

Delegated Report

Planning Application

Planning Application No: 20221133

Location: Courtlands Gravesend Road Shorne Gravesend

Description: Demolition of existing dwelling and erection of a 4-bed detached replacement dwelling.

Applicant: Mr Pawar

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

- Application Form;
- Site Layout, Existing Block Plan and Proposed Block Plan, drawing no. 001 Rev A;
- Existing Plans and Elevations, drawing no. 002 Rev A;
- Previously Approved Permitted Development Plans and Elevation Ref 20200211, drawing no. 004 Rev E;
- Proposed Floor Plans, drawing no. 004 Rev 4;
- Proposed Elevations, drawing no. 005 Rev A;
- Proposed Elevations, drawing no. 006 Rev A
- Roof Plans, drawing no. 007 Rev A;
- Planning & Design Statement, by Tetlow King Planning;
- Schedule of Materials, by Barron Edwards Sterling.

Relevant Planning History

Reference	Description	Decision	Decision Date
20211361	Demolition of existing house and outbuildings and erection a of a new two storey Georgian style 3-bed dwelling with associated landscaping.	Refused, Appeal Dismissed	10.01.2022
20210368	Application for Lawful Development Certificate for the proposed erection of three outbuildings incidental to the main dwelling, single storey side extension, two storey rear extension and construction of a swimming pool.	Certificate Granted	14.05.2021
20201375	Application for Lawful Development Certificate for the proposed erection of three outbuildings incidental to the main dwelling, single storey side extension, two storey rear extension and construction of a swimming pool.	Certificate Granted	12.03.2021
20200211	Application for a Lawful Development Certificate in respect of the proposed erection of 2 no. single storey outbuildings for purposes incidental to the main dwelling	Certificate Granted	21.04.2020
20191312	Application for a Lawful Development Certificate in respect of the proposed erection of 2 no. single storey outbuildings for purposes incidental to the main dwelling	Certificate Refused	13.02.2020
20190717	Change of use of land from agricultural to equestrian and	Permitted	19.02.2020

	erection of stable building with tack room and a detached barn.		
20131058	Erection of single storey rear extension to form bedroom and bathroom/wc; installation of three dormer windows in rear roof slope and conversion of existing detached double garage into a games room and gym involving front and rear infill extensions.	Permitted	13.01.2014
20000084	Erection of a conservatory at the rear.	Refused, appeal dismissed	27.03.2000
19940734	Erection of a two storey extension on the south western elevation to form living room with bedroom over.	Refused	17.02.1995
19800893	Outline application for the erection of 4 detached houses and garages and the laying out of an access road	Refused	19.01.1981
19790681	Erection of two storey extension at the side to form entrance hall and lounge with bathroom and bedroom and en suite bathroom over	Permitted	15.11.1979
19780716	Erection of a detached double garage and store at the rear	Permitted	02.10.1978

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; and
- 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 & Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 - Design & Development Principles

Saved Policies in the Gravesham Local Plan First Review 1994:

- C12 – Replacement Dwellings in the Countryside
- T1 – Impact of Development on the Highway Network
- P3 – Vehicle Parking Standards
- T5 - New Accesses onto Highway Network

National Planning Policy Framework 2021:

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land

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)
- SPG 4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)
- Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

GBC Highways

No objections.

Dickens Country Protection Society

Objections raised due to increase in built form, but suggests PD Rights should be removed in the event the application being granted approval.

Environment Agency

No comment.

Ward Councillors

No comments received.

Shorne Parish Council

The Parish Council does not object to the house being replaced as such but has concerns about the further increase in the overall floor area of the house to 218sqm, especially when taken together with the proliferation of other built forms that is proposed for the site.

Neighbouring properties

3 surrounding properties were consulted and a site notice was displayed. The overall consultation period

expired on 25 November 2022 and no representations have been received.

Officer Assessment

Background

It is noted from the recent planning history this application follows a refused application (ref 20211361), which was subsequently dismissed on appeal. The decision notice states the application was refused for the following reason;

'The proposed replacement dwelling, due to its size, bulk and appearance is materially larger than the building it seeks to replace and therefore fails to meet the objectives of saved Policy C12 of the Gravesham Local Plan First Review 1994 and the exception criteria listed in para. 149 (d) of the National Planning Policy Framework 2021. It would result in substantial additional harm to the openness of the Green Belt than the existing development and is not considered to fall within limited infilling or redevelopment of previously developed plan as it would have a greater impact on the openness of the Green Belt than the existing development therefore failing to meet the exception criteria listed in para. 149 (g). Consequently it is considered inappropriate development in the Green Belt that would detrimentally impact on the openness of the Green Belt.'

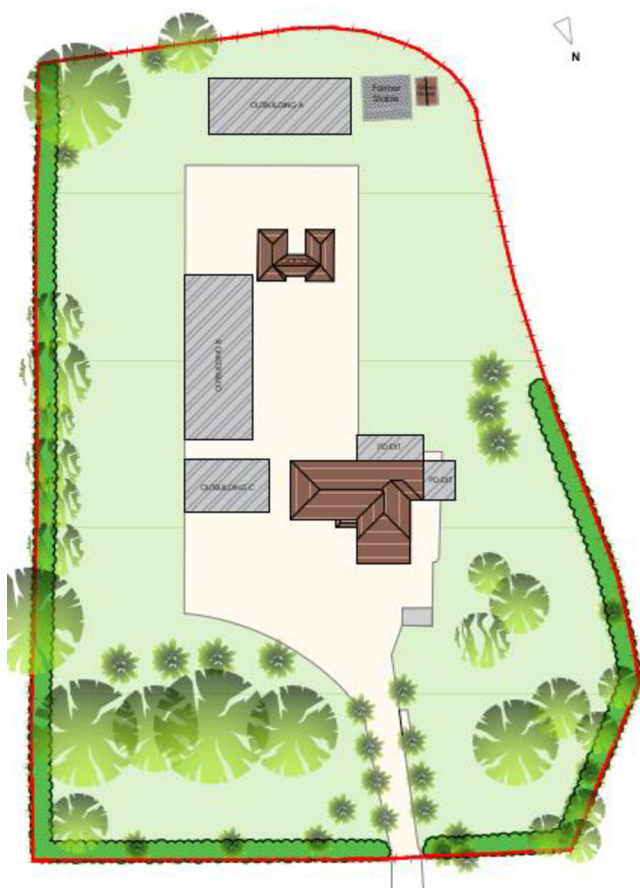
The fall-back position

On site there is currently the main house, garage, stable and green house:



The applicant has applied for various forms of lawful development granted under application 20210368. The following items were approved;

- 3no. outbuildings;
- Single storey side extension to the existing dwelling;
- Two storey rear extension to the existing dwelling;
- Swimming pool.



The swimming pool is not included in the above block plan.

For the purposes of this application, it is worth considering relevant case law, as the Planning Statement supplied references specific cases to support the applicant's case.

If there is a genuine "fall back" position then there must be a possibility that this development will be implemented if the current application would not be permitted.

If these factors are evidenced, then the fall back position can be a material consideration in determining an application. The weight to be attached to it is a matter for the planning authority.

The case of *Mansell v Tonbridge and Malling BC* [2017] EWCA Civ 1314; [2019] PTSR 1452 (highlighted in bold are most important parts) explains this issue:

"27. The status of a fallback development as a material consideration in a planning decision is not a novel concept. It is very familiar. Three things can be said about it:

- (1) Here, as in other aspects of the law of planning, the court must resist a prescriptive or formulaic approach, and must keep in mind the scope for **a lawful exercise of planning judgment by a decision-maker.**
- (2) The relevant law as to a "real prospect" of a fallback development being implemented was applied by this court in *Samuel Smith Old Brewery* (see, in particular, paragraphs 17 to 30 of Sullivan L.J.'s judgment, with which the Master of the Rolls and Toulson L.J. agreed; and the judgment of Supperstone J. in *R. (on the application of Kverndal) v London Borough of Hounslow Council* [2015] EWHC 3084 (Admin) , at paragraphs 17 and 42 to 53). As Sullivan L.J. said in his judgment in *Samuel Smith Old Brewery* , in this context a "real" prospect is the antithesis of one that is "merely theoretical" (paragraph 20). The **basic principle is that "... for a prospect to be a real prospect, it does not have to be probable or likely: a possibility will suffice"** (paragraph 21).

Previous decisions at first instance, including *Ahern* and *Brentwood Borough Council v Secretary of State for the Environment* [1996] 72 P. & C.R. 61 must be read with care in the light of that statement of the law, and bearing in mind, as Sullivan L.J. emphasized, "... **"fallback" cases tend to be very fact-specific**" (*ibid.*). **The role of planning judgment is vital. And "[it] is important ... not to constrain what is, or should be, in each case the exercise of a broad planning discretion, based on the individual circumstances of that case,** by seeking to constrain appeal decisions within judicial formulations that are not enactments of general application but are themselves simply the judge's response to the facts of the case before the court" (paragraph 22).

- (3) Therefore, when the court is considering whether a decision-maker has properly identified a "real prospect" of a fallback development being carried out should planning permission for the proposed development be refused, there is no rule of law that, in every case, the "real prospect" will depend, for example, on the site having been allocated for the alternative development in the development plan or planning permission having been granted for that development, or on there being a firm design for the alternative scheme, or on the landowner or developer having said precisely how he would make use of any permitted development rights available to him under the GPDO. In some cases that degree of clarity and commitment may be necessary; in others, not. **This will always be a matter for the decision-maker's planning judgment in the particular circumstances of the case in hand.**

So, taking this into account, the factors in the determination of the fallback are:

1. *It is a genuine lawful fall back development?*

The development in question benefits from lawful development certificates for 3no. outbuildings, 1no. side extension to the existing dwelling, 1no. rear extension to the existing dwelling, which all could reasonably be implemented without the further benefit of planning permission. Furthermore, from a previous site visit it was evident the foundations have been clearly laid, although it was also apparent that works had temporarily ceased. In any case as the works to the extensions have commenced, it is considered there is genuine lawful fall back development.

2. *Is there a "possibility" that the fallback would be implemented?*

It was noted in the refused planning application that the applicants had clearly stated that they would implement the LDCs and have taken steps already to implement this by undertaking ground works. A recent site visit indicated construction of the extensions to the dwelling and outbuildings have started. It was clear from the visit that the foundations of the extensions/outbuildings granted under the lawful development certificate have been laid although none of the developments are completed.

Notwithstanding the above, *officers do anticipate that such a fall back position could exist*, as the applicant has re-asserted in the Planning Statement that they intend to implement the additional outbuildings and now understand the extensions to the dwelling have commenced.

3. *If it is accepted that there is a genuine lawful fallback, which in this case based on the information available, it appears that there could be, then the current proposal does not need to be assessed against the benefits or harm of that fall back being implemented.*

This is a matter of planning judgement based on the facts of the case. The applicants have made clear that they intend to implement the outbuildings **AND** build the new dwelling if it is granted permission, which is stated at para. 5.23 of the Planning Statement.

In this sense, the LPA contends that a fallback position does not exist as the applicant confirms the outbuildings will be implemented, even if this application is granted. Despite this, it is appreciated the fallback position primarily relates to the extensions element of the granted lawful development certificate.

Moreover, in the recent appeal decision (see APP/K2230/W/22/3295808, appendix 1), the Inspector also

held the following;

'The appellant has obtained relevant consents from the Council to erect extensions to the existing dwelling. The appellant has implemented these but not completed them, during my site visit I noted that these were up to finished floor level. These extensions are also well related to the dwelling, and should this appeal be unsuccessful, I consider it likely that the appellant would complete these extensions as an alternative scheme. As such they represent more than a theoretical possibility.'

Notwithstanding the above, a further assessment of the impact of the existing dwelling (with PD extensions implemented) compared with proposed new dwelling will be required.

Therefore, without considering the impact of the proposed development compared with the existing dwelling (with PD extensions only), there is probably a fallback argument, as there is a real prospect of a fall back development being implemented. Given that even a mere possibility of the PD extensions being implemented is sufficient to warrant a real prospect of the PD development being implemented.

4. *If a fall-back argument is not to prevail, reasons for rejecting it should be given:*

Coln Park LLP v Secretary of State for Communities and Local Government [2011] EWHC 2282 (Admin)

Notwithstanding the above, the weight that should be attributed to the fall-back position is a matter of judgement relative to the specific development.

Site Description

The application site, known as Courtlands, is located on the southern side of Gravesend Road (A226), Shorne, outside of the village boundary of Higham which is north east of the site on the opposite side of the road.

The site is within the Metropolitan Green Belt and Shorne Woodland Landscape Character Area.

The dwelling stationed at Courtlands is a modest two storey detached dwelling set within grounds that are approximately 0.58 hectares. The site also contains a detached double garage to the rear of the property and other outbuildings.

Proposal

This application seeks planning permission for the demolition of the existing house and the erection of a new two storey Georgian style 4-bed dwelling. The replacement dwelling will be approximately 22 wide, 11m deep and 8.5m high with a part hipped part flat roof. Internally it will have a boot room, utility room, kitchen/diner, two living rooms, office and WC at ground floor and four bedrooms with four en-suites and a dressing room for the master bedroom at first floor.

There have been a number of lawful development certificates granted for development on the land.

As with the previous application, it has been established the applicant intends to implement the proposed outbuildings, subject of the LDC applications regardless of whether the current proposal is granted planning permission.

The proposed plans indicate that the extent of demolition involves the existing dwelling, detached garage, stables and shed.

Principle of Development in the Green Belt

The site is located in the Green Belt and the Shorne Woodland Landscape Character Area.

The Government attached great importance to Green Belts. 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 their permanence (para. 137 of the NPPF).

Para. 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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 (para. 148).

Para. 149 states that new buildings in the Green Belt should be regarded as inappropriate but lists exceptions to this. Of particular relevance is para. 149 (d):

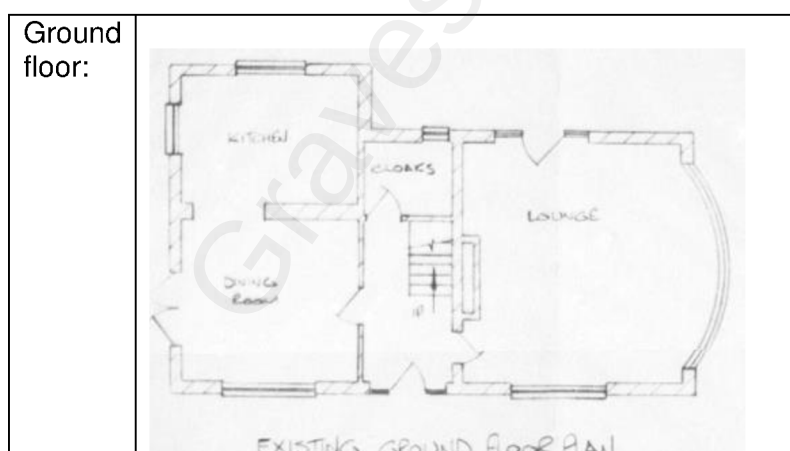
d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

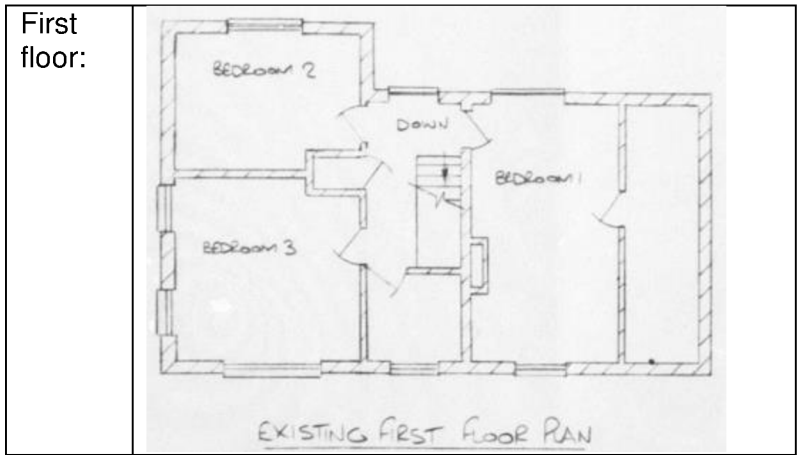
It is understood there has been previous discussion regarding the relevance of paragraph 149(g), although the LPA's view on this remains unchanged. The LPA's position on the relevance of 149(g) was made clear in the reason for refusal for the previous application and, furthermore, the Inspector in the dismissed appeal did not consider it necessary to consider the relevance of considering paragraph 149(g).

Policy CS02 of the Gravesham Local Plan Core Strategy (2014) prioritises development in urban areas 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 the policies for protecting the Green Belt and policies in the Local Plan Core Strategy.

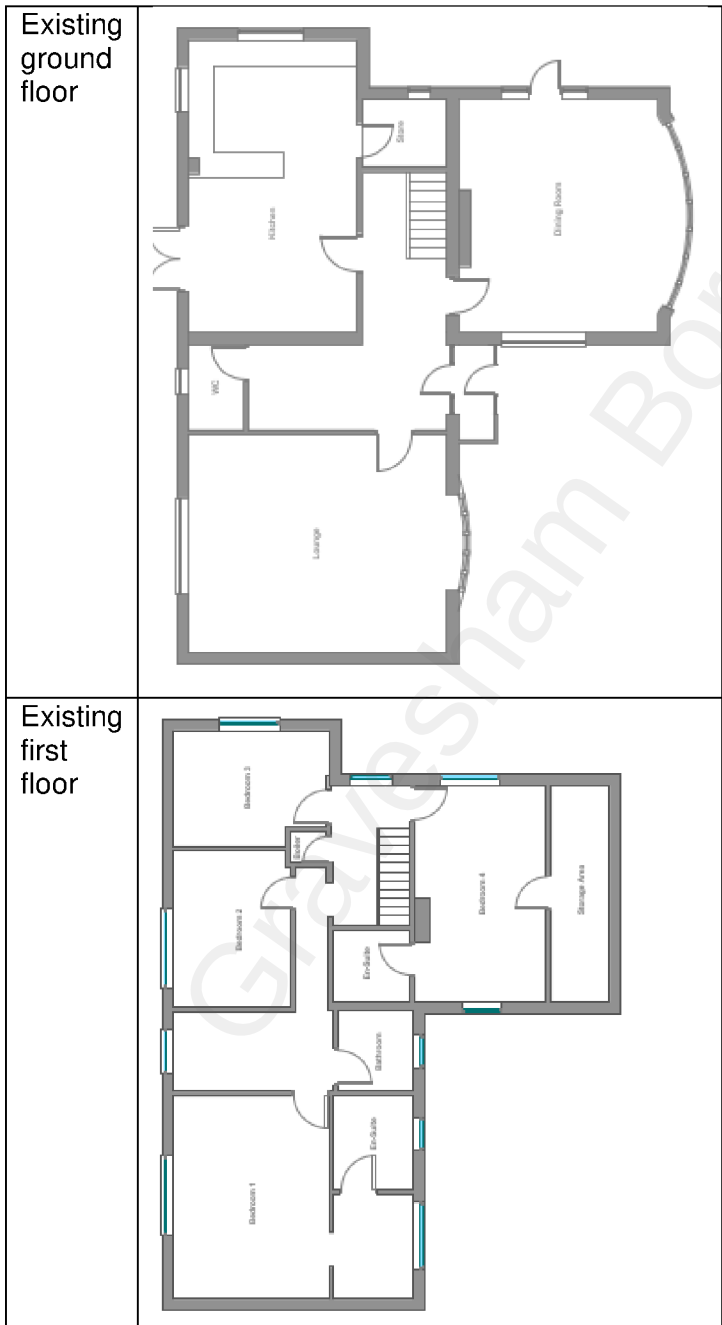
Saved Policy C12 of the Gravesham Local Plan First Review 1994 is also relevant. This Policy states that there will be a strong presumption against allowing the replacement of existing dwellings which will only be set aside if certain criteria are satisfied. The existing dwelling must be an 'original dwelling'. The replacement must be of a similar scale and mass to the existing dwelling and must be no larger than the existing dwelling unless it can be demonstrated that modest enlargement is required to allow for the provision of essential basic amenities such as bathroom, toilet or kitchen, which currently do not exist or are inadequate.

The original dwelling (1979):





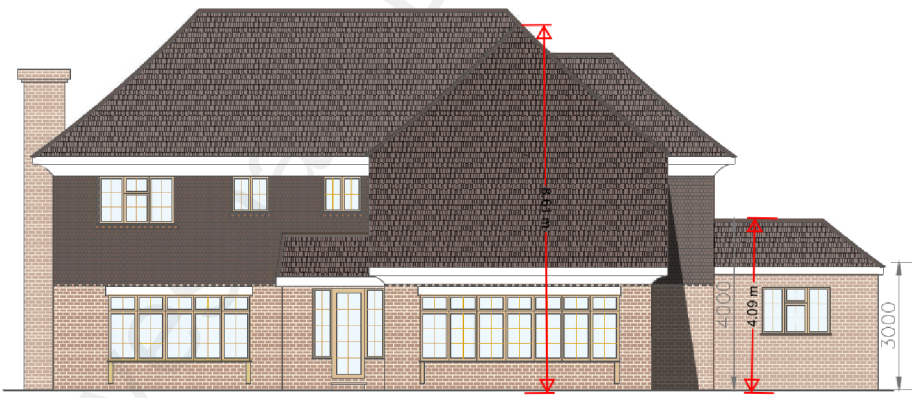
Existing dwelling (as it currently stands):



As can be seen from the existing floor plan above the entrance hall, lounge and WC are later additions to the 'original' dwelling.

The proposed replacement dwelling has a footprint (measured externally) of approx. 217 sqm which constitutes approximately 21% increase over the existing floor area (with PD extensions included). It is acknowledged, although, that the NPPF at para. 149 (d) states that the replacement building is not materially larger than the one it replaces.

Notwithstanding the above, it could reasonably be assumed that there is a 'possibility' that the approved PD extensions could be implemented. Therefore, in order to assess the design and bulk of the proposed dwelling, a comparison between the existing building (not original), existing building with PD extensions, proposed building as per refused application and the proposed replacement dwelling subject of this application are illustrated below.

Existing dwelling	
Existing dwelling (with PD extensions)	



Using the front elevations of the each of the developments referenced above, indicates that the proposed replacement has been reconsidered to reduce the bulk / massing with the single storey additions to the flank walls. The side additions have been designed with roof level accommodation to facilitate additional floor space at first floor. Notwithstanding this, para. 149 of the NPPF (2021) requires the replacement buildings is not materially larger and within the same use than the one it replaces.

To further illustrate, the table below reflects the calculations of the proposed dwellings compared to the existing dwelling (with PD);

	Footprint (sq.m)	Ground Floor (sq.m)	First Floor (sq.m)	Height 1 (sq.m)	Height 2 (sq.m)	Height 3 (sq.m)
Original dwelling	82 sq.m	-	-	-	-	-
Existing dwelling	137 sq.m	-	-	-	-	-
Existing dwelling (with PD extensions only)	179 sq.m	154 sq.m	140 sq.m	8.9 sq.m	7.81 sq.m	7.8 sq.m
Proposed dwelling (subject of current application 20221133)	217 sq.m	190 sq.m	130 sq.m	8.5 sq.m	5.72 sq.m	5.64 sq.m

Percentage difference (%)	21 %	23 %	-7 %	-4.5 %	-27%	- 28%
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Evidently, the replacement dwelling subject of this application would result in a 21% increase in footprint from what can be constructed under permitted development. However the first floor area has been reduced by 7% which effectively reduces the massing above ground level. The increase in ground floor area can be attributed to the single storey side and rear extensions to the main body of the dwelling. Given how the proposed development has been designed, the bulk of the dwelling has been concentrated in the main body of the dwelling which is approximately 14 metres wide by 9.1 metres deep. While the existing dwelling with PD extensions, would have an irregular shape but without the single storey extensions the width and depth would be 15 meters wide by 15 metres deep.

In any case, there would be no doubt that the new dwelling would have a greater footprint, but it does have a reduced height and massing compared to the existing dwelling. Nonetheless in the numerical sense it would be inappropriate development which by definition would be harmful to the Green Belt.

Openness

The Framework confirms that inappropriate development is by definition harmful to the Green Belt. The essential characteristics of Green Belts are their openness and permanence.

Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.

Despite the increase in footprint, there would be a reduction in floor space at first floor which redistributes the massing from first floor to ground. Since it has now been established that the proposed development would represent inappropriate development, by way of the increase in footprint, the LPA above established that approved certificate of lawfulness application (ref 20210368) for the outbuildings and extension to the existing dwelling represent a fallback position. However, this was solely in regard to side extensions, and not the outbuildings, as the applicant maintains they intend to build the outbuildings in the event the current application is granted planning permission. For PD fallback position to be considered genuine, case law only requires there is a mere possibility the applicant would utilise PD rights. Therefore, as the applicant has commenced works on the extensions and stated that they intend to implement the PD extension, should the application not be granted permission, the LPA are of the view there is a real prospect the PD developments could come forward.

Notwithstanding the weight afforded to the fallback position, the LPA has already taken into account the proposed increase in footprint, in comparison to the existing dwelling with PD extensions. While there could be an argument that the proposed development would result in a greater spatial impact due to the increase in footprint, the visual impact would be less harmful when compared to the existing dwelling (with PD extension). Furthermore, with regard to openness, the Inspector in the previous appeal at the site held the following;

'In particular, the bulk and mass increases would occur where the replacement footprint extends beyond the existing footprint and where the development would extend above the existing catslide roof to the front of the dwelling. The increases would have a significant spatial and visual impact upon the openness of the

Green Belt.'

The following diagrams illustrate the difference between the proposed development with existing dwelling (with PD extensions) demonstrated by the green lines:



The purple lines indicate the replacement dwelling as originally refused and dismissed at appeal under reference 20211361.

The proposed design would result in a higher quality design compared with the extended dwelling subject of the approved certificate of lawfulness application (20210368), which already extended above the original dwelling (see above) and the overall massing has been reduced particularly at first floor level. The resultant effect is that the proposed replacement dwelling would have less visual harm. A similar approach was adopted the Council's appeal application (see appendix 2, APP/K2230/W/19/3225211).

Therefore, whilst the proposed replacement dwelling would be larger than the existing dwelling with PD extensions in terms of footprint, it has been reduced in height and floor area at first floor level, thereby reducing the overall massing of the redesigned dwelling. With regard to para. 147 (d) of the National Planning Policy Framework 2021, the LPA consider that the existing dwelling along with PD extension are appropriate for consideration. In light of this, given that the replacement dwelling would result in less visual harm with a better overall design, the LPA are of the view the harm to the openness and character of the Green Belt have been outweighed as a result of development proposed.

In light of the assessment there are no requirements for the applicant to provide very special circumstances to justify the development. However, the LPA consider that further PD Rights should be removed with regard to extensions to the proposed dwelling, additional hardstanding and outbuildings is appropriate given the increase in footprint of the dwelling.

Design, Appearance and Layout

Policy CS19 requires all development to be "visually attractive, fit for purpose and locally distinctive"

The application site lies in rural settlements and the existing street scene consists of large detached dwellings with generous sized rear gardens.

Furthermore, due to its location, position and height, the replacement dwelling would be concealed behind the fencing and mature trees/landscaping fronting Gravesend Road to the north. There are limited views of the application site from public vantage points.

In addition given the spacious plot, the replacement dwelling would be setback in a similar position to the existing dwelling. The dwelling has been designed as a Georgian style property with smaller single storey additions to the flank walls and to the rear of the main body of the dwelling. The roofs for the main portion of the dwelling and side additions would have a crown roof which is not the Council's preference. However, the flat roof portion of the roofs are not detrimental to the overall character of the property. Furthermore this alone is unlikely to substantiate a refusal. The rear addition would be flat roofed, but this would have limited impact being a rear addition.

In terms of materials, the LPA has liaised with the agent of the application and asked them to provide details of the materials proposed. Having reviewed such details, the LPA considers the proposed details acceptable. A suitably worded considered planning condition will be added to ensure that the proposed dwelling will be built in line with the stated materials in this application.

In light of the varied character locally and limited visibility of the public road to the north the external design and appearance of the proposed development is considered to be acceptable.

As such the proposals complies in this regard with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Housing Need

The applicant has made reference in the Planning Statement that the Council cannot demonstrate a five-year housing supply. This is irrelevant to this application because there is no net increase in dwellings. The application is for a replacement dwelling.

Landscape Character and Appearance

Section 13 of the NPPF (2019) highlights the importance of conserving and enhancing the natural environment, one aspect of which is the protection and enhancement of valued landscapes.

Policy CS19 states that 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 site falls within the Shorne Woodlands Landscape Character Area where the key characteristics are undulating topography with varied building style and age. The sensitivity of the landscape is assessed as being moderate and the guidelines are to conserve and reinforce. The proposed replacement dwelling, on balance, will not have a significant detrimental impact on the surrounding landscape character and therefore accords with Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Amenity of Future Occupiers

The proposed replacement dwelling has sufficient internal and external space to raise no concerns in terms of the amenity of future occupiers.

Neighbouring Amenity

The closest neighbour is The Manor House to the west of the site. This is approx. 80m away and therefore will suffer no detrimental impact in terms of loss of amenity from the proposals.

The proposed replacement dwelling therefore complies with policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021 in terms of amenity.

Parking and Highways

There is ample off road parking to serve the replacement dwelling and therefore no objection is raised.

Conclusion & Recommendation

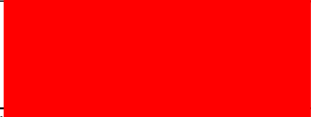
The recent planning history at the application site, including the dismissed appeal, are material considerations to the current application. The history at the site is noted along with other Council decisions and the LPA considers that the application constitutes inappropriate development in the Green Belt due to increases in footprint.

Notwithstanding this, since the dismissed appeal the applicant has come forward in the current application with a revised design which reduces the height, massing and floorspace at first floor level, thereby reducing the visual impact.

Overall, the proposed development is considered betterment in terms of the design compared to the existing dwelling with the PD extensions to the side and rear walls and consistent with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and para. 130 of the National Planning Policy Framework (2021).

In light of the above, the harm to the Green Belt have been considered to be outweighed and there are no requirements for the applicant to provide Very Special Circumstances to justify the development, in accordance with para. 148 of the NPPF (2021). Therefore the proposal complies with section 13 of the NPPF (2021) and Policy CS02 of the Gravesham Local Plan Core Strategy (2014) and the objectives of Saved Policy C12 of the Gravesham Local Plan First Review (1994) by preserving the openness and permanence of the Green Belt.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Genna Henry	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	12th November 2022	Dated:	14 November 2022