

Planning, Design & Access Statement

Erection of a two-storey side extension (following demolition of existing
single-storey side extension)

at

Dawes Cottage, Northfleet Green Road, Gravesend, Kent DA13 9PN

November 2023

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1. Introduction

- 1.1 This Planning Statement accompanies a full planning application, submitted to Gravesham Borough Council as Local Planning Authority (LPA), for the erection of a two-storey side extension, following demolition of an existing single storey extension, at **Dawes Cottage, Northfleet Green Road, Gravesend**. The application is made on behalf of the applicants and landowners - Mr and Mrs Martin ['the Applicants'].
- 1.2 The proposed extension would provide an additional bedroom to the exiting three-bed dwellinghouse, together with a dressing room and ensuite bathroom. At ground floor level is a lounge and utility room. Ground and first floor are accessible from a proposed internal staircase; and a shared utility space at ground floor level provides direct inter-connection with the existing family home. It is not the intention to provide a separate unit of residential accommodation. The property will remain as a single dwellinghouse with shared facilities and amenities including the kitchen and garden space. An existing single-storey side projection on the north side of the dwelling, which is of comparable footprint to the proposed extension, will be demolished to enable the development.
- 1.3 The need for the proposed extension comes from a requirement to provide semi-annexed accommodation
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- 1.4 Further to the above, having regard to the prevailing planning policy context within the Local Authority area of Gravesham, the proposed extension has been carefully designed to balance the personal needs of the applicant family with the relevant national and local planning policy considerations, including those relating to the Green Belt. Such matters are addressed within this Statement with reference to supporting documents.

Contents

- 1.5 The application submission comprises:
- The relevant application form (with ownership certificate) and fee
 - This Planning Statement, including **Appendix A**.
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 - 21.029-10 | Existing Elevations & Floor Plans; Existing Block Plan
 - 21.035-11 | Proposed Elevations & Floor Plans; Proposed Block Plan
 - 21.029-12 | Site Location Plan
- 1.6 At **Section 2** of this statement, we provide a description of the application site and its context; and at **Section 3** we set out details of the planning history. At **Section 4** we provide details of the application proposal. **Section 5** provides a summary of the main planning policy considerations relevant to the scheme. **Section 6** provides an evaluation of the principal issues when tested against relevant planning policies and other material considerations and **Section 7** provides a conclusion to the evaluation.

2. Site Location and its Context

- 2.1 The Site is located on the east side of Northfleet Green Road, c.0.5km to the south of the A2. The surrounding area is characterised by rural lanes, residential development, open fields, agricultural and equestrian buildings. Large pylons and overhead wires dominate the skyline – see **figure 2b**.
- 2.2 Dawes Cottage is located within a linear pattern of residential development along the east side of Northfleet Road – see **figure 1**. It is a detached, two-storey dwellinghouse set back from the main road and located centrally within a residential curtilage of c. 0.22ha. The property is bounded by a high timber fence to all boundaries and directly along the edge of the carriageway – where double gates provide access to the site – see **figure 2a**.

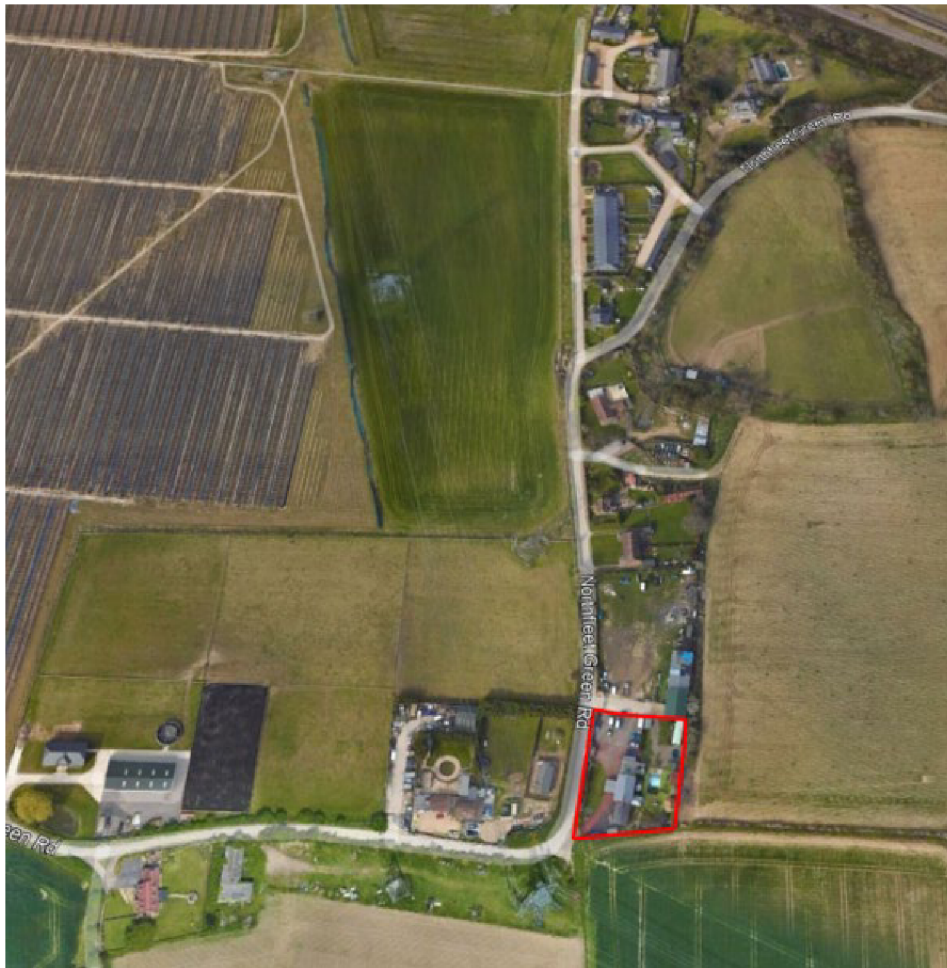


Figure 1: Aerial View – Site Outlined In Red

- 2.3 Dawes Cottage is located within the Green Belt and within the 'Istead Arable Farmlands' Landscape Character Area, as defined by the adopted Development Plan. An area of land safeguarded for High Speed 1 is located to the west.
- 2.4 The existing dwellinghouse has previously been extended to the south with a single storey pitched roof extension with grey external cladding which provides a family room. A garage, built as part of the original dwelling, adjoins the house to the north side is used for domestic storage/utility space.

- 2.5 Footpath NU28 leads from the right-angle bend in Northfleet Green Road across fields to the east, where it connects with a Bridleway running northwards to the A2 or southwards towards Istead Rise putting the site within c.1.5km walk of the Borough's largest second tier settlement which benefits from a wide range of local services and amenities. Bus stops are located within Broad Ditch Road and Flowerhill Way. A map produced by KCC Public Rights of Way is appended to this statement [**Appendix A**]
- 2.6 The village of Southfleet (Dartford Borough) is accessible along public footpaths NU26 and DR140; with bus stops at the end of footpath DR140 at the junction of Red Street and New Barn Road within c. 0.5km walking distance from the site. Bus routes here lead through the centre of the village and onto surrounding higher order settlements.
- 2.7 The following planning parameters have been identified - the Site is located:
- beyond [outdated] policy defined settlement confines, within the rural area for planning purposes
 - within the designated Greenbelt
 - within the Istead Arable Farmlands Landscape Character Area
 - within Groundwater Source Protection Zones 2 & 3
 - within Flood Risk Zone 1
 - within an Archaeological Notification Area
 - within the Thames Estuary & Marshes Ramsar Buffer



Figure 2a: Photograph looking northwards along Northfleet Green Road, showing front boundary and corner view of Dawes Cottage.



Figure 2b: Photograph looking southwards along Northfleet Green Road, showing front boundary and corner view of Dawes Cottage. Pylon visible on right side of image with overhead wires crossing the site to the south side of the main dwelling.

3. Planning History

Application Site

- 3.1 *Application for a Lawful Development Certificate in respect of the existing hard surface area (poured concrete) in front garden with provisions to direct run-off water to a porous area | Ref. No: **2014 0643** | Status: Certificate Granted.*
- 3.2 *Demolition of existing residential annexe and erection of a detached, four-bedroom chalet bungalow | Ref. No: **2015 0007** | Status: Application Refused*
- 3.3 *Application for a Lawful Development Certificate in respect of the retention of a single storey side extension on the southern side. | Ref. No: **2019 0268** | Status: Certificate Granted. The certificate relates to the existing single storey extension on the south side of the main dwelling*
- 3.4 *Pre-Application Enquiry: Erection of a two-storey side extension and single storey attached garage on the north elevation and a two-storey side extension on the south elevation, demolition of the existing single storey garage and single storey side projection [REDACTED] Advice dated 15.03.2023.*

4. The Application Proposals

- 4.1 This planning application seeks permission for the erection of a two-storey, pitched-roof, side extension to the north side of the existing dwellinghouse, Dawes Cottage. The proposed extension would replace an existing single storey adjoining garage and would occupy a broadly similar footprint. The existing extension to the south and conservatory to the east would remain.
- 4.2 The ridge line of the proposed extension steps down to a lower level than the main ridge. Similarly the front elevation of the extension steps back from the front elevation of the main dwelling.



Figure 2: Existing & Proposed Front [west] Elevation

- 4.3 The proposed extension would provide an additional bedroom to the exiting three-bed dwellinghouse, together with a dressing room and ensuite bathroom at first floor. At ground floor level is a lounge and utility room. Ground and first floor are accessible from a proposed internal staircase; and a shared utility space at ground floor level provides direct inter-connection with the existing family home.
- 4.4 It is not the intention to provide a separate unit of residential accommodation. The property will remain as a single dwellinghouse with shared facilities and amenities including the kitchen and garden space. The existing single-storey side projection on the north side of the dwelling, which forms part of the original dwelling and is of comparable footprint to the proposed extension, will be demolished to enable the development.
- 4.5 Dawes Cottage would remain a single dwellinghouse, and all external areas, incidental outbuildings, parking, and the extent of residential curtilage would remain as existing. There is no need to provide replacement or additional parking as a result of this proposal.

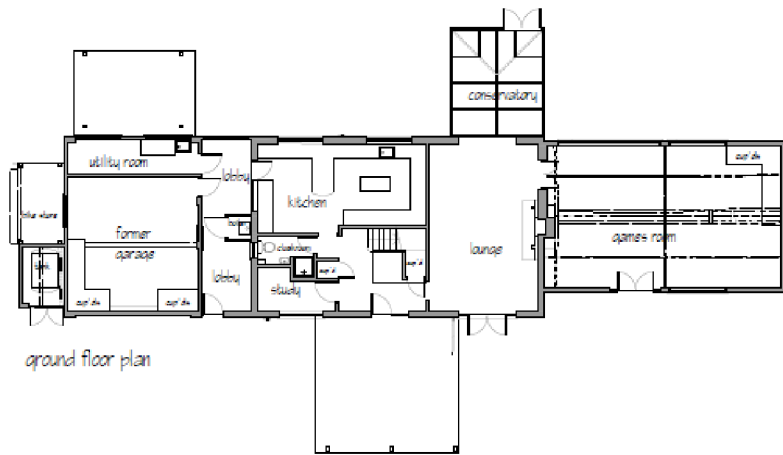


Figure 3a: Existing Ground Floor Plan

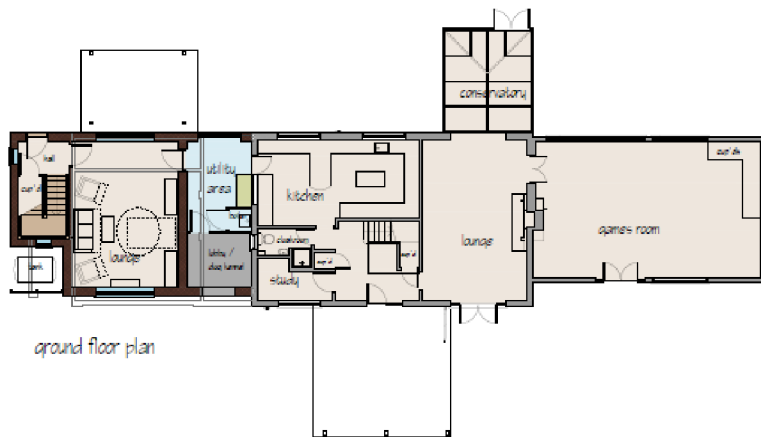


Figure 3b: Proposed Ground Floor Plan

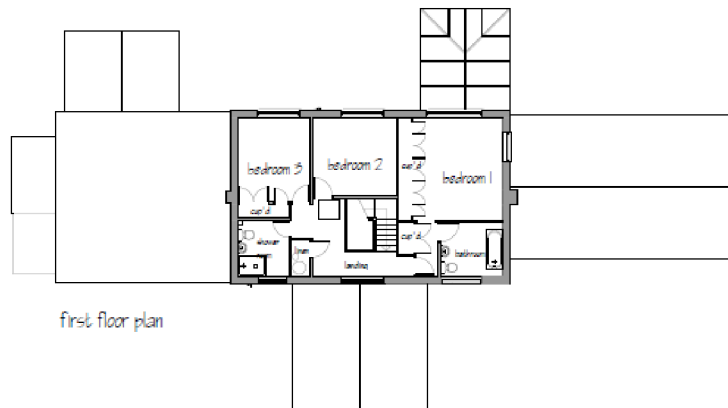


Figure 4a: Existing First Floor Plan

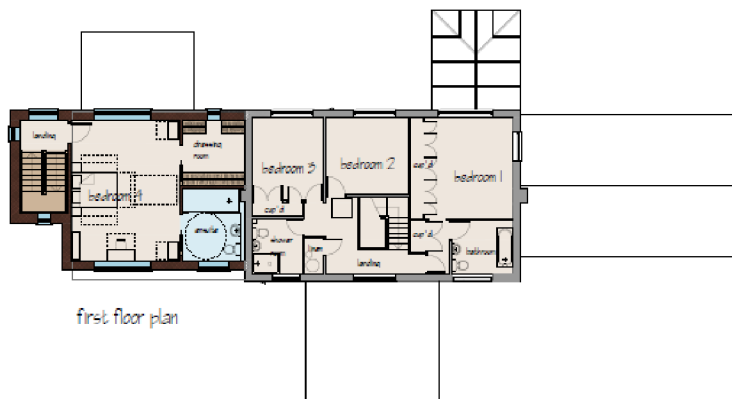


Figure 4b: Proposed First Floor Plan

5. The Planning Policy Framework

- 5.1 The Local Planning Authority will be aware that Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires that where regard is to be had to the Development Plan, for the purposes of determining planning applications, the determination must be made in accordance with the Plan unless other material considerations indicate that those policies can be set aside. The National Planning Policy Framework (NPPF, 2023) will also provide for a material consideration in the assessment of this proposal.
- 5.2 The weighting of the planning policy framework attributable to the balanced assessment of this application is considered further within **Section 6** below. The following outlines the policy framework in isolation of this.
- 5.3 Gravesham's Development Plan comprises the Gravesham Local Plan Core Strategy (September 2014) and the 'saved policies' of the Gravesham Local Plan First Review (November 1994).
- 5.4 The relevant development plan policies are identified within the evaluation of planning issues below and these have informed the consideration of the Site's potential for residential development below.

Gravesham Local Plan Core Strategy (2004)

- 5.5 **Policy CS01** sets out the Council's commitment to take a positive approach to development proposals which reflects the presumption in favour of sustainable development contained within the NPPF and the Core Strategy. The Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and secure development that improves the economic, social, and environmental conditions in the area. The policy recognises that where there are no policies relevant to the application or relevant policies are out of date, the Council will grant planning permission unless material considerations indicate otherwise – in line with NPPF paragraph 11.
- 5.6 **Policy CS02** seeks to retain and improve the existing stock of housing to make provision for the Borough's objectively assessed housing need. The policy prioritises the location of new development towards the urban areas and opportunity areas within the Borough. In the rural areas, development within the Green Belt, will be supported where it is compatible with national and local policies for protecting the Green Belt.
- 5.7 **Policy CS11** requires new development to mitigate impact on the highway and public transport network as required. Sufficient parking should be provided in new development in accordance with parking standards which reflect the availability of alternative means of transport and accessibility to services and facilities.
- 5.8 **Policy CS12** seeks to enable a multifunctional linked network of greenspaces, footpaths, cycle routes and wildlife stepping stones and corridors. The overall landscape character and valued landscapes will be conserved, restored, and enhanced.
- 5.9 **Policy CS19** requires all new development to be visually attractive, fit for purpose and locally distinctive. Developments are expected to 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 is expected to incorporate sustainable construction standards and techniques, be adaptable to reflect changing lifestyles and be resilient to the effects of climate change. The

policy sets out a series of objectives/criteria relating to matters including inter alia: compatibility with neighbouring buildings and spaces, inclusivity, provision of private amenity space, hard and soft landscaping, car parking, biodiversity enhancement, delivering carbon reduction, low carbon and renewable energy, and minimising energy consumption and water use.

Gravesham Local Plan First Review (1994)

- 5.10 Saved Policy T1 requires consideration to be given to the impact of development on the transport system and on the environment of traffic generated by new development. New development must be adequately served by the highway network.
- 5.11 Saved Policy P3 anticipates that development will make provision for adequate parking in accordance with adopted standards.
- 5.12 Saved Policy CS13 identifies that proposals for extensions to dwellinghouses will be considered on their own merits, where the council will expect a number of criteria to be satisfied (the criteria and their relative weighting in the assessment of the proposal are considered within **section 6** of this statement).
- 5.13 ***Supplementary Planning Documents & Guidelines***
- SPG2 – Residential Layout Guidelines (2020)
 - Gravesham Landscape Character Assessment (2009)
 - Householder Extensions / Alterations Design Guide (2021)

National Planning Policy Framework (NPPF, September 2023)

- 5.14 **Paragraph 218** of the recently revised NPPF advises that the provisions of the Framework will remain a material consideration and should be taken into account in dealing with applications from the day of its publication. A suite of policy provisions from the Framework will apply to this development proposal and are summarised as follows.
- 5.15 **Paragraph 8** emphasises that achieving sustainable development means that the planning system has three overarching objectives which remain inter-dependant and need to be pursued in mutually supportive ways to secure net gains across each of different objectives.
- An economic objective – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation, and improved productivity...
 - A social objective – to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations and by fostering a well-designed, safe built environment ...
 - An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment including making effective use of land and helping to improve biodiversity...
- 5.16 **Paragraph 9** advises that the above-mentioned objectives should be delivered through the preparation and implementation of plans and the application of policies in the Framework, but they are not criteria against which every decision can or should be judged.

- 5.17 **Paragraph 10** re-emphasises that at the heart of the Framework is the presumption in favour of sustainable development.
- 5.18 **Paragraph 11** advises that plans and decisions should apply a *presumption in favour of sustainable development*. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay; or
- “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i. *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 5.19 **Paragraph 12** goes on to advise that the presumption in favour of sustainable development does not change the statutory status of the Development Plan which remains the starting point for decision making but emphasises the need for the decision-making process to be considered in relation to up-to-date Development Plans.
- 5.20 **Section 4** provides the Government’s policy advice with regard to ‘decision-making’. Local Planning Authorities are advised to approach decision-making in a positive and creative way and decision makers, at every level, should seek to approve applications for sustainable development where possible.
- 5.21 In considering the application determination process, **Paragraph 47** re-emphasises that planning law requires that applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.22 To ensure consideration is given to the housing needs of different groups within the community, the NPPF at **paragraph 62** identifies that the planning system must provide housing of an appropriate size, type, and tenure. Those needs within the community ‘include, but are not limited to, families with children, older people, students, people with disabilities ...’. [our emphasis added].
- 5.23 **Paragraph 105** advises that the planning system should actively manage patterns of growth in support of the Framework’s transportation objectives with significant development focused on locations which are, or can be made, sustainable through limiting the need to travel and offering a genuine choice of transport modes. **Paragraph 105** goes on to advise that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in both plan making and decision taking.
- 5.24 At Section 12 ‘achieving well-designed places’, **Paragraph 126** advises that good design is a key aspect of sustainable development and should create better places in which to live and work and help make development acceptable to communities.
- 5.25 Planning policies and decisions are encouraged, at **Paragraph 130**, to ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development and be visually attractive as a result of good architecture, layout, and appropriate and

effective landscaping. Developments should also be sympathetic to local character and history, including the surrounding built environment and should establish or maintain a strong sense of place.

- 5.26 **Section 13** of the NPPF address matters relating to development within the Green Belt. **Paragraph 137** states that the Government places 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. This is reinforced by the five ‘purposes’ of Green Belts at **paragraph 138**.
- 5.27 **Paragraph 147** states 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 (**paragraph 148**).
- 5.28 LPA should regard the construction of new buildings in the Green Belt as inappropriate, although exceptions to this are identified by **paragraph 149**. This includes, *inter alia*, 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 (**c**).
- 5.29 Policies relating to the conservation and enhancement of the natural environment are contained at Section 15 where the protection and enhancement of valued landscapes (in a manner commensurate with their statutory status) is promoted. **Paragraph 179** encourages Local Plans to promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species and to identify, and pursue, opportunities for biodiversity.
- Regulation 18 Consultation Draft Gravesham Local Plan*
- 5.30 The LPA are in the process of producing a new Local Plan to update the policies that guide local development decisions into the future. The Council have consulted at Regulation 18 stages 1 and 2 on a Site Allocations and Development Management Policies document which, subject to a further stage of public consultation and Examination in Public, will set out the planning framework for the borough until 2037.
- 5.31 Given the early stages of the Local Plan Review process, it is submitted that the draft policies do not carry material weight in decision making at this time.

6. Evaluation of Planning Matters

6.1 With reference to the national and local planning policy framework, it is submitted that the principal issues relevant to the determination of this application will be:

- The Principle of Development
- The impact of the proposal on visual amenity, landscape character and Green Belt
- Other Material Considerations & Very Special Circumstances.

Principle of Development

6.2 In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004 and as confirmed at paragraphs 2 and 12 of the NPPF, planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.3 Paragraph 10 of the NPPF states that at the heart of the Framework is a presumption in favour of sustainable development. There are three dimensions to sustainable development: economic, social, and environmental and to achieve sustainable development, economic, social, and environmental gains should be sought jointly and simultaneously through the planning system.

6.4 The policy instrument for applying the presumption in favour of sustainable development is set out in Paragraph 11 which states that for 'decision-taking' this means:

"d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or,*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

(emphasis added)

6.5 Policy CS01 of the Local Plan (2014) confirms the Council's positive approach to sustainable development that reflects the presumption in favour of sustainable development as set out by the NPPF; seeking to find solutions with applicants to approve planning permission wherever possible. Policy CS02 relates to the location and distribution of development across the District and hence, as a domestic extension to an existing dwellinghouse, that remains as one household, is not of direct relevance to the consideration of this application.

6.6 The proposal is for the extension of an existing two-storey, detached building that is in permanent and lawful use as a single dwellinghouse. The extension would result in a modest increase in the level of accommodation provided with the creation of one additional first floor bedroom, taking the property from a three-bed dwelling to a four-bed dwelling. The existing extension to the north side of the property would be demolished and effectively replaced (in terms of footprint) to provide an additional ground floor lounge.

- 6.7 The proposed development would make efficient and effective use of existing previously developed land and buildings in order to meet the specific residential amenity requirements of the applicants. It is asserted that the principle of the development, as a householder extension to an existing dwellinghouse, is acceptable as a sustainable form of development, and one that is required to meet the personal needs of the homeowner (applicant).
- 6.8 Those policies that protect ‘areas or assets of particular importance’ referred to by NPPF paragraph 11d(i) relate to, inter alia, Green Belt and are considered below.

Green Belt Policy, Visual Impact and Landscape Character

- 6.9 The application site is located within the Green Belt. The NPPF confirms that the Government attaches great importance to such designations. The fundamental aim of policy is to prevent urban sprawl by keeping land permanently open. It lists the five purposes of Green Belt designations at paragraph 138. These include inter alia, to assist in safeguarding the countryside from encroachment.
- 6.10 The Framework states that ‘inappropriate development’ [within the Green Belt] is, by definition, harmful to the Green Belt and should not be approved except in ‘very special circumstances’. It continues, ‘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’ (NPPF, paragraphs 147-148, our emphasis added).
- 6.11 The NPPF advises that LPAs should regard the construction of new buildings in the Green Belt as inappropriate, although exceptions to this policy are identified by paragraph 149. These include, inter alia, 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 (c), and, the replacement of a building, provided that the new building is in the same use and not materially larger than the one it replaces (d).
- 6.12 It is important here to distinguish between ‘Green Belts’ and ‘Landscape Designations’. The LPA will be aware that Green Belt policy is a spatial planning tool to restrict urban sprawl and concerns ‘openness’. It is not a designation that reflects landscape ‘quality’ per se.
- 6.13 In this regard, it is relevant to note that the site is not subject to any national, regional, or local landscape designations. Notwithstanding this, the NPPF recognises the intrinsic character of the countryside. Core Strategy Policy CS12 aims to ensure that the overall landscape character and valued landscapes will be conserved, restored, and enhanced and that development proposals should take account of the Gravesham Landscape Character Assessment [LCA].
- 6.14 The application site is located within the Istead Arable Farmlands Landscape Character Area. The LCA describes the overall condition of the landscape to be ‘poor’ and comments that ‘many features and elements of the landscape are indistinct and ... overall there is a weak sense of place’. It continues, ‘the open character of the landscape and consequential high visibility across the character area, provide a moderate level of sensitivity overall’.
- 6.15 Saved Policy C13 of the Local Plan First Review relates to proposals for extensions to dwellings in the countryside (it is not specific to sites within the Green Belt) and sets out a number of criteria against which the LPA are directed to assess such proposals. This policy, published in 1994, pre-dates the NPPF (2023) by some 29 years. Whilst this does not automatically render Policy C13 ‘out of date’, the weight

attributable to this policy in decision-making should be moderated where it is inconsistent, or in tension with the policies of the NPPF – this is considered below.

6.16 A summary response to the criteria of Policy C13 is provided below:

- i. ***the existing dwelling must be an original dwelling in permanent use as a dwellinghouse.***
Response | This criterion is more restrictive than the NPPF. However, Dawes Cottage is an existing dwellinghouse in permanent use as a dwellinghouse.
- ii. ***there is an overall limit of one third of the gross floor area of the original dwelling (measured externally), unless the increased floor area has no overall effect on the exiting bulk and appearance of the dwelling.***
Response | The NPPF provides no such quantified restriction on the increase in floor area of new development, particularly in relation to domestic extensions. NPPF policy steers more towards the basic planning principle of assessing each case on its own merits, having regard to other policies, where applicable – such as NPPF paragraph 149c in relation to Green Belts. The quantified and blanket approach of saved Policy C13 is therefore inconsistent with the NPPF. In this regard, it is submitted that the specific ‘one-third limit’ is out of date and carries very limited weight in the assessment of proposals to extend dwellings in the countryside. It is more appropriate to assess each case on its own merits, having regard to the specifics of the case that is before the decision maker.

It is also pertinent to note that permitted development rights afforded by the GPDO¹ that were substantially amended in 2015 (which post-dates the adoption of the Local Plan and Core Strategy) enable extensions to dwellinghouses that could far exceed the ‘one third’ limit. Equally, there are no exclusions to those permitted development rights for sites within the Green Belt.
- iii. ***extensions which provide essential basic amenities, such as bathroom, toilet, or kitchen, which are not currently available or are clearly inadequate will normally be permitted.***
Response | not applicable in this case.
- iv. ***The extension shall not be in a form which would facilitate the future formation of a separate residential curtilage.***
Response | The proposed extension will not facilitate the future formation of a separate residential curtilage. It is directly connected to the internal arrangement of the existing dwellinghouse with shared primary functions such as the kitchen and is required to support the personal requirements of the applicants (and homeowner) – see below.
- v. ***The dwelling to be enlarged must have sufficient residential curtilage to accommodate the extension without undue visual intrusion into the open countryside,***
Response | Dawes Cottage has a spacious residential curtilage sufficient to accommodate the proposed extension without causing undue visual intrusion into the open countryside. The proposed extension does not materially increase the footprint of the existing dwelling, it does not encroach into the countryside and does not require an extension to the existing residential curtilage.
- vi. ***The appearance, massing, scale form, and materials of any extension shall be appropriate to the existing dwelling and the Green Belt setting.***
Response | The ground floor of the proposed extension will essentially replace the existing adjoining garage built as part of the original dwelling. The first floor of the extension is designed to appear subservient to the original dwellinghouse, with lowered eaves and ridge line, and the front elevation of the extension steps back from the host dwelling. The architectural proportions

¹ Town & Country Planning (General Permitted Development) Order 2015 | Schedule 2, Part 1, Classes A and AA.

and external materials of the proposed extension are appropriate to the existing dwelling. With reference to NPPF paragraph 149c, the proposal is considered in more detail below.

- 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.***

Response | not applicable in this case.

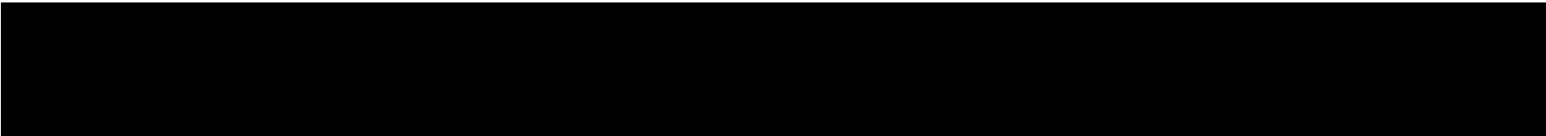
- 6.17 For the above reasons, it is opined that Policy C13 (criterion i and ii) is inconsistent with the NPPF and out of date. It is therefore submitted that the relevant consideration in the evaluation of the proposed extension is whether it is of an appropriate mass, appearance, and materials relative to the main dwellinghouse and its context – and having regard to the Green Belt policy considerations of the NPPF and any other relevant material considerations.
- 6.18 Paragraph 7.10 of the Council’s Householder Extension Guide (2021) states in relation to development within Green Belts that *‘residential extensions may have a significant impact on openness. A limited extension to an existing dwelling may not be considered to be inappropriate development in the Green Belt provided that it does not result in disproportionate addition over and above the size of the building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally built. Any extension which would result in a disproportionate addition would constitute inappropriate development which is by definition harmful to the Green Belt’.*
- 6.19 As noted above the original dwellinghouse relates to the main dwellinghouse and the adjoining single storey garage to the north side. It is understood that both were constructed c.1971 under permission TH/2/70/248. The property has since been extended by way of a single storey extension to the south and a small conservatory to the east-side.

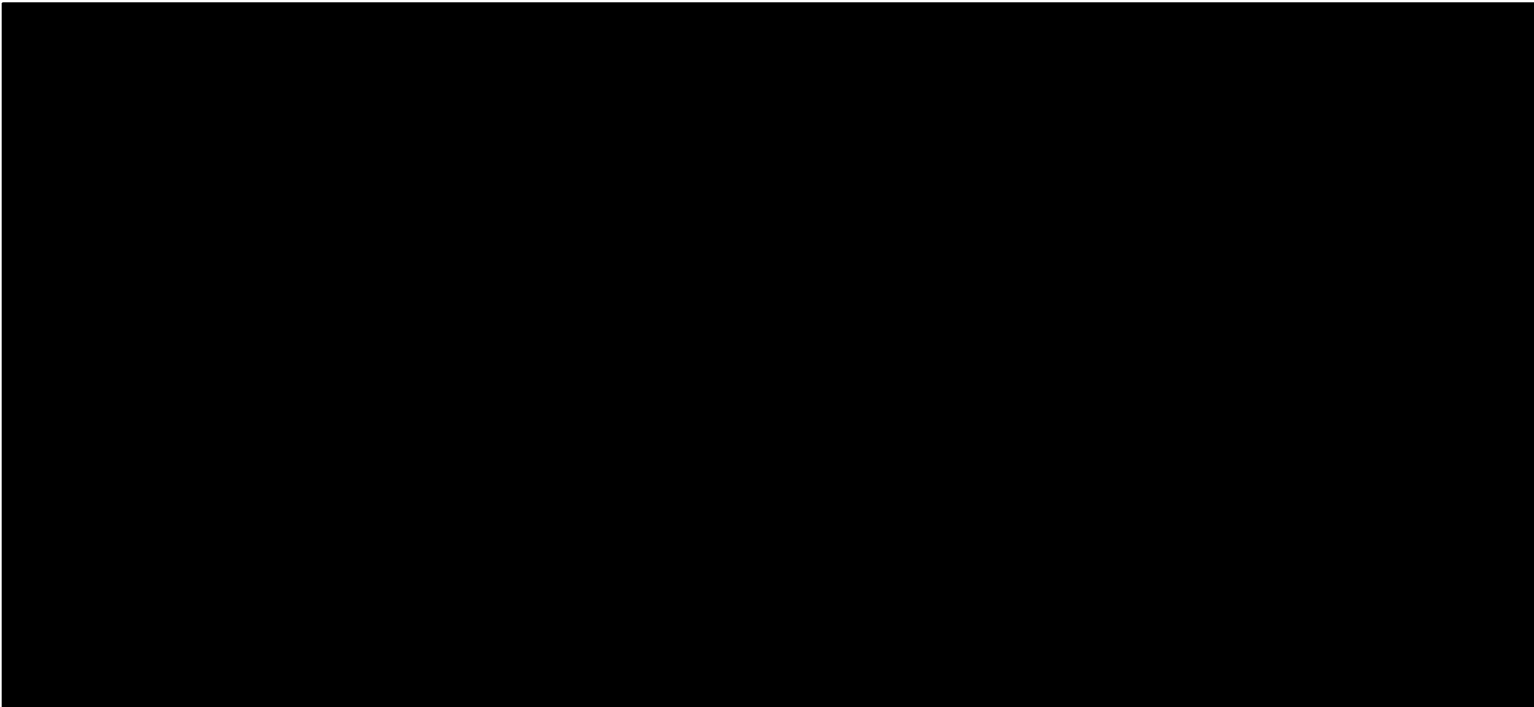
- 6.21 The proposed extension to the dwelling has been reduced from that proposed through the earlier pre-application enquiry which suggested two-storey extensions to the north and south of the main dwelling. Taking the advice of officers, the scope of the proposed extension has been moderated to include an extension to the north side only.
- 6.22 The applicant’s architect has sought to ensure that the proposed extension does not subsume or dominate the original dwellinghouse, but rather appear as a natural, but subservient extension. The pitched roof ridgeline and eaves level of the proposed extension steps down from the main host dwelling, and the front elevation of the extension steps back from the main façade of the existing house. In this regard the original proportions of the existing dwellinghouse would remain apparent and legible. The proposed extension would be appreciated in views as part of the existing dwellinghouse, within an established context of built form.

- 6.23 Given the above, it is submitted that the proposed extension would not compromise the openness of the Green Belt and it is for these same reasons that it meets the exception criteria of NPPF paragraph 149c wherein it would result in a modest increase in built form in a manner that is proportionate in scale, appearance, design, and materials to the original building. The proposal is not therefore subject to Green Belt policy considerations of openness.
- 6.24 Visibility is not analogous to harm. Whilst the scheme would increase the amount of visible built form at the site, the design and material finish of the proposal would harmonise with the existing character and spatial distribution of built form within the landscape, such that it would meld comfortably within the surroundings and within the immediate context of existing residential development. The proposal would not result into an incursion into the countryside nor would it compromise the availability of garden space to serve the day to day needs of the residents.
- 6.25 Given the acknowledged 'poor' condition and 'weak sense of place' of the landscape character within this area, and the close association of the development with existing development, essentially resulting in a modest first floor addition to the existing dwelling, it is submitted that the proposed extension would not have an adverse impact on the landscape *character*.
- 6.26 For the above reasons, it is submitted that the extension meets the exception criteria of NPPF in relation to development within the Green Belt and by reason of its design and modest scale, the proposed extension would cause no material harm to visual amenity or landscape character.

Other Material Considerations – Personal Circumstances of the Applicant

- 6.27 It is noted at the outset that Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended) require that where regard is to be had to the Development Plan, for the purposes of determining planning applications, the determination must be made in accordance with the Plan unless other material considerations indicate otherwise. This is reinforced by paragraphs 2 and 12 of the Framework.
- 

- 6.29 In acknowledging that each case will need to be considered in relation to its own merits, it is evident that disadvantages experienced by disabled persons can provide for a material planning consideration given the specific provisions of Sections 20 and 149-150 of the Equality Act.
- 
- 



Conclusion

- 6.33 With reference to the above evaluation of principal matters, policy and case law, and the following account of more site specific and/or technical matters, it is submitted that there are no policy issues that would provide clear reason for refusing the development proposal.

² People with Disabilities: People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism, and mental health needs. | NPPF Glossary, Annex 1.

7. Technical Considerations

- 7.1 Having regard to the suite of both local and national policy provisions, and relevant caselaw relating to the principle of development, we now address other issues of relevance.

Biodiversity

- 7.2 The application site consists of an existing residential dwellinghouse with associated residential curtilage that is managed in a manner typical of a domestic setting. It is submitted that there are no issues relating to ecological protection that would require any particular mitigation or enhancement.

- 7.3 It is recognised that the site falls within the Strategic Access Management & Monitoring Area (SAMMS). However given the nature and scale of the proposal as an extension to an existing dwellinghouse, it is understood that there is no requirement for the Applicant to comply with the Council's adopted Thames, Medway, and Swale Estuaries SAMMS in respect of recreational impact on the North Kent Ramsar Sites and Special Protection Areas. The Council's confirmation in this respect is requested.

Trees

- 7.4 There are no mature trees within the main body of the site area. All existing trees within the site are to be retained.

Access & Parking

- 7.5 The proposed extension would not generate the need for additional parking spaces. There is in any case ample space within the curtilage of the dwelling to accommodate the parking requirements of the applicant family. The development will utilise the existing vehicle access to the site and no alterations are required or proposed.

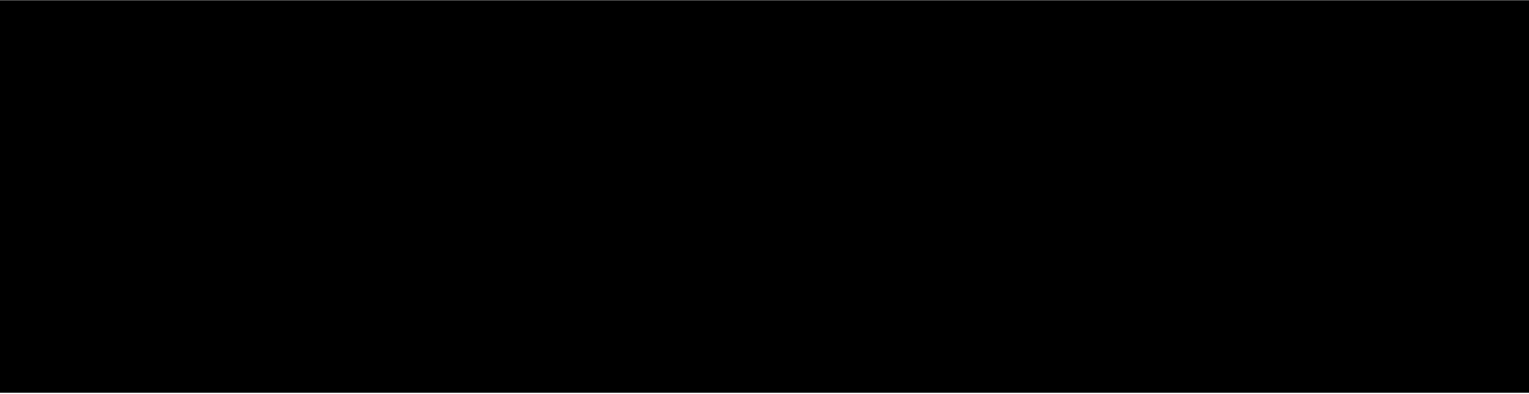
Residential Amenity

- 7.6 There are no neighbouring properties that would be directly or indirectly affected by the proposed extension.
- 7.7 Overall and with reference to the relevant provisions of the Development Plan Policy CS19 and NPPF paragraphs 62 and 130, the proposal will enable the adaptation of an existing dwellinghouse to deliver a safe, inclusive, adaptable, and accessible home, providing a high standard of amenity for the Applicants family.

Drainage

- 7.8 The site is not located within an area at risk of flooding (Flood Risk Zone 1). The foul and surface water drainage arrangements of the existing dwellinghouse can serve the proposed extension.

8. Conclusions

- 8.1 The LPA is aware that development proposals need to be determined in accordance with the Development Plan (Section 38(6) of the Act) unless material considerations indicate that relevant provisions of the Plan should be set aside.
- 8.2 For reasons set out within section 7 of this statement, it submitted that the proposed extension causes no material harm to visual amenity or landscape character and would not be detrimental to the inherent openness of the Green Belt – and moreover, in this latter regard the proposal complies with the exception criteria of NPPF paragraph 149c as an extension that does not result in disproportionate additions over and above the size of the original building.
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- 8.4 With reference to the evaluation of principal matters, other material considerations, and site specific and/or technical matters that have been addressed through this statement, it is submitted that there are no policies or other material considerations that would provide clear reason for resisting the proposed development. On behalf of the Applicants, Rebus Planning Solutions respectfully request that favourable consideration is afforded to this application.

List of Appendices

Appendix A | KCC Public Rights of Way Map



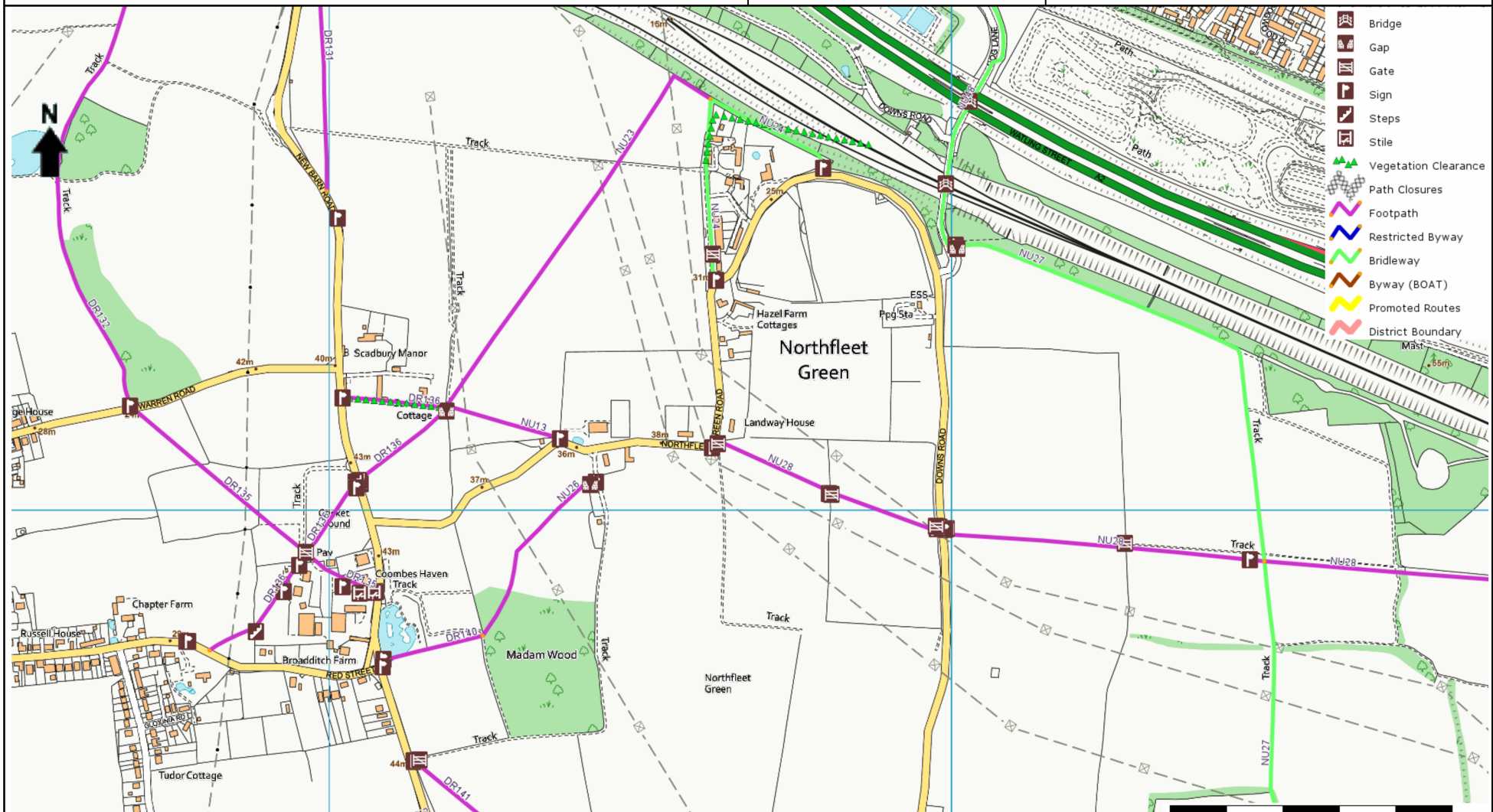
Appendix A

Dawes Cottage

Please note: this map is not the legal record of the alignment, status or existence of a Public Right of Way.

Date created: 22/11/2023

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Maidstone
Kent
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