



OUR REF: 3888.SC

PLANNING, DESIGN & ACCESS STATEMENT

**'WOODLANDS' 28 BEECHWOOD DRIVE CULVERSTONE
KENT DA13 0TX**

FEBRUARY 2024

1 INTRODUCTION

- 1.1** This statement is prepared in support of a householder planning application submitted on behalf of Mr D Freeman in relation to 'Woodlands' 28 Beechwood Drive Culverstone DA13 0TX, It follows the withdrawal of application 20220524 on 14 November 2022. Planning permission is sought for the following development

Ground floor front extensions together with roof extension to allow first floor accommodation to include front and rear dormer windows and repositioning/increased height of existing chimney.

2 SITE CONTEXT

- 2.1** The application property, Woodlands is located on the eastern side of Beechwood Drive some 315m north of its junction with Whitepost Lane to the south.
- 2.2** The property sits within the Metropolitan Green Belt. It has no other Development Plan designation or allocation.
- 2.3** The property, a detached bungalow, is situated on the eastern side of Beechwood Drive amongst an area development that has changed character over the years from a group of 'weekend and holiday chalets' to an established residential enclave comprising a wide variety of types and sizes of permanent dwellings.
- 2.4** The application site extends to approximately 0.0699 ha in area and is occupied by the existing bungalow, a detached double garage sited towards the front of the site and two detached outbuildings in south east corner of the rear garden. The frontage to Beechwood Drive comprises a brick wall and a set of automatic gates.

3 PLANNING HISTORY

- 3.1** The previous planning history relating to the property is as follows.

19580567: Erection of chalet for weekend and holiday use: APPROVED

19590074: Stationing of weekend and holiday caravan pending completion of weekend and holiday chalet on site: APPROVED

19880042: Erection of replacement chalet for weekend and holiday use and installation of cesspool: APPROVED

19930638: Erection of chalet bungalow and detached double garage and installation of septic tank, a propane storage tank and siting of a mobile home for a temporary period: APPROVED 26/01/1994

Permitted Development Rights removed for extensions, outbuildings and no additional hardstanding/engineering works to those approved. Restriction on use of loft space for habitable accommodation and no additional windows or openings to be inserted.

20000411: Retention of the detached garage at the front: APPROVED

20120968: Demolition of existing garage and erection of a detached double garage and a replacement front boundary wall: APPROVED 11/01/2013

20171221: Construction of a dormer extension in the rear roof slope and conversion of the roof space into habitable rooms: REFUSED 20/07/2018

4 PROPOSALS

4.1 Full planning permission is sought for the following works;

Ground floor front extensions together with roof extension to allow first floor accommodation to include front and rear dormer windows and repositioning/increased height of existing chimney.

4.2 The proposed development has two elements. Firstly, front additions to the property which results in the 'squaring-off' of the south west corner of the bungalow adjacent to 29 Beechwood Drive and secondly the provision of first floor accommodation with front and rear dormer windows. The chimney on the south side of the house is also to be repositioned. The existing dwelling has a footprint of approximately 95 m² (GEA), 83 m² (GIA). The proposed ground floor extension would add approximately 12 m² (GEA). The new first floor accommodation adds approximately a further 70m² (GIA) of useable space within the roof. The ridge would be approximately 1.5 m higher at 7.0 m compared to the existing 5.5 m.

4.3 The property currently has three bedrooms located at the rear of the house on the ground floor along with a bathroom, kitchen and living room. Following the extensions; there would be two bedrooms, both located on the first floor (one with an en-suite bathroom) along with a further bathroom. The ground floor at the rear of the house which currently accommodates the bedrooms will be opened up to provide a kitchen/dining room. A study, lounge and utility room complete the proposed ground floor accommodation.

4.4 The dwelling would be provided with a brick plinth and the walls above rendered as far as eaves level. Matching tiles would be used on the roof. The roof would have barn hips to the north and south sides and the front dormer would also have a barn-hip.

5 PLANNING POLICY

- 5.1** Section 38(6) of the Planning and Compensation Act 2004 requires that where regard is had to the Development Plan decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan for the District comprises the Core Strategy 2014 and the saved policies of the Gravesham Local Plan First Review 1994.
- 5.2** There have been no material change in Development Plan or National Planning Policy and advice since the previous application.
- 5.3** Relevant policies in the Core Strategy remain policy CS01 (relating to sustainable development that reflects the advice in the NPPF and the presumption in favour of approving development that accords with the development plan), CS02 (Scale and location of New Development), CS19 Development and Design Principles (Sets out general design principles to which new development should seek to comply). The relevant policy in the Gravesham Local Plan First Review 2014 is Policy C13, which covers extensions to dwellings in the countryside. The policies are attached at **Appendix One**.
- 5.4** The National Planning Policy Framework (NPPF) 2023 is also relevant as a material consideration. Paragraph 7 advises that the fundamental basis of the planning system is to achieve sustainable development and paragraph 8 outlines the three integral and intertwined overarching objectives in pursuit of sustainable development (economic, environmental and social). Paragraphs 10 and 11 set out a presumption in favour of sustainable development and advise that proposals should be approved without delay where they are in accordance with an up-to-date development plan or in cases where the development plan policies are not up-to-date or are silent unless there would be unacceptable harm to specified areas (such designated Green Belt land or land within AONBs) or where the disadvantages of granting permission significantly and demonstrably outweigh the benefits.
- 5.5** Chapter 13 of the NPPF covers the protection of Green Belt land in respect of which, the protection of the function of the Green Belt and maintenance of openness is of great importance and weight. Green Belts have five main functions as set out in NPPF paragraph 143 as follows.
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
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e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.6 Paragraph 152 of the NPPF advises that inappropriate development is by definition harmful to the Green Belt. Paragraph 154 sets out the types of development that may be considered as appropriate development which includes inter-alia extensions to existing buildings provided that certain caveats are met.

5.7 The implications of the site's Green Belt location are addressed in detail later in this statement.

PLANNING ISSUES

6.1 There are three main issues that should be considered.

- i) Whether the development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
- ii) The effect on the openness of the Green Belt;
- iii) The effect of the development on the character and appearance of the area and the adjacent residential properties;

i) Whether inappropriate development.

6.2 The NPPF advises that inappropriate development is by definition harmful to the Green Belt and should not be approved except in Very Special Circumstances (paragraph 152).

6.3 Paragraph 154 of the NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.' It then goes on to list the following exceptions.

'a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) 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;

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

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or*
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.'*

6.4 Constructing an extension to the existing dwelling therefore potentially falls under the exceptions allowed at Para 154(c), provided that the proposed works do not constitute a disproportionate addition over and above the size of the original building.

6.5 In assessing whether the proposed extension is a disproportionate addition or not, there is a saved Local Plan policy (policy C13) that is of relevance. However, this policy is now essentially 29 years old with the Local Plan having originally been adopted in November 1994. It therefore also significantly pre-dates the NPPF. Policy C13 should therefore be considered to be out of date unless it is in conformity with the guidance in the NPPF.

6.6 In an appeal decision dated 29 November 2022 relating to a property on nearby Rhododendron Avenue ('Westwood' no.38) which is only short distance to the north west of the current application site, and has the same Development Plan designations, the Inspector specifically considered the issue of conformity with the NPPF. A copy of the Appeal Decision is attached at **Appendix Two**.

6.7 The Inspector noted in paragraph 3 of the decision letter that;

'Saved Local Plan Policy C13 relates to extensions to dwellings in the countryside. Criterion 'ii' of this policy limits increases in floorspace to one third of the gross floor area of the original dwelling where there is an overall effect on its bulk. The proposed development would exceed this limit.'

6.8 However in considering whether the policy was in conformity with the NPPF the Inspector concluded as follows in the following paragraphs.

'4. Nonetheless, Saved Policy C13 is not consistent with the Framework, particularly in relation to development in the Green Belt. I accept that numerical restrictions can be helpful as a means to quantify the threshold of harm, in terms of whether a development constitutes disproportionate

additions. However, criterion 'ii' only accounts for an increase in floorspace. This is a crude measure when used in isolation. For example, it does not recognise the potential to accommodate additional floors in an existing building in addition to other extensions, as is proposed here.

5. Policy C13 includes other criteria which take the mass of the building into account. However, the fact that a development can fail simply on the basis of criterion 'ii' renders these additional considerations irrelevant in such circumstances. As such, this policy does not reflect the more wide ranging scope for alterations allowed under Framework Paragraph 149C, which refers to 'size', a term which encompasses more than simply a comparison of floorspace figures. As such, in considering the application of Policy C13 to development in the Green Belt, the policy is out-of-date and I do not afford the conflict with it any significant weight.'

The Inspector clearly concluded that Policy C13 is out of date.

- 6.9** The Inspector did consider Core Strategy Policy CS02 to be in conformity with the NPPF as it requires development in the Green Belt to be in conformity with national policies for protecting the Green Belt.
- 6.10** They also noted that in the light of paragraph 149(c), now 154(c), the NPPF provides no guidance on what could be considered disproportionate but recognising, correctly, that this is a matter of planning judgement for the decision maker having regard to the individual circumstances of the site and the details of what is proposed.
- 6.11** The existing dwelling has a footprint of approximately 95 m². The proposed ground floor extension would add approximately 12 m². The new first floor accommodation adds approximately a further 70m² of useable space within the roof as proposed.
- 6.12** Whilst the extent of the proposed additional accommodation is not in conformity with criterion (ii) of Policy C13, the proposed development meets all other criteria as set out in the policy.
- 6.13** In the light of the appeal decision, it is contended that the proposed extensions do not, other than on a purely numerical basis, constitute disproportionate additions over the size of the original building particularly when viewed in the context of existing development in the vicinity and are therefore in accordance with NPPF advice.

ii) The effect on the openness of the Green Belt

- 6.14** The impact on openness is implicitly taken into account in the exceptions to inappropriate development unless there is a specific requirement to consider the actual effect on openness.

6.15 In this case NPPF paragraph 154c does not, as again recognised by the Rhododendron Avenue Inspector, require an additional consideration of openness. As such, there is no requirement to separately assess the impact of the development on the openness of the Green Belt.

6.16 Notwithstanding this, there would only be a minimal spatial impact on openness given that the increase in the footprint of the dwelling is very minor. .

6.17 In terms of a visual impact, the extension would be seen in the context of immediately surrounding residential development and would not result in an unacceptable impact on the overall openness of the area. It represents an appropriate roof form and design that complements the existing dwelling and others in the vicinity (further reference to this is set-out below). In addition, the revised design of the extension compared to previous proposals is less bulky and smaller in scale and is of a more appropriate design and overall external appearance. The rear dormer window would not be visible in the wider area or from the street.

iii) The effect of the development on the character and appearance of the area and adjacent residential properties

6.18 The site lies outside the part of Culverstone that is inset from the Green Belt. However, it is the case that the Rhododendron Avenue and Beechwood Drive areas are now comprehensively developed and comprise a significant number of dwellings of varying sizes and designs. It is essentially no different in character and appearance to the sections of Whitepost Lane that are inset from the Green Belt.

6.19 The proposed alterations to the dwelling will not result in its appearance being out of character with the area as a whole. There are a variety of dwelling heights in the vicinity of the site and many dwellings have accommodation in the roofspace as now proposed for the application dwelling. The images below (all Google images dating from March 2023) show the site in its context and also some images of development in the surrounding area showing the wide variety of the dwellings.



Google Image March 2023



Google Image March 2023



Beechwood Drive south of application site



Beechwood Drive north east of application site



Beechwood Drive north of application site



Beechwood Drive west of application site

- 6.20** Care has also been taken with the application proposals to ensure that the alterations and extension will not adversely affect the privacy and amenities of the immediately adjacent dwellings.
- 6.21** No.27 Beechwood Drive is located to the north of the application site. It was significantly extended under application 20000304 with a side extension that brought the dwelling to approximately 1m from the common boundary with no.28 and introduced a window for the second bedroom into the elevation facing the application site. The increase in ridge height and the proposed dormer extensions will not adversely impact on daylight and sunlight reaching the flank bedroom window of no. 27.
- 6.22** No 29 Beechwood Drive to the south has no flank windows facing towards the application site, the boundary with which, is formed by a close-boarded fence. The proposed extensions will not result in a loss of daylight or sunlight to the occupiers of no. 29 due to the application property being located to the north.

Other matters

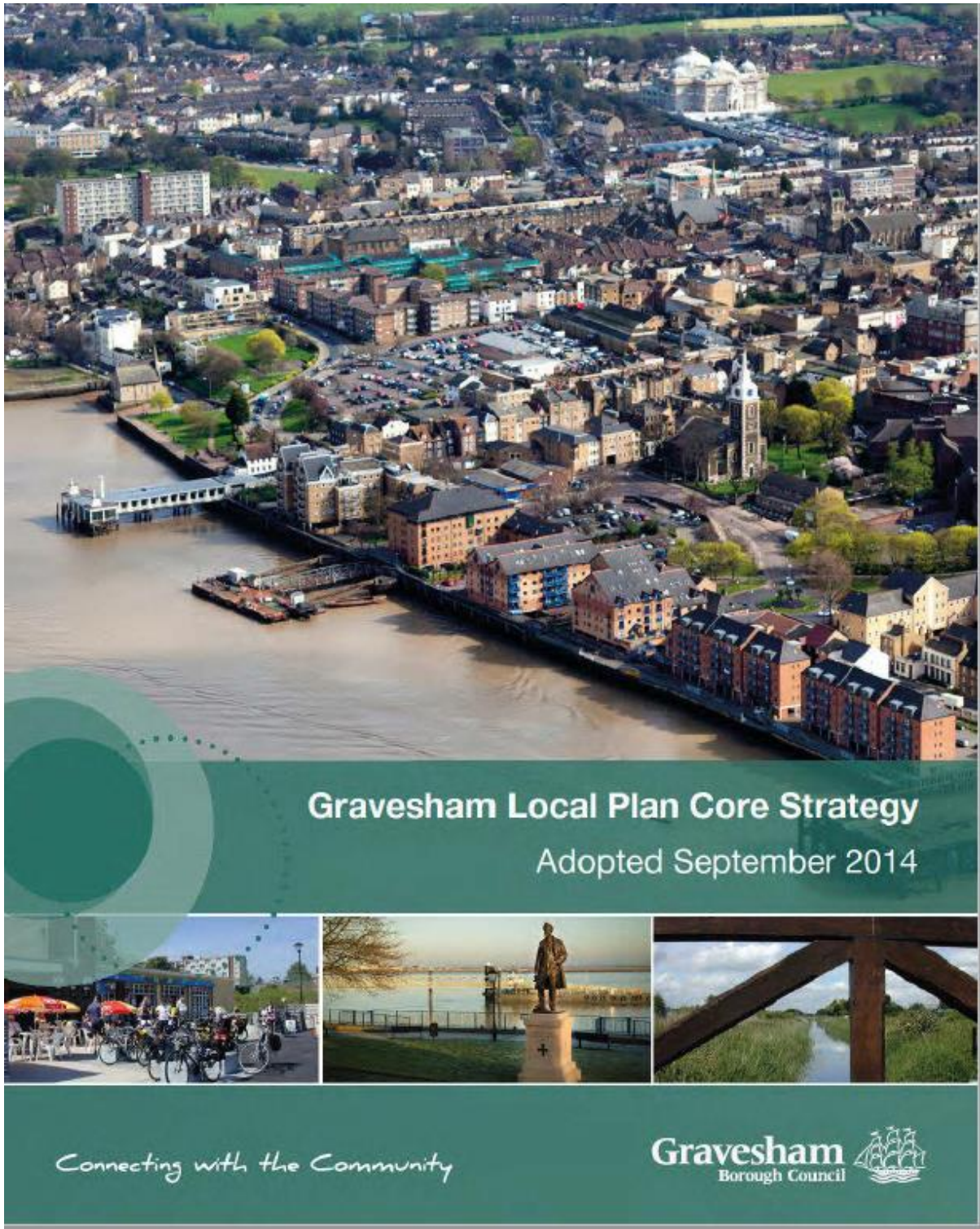
- 6.23** The proposed development would not result in any additional impact on the local highway network. There is adequate parking space within the curtilage of the property to accommodate parking for a two-bedroom property.
- 6.24** The site is located in Flood Zone 1 and will not result in increased flood risk on the property or elsewhere in the vicinity.

7.0 CONCLUSIONS

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

APPENDIX ONE

DEVELOPMENT PLAN POLICIES



Gravesham Local Plan Core Strategy

Adopted September 2014

Policy CS01: Sustainable Development

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

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

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

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

Policy CS02: Scale and Distribution of Development

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

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

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

- **Promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area. This will be principally through redevelopment of former industrial sites in the Opportunity Areas of Northfleet Embankment and Swanscombe Peninsula East, and Gravesend Riverside East and North East Gravesend to create new residential neighbourhoods and employment areas;**

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

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

Policy CS12: Green Infrastructure

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

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

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

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

5.7.26 The overall landscape character and valued landscapes will be conserved, restored and enhanced. The greatest weight will be given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs Area of Outstanding Natural Beauty and its setting. Proposals will take account of the Kent

Downs Area of Outstanding Natural Beauty Management Plan, the Gravesham Landscape Character Assessment, and the Cluster Studies where relevant.

Policy CS19: Development and Design Principles

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

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

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

Gravesham Local Plan First Review
Saved and Deleted Policies Version (September 2014)

Connecting with the Community

Gravesham
Borough Council 

Policy C13

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

- (i) The existing dwelling must be an “original dwelling”* in permanent use as a dwelling.*
- (ii) There will be an overall limit of one third of the gross floor area of the original dwelling (measured externally) prior to any later extension or alteration, unless the increased floorspace has no overall effect on the existing bulk and appearance of the dwelling.*
- (iii) Those extensions which provide essential basic amenities such as a bathroom, toilet or kitchen, which are currently not available or are clearly inadequate, will normally be permitted.*
- (iv) The extension shall not be in a form which would facilitate the future formation of a separate residential curtilage.*
- (v) The dwelling to be enlarged must have sufficient curtilage to accommodate the extension without undue visual intrusion into the open countryside.*
- (vi) The appearance, massing, scale, form and materials of any extension shall be appropriate to the existing dwelling and the Green Belt setting.*
- (vii) Proposals for domestic garages and for other outbuildings will be considered on their individual merits but will be required to be well designed, discreetly sited and subservient to the scale of the main dwelling on the plot.*

APPENDIX TWO

APPEAL DECISION AT 'WESTWOOD' 38 RHODODENDRON AVENUE CULVERSTONE KENT DA13 0TT

DATED: 29 NOVEMBER 2022

GBC ref: 20220070

PINS ref: APP/K2230/D/22/3298308



Appeal Decision

Site visit made on 8 November 2022

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2022

Appeal Ref: APP/K2230/D/22/3298308

Westwood, 38 Rhododendron Avenue, Meopham, Gravesend DA13 0TT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr T Raif against the decision of Gravesham Borough Council.
 - The application Ref 20220070, dated 20 January 2022, was refused by notice dated 25 March 2022.
 - The development proposed is rear and front extensions and a loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for a rear and front extensions and a loft conversion at Westwood, 38 Rhododendron Avenue, Meopham, Gravesend DA13 0TT, in accordance with the terms of the application, Ref 20220070, dated 20 January 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. 2021-022v1-Location Red line site boundary plan; 2021-022.P01 Proposed layouts; 2021-022.P02 B Proposed roof plan; 2021-022.P03 Proposed front and side elevations; 2021-022.P04 Proposed rear and side elevations; 2021-022.P05 A Existing block plan; 2021-022.P06 Proposed block plan; 2021-022.P07 Existing ground floor and roof plans; and 2021-022.P08 Existing elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
 - 4) Notwithstanding the provisions of Article 3, Part 1, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification) no additional window, door or other form of opening shall be formed at first floor in the southern flank elevation of the dwelling, other than those expressly authorised by this permission.

- 5) Notwithstanding the provisions of Article 3, Part 1, Classes A, AA, B, C and D of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any provision equivalent to those classes in any statutory instrument revoking and re-enacting that Order, with or without modification), no enlargement, improvement or other alteration (including construction of any additional storeys, dormers, rooflights or other roof alterations and any porch constructed or erected outside any external door) shall be carried out, other than expressly authorised by this permission.

Main Issues

2. The main issues are:

- Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies.
- Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal’.

Reasons

Inappropriate development

3. The appeal site is located within the Green Belt and comprises an existing single storey detached dwelling. Saved Local Plan¹ Policy C13 relates to extensions to dwellings in the countryside. Criterion ‘ii’ of this policy limits increases in floorspace to one third of the gross floor area of the original dwelling where there is an overall effect on its bulk. The proposed development would exceed this limit.
4. Nonetheless, Saved Policy C13 is not consistent with the Framework, particularly in relation to development in the Green Belt. I accept that numerical restrictions can be helpful as a means to quantify the threshold of harm, in terms of whether a development constitutes disproportionate additions. However, criterion ‘ii’ only accounts for an increase in floorspace. This is a crude measure when used in isolation. For example, it does not recognise the potential to accommodate additional floors in an existing building in addition to other extensions, as is proposed here.
5. Policy C13 includes other criteria which take the mass of the building into account. However, the fact that a development can fail simply on the basis of criterion ‘ii’ renders these additional considerations irrelevant in such circumstances. As such, this policy does not reflect the more wide ranging scope for alterations allowed under Framework Paragraph 149C, which refers to ‘size’, a term which encompasses more than simply a comparison of floorspace figures. As such, in considering the application of Policy C13 to development in the Green Belt, the policy is out-of-date and I do not afford the conflict with it any significant weight.

¹ Gravesham Local Plan First Review: Saved and Deleted Policies Version (Sept 2014)

6. Notwithstanding this, Core Strategy² Policy CS02 provides further policy relating to development in the Green Belt, requiring that such development accords with national policies.
7. Framework Paragraph 149 states that the construction of new buildings in the Green Belt should be regarded as inappropriate development, except in certain circumstances. One such exception is set out under Framework Paragraph 149C, which relates to 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.
8. The Framework does not include guidance on what is considered to be 'disproportionate'. I note that the appellant has provided many examples of decisions nearby where larger dwellings have been allowed. Indeed, a larger dwelling may be acceptable in certain circumstances. Nonetheless, every case should be treated on its own merits and the rationale for those decisions will have been based on site-specific circumstances. In essence, whether or not extensions and alterations are disproportionate is a matter of planning judgement, having regard to the particulars of a proposed development and the relevant site-specific circumstances.
9. Whilst there would be a large increase in floorspace (the Council indicates an increase of 251%), this manifests itself as only a moderate increase in the footprint of the dwelling (approximately 41% using the Council's figures). In addition, the height of the dwelling would only be increased by approximately 2 metres to facilitate accommodation in the roof. This increase is minor, even taking account of the small scale of the existing building.
10. Roof alterations include a hipped roof with gable ends, dormer windows and rooflights. These design features would further limit the visual impact of the proposal. There would also be some first-floor windows within the elevation. As a result, the dwelling would have a one and a half storey appearance. Nonetheless, overall, the proposal would not be much more prominent than the existing building.
11. Taking all of these considerations into account, the massing, scale and form of the development would be appropriate to the existing dwelling (which is also a requirement of saved Local Plan Policy C13) and the proposed development would not result in disproportionate additions to the original building. The proposal would be not inappropriate within the terms of Framework Paragraph 149.
12. The impact on openness is implicitly taken into account in the exceptions to inappropriate development unless there is a specific requirement to consider the actual effect on openness. In this case, Framework Paragraph 149C does not require an additional consideration of openness. As such, there is no requirement to separately assess the impact of the development on the openness of the Green Belt.
13. The proposal would conflict with saved Local Plan Policy C13 insofar as it would result in an increased floorspace beyond the threshold allowed under criterion 'ii'. However, taking into account other aspects of 'size' and the case-specific circumstances, I conclude that the development would not result in extensions

² Gravesham Local Plan Core Strategy (Adopted September 2014)

or alterations which are disproportionate additions over and above the size of the original building. For these reasons the proposal is not inappropriate development and it would therefore comply with Core Strategy Policy CS02 and the relevant provisions of the Framework.

Conditions

14. I am imposing the standard householder conditions, as advocated by the government's Planning Practice Guidance. These are to ensure that the development is implemented in accordance with the approved plans, and that the external materials used should match those of the existing dwelling.
15. A condition removing permitted development rights in respect of windows within the first floor of the southern elevation is necessary to preserve the living conditions of neighbouring occupiers. The same condition need not apply to the ground floor, given that the neighbouring dwelling to this side does not include windows at first floor level in the north facing elevation.
16. The Town and Country (General Permitted Development Order) (England) 2015 (GPDO) does not include restrictions pertaining specifically to the Green Belt. Nonetheless, I consider that the proposed development comprises close to the maximum additions whilst ensuring that they are proportionate to the existing dwelling. As such, it is necessary to impose a condition removing permitted development rights in respect of enlargements, improvements or other alterations of the dwelling, the construction of any additional storeys, dormers rooflights or other roof alterations and porches. This would ensure that the openness of the Green Belt is preserved.
17. A condition pertaining to obscure glazed bathroom windows is not necessary given that the proposed bathrooms are not overlooked by neighbouring dwellings and vice versa.

Conclusion

18. In contrast to saved Local Plan Policy C13, Core Strategy Policy CS02 is consistent with the Framework and directly relevant to the main issue of this appeal (given that it relates specifically to development in the Green Belt). As such, on balance, the most important policy (CS02) in considering this appeal is not out-of-date. This means that Framework Paragraph 11d is not engaged.
19. Nonetheless, there would be a technical conflict with Saved Local Plan Policy C13. However, I do not afford this conflict any significant weight (for reasons already given) and it would be outweighed by other considerations including the proposals compliance with Policy CS02 and the Framework. The appeal is therefore allowed, subject to conditions.

Luke Simpson

INSPECTOR