



Delegated Report

Householder Planning Application

Application No:	20230525
Location:	Valley View, Wrangling Lane, Luddesdown, Gravesend, Kent, DA13 0XF
Description:	Hip to gable roof extension (with bonnet hip) to south west and north east elevations, erection of a chimney and two additional dormer windows to front, enlarged windows to south west elevation, juliette balcony to north east elevation, insertion of sliding/opening doors to front elevation. Resubmission following appeal decision dated 07/09/2022 (Application 20211069).
Applicant:	Dr Shirin Lakhani
Site Visit:	2 nd November 2023

Submitted Documents/Plans

- Application Form - dated 16/05/2023;
- Covering Letter (ref: 3781.SC)
- Planning Design and Access Statement (ref: 3871.SC);
- Drawing no. 01 - Site Location Plan and Existing Block Plan;
- Drawing no. 02 - Existing Ground Floor Plan;
- Drawing no. 03 - Existing First Floor Plan;
- Drawing no. 04 - Existing Cellar Floor Plan;
- Drawing no. 05 - Existing Elevations;
- Drawing no. 06 - Proposed Block Plan;
- Drawing no. 07 - Proposed Ground Floor Plan;
- Drawing no. 08 - Proposed First Floor Plan;
- Drawing no. 09 - Proposed Basement Plan;
- Drawing no. 11 - Proposed Elevations.

Relevant Planning History

Reference	Description	Decision	Decision Date
20211069	Hip to gable roof extension to south west and north east elevations, erection of a chimney and two additional dormer windows to front, two new dormer windows to rear, enlarged windows to south west elevation, juliette balcony to north east elevation, insertion of sliding doors and basement floor windows to front elevation, enlargement and conversion of basement area to home gym and games room and enlargement of terrace on south east side.	REFUSED	22.10.2021
AP 2021/00061/		APPEAL DISMISSED	07.09.2022

REF			
20210707	Application for a Lawful Development Certificate in respect of the proposed erection of a garden room/gym.	CERTIFICATE GRANTED	26.07.2021
20150329	Construction of a dormer window in the side (north eastern) roof slope to ensuite bathroom.	PERMITTED	16.06.2015
20100332	Erection of single storey rear extensions to form a garden room and an enlarged utility room.	PERMITTED	15.06.2010
20090978	Application for Lawful Development Certificate for the proposed erection of single storey rear extensions to form a garden room and an enlarged utility room.	CERTIFICATE GRANTED	29.01.2010
20080956	Erection of two storey side/rear extension to provide a granny annexe comprising living room at ground floor level with bedroom and ensuite bathroom/wc at first floor level.	REFUSED	18.12.2008
20070026	Construction of dormer window in north eastern roof slope to replace existing rooflights.	PERMITTED	28.02.2007
20060255	Construction of dormer window to replace two velux windows in south west roof slope.	PERMITTED	05.05.2006
20030379	Erection of two storey rear extension to form enlarged kitchen, and covered area with bedroom and balcony over; construction of 2 mini- dormer windows in the south-west side roof slope, a dormer window in the north-east side roof slope and two dormer windows in the front roof slope with velux windows on the existing north east and south west roof slope and conversion of roof space into three bedrooms, bathroom and ensuite bathroom and erection of an open-fronted porch on the south-west side elevation.	PERMITTED	23.06.2003

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 National Planning Policy Framework (NPPF) (2021) 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 (LPFR) (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (NPPF) (2021)

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

Supplementary Planning Guidance

- 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

Natural England - No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Kent Downs AONB Management Unit - No comment received.

Luddesdown Parish Council - No comment received.

Kent County Council Public Rights of Way - No objections to the above planning application 20230525.

The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this office will deal on the basis that:

- The applicant pays for the administration costs
- The duration of the closure is kept to a minimum
- Alternative routes will be provided for the duration of the closure.
- A minimum of six weeks notice is required to process any applications for temporary closures.

This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

Neighbouring properties

A notice was displayed on site 31st May 2023.

In addition, three surrounding properties were consulted and no representations were received. The consultation period expired 23rd June 2023.

Preliminary Matters

This application follows a refused planning application for a similar development (ref. 20211069) for a hip-gable extension, dormer windows and basement extension. The refusal was appealed and the Planning Inspector dismissed the appeal. The application was refused on the following ground:

- 1. The proposed development significantly alters the character and appearance of the dwelling, creates an unbalanced appearance, introduces disproportionate features and is poor design. These additions result in increased bulk and incongruous appearance which is both inappropriate development within and harmful to the openness of the Green Belt as well as the AONB and Luddesdown Downs Landscape Character Area. Therefore, the development hereby proposed is contrary to Policies CS02 (Scale & Distribution of Development), CS12 (Green Infrastructure) and CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014), saved Policy C13 (Extensions to Dwellings in the Countryside) of Gravesham Local Plan First Review (1994) as well as Sections 12, 13 and 15 of the National Planning Policy Framework (2021).*

In order to receive a positive decision, this proposal must be considered to overcome the ground of refusal to achieve a positive outcome.

Analysis

Site Description

Valley View (formally known as Ladera) is a large detached chalet style bungalow located at the end of Wrangling Lane.



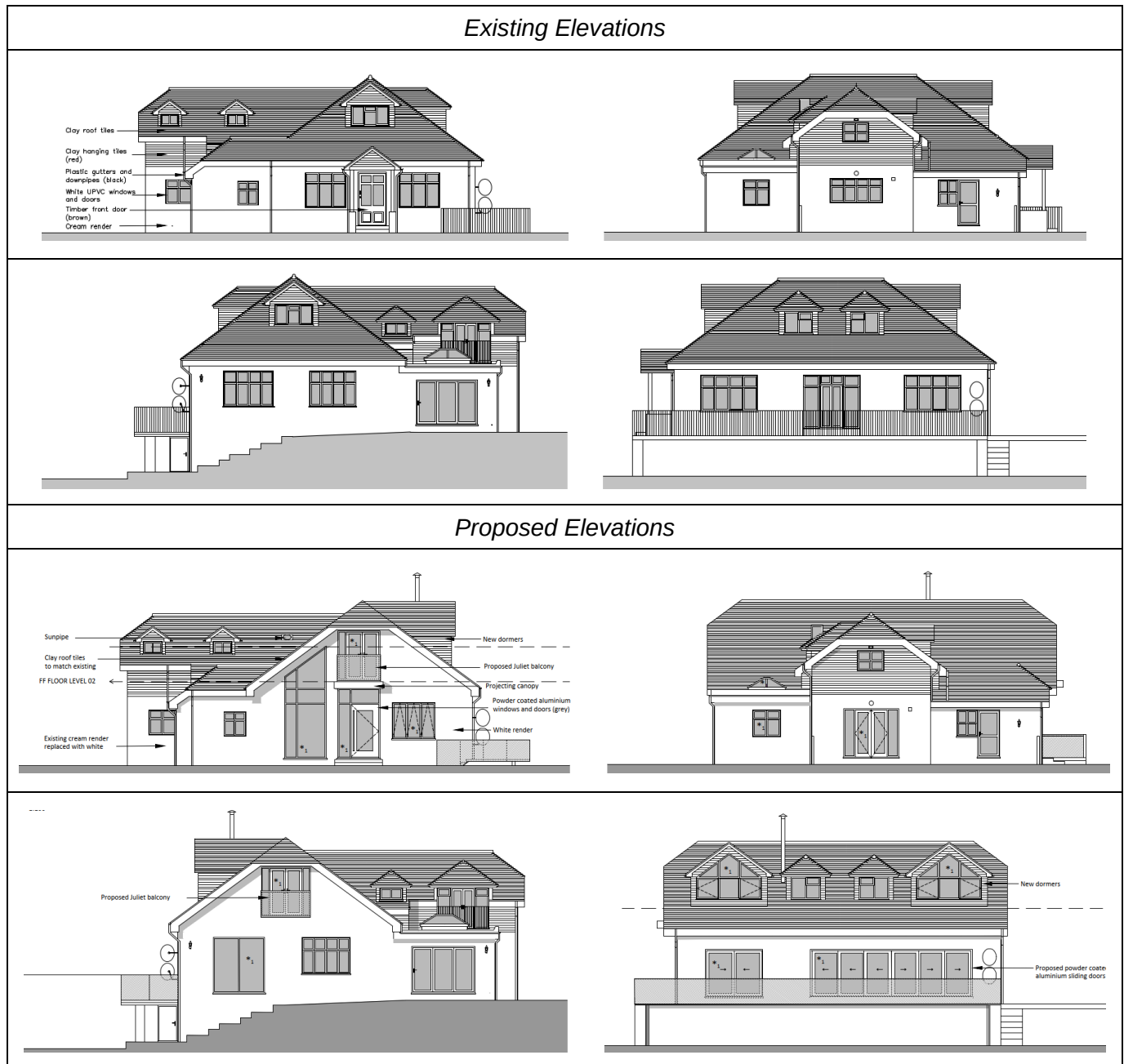
The application site lies within the Metropolitan Green Belt, Kent Downs Area of Outstanding Natural

Beauty (AONB) and the Luddesdown Landscape Character Area.

Proposed Development

This application seeks to extend the roof of the property through hip-gable extensions on the main roof of the dwelling, with the insertion of two additional dormer windows and the insertion a north facing Juliet balcony at first floor level. As part of the development the new sliding doors are proposed onto the front terrace and there is new glazing proposed on the south-western elevation.

The comparative elevation screenshots below visually demonstrate most of the changes proposed:



Extension to Dwelling

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 AONB and 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 147 of the NPPF (2021) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 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 149 of the NPPF (2021), 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 (2021), 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 (2021).

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 (2021) and should be afforded due weight.

	Original Dwelling	Proposed Extended Dwelling	% increase above original
Footprint (m²)	133.15m ²	197.8m ²	48.5%
Internal Floorspace Area (m²)	167.6m ²	374.8m ²	123.6%
Volume	-	-	-

The calculations demonstrate that the proposed additions to the dwellinghouse exceed the one third limit set out in saved policy C13 (LPFR). 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, it should be noted that the footprint would not be increase as part of this application, with the existing property already exceeding the one third limit through previous additions. The volume calculations of the extensions, over the original dwelling, have not been calculated in this

application and will instead be visually assessed.

However, the numerical calculation forms only a part of the overall assessment. Paragraph 149 of the NPPF (2021) 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 does not provide a figure.

The proposed roof alterations add bulk and massing to the existing dwelling, which has already been enlarged previously. However, the extensions are on the original dwelling and would not extend and extension. The design of the hip-gable extension has been carefully considered with barn-hips reducing the perceived bulk and adopts a similar character to other parts of the dwelling.

The scale bulk and massing of the development have been significantly reduced from the previous refusal (ref. 20211069). These alterations improve the design and balance of the proposed dwelling, and create a proportionate appearance. Furthermore, the removal of any increase in the existing footprint of the dwelling serves to limit impact on the Green Belt and encroachment onto the countryside.

It is therefore considered that the proposed development would not result in a disproportionate addition to the property and as such the proposal would not be inappropriate development which is by definition, harmful to the Green Belt. It is therefore complies with Policy CS02 (LPCS), Policy C13 (LPFR) and to paragraph 149 of the NPPF (2021).

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

Paragraph 137 of the NPPF (2021) 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. The openness of the Green Belt has both spatial and visual aspects.

As aforementioned in this report, the property is in a relatively secluded location on a varied site with mature trees and woodland, as well as open paddocks. The property itself is set-up on the hillside against a backdrop of the forest. This means that the property is not directly visible from the surrounding area or public vantage points. Therefore, the development hereby proposed would have limited visual impact.

The proposed development would increase the bulk and volume of the roof forms, by virtue of the hip-gable extensions and new dormer windows. These extensions would result in a reduction in the spatial openness of the Green Belt, but this is reduced by introducing barn-hips to the edges of the roof and a reduction in the scale of the dormers from the previous refused application (ref. 20211069). This is considered to reduce the impact on the spatial openness of the Green Belt, which the Inspector found to be moderate in the dismissed appeal, which also included a basement extension. As such, the proposed would have limited harm to the spatial openness of the Green Belt.

Overall, the development would have limited impact on both the visual and spatial openness of the Green Belt and is considered to be acceptable. Reference back to paragraphs 147 and 148 of the NPPF (2021) 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

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

4. Impact on the AONB and Landscape

In addition to being within the Green Belt, the site is located within the Luddesdown Downs Landscape

Character Area. This area is characterised by very undulating topography with a mix of arable and pasture farmland, there are areas of native woodland, narrow winding lanes that follow the contours with small settlements and farmsteads located along lanes.

The site is also in the Kent Downs Area of Outstanding Natural Beauty. Policy CS12 states that the overall landscape character and valued landscapes will be conserved, restored and enhanced with the greatest weight being given the conservation and enhancement of the landscape and natural beauty of the Kent Downs Areas of Outstanding Natural Beauty and its setting.

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.

Valley View is an established property within the Luddesdown Downs and AONB landscape. The proposed changes to the property are minor and would not have any detrimental impact on and are considered to conserve the character of the landscape and the AONB. Therefore, the proposal is in accordance with Policy CS12 (LPCS) and Sections 13 and 15 of the NPPF (2021).

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 places) of the NPPF (2021) 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.

As referenced previously, the property experiences limited visibility from surrounding public vantage points by virtue of its remote location and the mature landscaping around the site. The proposed alterations would somewhat alter the character and appearance of the property, particularly by increasing the prominence and bulk at first floor level. The amended roof, larger dormer windows and glazed balustrades would give a more modern appearance, however this does not create imbalance or significantly alter the character of the property. The barn-hip edges of the hip-gable extension serve to reduced bulk and the scale of the new dormers have been reduced to be more proportionate on the roof slope. Moreover, the ground floor level of the property would finished in pale rendered similar to the existing, with the roof tiles to match, which serve to preserve its character.

The scheme also proposes a log burner flue, which would be conditioned to ensure it is painted matt black to limit the impact on the landscape and blend with the forest backdrop.

The property is isolated and standalone in character, as such the proposed alterations would not have any negative impact on the surrounding area. The scheme has been appropriately designed and have an attractive appearance with reduced bulk. As such, the proposal is in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2021).

6. Other matters

Amenity of Future Occupiers

The proposed development provides acceptable living conditions that safeguard the amenity of existing and future occupiers in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2021).

Neighbouring Amenity

The proposed garage is not considered to materially impact on the amenity of adjoining properties in terms of outlook, light, privacy or sense of enclosure. As such, it is considered to safeguard their amenity in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2021).

Parking and Highways

There are no issues relating to parking or highways related to this application.

Conclusion:

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

The proposal is considered to overcome the grounds of refusal attached to the previous application (ref. 20211069). The proposed extensions have been carefully designed to reduce perceived bulk and be proportionate. These strategies are considered to limit harm to the openness of the Green Belt and landscape, and are not inappropriate development. The development is well designed in accordance with Gravesham's Design SPD (2021), will not impact the amenity of future occupiers or surrounding residents, is acceptable in parking and highway terms.

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

Recommendation:

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	6 th July 2023	Dated:	11th July 2023