

PLANNING STATEMENT

Downhill, Heron Hill Lane Meopham, Kent DA13 0DT

Gravesend Borough Council

PLANNING STATEMENT

Proposed basement extension

Downhill, Heron Hill Lane Meopham, Kent DA13 0DT

John Mason

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Contents

Section 1	Introduction	1
Section 2	Site and Proposals	2
Section 3	Planning Policy Context	4
Section 4	Planning Justification	9
Section 5	Planning Balance	14

Appendices

Appendix 1	Appeal at Sunny Slope Gravesend (APP/K2230/W/19/3225211)
Appendix 2	Appeal at The Haven, Meopham (APP/K2230/D/16/3156172)
Appendix 3	Appeal at Folly Farm, Mill Hill (APP/N5090/D/17/3174495)

Introduction

Section 1

- 1.1 This Statement has been prepared on behalf of our client Mr Mason to accompany the full planning application for a basement extension to provide ancillary residential accommodation at Downhill, Heron Hill Lane, Meopham, Kent.
- 1.2 This Statement details the key planning considerations in the determination of the application, including compliance with the Development Plan and the National Planning Policy Framework (NPPF).

Site and Proposals

Section 2

The Site

- 2.1 Downhill is a two-bedroom dwelling which is built on a sloping site with a detached garage adjacent to the property. The site is located along Heron Hill Lane, within the Culverstone Valley Area.
- 2.2 The proposal site is located within the Green Belt.



- 2.3 As can be seen from the above map, Heron Hill Lane is characterised by detached dwellings on individual plots to the south and open fields to the north. The character of the immediate area is similarly characterised by detached dwellings on individual plots having been the subject of specific development control policies in the past restricting the quantum of development in this location.
- 2.4 The proposal site contains a large number of trees, meaning it is well screened from the open countryside.

Planning History

- 2.5 There are a number of planning applications relating to this property. These are shown overleaf for context.

App. Ref.	Date	Description	Decision
19881047	17/10/1988	Outline application for erection of chalet for weekend and holiday use.	Refused
19990189	25/03/1999	Erection of detached dwelling with rooms in the roof space and erection of detached double garage at front.	Permitted
20030886	09/10/2003	Application for the renewal of planning permission reference number GR/1999/189 for the erection of a detached dwelling with rooms in the roof space and a detached double garage at the front.	Withdrawn
20030972	07/11/2003	Erection of a detached dwelling with rooms in the roof space with a detached double garage at the side (replacement dwelling).	Withdrawn
20060384	08/05/2006	Relocation of detached double garage previously granted planning permission under reference GR/1999/189.	Permitted

Proposals

- 2.6 This application seeks full planning permission for a single storey basement extension to the existing property to provide ancillary residential accommodation.

Planning Policy Context

Section 3

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan comprises the adopted Gravesham Local Plan Core Strategy Council Core Strategy (2014) and the Local Plan Saved Policies (2014).

3.2 The Emerging Site Allocations and Development Management Policies Document, the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are all material considerations.

Development Plan Policy

3.3 Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, if regard is to be had to the development plan determination must be made in accordance with the plan, unless material considerations indicate otherwise.

3.4 The relevant Development Plan against which the proposals will be considered comprises the adopted Local Plan Core Strategy 2014 (LPCS) and the saved policies from the Local Plan 1994 (LP).

Gravesham Local Plan Core Strategy (2014)

3.5 The LPCS sets out the Council's strategic policies and proposals for the development and use of land up to 2028. The following policies are considered relevant to this proposal and are considered in further detail in Section 4 of this Statement.

3.6 The below map is an extract of the Local Plan Policies Map and displays the policies directly relevant to the proposal site.

3.7 As can be seen on the above map extract, the site is located outside of a designated settlement boundary, within the Green Belt and a within a Local Wildlife Site.

3.8 Policy CS01 (Sustainable Development) seeks to ensure that the Council approves applications without delay if they accord with the relevant policies within the development plan. 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.

- 3.9 Policy CS02 (Scale and Distribution of Development) replaced the Green Belt policies of the Local Plan and sets out the approach to development in Green Belt so is a relevant policy.
- 3.10 Policy CS12 (Green Infrastructure) states that 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. Where a negative impact on protected or priority habitats/cannot be avoided, compensatory provision will be required either elsewhere on site or off-site.
- 3.11 Policy CS19 (Development and Design Principles) ensures that 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 summarised below:
- Safeguard residential amenity, including privacy, daylight and sunlight, of its occupants and neighbours;
 - Avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination;
 - Not pose an unacceptable risk or harm to the water environment;
 - New development will be designed in a way to be accessible to all members of the community;
 - 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;
 - 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; and
- The layout of new development will create a safe and secure environment.

Gravesham Local Plan First Review (1994)

3.12 Policy C13 (Extensions to Dwellings in the Countryside) allows for extensions to dwellings outside settlement boundaries if they adhere to certain criteria:

- There will be an overall limit of one third of the gross floor area of the original dwelling;
- 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;
- The extension shall not be in a form which would facilitate the future formation of a separate residential curtilage;
- The dwelling to be enlarged must have sufficient curtilage to accommodate the extension without undue visual intrusion into the open countryside; and
- The appearance, massing, scale, form and materials of any extension shall be appropriate to the existing dwelling and the Green Belt setting.

Material Considerations

National Planning Policy Framework (NPPF)

3.13 The NPPF provides the national policy framework for plan-making and decision-taking. At the heart of the NPPF is a presumption in favour of sustainable development, encompassing social, economic and environmental roles, which should be seen as a golden thread running through planning (paragraph 11). For decision-taking this means approving development proposals that accord with the development plan without delay.

3.14 Paragraph 124 ensures that development proposals create buildings and places of the highest quality. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

3.15 Section 13 of the NPPF focusses on the Green Belt. Paragraph 134 sets out the five fundamental aims of Green Belts;

- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 3.16 The construction of new buildings is regarded as inappropriate development in the Green Belt, to which substantial weight should be given in determining applications. One exception to this set out at paragraph 145 is the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building. Disproportionate is not defined, but instead left to the decision maker to determine on a case by case basis.
- 3.17 Local planning authorities are encouraged to approach decision-taking in a positive way, looking for solutions rather than problems to foster the delivery of sustainable development. In determining planning applications, local authorities should apply the presumption in favour of sustainable development (paragraph 197).
- 3.18 Local planning authorities are encouraged to approach decision-taking in a positive way, looking for solutions rather than problems to foster the delivery of sustainable development. In determining planning applications, local authorities should apply the presumption in favour of sustainable development (paragraphs 47-49).

National Planning Practice Guidance (PPG)

- 3.19 The PPG provides practical (online only) guidance on the implementation of the NPPF. This provides key guidance such as that design is an integral part of sustainable development that creates “places, buildings or spaces that work well for everyone, look good, last well and will adapt to the needs of future generations” (Paragraph: 001 Reference ID: 26-001-20140306). Well-designed places should be functional, attractive and encourage ease of movement.
- 3.20 The Guidance notes that development proposals can “[support strong, vibrant and healthy communities and help create healthy living environments](#)” (Paragraph: 002 Reference ID: 53-002-20140306). A healthy community is a “[good place to grow up and grow old in](#)”, and one in which active healthy lifestyles are made easy through

good urban design and access to local services and facilities (Paragraph: 005 Reference ID: 53-005-20140306).

Planning Justification

Section 4

- 4.1 This section of the statement provides a justification for the proposal having regard to the relevant planning policy background, the character of the local area and the site's planning history.

(a) Principle of Development in the Green Belt

- 4.2 Whilst there is a general presumption against inappropriate development in the Green belt some forms of development are deemed acceptable should they form one of a small number of exceptions set out at paragraph 145 of the NPPF.
- 4.3 National and local planning policy are in accord in stating that the extension of existing buildings within the Green Belt is not inappropriate development if it does not result in a disproportionate addition over and above the size of the original building. Saved policy C13 of the LP refers to a limit of one third of the existing gross floor area as an appropriate extension in the countryside, which also applies to sites within the Green Belt as a general rule of thumb.

(b) Inappropriate Development in the Green Belt

- 4.4 Paragraph 5.1.22 of the Local Plan states that "In assessing proposals, regard will be given to the sensitivity of the location and the impact on the openness of the Green Belt".
- 4.5 The proposed scheme would be regarded as inappropriate development if it does not meet the requirements of paragraph 89 of the NPPF, of which only the third bullet point is relevant, which is whether or not it:
- 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;
- 4.6 The proposed development is for a basement extension with no increase in built footprint; as noted this falls within the scope of an exception to paragraph 145 of the NPPF, allowing for proportionate additions to existing dwellings.
- 4.7 Neither the Local Plan nor NPPF define what may constitute a disproportionate addition, however policy C13 provides a local context. The proposed development is for a basement extension which will be subterranean and invisible from the garden and

surrounding areas, bar the introduction of a new external doorway to the new basement space to allow access from outside of the property, whilst the staircase leading to the existing dwelling is internal.

(c) Effect on the Openness of the Green Belt

- 4.8 To consider whether the proposed works will constitute a disproportionate addition to the dwelling it is also important to consider whether this will adversely impact the openness of the Green Belt at this location. It is not considered that the works will adversely impact the openness; the proposal is closely related and linked to the existing house, and the only external changes relate to the creation of a doorway to the basement space in the current alley between the dwelling and the detached double garage.
- 4.9 The proposal also accords with Policy CS12 which seeks to protect green infrastructure, particularly designated sites of ecological importance. The proposals will have no impacts in regard to this proposal due to the containment of development with the exception of the new external doorway access.
- 4.10 Whilst the proposed extension constitutes an increase of 55% in the floor space of the dwelling, in the matters of R (Heath & Hampstead Society) v Camden LBC & Vlachos (2007) and Surrey Homes Limited v Secretary of State for Environment, Transport and the Regions (2000) it was held that "... the concept of whether the dwelling is materially larger can be assessed by reference to matters such as bulk, height, mass and prominence. These are all matters going to the openness of the Green Belt".
- 4.11 In the case of this application the extension to the basement will be entirely underground and therefore have no impact on the openness of the Green Belt.

(d) Principle of Development in the Countryside

- 4.12 Local Plan Policy C13 allows for extensions to dwellings within the countryside, subject to a number of design criteria. The proposed extension to Downhill will have no material impact on the external design or materials of the existing building, with only an external doorway within the flank elevation altering the external appearance of the dwelling. The staircase is internal to the property thereby resulting in no increase in built form.
- 4.13 Limited views into the site are possible, with the boundaries to the site well screened by existing woodland and vegetation, providing the site with an excellent level of privacy. The external changes to the appearance of the dwelling will only be visible

from the alley between the dwelling and the detached garage. These changes are considered acceptable within the scope of Policy C13 which allows for 'appropriate' extensions and Policy CS19 which expects development to be a high quality and well designed, respecting the site and its surroundings and providing the homeowners with improved amenity.

(e) Planning Appeal Decisions

- 4.14 In order to consider the merits of the case it is also relevant to refer to relevant planning appeal decisions where the matter of subterranean development within a Green Belt has been considered.

(i) Appeal at Sunny Slope Gravesend (APP/K2230/W/19/3225211)

- 4.15 This appeal from August 2019 related to the demolition of an existing dwelling and the erection of a replacement bungalow incorporating a basement. One of the main issues with this appeal, was whether or not the proposal would harm the openness of the Green Belt (paragraph 13). A copy of the decision is available in [Appendix 1](#).
- 4.16 The Inspector allowed the appeal and concluded that the proposed basement would have no visual or spatial impact upon the openness of the Green Belt and as such, adhered to the relevant Gravesham Local Planning Policies as well as the provisions of the NPPF.

(ii) Appeal at The Haven, Meopham (APP/K2230/D/16/3156172)

- 4.17 This appeal related to the construction of an extension to an existing dwelling to form a subterranean swimming pool, changing rooms, shower, plant room and garage for three vehicles and other works. A copy of this decision is available at [Appendix 2](#).
- 4.18 Once more, this case concerns an existing dwelling situated within the Green Belt in which the Inspector considered whether the proposal would constitute inappropriate development in the Green Belt and its effect on the openness of the Green Belt. The Inspector noted that the extension of a building is an exception to treating development in the Green Belt as inappropriate where this does not result in disproportionate additions over and above the size of the original building.
- 4.19 The Inspector noted the adopted policy of the Gravesham Local Plan (1994) which allows for extensions to dwellings of one third of the gross area of the original dwelling, unless the increased floor space “[has no overall effect on the existing bulk and massing of the dwelling](#)” (paragraph 5 of decision notice). The parties disagreed on the scale of the increase, but the Inspector concluded that it should include the proposed canopy,

which would take the increase to 47%, well exceeding the one third threshold set by policy, noting however that “... the Framework in this regard is concerned with size at large rather than just floor space.” (Paragraph 8)

- 4.20 In this case, the impact on the openness of the garden effected by the external ‘manifestations’, including roof lights, would be offset by the removal of two outbuildings and provision of subterranean parking. The Inspector concluded that “... notwithstanding the reasonably large scale of the proposed additional floor space, overall the proposed extension would not result in disproportionate additions over and above the size of the original building nor that it would have a material effect on the existing bulk and appearance of the dwelling.” (Paragraph 10)
- 4.21 The Inspector then also stated that “... the proposal would not be inappropriate development in the Green Belt, nor would it have a negative effect on Green Belt openness.” (Paragraph 11)
- 4.22 The Inspector also considered the impact on the character and appearance of the area, noting that the (largely) subterranean nature of the proposed works would have a neutral effect; the visible works would “be of a reasonably limited scale” which would not have a material impact on the area’s character and appearance. Taking into account the proposed large-scale increase in floor space, the appeal was allowed.

(iii) Appeal at Folly Farm, Mill Hill (APP/N5090/D/17/3174495)

- 4.23 This appeal from 2018 related to the excavation of an existing dwelling’s footprint to provide a new basement level for ancillary accommodation. A copy of this decision is available at [Appendix 3](#).
- 4.24 The dwelling which is described as being set within a substantial plot, is located in a rural setting on the edge of Mill Hill, set within the Green Belt. As the proposal was for excavation beneath the existing dwelling there would be no lightwells or other ‘external manifestation’ and while the proposal would not increase the footprint of the building, it would add considerably to its internal floor area.
- 4.25 The Inspector noted that “all the circumstances of any particular case need to be taken into account and each case decided on its own merits” (paragraph 9), and that the appeal scheme “would not have a material effect on the external appearance of the building or on its visual bulk in the Green Belt. In the circumstances of this particular case, therefore, and notwithstanding the guidance given in the Council’s ‘Residential Design Guidance SPD’, I have concluded that the proposed development, for which planning permission is now sought, can be categorised as not amounting to a

'disproportionate addition' to the existing building and, hence, as 'not inappropriate' development in terms of Green Belt policies." (Paragraph 10)

- 4.26 The Inspector went on to consider the impact of the development on its surroundings, noting that it would have no material visual impact on the surroundings and as a consequence "would not cause any actual harm in relation to planning considerations and that it would preserve the openness of the Green Belt." (Paragraph 11) The appeal was allowed.

(iv) Conclusion

- 4.27 The above references appeals clearly demonstrate that subterranean extensions have been deemed not to represent disproportionate additions to existing dwellings within the Green Belt and those same conclusions are to be applied in the case of the proposed development.

(f) Other matters

- 4.28 The proposed basement extension will have no material impacts on drainage or highways given that there is no increase in hardstanding affecting drainage nor does it seek to enlarge the main living accommodation to increase traffic generation.

Planning Balance

Section 5

- 5.1 This planning application seeks full planning permission for a proposed basement extension to form ancillary residential accommodation at Downhill, Heron Hill Lane Meopham, Kent.
- 5.2 The property is situated in the Green Belt and while the proposal will increase the floor space of the property, it will not increase its external footprint nor effect its external visual appearance and visual 'bulk'. It will have very limited impact only through the introduction of an external doorway access to the basement. As the site is very well screened on all of its boundaries, with limited views into the site from the highway the works will have no visual impact on the surroundings and the Green Belt, and as there will be no visible extension to the building the openness of the Green Belt will be maintained. It will not therefore cause harm to the openness of the Green Belt and not be a disproportionate addition to the property.
- 5.3 The proposal is compliant with national and local policy in delivering a proportionate addition to the existing dwelling. The proposal is appropriate development in the Green Belt that will not harm the openness or permanence of the Green Belt, fundamental aims which each set of policy seeks to protect, and represents sustainable development and an efficient use of the site. We respectfully ask that planning permission be granted.