plan and the Framework. There are no material considerations that would indicate a decision other than in accordance with it and the appeal is therefore dismissed."

This pre-application has not provided any revised plans and therefore, this report will be proportionate to the information submitted.

Site Description

Valley View (formally known as Ladera) is a large detached chalet style bungalow located at the end of Wrangling Lane. The property has a generous curtilage, which includes a paddock, and is positioned on the slope of the valley.

Relevant Planning History

Reference	Description	Decision	Decision Date
20211069	Hip to gable roof extension to south west and north east elevations, erection of a chimney and two additional dormer windows to front, two new dormer windows to rear, enlarged windows to south west elevation, Juliette balcony to north east elevation, insertion of sliding doors and basement floor windows to front elevation, enlargement and conversion of basement area to home gym and games room and enlargement of terrace on south east side.	REFUSED	22.10.2021
2021/00061/ REF		APPEAL DISMISSED	07.09.2022
20210707	Application for a Lawful Development Certificate in respect of the proposed erection of a garden room/gym.	CERTIFICATE GRANTED	26.07.2021
20150329	Construction of a dormer window in the side (north-eastern) roof slope to ensuite bathroom.	PERMITTED	16.06.2015
20100332	Erection of single storey rear extensions to form a garden room and an enlarged utility room.	PERMITTED	15.06.2010
20090978	Application for Lawful Development Certificate for the proposed erection of single storey rear extensions to form a garden room and an enlarged utility room.	CERTIFICATE GRANTED	29.01.2010
20080956	Erection of two storey side/rear extension to provide a granny annexe comprising living room at ground floor level with bedroom and ensuite bathroom/wc at first floor level.	REFUSED	18.12.2008
20070026	Construction of dormer window in north-eastern roof slope to replace existing rooflights.	PERMITTED	28.02.2007
20060255	Construction of dormer window to replace two velux windows in south-west roof slope.	PERMITTED	05.05.2006
20040978	Erection of a block of two stables.	PERMITTED	24.12.2004
20030379	Erection of two storey rear extension to form enlarged kitchen, and covered area with bedroom and balcony over; construction of 2 mini-dormer windows in the south-west side roof slope, a dormer window in the north-east side roof slope and two dormer windows in the front roof slope with velux windows on the existing north east and south west roof slope and conversion of roof space into three bedrooms, bathroom and ensuite bathroom and erection of an open-fronted porch on the south-west side elevation.	PERMITTED	23.06.2003

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Development Plan and other related Planning Policies and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Borough Council to determine planning applications 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.

The Development Plan for Gravesham currently comprises:

- Gravesham Local Plan Core Strategy and Policies Map, September 2014
- Saved policies in the Gravesham Local Plan First Review, November 1994
- The Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016, revised 2020)

The relevant policies for your proposal are as follows:

Gravesham Local Plan Core Strategy 2014:

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

Saved Policies in the Gravesham Local Plan First Review 1994:

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

National Planning Policy Framework 2021:

- 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

Other Material Considerations

Supplementary Planning Guidance and other Documents:

The Council has adopted a number of Supplementary Planning Guidance (SPG) 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.

In addition, the Council has adopted a number of documents that have been produced by Kent County Council also as Supplementary Guidance.

<https://www.gravesham.gov.uk/local-plan-policy/supplementary-planning-guidance>

The following documents are relevant to the consideration of this enquiry:

- SPG2 - Residential Layout Guidelines (2020)
- SPG4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)
- Technical Housing Standards - Nationally Described Space Standard (2015)
- Landscape Character Assessment (2009)

Officer's Analysis

Extension to Dwelling

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

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

	Original Dwelling	Proposed Extended Dwelling	% increase above original
Footprint (m²)	133.15m ²	m ²	%
Internal Floorspace Area (m²)	167.6m ²	m ²	%
Volume	-	-	-

As highlighted in the bullet response email (23/12/2022), the removal of the extension to the basement is positive and will mean that the footprint of the property will not increase. The Inspector considered that the cumulative extensions were inappropriate development within the Green Belt, stating that:

“Based on the descriptions listed within the planning history, extensions and alterations to the building have included conversion of the roofspace with dormers, a two storey rear extension, and a nearby outbuilding. Together with the floorspace and footprint uplifts, I find that the overall increase in the size of the original building resulting from the works would be significant. Consequently the appeal scheme would result in disproportionate additions over and above the size of the original building. Thus, it would be inappropriate development.”

The proposal would seek to retain the development as previously refused, with the exception of the basement extension. The numerical calculation forms only a part of the overall assessment, with Paragraph 149 of the NPPF (2021) stating 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 does not provide a figure.

As discussed at the pre-application meeting and in the bulleted response, the proposal is bulky by virtue of the two gable ends. This, along with the other additions over and above the original property, create a disproportionate appearance. In order to reduce the overall bulk and remove the hard edges, some form of hip could be introduced without significantly limiting the internal floorspace.

It is therefore considered that the removal of the basement extension is a positive, but an alteration to the design of the development is required to be more proportionate to the original dwelling and reduce the perceived bulk.

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

The Inspector concluded that the development would have a moderate impact on the openness of the Green Belt.

“Taken in combination with the locational context of the appeal site and the scale of the works proposed relative to the existing, I find that the degree of harm to the openness of the Green Belt, and the purposes of including land within the Green Belt, is moderate.”

Therefore, it is considered that the development would not be harmful to the open character of the Green Belt. However, as detailed in the section above, the introduction of barn hipped edges to the roof of the proposal would remove harsh edges and perceived bulk which is beneficial to the openness and is encouraged.

3. Very special circumstances

No specific arguments have been put forward by the applicant in relation to the assessment of ‘very special circumstances’. However, arguments have been given in relation to the demolition/removal of a polytunnel and to not construct the approved Class E outbuilding (ref. 20210707).

- The polytunnel has been in situ for in excess of 15 years and the removal of the redundant polytunnel would be a visual improvement to the appearance of the site. However, it is not a domestic adjunct and therefore it is not relevant to offsetting the increase in built form as a result of the extensions.
- The Class E outbuilding (permitted under 20210707) was an argument put forward to off-set the harm to the Green Belt caused by the extension. The Local Planning Authority are concerned that they are unable to prevent the construction of this outbuilding and would welcome, prior to any formal submission, case law/examples of where this has taken place.

4. 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 places) of the NPPF (2021) 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.

The design of the development, when considered in isolation from the Green Belt assessment above, is

considered acceptable. The Inspector stated:

“The proposed alterations would undoubtedly alter the character and appearance of the property, particularly through increasing the bulk and prominence of the first floor level... As this is a standalone building in a remote location, the alterations would not result in the property appearing incongruous with its surroundings. Furthermore, and in any event, the wider visibility of the proposed alterations would be extremely limited.”

As such, the proposal is considered to be acceptable in relation to local and national design policies. But notwithstanding this, the Local Planning Authority would consider the hiping of the roof edges to improve the overall design of the proposed dwelling and respond better with the original character of the property in accordance with the principles set out in the design SPD (2021).

5. Impact on the Landscape

In addition to being within the Green Belt the site is located within the Kent Downs Area of Outstanding Natural Beauty and the Luddesdown Landscape Character Area. The development is considered to preserve the landscape.

6. Other matters

Amenity of Future Occupiers

No impact on amenity of future occupiers.

At the pre-application meeting the limited space and restrictive terrace area was discussed, however due to the impact on the Green Belt and extension to the basement to facilitate a large space is inappropriate. An option to create a usable space could be to include bifold across part of the frontage, which would utilise both internal and external space. The Inspector did not raise any objection to the extent of glazing proposed and as such the inclusion of bifold doors would be acceptable in design terms.

Neighbouring

No impact on the amenity of surrounding properties.

Parking and Highways

No impact on parking or highways.

Summary

Following the dismissed appeal some grounds of refusal attached to ref. 20211069 were quashed by the Inspector, however the impact on the Green Belt was not. This pre-application has not included any new information or design alterations, with the exception of the removal of the basement extension, removal of polytunnel and not constructing the approved Class E outbuilding.

The removal of the polytunnel and not constructing the outbuilding would benefit the openness of the Green Belt. The Local Planning Authority do not consider the polytunnel a domestic adjunct and therefore would not be relevant to the increase in built form through extensions to the property, but as a redundant feature its removal would be encouraged. In terms of the outbuilding, the Local Planning Authority consider the non-construction to off-set the increased built form through extensions, however are concerned how its construction could be prevented and would welcome suggestions how this can be achieved prior to a formal resubmission.

This report has acknowledged the removal of the basement extension as a positive, but has suggested some minor design alterations through introducing a barn hip, which will respond better with the original

character of the property, make the development more proportionate and reduce the overall bulk of the roof. The barn hipped roof will also reduce the “moderate” impact on the openness of the Green Belt, as referenced by the Inspector. As such, with this alteration it is considered that the proposal would be in accordance with local and national planning policy.

Next Steps

If planning permission is sought, an application can be made through the Planning Portal, here:

<https://www.planningportal.co.uk/applications>

Please be aware that should you wish to submit an application it must be compliant with local and national validation requirements. You can find the requirements at:

<https://www.gravesham.gov.uk/downloads/file/382/local-validation-list>

Prior to submitting a planning application, you may wish to engage the services of planning agent;

<https://www.rpiconsultants.co.uk/#/>

For further pre-application services I would refer you to our website;

<https://www.gravesham.gov.uk/home/planning-and-building/pre-application-planning-advice/pre-application-service>

You are advised that **PRE20220269** is now closed.

Note: The comments contained herein are offered on an informal basis and without prejudice to the determination of any subsequent planning application. The Borough Council reserve the right to add to or amend the comments in the light of any further information coming forward or matters that were not previously considered.

APPENDIX THREE

DEVELOPMENT PLAN POLICIES

CORE STRATEGY 2014

Policy CS01: Sustainable Development

4.1.6 Planning applications that accord with the policies in the development plan for Gravesham will be approved without delay, unless material considerations indicate otherwise.

4.1.7 When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and in this Core Strategy. It will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

4.1.8 Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

- **Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or**
- **Specific policies in that Framework indicate that development should be restricted.**

Policy CS02: Scale and Distribution of Development

4.2.24 The development strategy for the Borough is to retain and improve the existing stock of housing and suitable employment land and to make provision for the Borough's objectively assessed need for at least 6,170 new dwellings delivered at a variable rate as follows; at least 325 dwellings per year for 2011/2012 – 2018/2019, at least 363 dwellings per year for 2019/2020 – 2023/2024, at least 438 dwellings per year 2024/2025 – 2027/2028, and at least 186,490 sq m gross employment floorspace (within use classes B1, B2 and B8) during the plan period.

4.2.25 Development will be distributed throughout the Borough as follows: around 3,890 new dwellings and around 186,490 sq m gross employment floorspace (within use classes B1, B2 and B8) will be provided in the Opportunity Areas at Northfleet Embankment and Swanscombe Peninsula East; Gravesend Riverside East and North East Gravesend; Ebbsfleet (Gravesham) and Gravesend Town Centre and on land at the Coldharbour Road Key Site; around 2,280 new dwellings will be provided on other sites in the urban area and rural settlements inset from the Green Belt.

4.2.26 The strategy prioritises development in the urban area as a sustainable location for development. This will be achieved by:

- **Promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area. This will be principally through redevelopment of former industrial sites in the Opportunity**

Areas of Northfleet Embankment and Swanscombe Peninsula East, and Gravesend Riverside East and North East Gravesend to create new residential neighbourhoods and employment areas;

- The continued development of a new sustainable mixed use community in the Ebbsfleet (Gravesend) Opportunity Area, which will include the provision of high quality employment floorspace;
- Revitalising the Gravesend Town Centre Opportunity Area as a focal point for retail, leisure, cultural and tourism facilities and small scale office provision to serve the needs of the Borough whilst preserving and enhancing its character as a riverside heritage town; and
- Bringing forward a range of suitable sites in other parts of the urban area for residential and employment development, including Land at Coldharbour Road Key Site.

4.2.27 In the rural area, development will be supported within those rural settlements inset from the Green Belt and defined on the Policies Map. Development outside those settlements, including affordable housing and proposals to maintain and diversify the rural economy, will be supported where it is compatible with national policies for protecting the Green Belt and policies in this plan. The extent of the Green Belt is defined on the Policies Map. A strategic Green Belt boundary review will be undertaken to identify additional land to meet the housing needs up to 2028 and to safeguard areas of land to meet development needs beyond the plan period, while maintaining the national and local planning purposes of the Green Belt.

Policy CS12: Green Infrastructure

5.7.22 A multifunctional linked network of green spaces, footpaths, cycle routes and wildlife stepping stones and corridors will be created, protected, enhanced and maintained. The network will improve access within the urban area, from the urban area to the rural area and along the River Thames. The key parts of the network are identified on Figure 19: Strategic Green Infrastructure Network.

5.7.23 Sites designated for their biodiversity value will be protected, with the highest level of protection given to internationally designated Special Protection Areas, Special Areas of Conservation and Ramsar sites, followed by nationally designated Sites of Special Scientific Interest, followed by Local Wildlife Sites and then by other areas of more local importance for biodiversity.

5.7.24 There will be no net loss of biodiversity in the Borough, and opportunities to enhance, restore, re-create and maintain habitats will be sought, in particular within the Biodiversity Opportunity Areas shown on the Strategic Green Infrastructure Network map and within new development.

5.7.25 Where a negative impact on protected or priority habitats/species cannot be avoided on development sites and where the importance of the development is considered to outweigh the biodiversity impact, compensatory provision will be required either elsewhere on the site or off-site, including measures for ongoing maintenance.

5.7.26 The overall landscape character and valued landscapes will be conserved, restored and enhanced. The greatest weight will be given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs Area of Outstanding Natural Beauty and its setting. Proposals will take account of the Kent Downs Area of Outstanding Natural Beauty Management Plan, the Gravesham Landscape Character Assessment, and the Cluster Studies where relevant.

Policy CS19: Development and Design Principles

5.15.14 New development will be visually attractive, fit for purpose and locally distinctive. It will conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. The design and construction of new development will incorporate sustainable construction standards and techniques, be adaptable to reflect changing lifestyles, and be resilient to the effects of climate change. This will be achieved through the criteria set out below:

- Using the collaborative approach advocated in Building for Life 12 and in line with the guidance set out in Kent Design, 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. Account will also be taken of the wider site context, including strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place;
- New development will encourage sustainable living and choice through a mix of compatible uses which are well connected to places that people want to use, including the public transport network, local services and community facilities; encourage sustainable travel; enhance Green Grid links and encourage healthier lifestyles;
- New development will be located, designed and constructed to:
 - safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land;
 - avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination; and
 - not pose an unacceptable risk or harm to the water environment, including the quality and/or quantity of ground waters, surface waters, wetlands and coastal water systems;
- The design and layout of new residential development, including conversions, will accord with the adopted Residential Layout Guidelines;
- New development will be designed in an inclusive way to be accessible to all • members of the community;
- New development will provide appropriate levels of private and public amenity • space;
- New development will include details of appropriate hard and soft landscaping, public art, street furniture, lighting and signage and will ensure that public realm

and open spaces are well planned, appropriately detailed and maintained so they endure;

- Car parking will be well related to the development it serves;
- New development will protect and, where opportunities arise, enhance biodiversity and the Borough's Green Infrastructure network. Support will be given to environmental enhancements where opportunities arise;
- New development will be fit for purpose and adaptable to allow changes to be made to meet the needs of users;
- The design and layout of new development will take advantage of opportunities to build in resilience to the effects of climate change. This will include protection against flood risk, where relevant, delivering carbon reduction, provision for low carbon and renewable energy, and minimising energy consumption and water use;
- New development will incorporate appropriate facilities for the storage and recycling of waste; and
- The layout of new development will create a safe and secure environment and provide surveillance to minimise opportunities for crime and vandalism.

GRAVESHAM LOCAL PLAN FIRST REVIEW ADOPTED NOVEMBER 1994

Policy C13

Extensions to dwellings will be considered on their merits but the Borough Council will expect the following criteria to be satisfied:-

- (i) The existing dwelling must be an "original dwelling"* in permanent use as a dwelling.*
- (ii) 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.*
- (iii) Those extensions which provide essential basic amenities such as a bathroom, toilet or kitchen, which are currently not available or are clearly inadequate, will normally be permitted.*
- (iv) The extension shall not be in a form which would facilitate the future formation of a separate residential curtilage.*
- (v) The dwelling to be enlarged must have sufficient curtilage to accommodate the extension without undue visual intrusion into the open countryside.*
- (vi) The appearance, massing, scale, form and materials of any extension shall be appropriate to the existing dwelling and the Green Belt setting.*
- (vii) Proposals for domestic garages and for other outbuildings will be considered on their individual merits but will be required to be well designed, discreetly sited and subservient to the scale of the main dwelling on the plot.*