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# Appeal Decision

Site visit made on 10 January 2024

**by Stewart Glassar BSc (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18<sup>th</sup> January 2024**

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**Appeal Ref: APP/K2230/D/23/3327239**

**Hope House, Ridge Lane, Meopham, Gravesend, Kent DA13 0DP**

- 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. Fairwather-Oates against the decision of Gravesend Borough Council.
  - The application Ref 20230254, dated 15 March 2023, was refused by notice dated 12 May 2023.
  - The development proposed is the erection of two storey side extension including loft conversion and dormers.
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## Decision

1. The appeal is allowed and planning permission is granted for the erection of two storey side extension including loft conversion and dormers at Hope House, Ridge Lane, Meopham, Gravesend, Kent DA13 0DP in accordance with the terms of the application, Ref 20230254, dated 15 March 2023, subject to the conditions below:
  - 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 approved plan: Drawing No. 2022-06-02-002 Rev D.
  - 3) The materials to be used on the external surfaces of the development hereby permitted shall match those used on the existing dwelling.
  - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed on the extension hereby permitted.

## Preliminary Matters

2. The appellant's name is spelt slightly differently on the appeal form from how it appears on the application form. In the absence of any confirmation that the application form is wrong, I have used that spelling in the banner heading above.
3. In undertaking the site visit, I was unable to access the site. I was, however, able to see the relevant parts of the site sufficiently to judge the proposal from Ridge Lane. I have based my decision on the totality of the evidence from the appellant, the Council and interested parties, along with what I observed from the site visit.

4. A revised National Planning Policy Framework (the Framework) was published by the Government after the determination of the planning application. It does not raise any new considerations in relation to this appeal.

### **Main Issues**

5. The main issues are:

- (a) whether the proposed development would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies; and
- (b) the effect of the proposed development on the character and appearance of the existing dwelling.

### **Reasons**

#### *Whether Inappropriate Development*

6. The revised Framework advises that in the Green Belt, development should be regarded as inappropriate. However, Paragraph 154(c) of the Framework states that the extension or alteration of a building is not inappropriate development in the Green Belt provided it does not result in disproportionate additions over and above the size of the original building.
7. The Framework explains that the "original building" shall mean the building as it existed on 1 July 1948, or if constructed after that date as originally built. Thus, for the purposes of this appeal, the original building is that which was constructed in accordance with the planning permission that was granted in 2004. The Framework does not explain what is meant by 'disproportionate', which is therefore a matter of planning judgement.
8. Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy 2014 (LPCS), are cited in the decision notice. They generally seek to ensure that development is visually attractive and conserves landscape character. Whilst these objectives are broadly consistent with the Framework, they do not specifically relate to development in the Green Belt and therefore are of limited relevance to this main issue.
9. The Officer Report makes reference to Policy C13 of the LPCS although this is not referenced in the decision notice itself. This policy, amongst other things, allows for increases of up to one third in gross floor area over the original dwelling. However, this does not reflect the more wide-ranging scope for alterations allowed under Paragraph 154 (c) of the Framework, which refers to 'size', a term which encompasses more than simply floorspace. Therefore, given that this Policy pre-dates the Framework and is not wholly consistent with it, only limited weight can be applied to it and the approach of the Framework is to be preferred.
10. The 'size' of a building can reasonably be taken to include such factors as volume, height, external dimensions, visual perception etc. and not just footprint or floorspace. In this case, the proposal would extend to the side of the dwelling. The front of the extension would be aligned with the existing entrance lobby and thus set back from the main front projection. To the rear the extension would be slightly set back from the rear of the existing dining room.

11. I note that in relation to this main issue the Council is concerned not just with the 'unbalancing' of the original dwelling (a matter I address in more detail later) but also that the extension would be neither modest nor subservient to the host dwelling. However, these are not the tests in the Framework, which requires extensions to not result in disproportionate additions over and above the size of the original building. In this respect I note that the Officer Report does not reach a finding that the proposal is disproportionate, merely that it increases the bulk and appearance of the dwelling, something which is an inherent consequence of the wording of the Framework and so not necessarily unacceptable in principle.
12. The result of the proposal would clearly be a larger building, the bulk of which would be slightly increased by the dormer windows and use of gable end. However, the overall increase over existing floorspace (excluding the garage) is just over a third and the width of the building visually would appear to be increased by less than 50%. There would be no increase in height, with the existing ridge being maintained through to the extension.
13. Thus, in terms of its overall dimensions and the resulting volume and bulk, the extension would not be overly large and visually it would clearly form a much lesser part of the resultant building. Therefore, when seen in the round, my overall impression is that the proposal would not be disproportionate over and above the size of the original building.
14. Consequently, it would meet the exception in Framework paragraph 154 (c). As it would not be inappropriate development in the Green Belt, it would not conflict with the policies in the Framework that protect such areas. Accordingly, it is not necessary to further consider the effect of the proposal on the openness of the Green Belt or whether very special circumstances exist.

#### *Character and Appearance*

15. In critiquing the proposal, the Officer Report highlights the loss of the barn hip to the extended side elevation; the continuation of the ridge line through the extension; and the addition of dormers. Collectively, these are said to result in a prominent addition that would unbalance the dwelling's appearance.
16. Whilst the roof of the existing dwelling has barn hips at either end, the overall elevation is not equally balanced or symmetrical in terms of appearance. The proposed extension would be proportionate to the existing dwelling in terms of extending the width of the frontage. It would give the front projection a more central position within the elevation. As such any perceived loss of balance caused by the omission of the barn hip would, in my opinion, be offset by the reframing of the central projection.
17. Whilst the front dormer would introduce a new feature, it would be subordinate to the main roof and that of the front projection and so not be overly dominant. Its positioning and design would also make the absence of the barn hip at the eastern end less noticeable. The rear dormer is a larger feature but it reflects the vertical emphasis of the glazing on this elevation. It is not overly prominent within this elevation and is not seen within the wider street scene.
18. Overall, the proposal would accord with much of the guidance in paragraph 10.5 of the Householder Extensions/Alterations Design Guide Supplementary Planning Document 2021 (SPD). Whilst the SPD suggests that roof designs

should reflect and generally be subservient to the main roof, this is not mandatory. In some cases, maintaining the same ridge height might be preferable. In this instance, where the upper floor is clearly contained within the roof space a step down in the ridge height is likely to appear somewhat jarring and contrived. As noted above, the loss of the barn hip would not be a particularly noticeable omission within the revised front elevation.

19. Overall, I find that the result is a coherent design that is in keeping with the building's existing character and appearance. As such, it complies with Policies CS02 and CS19 of the LPCS which, amongst other things, seek to ensure that new developments conserve and protect local character. I do not find the proposal contrary to the overall design objectives of the SPD.

### **Other Matters**

20. Concerns have been raised that the extension would cause harm to the living conditions of the residents of the neighbouring property 'Burnt Ash'. The proposed extension would clearly result in the appeal property being closer to the shared boundary with this neighbouring dwelling. However, a reasonable gap between the two buildings would remain. The proposed extension would not have first floor side windows and the neighbouring property has only one obscurely glazed, upper floor side window facing the appeal site. The extension would not project beyond the rear elevation of the neighbouring dwelling. The new rear dormer and small balcony would offer some additional views over parts of the rear garden of Burnt Ash. However, there are already some first floor bedroom windows which overlook this neighbouring property and the proposal would not be likely to significantly alter the existing context.
21. Accordingly, I am satisfied, as were the Council, that the neighbouring occupiers would not suffer undue loss of light, privacy, outlook or increased overshadowing. Concerns regarding property values and Council Tax bandings are outside the scope of this appeal.

### **Conditions**

22. The standard time limit and a condition specifying the approved plan are necessary in the interests of certainty. A condition controlling the external materials is also necessary in the interests of visual amenity. To protect the living conditions of neighbours, a condition preventing the insertion of windows other than those shown on the approved drawing is also necessary.

### **Conclusion**

23. The proposal would not be inappropriate development in the Green Belt. As it would not conflict with the policies in the Framework that protect the Green Belt, it has not been necessary to take into account other considerations. Furthermore, I have found the proposal to be in keeping with the character and appearance of the dwelling.
24. Therefore, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be allowed subject to conditions.

*Stewart Glassar*

INSPECTOR