



Delegated Report

Householder Planning Application

Planning Application No: 20221362

Location: The White House Foxendown Lane Meopham Gravesend

Description: Erection of a rear single storey extension with balcony above and storage below rear extension.

Applicant: Mr & Mrs Joseph

Site Visit Date: 23 February 2023

Submitted Documents/Plans

Householder Planning Application form;
Drawing no. 01 Existing layout and elevations;
Drawing no. 02A Proposed layout and elevations;
Drawing no. 03 Location plan;
Drawing no. 04 Existing block plan;
Drawing no. 05A Proposed block plan;
Heritage and Planning Statement; and
Ecological Impact Statement.

Superseded Documents/Plans

~~Drawing no. 02 Proposed layout and elevations; and~~
~~Drawing no. 05 Proposed block plan.~~

Procedural issues

Following a request by the case officer, a proposed side extension was omitted from the proposal and an Ecological Impact Statement was submitted. As a result, the description of the proposed development was amended from 'Erection of side and rear single storey extensions with balcony above and storage below rear extension' to that shown above and the KCC Biodiversity Officer was re-consulted.

It should be noted that drawing no. 02A incorrectly shows the roof of the omitted side extension on the proposed first floor layout plan. As this feature is not shown elsewhere on the submitted plans, the inaccuracy does not undermine the assessment of the proposed development. A condition can be attached to any planning permission granted to clarify that no side extension is proposed to be erected.

Relevant Planning History

Reference	Description	Decision	Decision Date
19750298	Erection of a two storey extension at side to form additional living accommodation	Permitted	08.07.1975
19750054	Erection of a two storey extension at side for kitchen dining room utility room shower room and two bedrooms	Refused	20.03.1975

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- C13 – Extensions to dwellings in the countryside

Paragraph 33 of the 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 (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places
- 13 – Protecting Green Belt land
- 15 – Conserving and Enhancing the Natural Environment
- 16 – Conserving and Enhancing the Historic Environment

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – nationally described space standard (2015)
- Householder Extensions/Alterations Design Guide (2021)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

KCC - Biodiversity Officer

Initial response:

SUMMARY – FURTHER INFORMATION REQUIRED

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos and biological records) and the information submitted with the planning application, we advise that further information is sought from the applicant with regards to the potential for ecological impacts, as follows:

- An Ecological Impact Assessment (EclA), to include a preliminary roost assessment of the existing property and preliminary ground level roost assessment of any trees likely to be impacted by the works.

The property includes features with potential to support roosting bats (such as hanging tiles) and adjacent scrub and trees provide suitable foraging/commuting habitat. The site also has good connectivity to highly suitable foraging habitat in the wider area including ancient woodland to the south and Henley Wood and Pasture Local Wildlife Site (LWS) 60m to the east. These features indicate ecological value and potential for protected species presence. Potential impacts on these features and the immediate surrounding area through pre-works clearance, construction/renovation, access, lighting, landscaping proposals and future use must be taken account of in the planning decision. As such, an Ecological Impact Assessment (EcIA) should be undertaken by a suitably qualified ecologist¹, in accordance with good practice guidelines.

The EcIA will include the following:

- Details of the impacts of development proposals on the ecological baseline established via a Preliminary Ecological Appraisal (PEA) and any additional surveys required;
- Details of any necessary and achievable ecological mitigation and/or compensation measures;
- Details of ecological enhancement measures, and;
- Provision of sufficient information to determine whether the project accords with relevant nature conservation policies and legislation.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, we advise that the EcIA is sought prior to determination of the planning application. This is in alignment with paragraph 99 of ODPM 06/2005 which states “it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision”.

The EcIA will also ensure alignment with the National Planning Policy Framework (NPPF 2021) and the Natural Environment and Rural Communities Act (NERC) Act 2006. Under section 40 of the NERC Act (2006) and paragraph 174 of the NPPF (2021) biodiversity should be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF 2021, the implementation of measurable net gains for biodiversity (integrated as part of design) should be encouraged. As such, we advise that information is submitted with the EcIA to demonstrate that the development can achieve net gain and enhancements.

Second response:

SUMMARY – SUFFICIENT INFORMATION PROVIDED

We have reviewed the ecological information submitted by the applicant and advise that sufficient information has been provided. We have taken this view due to our understanding from the Ecological Impact Assessment (Kent Botany, March 2023) that:

“the house was assessed as having negligible potential to support bat roosts and therefore it has not been necessary to recommend further survey work....there will be very little impact to the existing pitched roof over the main dwelling...

...The garden consisted of a mown lawn with shrub borders. There are no ponds present and no other habitats which may be used by protected species. No signs of badger setts or features which might be used by reptiles.”

We agree that no further surveys are necessary. If planning permission is granted, we advise that the following informative and conditions are attached.

Breeding birds:

There is limited potential for the existing extension and roof sections to support nesting birds. All breeding birds and their young are protected under the Wildlife and Countryside Act 1981 (as amended) and therefore we advise that the following informative is included with any planning permission:

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being

built. Planning consent for a development does not provide a defence against prosecution under this Act. Habitats are present on and around the site that provide opportunities for breeding birds. Any work to structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. Where structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

Roosting Bats:

The Ecological Impact Assessment (EclA) concludes that there is negligible potential for roosting bats but has recommended a precautionary approach to the timing of works. We advise that this is secured as a condition to any planning permission approved and suggest the following wording:

The applicant is reminded that Bats and their roosts are protected at all times by the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. In accordance with paragraph 5.6 of the Ecological Impact Assessment (Kent Botany, March 2023), removal of the pitched roof should be undertaken outside of the maternity and hibernation periods, restricting these works to April and September/October. The removal of tiles and roof-lining should be undertaken by hand (soft-stripping). If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from the site ecologist.

Biodiversity Enhancement Plan:

Under section 40 of the NERC Act (2006) and paragraph 174 of the NPPF (2021), biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF 2021, the implementation of enhancements and net gains for biodiversity (integrated as part of design) should be encouraged.

Enhancement measures including integral features for bats and breeding birds have been proposed within Section 6 of the EclA report. We advise that if planning permission is granted, a condition for a Biodiversity Enhancement Plan is attached to secure the implementation of the proposed measures. In addition, we advise that the following are considered for inclusion within the plan:

- Native-species landscaping
- A wildlife pond
- Habitat for hedgehog
- Log and compost piles.

Suggested condition wording:

Prior to completion, details of how the development will provide enhancement for biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include a native species landscaping scheme and habitat boxes for bats, breeding birds including S41 priority species, and hedgehog. Any boxes included for wildlife should be building integrated and/or made of Woodstone/Woodcrete to ensure durability. The approved measures will be implemented and retained thereafter.

Meopham Parish Council

Meopham Parish Council raises no objections to this planning application providing it meets the requirements of GBC's Householder Extensions/Alterations Design Guide.

KCC - West Kent Public Rights Of Way Officer

Public Rights of Way NS259 lies to the south of the site. The route may be affected by the application, and I therefore enclose a copy of the Public Rights of Way network map showing the definitive line of this path for your information.

It is important to advise the applicants that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.

Neighbouring properties

The application was publicised by a site notice, newspaper advertisement and to three neighbouring properties by letter. No representations have been received. The consultation period expired on 13 April 2023.

Officer's Analysis

The application site lies within the Green Belt and as such, Policy CS02 of the Gravesham Local Plan Core Strategy (September 2014) is relevant. This policy prioritises development in the urban area as a sustainable location for development. In the rural area it 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 (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the Local Plan Core Strategy.

The principle issues in the determination of this application are;

- Is the proposed development appropriate in the Green Belt?
- Effect on the openness of the Green Belt
- Effect on the character and appearance of the area - including landscape character
- Other matters

Is the proposed development appropriate in the Green Belt?

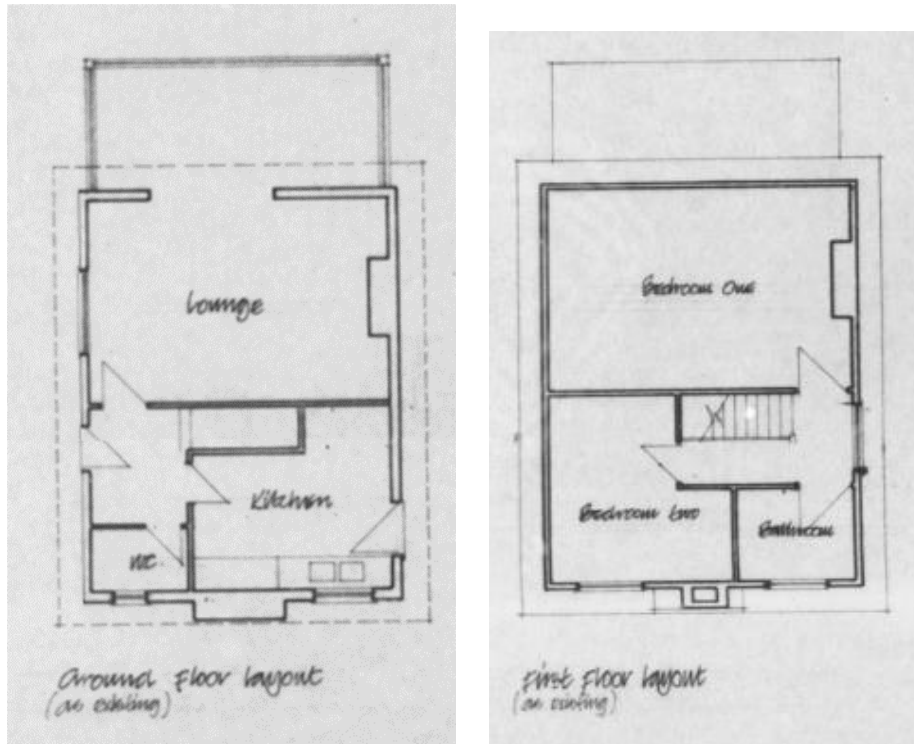
Paragraph 137 of the National Planning Policy Framework 2021 (NPPF 2021) sets out that the essential characteristics of Green Belts are their openness and permanence and paragraph 138 lists the five purposes that the Green Belt serves. At the application site, the Green Belt assists in safeguarding the countryside from encroachment. 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 149 of the NPPF 2021 states that the construction of new buildings should be regarded as inappropriate development in the Green Belt but lists certain exceptions. These exceptions are set out in sub-paragraphs 149(a) to 149(g). Sub-paragraph 149(c) identifies 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.

Saved Policy C13 of the Gravesham Local Plan First Review (November 1994) 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, Saved 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 weight.

The original building, for the purposes of assessing whether the proposed extension is disproportionate, was the application property prior to the extension granted under planning permission reference 19750298, as illustrated below;



Extracts from 19750298

Whilst it is noted that a rear conservatory is shown on the 1975 plans, it does not appear to have been an original feature of the dwelling. Using the submitted drawings, the floor area of the original dwelling has been measured at 96 square metres (excluding the conservatory) and following the erection of a two storey side extension, the floor area increased by 68 square metres (a 71% increase above original).

There are two wooden buildings located in very close proximity to the rear elevation of the application property, such that they would be considered as further extensions to the building. These features and the conservatory have added a further 24.8 square metres of floor area to the original dwelling (a cumulative floor area increase of 92.8 square metres or 97% increase above original).

The application property is a two storey dwelling with a roughly rectangular shaped footprint and a roof with a variety of pitches and a ridge height of some 6.3 metres. The building has a twin dormer extension located on the side.

The proposed development would replace the existing rear conservatory with an enlarged rear extension and balcony above. The rear extension would have a floor area of 21 square metres (7 square metres larger than the existing conservatory).

As part of the proposal, the existing rear wooden buildings and conservatory would be removed. These have a combined floor area of some 24.8 square metres. Therefore the net proposed floor area would be 3.8 metres less than existing. However as the conservatory and wooden buildings do not appear to have been original features of the building, the increase above the original floor area would be 21 square metres (a cumulative floor area increase of 89 square metres or 93% increase above the original).

In terms of the bulk and massing, it is considered that the proposed development would increase the impact of the built form at the rear of the building by virtue of enlarging the rear projection overall and enclosing the area below the conservatory. However, the increased bulk and massing would be offset by the removal of the existing conservatory and wooden buildings, such that the proposal would essentially appear as a like for like replacement of existing built development at the rear of the application site.

It is noted that the enclosed area below the conservatory would have a head height of only 1.5 metres and

as such, it would not add any habitable floor space to the dwelling.

Overall, it is considered that the proposal would not be a disproportionate addition over and above the size of the original building and would fall within the exception set out in paragraph 149(c) of the NPPF 2021. As such, the proposal would be appropriate development in the Green Belt and be in line with Policy CS02 of the Gravesham Local Plan Core Strategy September 2014, Saved Policy C13 of the Gravesham Local Plan First Review and paragraph 149 of the NPPF 2021.

Effect 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. Paragraph 001 of the Planning Practice Guidance on Green Belts looks to assess the impact of a proposal on the openness of the Green Belt by taking into account the spatial and visual aspects of a development, its duration and remediability, and the degree of activity levels generated (Reference ID: 64-001-20190722).

The proposed development, by its nature as an additional form of built development at the property, would erode the openness of the Green Belt. However as the proposed building would be a replacement for a similarly sized and located structure and would not be widely visible from public vantage points (due to the existence of mature vegetation on the site boundaries), the harm to openness would not be material.

Effect on the character and appearance of the area

The application site is located in the Harvel Wooded Downs Landscape Character Area. As such, Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 is relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment will be taken into account in determining applications.

The Harvel Wooded Downs Landscape Character Area is characterised by varied topography with steep valley sides and plateaux. Ancient woodland, chestnut coppice and small paddocks and pastures can be found. Views both within and out of the character area are limited because of the combined effect of topography and the heavily wooded character of the landscape.

The application site is located in a rural area and is surrounded by woodland and dwellings in plots of a similar nature. The plot surrounding the existing dwelling has a significant area of hard surfacing and some grass and mature vegetation. As a result, the site has a somewhat semi-rural appearance. The proposed development would result in an increase in the amount of built development within an existing residential curtilage but would not adversely affect the overall landscape character of the surrounding area.

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built, historic and natural environment and integrate well with the surrounding local area. In particular, the design of new development should be derived from a robust analysis of local context and character and make a positive contribution to the street scene and the character of the area.

In relation to single storey rear extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that proposals are not normally visible from the street so are usually less visually intrusive than other extensions. It highlights that they should be designed to ensure that the extension does not dominate the original property, they should not rise above the window sill level of any first floor windows, should not be of greater width than the original building and should match existing external materials and fenestration.

The proposed external facing materials would match those which are existing and the extension would be subservient in both size and width to the existing building. The proposed roof would not exceed the level of first floor window sills but it would extend above the existing eaves line and the windows would not match those existing. Therefore, the proposal is not entirely in line with the Householder Extensions/Alterations

Design Guide (2021). However, as the proposed development would not be widely visible from public vantage points and because the general design is acceptable, it is considered that the negative design features would not be so significant as to warrant the refusal of the proposed development.

Overall, it is considered that the proposed development would not be detrimental to the character or appearance of the existing building or the surrounding landscape and would be in line with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Other matters

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants.

The proposed development would not harm the amenity of future occupiers and sufficient garden would be retained to comply with the Borough Council's Residential Layout Guidelines. As such, the proposal would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014.

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupiers.

The closest residential properties to the application site are Kent Cobs, Dean Lane (located to the east) and Hillside, Dean Lane (located to the west). Rose Cottage, Brimstone Hill is located to the south and to the north is open countryside.

The proposed development would increase the depth of an existing balcony at the rear of the dwelling by some 0.8 metres and would include windows in both side elevations at ground floor level.

Kent Cobs has first floor windows in its side elevation and a small balcony at the rear. Mature vegetation and a 1.8 metre high, close boarded fence are located on the boundary with the application site.

Rose Cottage is located some 24 metres from the rear elevation of the existing conservatory/balcony at the application site and the boundary between the properties has mature vegetation that provides some screening.

The proposed development would cause some adverse overlooking impacts to the occupiers of Kent Cobs and Rose Cottage but due to the partial screening provided by the existing boundary treatments and because there is already overlooking from the existing balcony, it is considered that the adverse overlooking impacts would not be so significant as to warrant the refusal of planning permission.

Due to the separation and orientation of the properties and the design of the proposed development, there would be no adverse overshadowing or overbearing impacts to the occupiers of Kent Cobs or Rose Cottage.

Due to the distance between the properties and the design of the proposed development, there would be no adverse overlooking, overshadowing or overbearing impacts to the occupiers of Hillside, Dean Lane.

No neighbour representations have been received.

Overall, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Ecology and Biodiversity

Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 states that there will be no net loss of biodiversity in the Borough and that opportunities to enhance, restore, re-create and maintain habitats will be sought within new development. An Ecological Impact Statement has been provided and the KCC Biodiversity Officer has not raised an objection to the proposal, subject to the inclusion of an informative relating to the protection of breeding birds and two planning conditions (requiring the submission and approval of a biodiversity enhancement scheme and to control the timing and methodology of the removal of the existing pitched roof). These conditions and the informative can be attached to any planning permission granted.

Overall, it is considered that there would be no adverse ecological impacts and that the biodiversity of the application site would be enhanced. Therefore, the proposed development would be in line with Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

Impacts on the Public Right of Way.

The comments of the KCC Public Rights of Way officer are noted. However, as the proposal constitutes an extension to an existing building, that is located at the centre of the application site, it is considered that there would be no adverse impacts to the alignment or to the use of Public Right of Way reference NS259, which runs along the southern boundary of the application site. Notwithstanding this, any planning permission granted would have an informative attached, which outlines the advice given by KCC in relation to the Public Right of Way.

Any Other Material Planning Considerations

The application site is located within an area of multi-period archaeological potential and Groundwater Source Protection Zones 2 and 3. However, as the proposed development is within the confines of an existing residential garden and only a relatively small amount of groundworks would occur, then it is considered that there would be no adverse impacts to groundwater or archaeology. As such, the proposal would be in line with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Materials to match existing

Submission and approval of a scheme for the enhancement of biodiversity

Specific timing and methodology for the removal of the existing pitched roof

Clarification that no side extension is proposed to be erected

Conclusion & Recommendation

The proposal complies with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	14 April 2023	Dated:	14 April 2023