



SJM PLANNING

Unit 4, The Old Granary, Strettit Farm,  
Snoll Hatch Road, East Peckham,  
Tonbridge, Kent, TN12 5EE

t. 01892 882228  
e. [enquiries@sjmplanning.com](mailto:enquiries@sjmplanning.com)  
w. [www.sjmplanning.com](http://www.sjmplanning.com)



## PLANNING STATEMENT

**Project: 1 Old School Cottages, Maidstone Road, Nettlestead**

**Proposal: Part single, part two storey rear extension**



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## 1. Introduction

This statement has been prepared in support of my clients' planning application. This is in relation to a part single part two storey rear extension.

Firstly, this statement will set out the details of the site description to provide a context in which the proposal has been designed. Secondly, we review the sites planning history and set out the details of the proposal subject of this application. Next, we provide a summary of the relevant national and local planning policies. Following this we set out a detailed assessment of the proposal and the relevant material considerations. Finally, we provide a summary of the benefits of the proposal and why we consider that it should be approved.

In addition to this statement the following documents have been provided;

- Application forms
- Existing site plans
- Proposed floor plans, site plans and elevations



## 2. Site Description

The site is located on the eastern side of Maidstone Road and forms part of a terrace of 2-storey dwellings. The property and garden have a wide frontage with Maidstone Road, where a 2m high close boarded fence is located. The property benefits from a landscaped garden and off road parking which is located to the side of the property.

In terms of planning policy, the site is located outside of any settlement boundary and within the open countryside, which also forms part of the Green Belt. There are no landscape designations which affect the site. The site is outside of flood zones 2 and 3.

In terms of materials, the property consists of red brick, with the side wall having been painted, and slate roof tiles. The property has been extended at two storey level to the side and a rear conservatory, which would be demolished through the proposal.

Surrounding development is sporadic in its nature, with other properties fronting Maidstone Road to the north and south of the property. The site lies approximately 1.66km to the south of Wateringbury and 2.6km north of East Peckham.



Figure 1: Aerial View of Site

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### 3. Planning History and Proposal

#### 1. **Relevant Planning History**

Planning permission was refused in April 2018 for the erection of a single storey rear extension to provide utility, wet room and ground floor bedroom with disable access under reference 18/500189/FULL. This application was refused for the following reasons;

*(1) The proposed extension would not represent a modest form of development and would result in an addition which would be disproportionate to the existing dwelling both individually and cumulatively and would result in inappropriate development which would cause harm to the openness of the Green Belt and character and appearance of the surrounding countryside, contrary to Paragraph 89 of the National Planning Policy Framework 2012, Policies SP17, DM1, DM30 and DM32 of the Maidstone Borough Local Plan 2017 and the Residential Extensions SPD.*

*(2) Due to its scale, height, location and proportions of the proposed extension it would result in loss of light, be overbearing, unneighbourly and cause a 'tunnelling effect' for, the occupiers of number 2 Old School Cottages, contrary to the National Planning Policy Framework 2012, policies DM1 and DM9 of the Maidstone Local Plan 2017 and to the advice given within the Supplementary Planning Document "Residential Extensions*

In April 2022 a prior approval application was submitted for a proposed single storey rear extension which had a depth of 6m and a ridge height of 3m. It was confirmed in May 2022 that prior approval was not required.

More recently a Lawful Development Certificate was approved in August 2022 for the erection of a two storey rear extension under reference 22/503103/LAWPRO.

#### 2. **Planning Proposal**

- Planning permission is sought for a part single, part two storey rear extension to the existing property.
- The extension would be set in at ground floor by approximately 1.7m. At first floor the design would be stepped such that it would respect the 45 degree angle to the neighbouring property.
- A dual pitched roof would be formed to replicate the existing roof form at the property.
- The extension to the ground floor would provide additional dining accommodation with an additional bedroom being provided at first floor.
- The existing conservatory would be demolished as part of the proposal.
- Materials would match the existing dwelling,



Figure 2: Proposed Elevations

#### 4. National Planning Policy Summary

The NPPF (2021) sets out the government's planning policies which Local Plans need to accord with. Relevant paragraphs include;

##### **Achieving Sustainable Development**

Para 7 of the NPPF states that 'The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.

Para 8 states that Achieving sustainable development means that the planning system has 3 overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

##### **Achieving well-designed places**

Para 126 relates to achieving good design and states that 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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.'

Para 130 states that; Planning policies and decisions should ensure that developments:

(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;



(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users <sup>49</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

### Supporting a Rural Economy

Para 85 of the NPPF relates to the rural economy and states that;

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist..'

### Green Belt

**Para 137 relates to the Green Belt and states that;**

'The government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.'

**Para 149 sets out exceptions to inappropriate development as follows;**

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

(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;





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(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.



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## 5. Local Planning Policy Summary

### Maidstone Borough Local Plan 2017

The Core Strategy was adopted in October 2017 and sets out the Council's vision, aims and objectives that will determine the future pattern of development in the Borough over the period to 2031. In addition, it sets out the detailed planning policies which must be considered as part of applications for new development. There are a number of relevant policies to this scheme and these are listed below;

- Policy DM1 – Principles of Good Design
- Policy DM30 – Design Principles in the Countryside
- Policy DM32 – Rebuilding and extending dwellings in the Countryside

Local Plan Policy DM1 relates to principles of good design and states that;

Proposals which would create high quality design and meet the following criteria will be permitted;

- i. Create designs and layouts that are accessible to all, and maintain and maximise opportunities for permeability and linkages to the surrounding area and local services;
- ii. Respond positively to, and where possible enhance, the local, natural or historic character of the area. Particular regard will be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage - incorporating a high quality, modern design approach and making use of vernacular materials where appropriate;
- iii. Create high quality public realm and, where opportunities permit, provide improvements, particularly in town centre locations;
- iv. Respect the amenities of occupiers of neighbouring properties and uses and provide adequate residential amenities for future occupiers of the development by ensuring that development does not result in, or is exposed to, excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties;
- v. Respect the topography and respond to the location of the site and sensitively incorporate natural features such as trees, hedges and ponds worthy of retention within the site. Particular attention should be paid in rural and semi-rural areas where the retention and addition of native vegetation appropriate to local landscape character around the site boundaries should be used as positive tool to help assimilate development in a manner which reflects and respects the local and natural character of the area;
- vi. Provide a high quality design which responds to areas of heritage, townscape and landscape value or uplifts an area of poor environmental quality;
- vii. Orientate development, where possible, in such a way as to maximise the opportunity for sustainable elements to be incorporated and to reduce the reliance upon less sustainable energy sources;
- viii. Protect and enhance any on-site biodiversity and geodiversity features where appropriate, or provide sufficient mitigation measures;
- ix. Safely accommodate the vehicular and pedestrian movement generated by the proposal on the local highway network and through the site access;
- x. Create a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour;



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- xi. Avoid inappropriate new development within areas at risk from flooding, or mitigate any potential impacts of new development within such areas whereby mitigation measures are integral to the design of buildings;
  - xii. Incorporate measures for the adequate storage of waste, including provision for increasing recyclable waste;
  - xiii. Provide adequate vehicular and cycle parking to meet adopted council standards; and
  - xiv. Be flexible towards future adaptation in response to changing life needs.

Local Plan Policy DM9 relates to residential extensions and conversions within the built up area. This states that;

1. Within the defined boundaries of the urban area, rural service centres and larger villages, proposals for the extension, conversion or redevelopment of a residential property which meet the following criteria will be permitted if:

- i. The scale, height, form, appearance and siting of the proposal would fit unobtrusively with the existing building where retained and the character of the street scene and/or its context;
- ii. The traditional boundary treatment of an area would be retained and, where feasible, reinforced;
- iii. The privacy, daylight, sunlight and maintenance of a pleasant outlook of adjoining residents would be safeguarded; and
- iv. Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of the street scene.

2. Within the defined boundaries of the urban area, rural service centres and larger villages, proposals for the conversion or redevelopment of a dwelling to self-contained flats or the use of a building as a house in multiple occupation which also meet the following criterion will be permitted:

- i. The intensified use of the building and its curtilage would not significantly harm the appearance of the building or the character and amenity of the surrounding area

Local Plan Policy DM32 relates to rebuilding and extending properties in the countryside and states that;

1. Proposals to extend dwellings in the countryside which meet the following criteria will be permitted:
  - i. The proposal is well designed and is sympathetically related to the existing dwelling without overwhelming or destroying the original form of the existing dwelling;
  - ii. The proposal would result in a development which individually or cumulatively is visually acceptable in the countryside;
  - iii. The proposal would not create a separate dwelling or one of a scale or type of accommodation that is capable of being used as a separate dwelling; and
  - iv. Proposals for the construction of new or replacement outbuildings (e.g. garages) should be subservient in scale, location and design to the host dwelling and cumulatively with the existing dwelling remain visually acceptable in the countryside

### **Kent Design Guide**

Adopted in 2005 this supplementary planning document provides design guidance for applicants and developers to follow when preparing proposals.

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## 6. Planning Assessment

### **Material Considerations**

#### Principle of Development

The site is located within the Green Belt and therefore we have given full consideration to whether the proposal would comprise appropriate development or not. Subsection c) to paragraph 149 states that '(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;

There is no numerical guidance as to what size of extension would be considered a proportionate addition or not. We also consider that it is important to consider the proposals visual impact upon the openness of the Green Belt rather than focusing too heavily on a quantitative assessment.

We acknowledge that the property has been extended through a two storey side extension, which has added to the existing floorspace/volume of the property. Therefore, when taking into account the proposal it could be argued that the development would form a disproportionate addition to the dwellinghouse, such that it would form inappropriate development. We believe however, that there would be sufficient very special circumstances to outweigh the harm caused to the openness of the Green Belt. These VSC will be outlined below, once an assessment of other material considerations has been carried out.

#### Design and Character

Local Plan Policy DM32 requires that extensions to properties in the countryside are well designed, and sympathetic to the original dwelling, and would be individually and cumulatively visually acceptable in the countryside.

The proposed extension would be set to the rear of the property, although it would be visible from within the street scene due to the positioning of the existing dwelling in relation to the road. These views would be at two storey only, due to the positioning of the close boarded fence on the boundary of the property. We also note that the neighbouring properties at numbers 2 and 3 have been extended to the rear in the past, such that the extension would not disrupt the symmetry of the terrace. Due to the set back of the extension from the road, it would not have an overbearing impact upon the street scene, or appear overly dominant. The extension has been designed to be in keeping with the character of the property and appropriate materials would be utilised to ensure this.

The proposal would involve the demolition of the existing conservatory which we consider does not have a positive impact upon the character of the dwelling. In addition it is not environmentally friendly, and loses a lot of heat through the winter. A more energy efficient solution is now sought. Further, we consider that the proposal would be more sympathetically designed, compared to the scheme which could be implemented under permitted development.

Local Plan Policy DM32 also requires that proposals for extensions would not create a separate dwelling or be capable of being used as a separate dwelling. In the case of this proposal, the extension would be fully integrated into the original dwelling, ensuring that the property could not be sub-divided.

#### Residential Amenities



Local Plan Policy DM1 relates to new development and sets out a design criterion which includes

*'Respect the amenities of occupiers of neighbouring properties and uses and provide adequate residential amenities for future occupiers of the development by ensuring that development does not result in, or is exposed to, excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties'*

The proposed development has been designed to respect the residential amenities of the adjoining property at number 2 Old School Cottages, the only property that would be affected by the proposal. Our clients originally discussed the permitted development approvals with their adjoining neighbour and following discussions prepared the current scheme, which was preferred due to its set back from the shared boundary and its reduced depth.

Due to the set back from the adjoining boundary, the proposal would ensure that there would be no adverse impact upon the amenities of neighbouring properties in terms of loss of light, outlook or privacy.

#### Highways and Parking

The proposal would not alter the existing parking or access arrangements to the property. As a result, we believe that the proposal would not adversely affect existing parking provision or highways safety.

#### Very Special Circumstances.

As set out within the planning history, there are two recent planning applications relating to an LDC and prior approval which are relevant to this proposal. Both permissions could be implemented and would provide extensions to the rear of the existing property. Neither scheme has given particular regard to character and design or residential amenity. For example, the ground floor element of the prior approval scheme would be located on the boundary with the adjoining property and would extend 6m beyond the rear elevation. This ground floor element would have a flat roof and a ridge height of 3m. Whereas this proposal would set back the ground floor extension, away from the shared boundary and would only project 4.2m from the rear elevation. We consider that unlike the prior approval scheme, this proposal would not have an adverse impact upon the amenities of the neighbouring property in terms of loss of light, outlook or privacy.

Furthermore, we note that the proposed floorspace between the prior approval and LDC schemes and this proposal are similar, albeit arranged differently. As such, from a Green Belt openness perspective we believe that this proposal would have no greater impact upon the openness of the Green Belt compared to what could be delivered through the permitted development approvals.

Finally, it should be noted that this proposal would result in the demolition of an existing conservatory, which is not dissimilar in size when compared to the ground floor element of this proposal. We believe that this proposal would result in an improved design solution when compared to the existing conservatory.

When assessing the planning balance, we consider that there are sufficient very special circumstances to outweigh the limited harm to the openness of the Green Belt, principally in the form of the PD Fallback position. We believe that the extension provided under permitted



development would be of a similar size and would have a greater adverse impact upon the amenities of the neighbouring property than this scheme proposed.

## **7. Conclusion**

The scheme accords with the NPPF (2021), and Policies DM1, DM30 and DM32 of the Maidstone Borough Local Plan 2017. The application should therefore be approved without delay.

I trust this letter sets out my clients' planning application proposal in full, if however, you require any further information please let me know.

*Yours Sincerely*

Simon McKay BSc MA MRTPI  
Director, SJM Planning Ltd



**RTPI**

Chartered Town Planner