



Delegated Report

Householder Planning Application

Application No:	20231104
Location:	Hunters Moon, Henley Street, Luddesdown, Gravesend, Kent, DA13 0XB
Description:	Erection of a single storey rear extension and installation of window in east elevation.
Applicant:	Andy Pennell
Site Visit:	N/A Desktop Assessment

Submitted Documents/Plans

The application comprises the following documents and plans:

- Application Form – dated 26 October 2023;
- Drawing no. 01 – Existing and Proposed Plans and Elevations;
- Drawing no. 03 – Site Location with Existing and Proposed Block Plans;
- Unnumbered Plan Drawing – Proposed Ground Floor Plan.

Relevant Planning History

Reference	Description	Decision	Decision Date
19590144	Erection of 4 detached houses with garages and 2 detached semi-bungalows with garages	PERMITTED	12.06.1959
19520302	Development of land for residential purposes.	NO OBJECTION	01.01.1900

Development Plan

Gravesham Local Plan Core Strategy (LPCS) (September 2014):

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

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

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

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (NPPF) (2023)

- Section 2 - Achieving Sustainable Development
- Section 12 - Achieving Well-Designed and Beautiful Places
- Section 13 - Protecting Green Belt Land
- Section 15 - Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 - amended June 2020
- Technical Housing Standards - Nationally Described Space Standard (2015)
- SPG 4 - KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guidance (SPD) (2021)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Internal consultees

Local Ward Councillors – No comment received.

External consultees

Cobham Parish Council – No comment received.

Luddesdown Parish Council – No comment received.

Neighbouring properties

A notice was displayed on site 16 November 2023.

In addition, two surrounding properties were consulted and no representations were received.

The consultation period expired 29 November 2023.

Analysis

Site Description

Hunters Moon is a detached two storey property located on the northern side of Henley Street, Luddesdown.

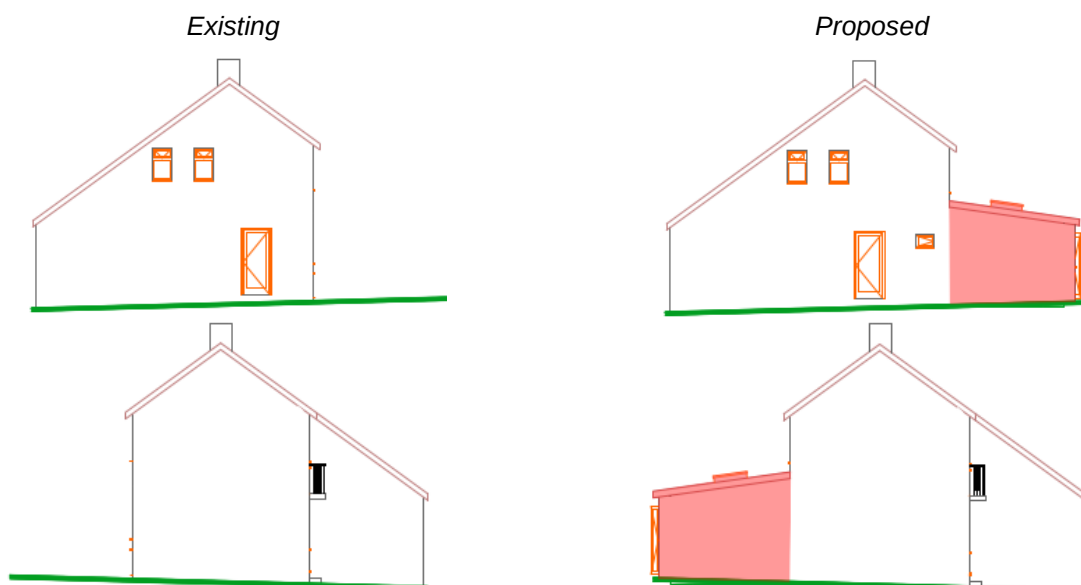


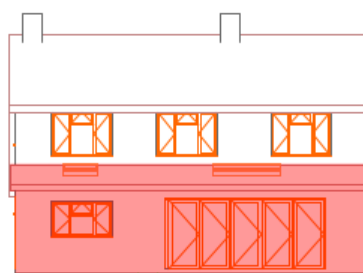
The property is situated in the Green Belt, the Kent Downs Area of Outstanding Natural Beauty (AONB), the Meopham Downs Landscape Character Area and an Area of Archaeological Potential.

Proposed Development

This application proposes the erection of a single storey rear extension. The proposed extension would have a pitched roof. The development would have the following dimensions:

- Depth – 4m
- Width – 10.4m
- Height (max) – 3.3m
- Height (eave) – 2.6m





Assessment

The application site is located in the Green Belt and as such Policy CS02 of the Gravesham Local Plan Core Strategy (LPCS) (2014) is relevant. Development in the urban area is prioritised as the sustainable location for development. In the rural area, Policy CS02 states that development will be supported within rural settlements that are inset from the Green Belt and defined on the policies map. Development outside those settlements, i.e. in the Green Belt, will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS.

There are five principle issues in determining this application;

1. Is the proposed development appropriate in the Green Belt?
2. The effect of the proposal on the openness of the Green Belt;
3. Any very special circumstances?
4. Impact on the Landscape;
5. The effect on the character and appearance of the area; and
6. Other matters.

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

There are strict policy considerations within the Green Belt whereby paragraph 152 of the NPPF (2023) 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 (2023), 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 (2023), the weight attached to the policy must be considered carefully, with greater weight being given where the approach is consistent with paragraph 149 of the NPPF (2023).

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 (2023) and should be afforded due weight.

	Original Dwelling	Proposed Extended Dwelling	% increase above original
Footprint (m ²)	68m ²	109.6m ² (+41.6m ²)	61.2%

The calculations demonstrate that the proposed additions to the dwellinghouse exceed the one third limit set out in saved policy C13. Therefore, in purely numerical terms, the extension is contrary to the local plan Green Belt policy, potentially representing a disproportionate increase over the original floor area of the building.

However the numerical calculation forms only a part of the overall assessment. Paragraph 154 of the NPPF (2023) 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 and this will be assessed in the Design, Character and Appearance section later in this report.

Overall, it is therefore considered that the proposed development would result in a disproportionate addition to the property and as such the proposal would be inappropriate development which is by definition, harmful to the Green Belt. It is therefore contrary to Policy CS02 (LPCS), Policy C13 (LPFR) and to paragraph 154 of the NPPF (2023).

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

Paragraph 142 of the NPPF (2023) 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 site is located within the countryside and is part of a development of semi-detached properties which benefit from fairly deep plots. The collection of properties on Henley St have an urban feel, but is in a rural location on a country lane, with open fields surrounding the dwellings to the north and south.

As discussed in the above section, the proposed extension would significantly increase the footprint of the dwelling. Therefore, in spatial terms, the scale of the extensions by virtue of the scale and bulk, over and above the original dwelling, and would have a harmful, eroding impact on the openness of the Green Belt.

In visual terms, the extension is located to the rear of the dwelling and would experience little to no visibility from Henley St or the surrounding area. As a result of this, the proposed development would have limited impact on the visual openness of the Green Belt.

Reference back to paragraphs 152 and 153 of the NPPF (2023) 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.

3. Very special circumstances

As referenced above, paragraphs 152 and 153 of the NPPF (2023) states that very special circumstances tilt the balance of inappropriate development that causes harm to the Green Belt. Although no specific arguments have been put forward by the applicant in relation to the assessment of 'very special circumstances', the property does benefit from permitted development rights which are a material planning consideration.

Part 1, Schedule 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, would enable the extension of a detached property of up to 4m in depth. While this is subject to other criteria set out within Class A, this would enable an extension of identical depth to that hereby proposed and therefore would have a similar impact to the Green Belt. Moreover, the Local Planning Authority have more control of the design of an extension and can utilise conditions in a planning application to ensure good design and limit impact on the AONB (as discussed in later sections of this report).

Therefore, as a material fall-back position, the extension hereby proposed offers a similar scale of built form to that which could be achieved through permitted development. As a result, the consideration of permitted development rights, as a very special circumstance, tilts the balance of the overall planning argument and the proposed extensions harm is matched by the potential extensions that could be constructed under the Order.

Overall, the permitted development rights are a very special circumstance that would enable the erection of an identical extension which would have similar impacts on the Green Belt. As such, on balance the proposed extension would not be inappropriate development in the Green Belt, nor have any adverse impact on the openness of the Green Belt, and it is therefore compliant with Policy CS02 (LPCS), saved Policy CS13 (LPFR) and paragraphs 142 and 154 of the NPPF (2023).

4. Impact on the Landscape

The application site falls within the Kent Downs Area of Outstanding Natural Beauty and the Meopham Downs Landscape Character Area. Paragraph 182 of the NPPF (2023) states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

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. The greatest weight will be given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs Area of Outstanding Natural Beauty and its setting. Proposals will take account of the Kent Downs Area of Outstanding Natural Beauty Management Plan and the Gravesham Landscape Character Assessment (2009). The Kent Downs Area of Outstanding Natural Beauty Management Plan sets out that its aim is to ensure that the natural beauty and special character of the landscape and the vitality of communities are recognised, valued, enhanced and strengthened well into the future.

The site is semi-rural in character and as discussed above is located within a linear development of housing along Henley Street. The proposal in particular would increase the size of the dwelling, but this would be consolidated to the rear of the building and a similar size to the built form that could be constructed under permitted development. Given the location of the extension immediately to the rear of the dwelling, the proposed development would be considered to protect the natural beauty of the Kent Downs Area of Outstanding Natural Beauty and would not have an

adverse impact on the landscape character in general. As such, the proposal would not be contrary to Policy CS12 of the Core Strategy 2014 and paragraph 182 of the NPPF (2023).

5. *The effect on the character and appearance of the area*

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well-designed and beautiful places) of the NPPF (2023) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

Gravesham's newly published Householder Extensions/Alterations Design Guidance SPD (2021) set out key principles for developments. Generally, the SPD highlights the importance of new development complimenting and corresponding to existing character and the wider context. In this case, the rural character of the area and other surrounding dwellings should be considered. The SPG (2021) goes on to state that single storey rear extensions should not dominate the original property, should be at appropriate heights, should not exceed the width of the property and should be constructed using matching materials.

The extension hereby proposed is not excessive in size or scale to dominate the host dwelling and is subservient at an appropriate height. It is considered to be well designed by incorporating the pitched roof and will be constructed using matching materials.

Overall, the proposed extensions will have no impact on the street scene and are proportionate to the main dwelling. Therefore, the development is considered to be well designed and in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

6. *Other matters*

Policy CS19 (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users'. The proposed extension would provide good sized rooms for future occupiers and is in accordance with local residential layout guidelines. Therefore, the development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

Neighbouring

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and paragraph 127 of the NPPF (2021) requires development to have a high standard of amenity for existing users (in this case surrounding properties). The proposed extensions are not considered to have any detrimental impact on the amenity of adjoining properties in terms of loss of light, privacy, loss of outlook or sense of enclosure.

Overall, the proposal is considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

Parking and Highways

The property benefits from a driveway with adequate space for off-street parking and there are no parking or highways issues related to this proposal.

Conclusion:

The application has been fully considered and is in accordance with local and national planning policy.

The proposed extension would represent inappropriate development that is harmful to the openness of the Green Belt, however as set out in the discussion, the permitted development rights represent a material fallback position and a very special circumstance which tilts the planning balance. The potential extension under permitted development would be of a similar scale to that hereby proposed and would have similar impacts on the Green Belt through an increase in built form. Therefore, the application is compliant with Policy CS02 (LPCS), saved Policy CS13 (LPFR) and paragraphs 142 and 154 of the NPPF (2023). The extension is well designed and would have no adverse impact on the Kent Downs AONB in accordance with Policies CS12 and CS19 (LPCS) as well as Sections 12 and 15 of the NPPF (2023). Furthermore, the amenity of future occupiers and neighbouring properties are safeguarded, and there are no parking or highway issues.

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

Recommendation:

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	22 December 2023	Dated:	28 th December 2023