



Delegated Report

Householder Planning Application

Planning Application No: 20260345

Location: Waterworks Cottage Crutches Lane Higham Rochester

Description: Demolition of small side projection. Erection of two storey side/rear extension with juliet balcony and roof light with alterations to fenestration. Erection of open front porch.

Applicant: Mr Ben Harvey

Site Visit Date: 27.04.2026

Preliminary Matters

The applicant was approached to amend the initially submitted plans as they were still considered to constitute over development. The applicant was agreeable and scaled the plans back. The report will ascertain if the previous reasons for refusal have been overcome based on the most recent visions submitted as part of this application.

Submitted Documents/Plans

- Application Form
- REVISED Drawing No: M543/P05 (Proposed Elevations)
- REVISED Drawing No: M543/P04 (Proposed Roof Plan)
- REVISED Drawing No: M543/P03 (Proposed First Floor Plan)
- REVISED Drawing No: M543/P02 (Proposed Ground Floor Plan)
- REVISED Drawing No: M543/P01 (Site Location Map and Proposed Block Plan)
- Drawing No: M543/E04 (Existing Elevations)
- Drawing No: M543/E03 (Existing First Floor Plan)
- Drawing No: M543/E02 (Existing Ground Floor Plan)

Superseded

- ~~Drawing No: M543/P05 (Proposed Elevations)~~
- ~~Drawing No: M543/P04 (Proposed Roof Plan)~~
- ~~Drawing No: M543/P03 (Proposed First Floor Plan)~~
- ~~Drawing No: M543/P02 (Proposed Ground Floor Plan)~~
- ~~Drawing No: M543/P01 (Site Location Map and Proposed Block Plan)~~

Relevant Planning History

Reference	Description	Outcome	Decision Date
20250517	Erection of a two storey side and rear extension with rear balcony. Erection of a single storey side extension and canopy porch.	Refused	03.12.2025

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

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

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

Paragraph 34 of the NPPF (2024) sets out those policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and The review found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02 due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving Well-Designed Places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)
- Technical Housing Standards – Nationally Described Space Standard (2015)
- Gravesham Landscape Character Assessment (2009)

Emerging Local Plan as a Material Consideration

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

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

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

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

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

Consultations, Publicity and Representations

Local Ward Councillors

No comments received.

Higham Parish Council

No comments received.

Neighbouring properties

The application was advertised by way of site notice. The consultation period expired on 19.05.2026 and no comments were received.

Analysis

Proposal

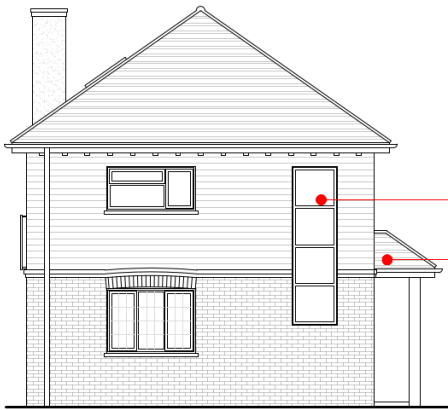
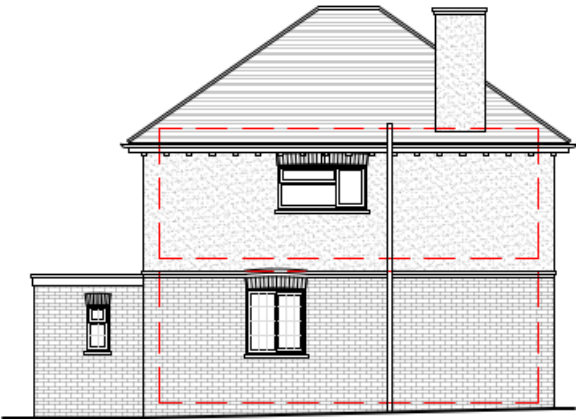
The proposal seeks the demolition of a small side projection and erection of two storey side/rear extension with juliet balcony and roof light with alterations to fenestration the erection of an open front porch.

Existing

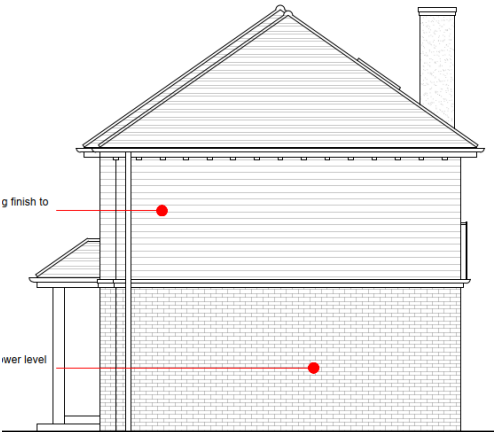
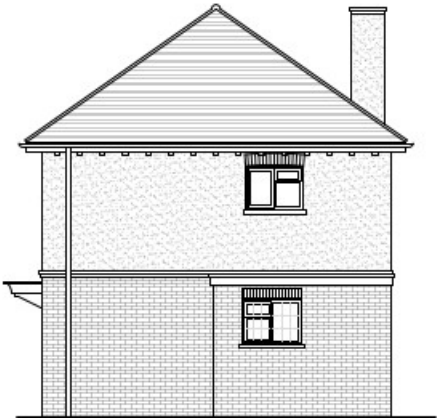


Proposed

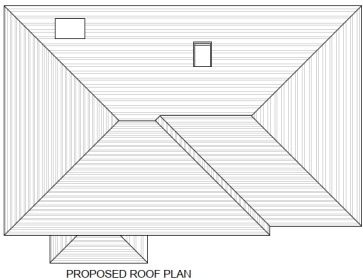


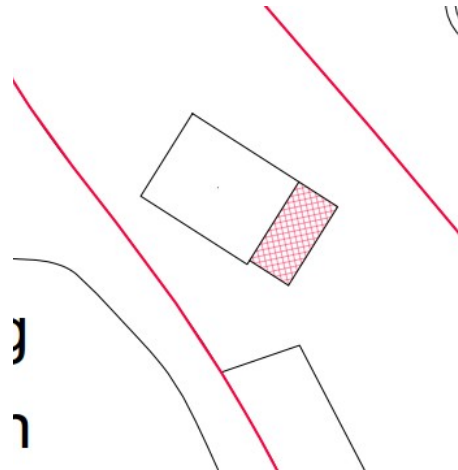
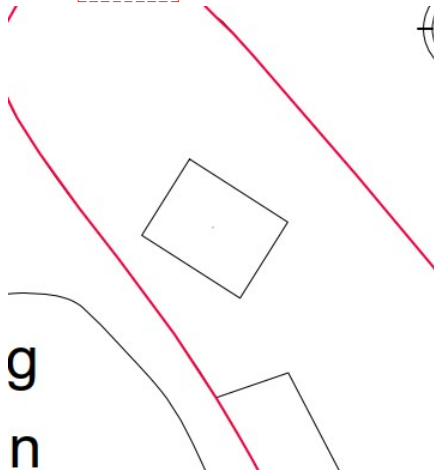
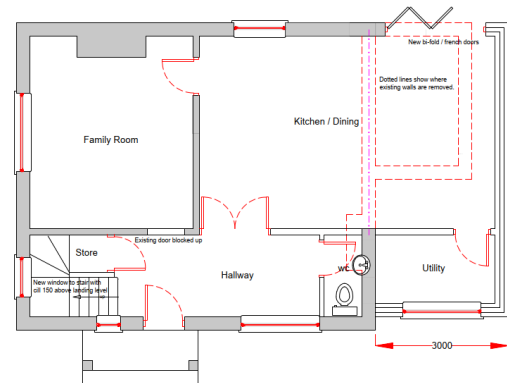
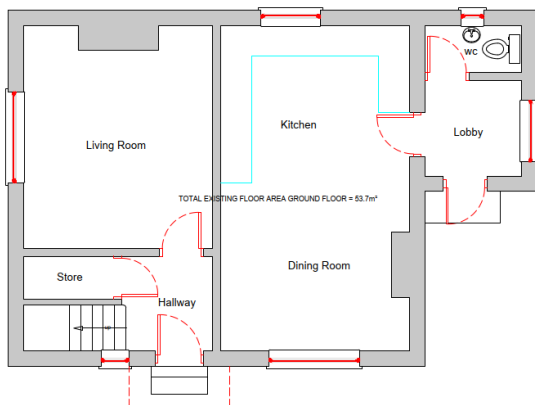
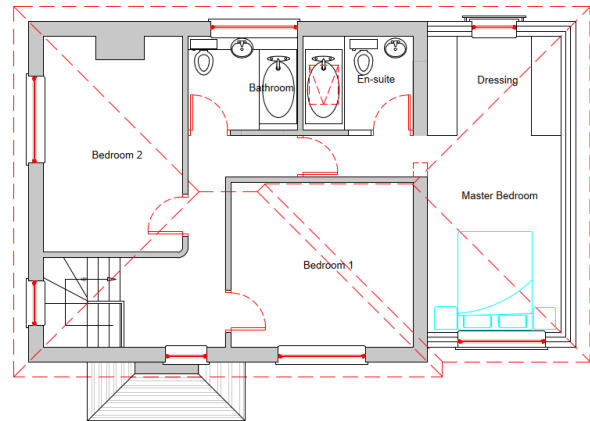
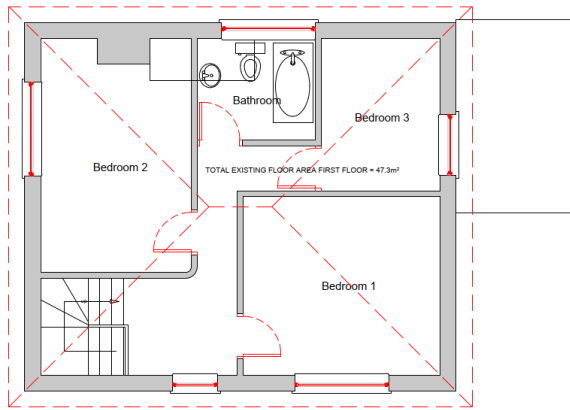


Existing Side (North West) Elevation



Existing Side (South East) Elevation





Background

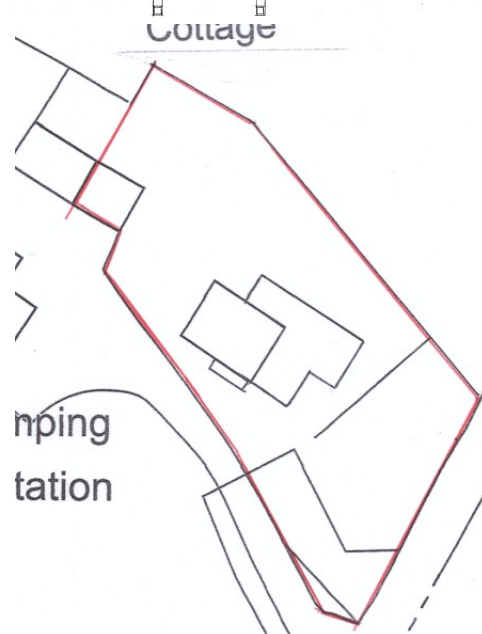
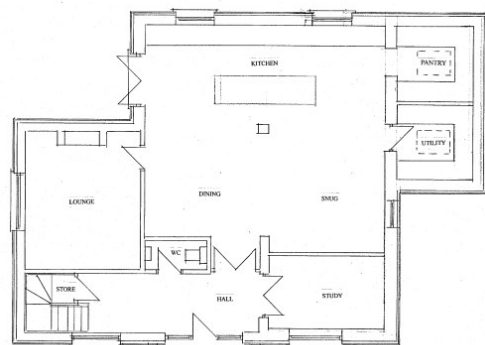
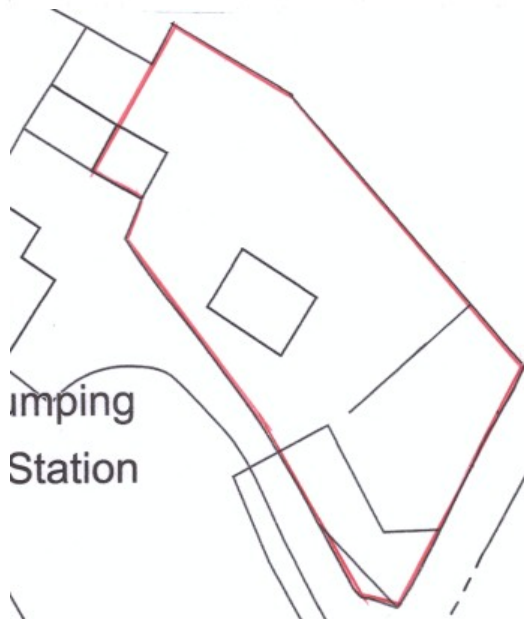
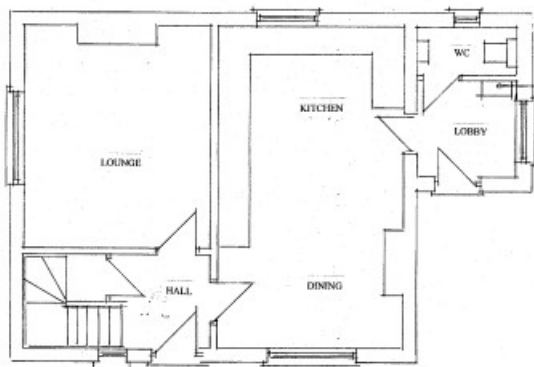
A previous application at the site under reference 20250517 was refused owing to the below two grounds:

1. *The site is within the approved Metropolitan Green Belt. National Planning Policy Framework Section 13 (2024) (Protecting Green Belt Land) indicates that the most important attribute of Green Belts is their openness. The proposed development is inappropriate development as it would result in disproportionate additions over and above the size of the original dwelling and harm the openness of the Green Belt. As such the proposal is considered to be contrary to the advice in National Planning Policy Framework Section 13 (2024) (Protecting Green Belt Land), and Policy CS02 (Scale and Distribution of Development) of the Gravesham Local Plan Core Strategy (2014).*
2. *The proposal fails to constitute good design and lacks subservience and would result in an incongruous harmful addition to the property which will result in the appearance of excessive*

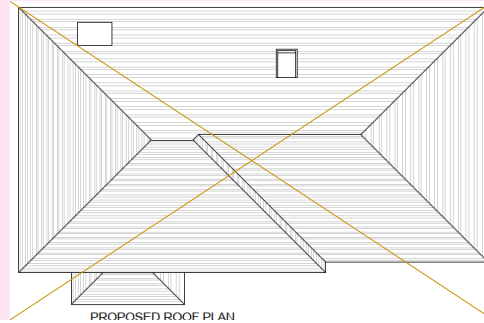
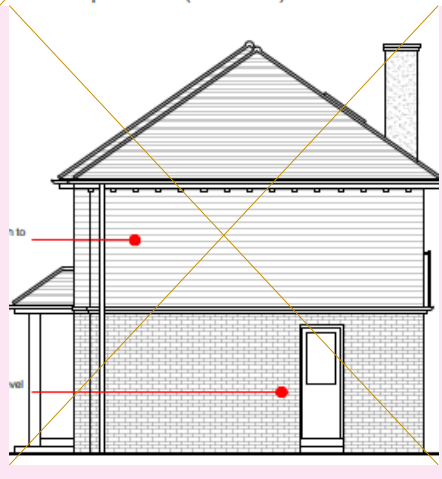
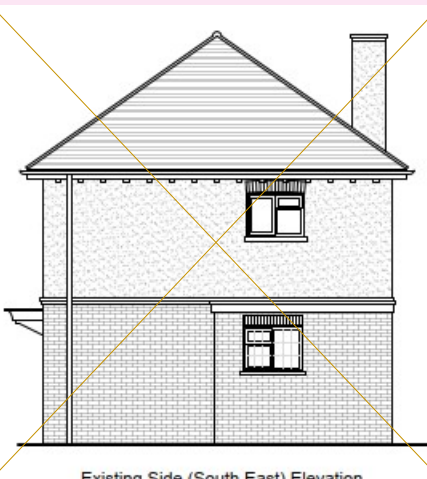
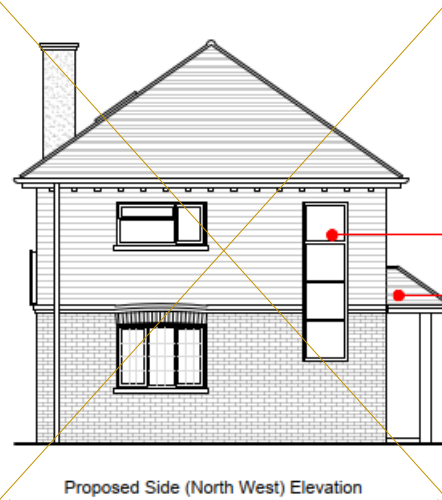
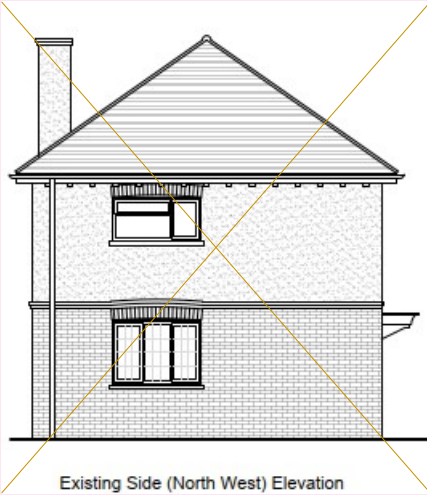
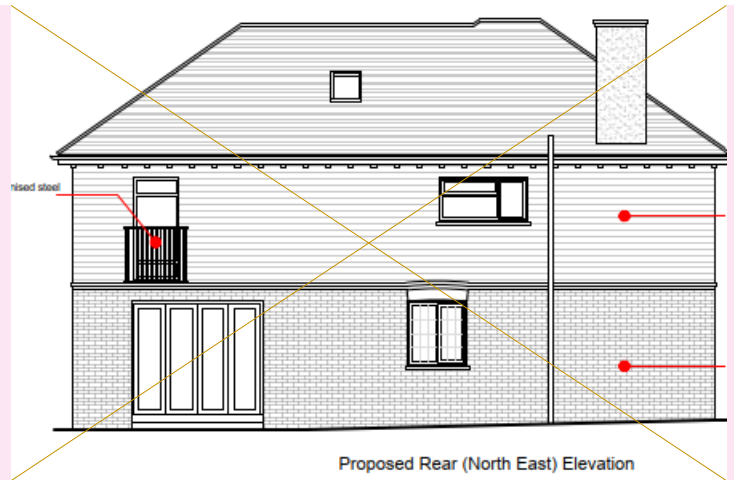
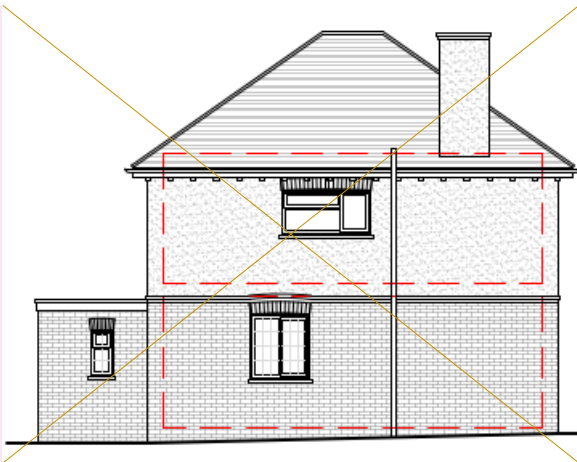
bulk and massing to the property, contrary to CS19 of The Local Plan Core Strategy 2014, SPD4 - Householder Extensions/Alterations Design Guide (2021) and Section 12 of the National Planning Policy Framework 2024.

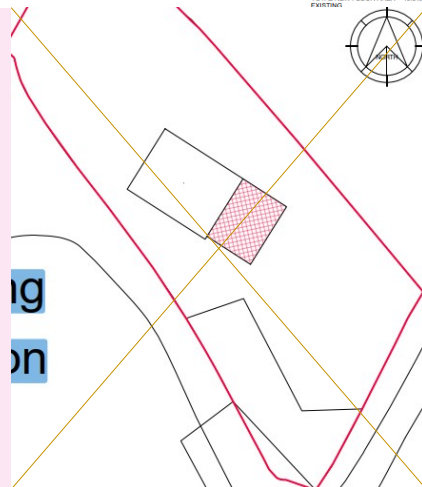
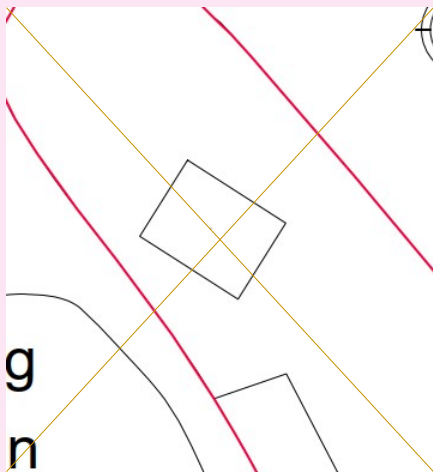
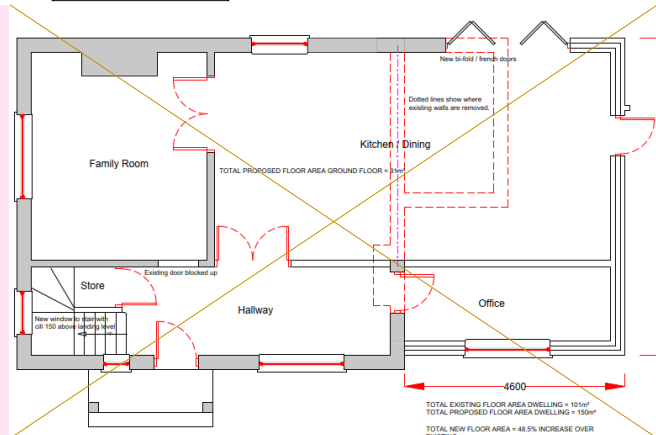
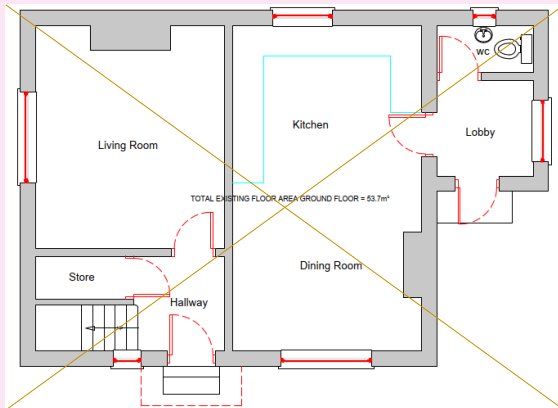
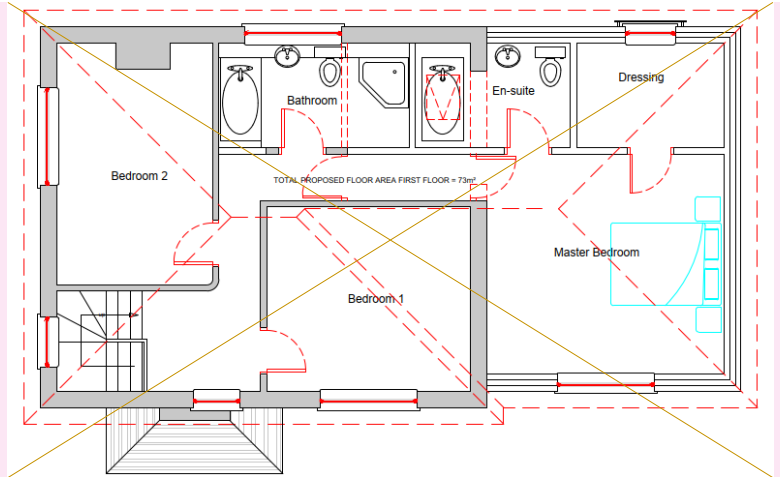
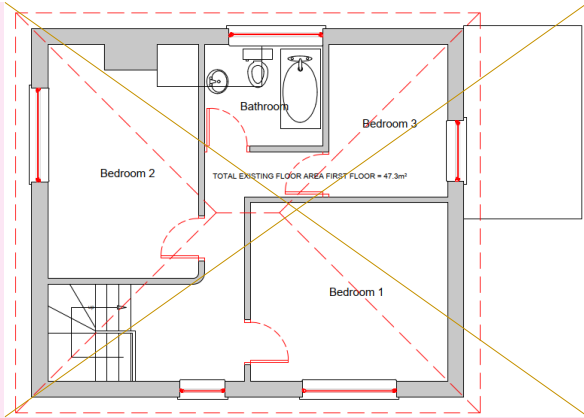
Below are the previously refused plans:





Proposed Front (South West) Elevation





It is important to ascertain whether the current plans adequately overcome the previous reasons for refusal.

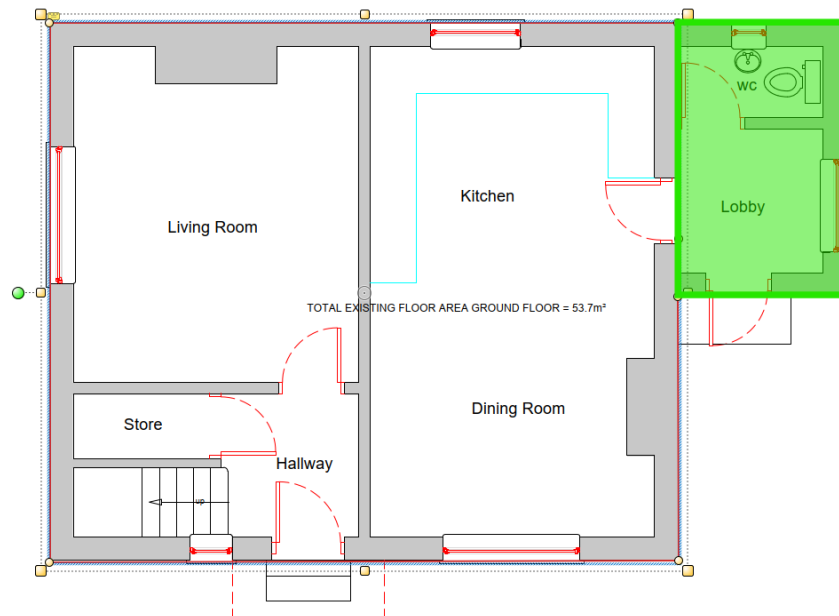
Analysis

Site Description and context

Waterworks Cottage is a two storey detached home situated within the rural Parish of Higham. The site is located within the Metropolitan Green Belt in an isolated area which is elevated above Crutches Lane. It is adjacent to a Pumping Station which is thought to be owned by southern water.



The existing property is considered to be the original dwelling, with the exception of the single storey side extension (highlighted in green on the plans below). Whilst there are no formal planning records for this address, it is important to note that the side extension may have been constructed under permitted development rules and does not require a grant of planning consent. Therefore, for the purpose of this application the existing property is considered to be original.



EXISTING GROUND FLOOR PLAN



Green Belt

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 six 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. Other matters; and
6. Impact on the Landscape.

Is the proposed development appropriate in the Green Belt?

There are strict policy considerations within the Green Belt whereby paragraph 153 of the National Planning Policy Framework (NPPF) (2024) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 goes on to say that very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless it falls within the specified exceptions. The relevant exception to consider for this application is part c of paragraph 154 of the NPPF, which states that it may be acceptable to extend or alter a building provided it does not result in disproportionate additions over and above the size of the original building.

In determining this proposal account will be taken of Saved Policy C13 of the Gravesham Local Plan First Review (LPFR) (1994) which relates to extensions to dwellings in the countryside. It sets out a number of criteria that should be met when considering proposals for domestic extensions. As the policy pre-dates the NPPF, the weight attached to the policy must be considered carefully, with greater weight being given where the approach is consistent with paragraph 153 of the NPPF.

In particular Policy C13 places an overall limit on extensions of **one third** of the gross floor area of the original dwelling unless the increased floor space has no overall effect on the existing bulk and appearance of the dwelling (criteria ii). It also requires the massing, scale and form of any extension to be appropriate to

the existing dwelling and the Green Belt setting (criteria vi). It is considered that these factors are relevant in determining whether the size of an extension is proportionate and as such, these aspects of the policy are broadly in line with the NPPF and should be afforded due weight.

	Original gross external floor area (m²)	Gross external floor area (m²) post-1948 extensions	Current proposed gross external floor area (m²)	Difference in gross external floor area between existing and proposed (m²)
Dwelling	56.03	0	75.9	19.87m ²
Percentage				35.47% Increase

The calculations demonstrate that the proposed additions to the dwellinghouse marginally exceed the one third limit set out in saved policy C13. Therefore the extension is contrary to the local plan Green Belt policy and represents a disproportionate increase over the original footprint of the building.

Paragraph 154 of the NPPF 2024 states that it may be acceptable to extend or alter a building provided it does not result in disproportionate additions over and above the size of the original building. It is does not provide a figure. The extension has been significantly scaled back and is only marginally above the prescribed one third limit set out in saved policy C13 LPFR, the proposed extension is not deemed to be overly harmful. The current proposal is not excessive in terms of its scale and is considered compliant with Policy CS02 (LPCS), Policy C13 (LPFR) and to Section 13 NPPF 2024.

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

The previous reason for refusal was:

- The site is within the approved Metropolitan Green Belt. National Planning Policy Framework Section 13 (2024) (Protecting Green Belt Land) indicates that the most important attribute of Green Belts is their openness. The proposed development is inappropriate development as it would result in disproportionate additions over and above the size of the original dwelling and harm the openness of the Green Belt. As such the proposal is considered to be contrary to the advice in National Planning Policy Framework Section 13 (2024) (Protecting Green Belt Land), and Policy CS02 (Scale and Distribution of Development) of the Gravesham Local Plan Core Strategy (2014).*

It is therefore important to ascertain whether this reason has been overcome.

Paragraph 142 of the NPPF 2024 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also states that the essential characteristics of Green Belts are their openness and permanence.

Any new built form of development is likely to impact on the openness of the Green Belt, however it is important to establish the degree of harm. Openness of the Green Belt has both a spatial and visual aspect.

The development will enlarge the dwelling with the extension not overwhelming the original dwelling and maintaining a subordinate appearance. As discussed above, the development increases the size of the dwelling however this has been redesigned to reduce visual bulk. The extension will maintain the visual character of the site and original dwelling, therefore, the scaled back proposal is not considered to impact on the spatial openness of the Green Belt.

In visual terms, the site is located in a remote rural setting which is set above the highway, the entrance to the site offers a clear view of the dwelling. This isolated development would not cause considerable harm to the visual openness of the Green Belt due to the reduced extent of massing.

Therefore, the proposed development will have minimal impact on the visual openness and has overcome the previous ground of refusal.

Reference back to paragraph 153 of the NPPF (2024) informs us that inappropriate development in the Green Belt should not be approved except in very special circumstances and that very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Whether the development causes any other harm and whether there are any other relevant considerations to balance the overall planning argument, should now be considered.

Very special circumstances

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

The effect on the character and appearance of the area

The previous application was refused on the below ground

2. *The proposal fails to constitute good design and lacks subservience and would result in an incongruous harmful addition to the property which will result in the appearance of excessive bulk and massing to the property, contrary to CS19 of The Local Plan Core Strategy 2014, SPD4 - Householder Extensions/Alterations Design Guide (2021) and Section 12 of the National Planning Policy Framework 2024.*

It is important to ascertain whether the previous reason for refusal has been adequately addressed.

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 (2024) 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 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 neighbouring dwelling should be considered. Furthermore, the SPD states that two storey extensions should be subservient and subordinate, should incorporate similar roof designs and should not dominate the property. In addition, the SPD asserts that roof extensions should be lower than the ridgeline and should not overwhelm the roof slope.

The extension is considered to be well designed and incorporates a set down and set back, the width is also not more than that of the original dwelling. The removal of the rear extensions from the previous proposals and reduction to the width under the current proposal has reduced the previous concerns regarding disproportionate additions.



The proposed extension is well designed and compliant with Gravesham's Design Guidance SPD (2021), Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Other matters

Amenity of Future Occupiers

The proposal will safeguard the amenity of future occupiers. The garden is large and will not be significantly reduced as part of this development. The rooms proposed are in accordance with Gravesham's Residential Layout Guidelines (2020) and will receive sufficient natural light. Therefore, the development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Neighbouring

The proposal will introduce a balcony in the rear elevation of the development which will overlook the private garden area of the application site only. There will be no impact on the amenity of adjoining properties in terms of loss of light, overlooking, sense of enclosure or loss of outlook. As such the proposal is considered to safeguard the amenity of adjoining properties in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024). No neighbour representations have been received.

Parking and Highways

There are no parking or highway issues related to this proposal.

Impact on the Landscape

In addition to being within the Green Belt, the site is located within the Shorne Woodland Landscape Character Area. This area is characterised by an undulating topography, chestnut coppice woodland, a strong sense of enclosure, varied building styles and age, chequered brickwork and ornamental brickwork, and a few highways with busier roads along character area boundaries.

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

It is considered that the proposed extensions, due to the property's location within the rural settlement, will not detrimentally impact on the landscape. Therefore, the proposal accords with Policy CS12 (LPCS) and safeguards the quality of the Shorne Woodland Landscape Character Area.

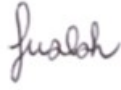
Conclusion:

The application has been fully considered and is in accordance with local and national planning Policy and overcomes the previous reasons for refusal.

The proposed extension is only marginally above the one third limit set out in saved policy C13, the proposal limits the visual impact on the openness of the Green Belt and the reduction in overall development would have minimal impact on the spatial openness. The inconspicuous setting of the property means there is no visual harm and the extension is well-designed and in character with the original dwelling;

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

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Sharon Sahota	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	15.06.2026	Dated:	22 June 2026