
GSP PROJECT REF: [3946.PN](#)

**HOUSEHOLDER PLANNING AND HERITAGE STATEMENT
(REVISED)**

DALE VILLA, DALE ROAD, SOUTHFLEET, DA13 9NX

MAY 2024

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1.0 INTRODUCTION

1.1 This Statement has been prepared in support of a resubmission to Dartford Borough Council (DBC) decision for the following proposed development at Dale Villa, Dale Road, Southfleet, Kent, DA13 9NX (hereafter referred to as 'the Site'):

Erection of a single storey side extension (resubmission of 23/01436/FUL)

1.2 Planning permission was refused on **22nd February 2024** under reference for the following single reason:

1. *The proposal, due to its scale, massing, form design and siting, would result in an obtrusive and prominent building that would detract from the character and appearance of the host dwelling, the streetscene and the Southfleet Conservation Area. The proposal would result in less than substantial harm, and there would be no public benefits to outweigh the identified harm. The proposal would therefore be contrary to policies DP2, DP7 and DP12 and DP13 of the adopted Dartford Development Policies Plan (2017) and Policies M1, M5 and M6 and M11 of the Pre-Submission (Publication) Dartford Local Plan, and para 205 and 208 of the NPPF.*

1.3 An appeal against this refusal is currently pending.

2.0 SITE CONTEXT

2.1 The Site, extending to 0.12 hectares, is situated on the east side of Dale Road just to the north of the centre of Southfleet Village.

2.2 The property consists of a detached Victorian villa located towards the front of the Site, a minimum of 5m from the highway, with a detached outbuilding in the rear garden where planning permission has previously been granted to raise the roof to provide some first floor accommodation.

2.3 There is a vehicle access serving the property at the northern end of the frontage and this leads to the garage in the rear garden. There is also an open paved driveway at its southern corner.

2.4 To the north of the Site there is a detached dwelling created from a former barn. Further to the north of this, is Southfleet Village hall. To the south there is the 5 Ways junction at the heart of Southfleet Village. On the west side of Dale Road opposite the site, there is a raised bank which forms the edge of the garden of Church House and also the edge of the churchyard. The church lies slightly further to the west and is a prominent feature in the locality.

3.0 PLANNING HISTORY

3.1 In addition to the previously refused application, the following planning history also relates to the Site:

- Retention Of A Detached Double Garage.

Ref. No: 90/00444/FUL | Status: Application Permitted

- Demolition of existing buildings & erection of a detached 3 bedroom house

Ref. No: 02/00875/FUL | Status: Application Refused

- Application to crown reduce by 35% 1 No. Ash Tree within Southfleet Conservation Area

Ref. No: 14/00530/TRCON | Status: No Objection

- Application to raise height of roof of detached garage together with erection of a side extension to provide self contained accommodation on first floor ancillary to main house

Ref. No: 15/01197/FUL | Status: Application Permitted

- Submission of details relating to windows to south west and south east elevations (condition 3) and external materials (condition 4) pursuant to planning permission DA/15/01197/FUL for raising height of roof of detached garage together with erection of a side extension to provide self contained accommodation on first floor ancillary to main house

Ref. No: 16/00333/CDNA | Status: Approval of Details for Conditions

- Demolition of front boundary wall and removal of gates and erection of a front boundary wall and gates within Southfleet Conservation Area (part retrospective application)

Ref. No: 16/00935/FUL | Status: Application Refused

- Demolition of existing rear and side additions and erection of a single storey rear/side extension

Ref. No: 17/00366/FUL | Status: Application Permitted

- Application to raise height of roof of detached garage together with erection of a side extension to provide accommodation on first floor ancillary to main house (revisions to previously approved planning permission DA/15/01197/FUL in respect of addition of single storey side extension to enlarge to the store room)

Ref. No: 17/00794/FUL | Status: Application Permitted

- Application for a Lawful Development Certificate for the existing replacement front boundary wall

Ref. No: 17/01731/LDC | Status: Permission Required

- Demolition of front boundary wall within Southfleet Conservation Area (retrospective application)

Ref. No: 17/01734/CON | Status: Conservation Area Consent

- Replacement of front gate piers and gates (retrospective application)

Ref. No: 17/02057/FUL | Status: Application Refused

- Demolition of existing rear and side additions and erection of a single storey rear/side extension

Ref. No: 18/00280/FUL | Status: Application Permitted

- Submission of details relating to external materials pursuant to condition 4 of planning permission DA/18/00280/FUL for demolition of existing rear and side additions and erection of a single storey rear/side extension

Ref. No: 18/00995/CDNA | Status: Approval of Details for Conditions

- Provision of front boundary wall, railings and gate

Ref. No: 18/01654/FUL | Status: Application Refused

- Submission of details relating to windows to south west and south east elevation (condition 3) and external materials (condition 4) pursuant to planning permission DA/17/00794/FUL to raise height of roof of detached garage together with erection of a side extension to provide accommodation on first floor ancillary to main house

Ref. No: 20/00860/CDNA | Status: Approval of Details for Conditions

4.0 PROPOSED DEVELOPMENT

4.1 The original plans relating to the determined application were for the following:

- A single storey side extension to the southern side of the property;
- Internal access into the extension would be via the original dwelling;
- Layout to feature utility room and office, the latter including a toilet;
- To include a fibreglass flat roof in grey;
- Maximum height of 3.62m;
- Eaves height of 3.4m;
- Maximum depth of 4.85m and width of 10.6m;
- To extend along eastern boundary and to within 0.55m of shared boundary to the south;
- Openings will face the west, side garden, plus 3 No. rooflights;

- Timber fencing and gates to the west that run in line with the front elevation of the property will be retained;
- External finish will be matching grey render;
- The GIA will be 38.4 sqm.

4.2 The subject amended plans are for the following:

- A single storey side extension to the southern side of the property;
- Internal access into the extension would be via the original dwelling;
- Layout to feature utility room;
- To include a fibreglass roof in grey;
- Maximum height of 3.62m;
- Eaves height of 3.4m;
- Maximum depth of 4.4m and width of 4.5m;
- To extend along eastern boundary and to within 6.5m of shared boundary to the south;
- Openings will face the west, side garden, plus 1 No. rooflight;
- Timber fencing and gates to the west that run in line with the front elevation of the property will be retained;
- External finish will be grey render to rear elevation and Cedral woodgrain cladding (cream) to match existing;
- The GIA will be 15.3 sqm.

5.0 PLANNING POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Court of Appeal has clarified that for a decision maker this means establishing whether a proposal is in accordance with the development plan as a whole. The question of compliance with one policy should not dictate the outcome of a proposal in the absence of considering compliance with all other relevant policies. Decision makers are therefore tasked with identifying and understanding all relevant policies and material considerations in order to reach a properly informed planning judgment on a proposal, and to avoid an irrational or vulnerable decision that may be subject to criticism in a public law challenge.

5.2 Paragraph 2 of the National Planning Policy Framework ('the Framework') reiterates this, whilst paragraph 12 of the Framework is clear that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

- 5.3 Paragraph 38 of the Framework encourages local planning authorities to approach decisions on proposed development in a positive and creative way. It also encourages working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, adding that decision-makers should seek to approve applications for sustainable development where possible.
- 5.4 Annex 1 of the Framework confirms that for the purposes of decision-taking, the policies in the plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. It adds that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, with greater weight being given to those policies that are closer to the policies in the Framework.

Development Plan

- 5.5 Following the examination of the local plan review, DBC received the Inspector's Final Report on **5th February 2024**. Receipt of the Inspector's Report marks the end of the Local Plan Examination. The Inspector's Final Report concludes that, subject to a number of Main Modifications set out in the report, the Dartford Local Plan to 2037 is sound, legally compliant and capable of adoption. The new plan was formally adopted at a Full Council meeting on **22nd April 2024**.
- 5.6 At the time of writing, the new plan is subject to the 6-week Judicial Review period following adoption. During this period the previous Development Plan continues to have full weight. In terms of policies in this forthcoming plan the following are considered to be relevant:
- Policy M1 (Good design in Dartford);
 - Policy M2 (Environmental and Amenity Protection);
 - Policy M5 and M6 (Historic Environment Strategy);
 - Policy M11 (Extensions, New Dwellings, and Garden land).
- 5.7 The Applicant is of the view that the above are simply updates to the previous policies that were considered relevant in the determination of the appeal application. As such, it is not considered that this would have any particular impact on the merits of the case.

Other Material Considerations

Southfleet Conservation Area

- 5.8 The Site is also within the Southfleet Conservation Area (CA), meaning consideration should be had of the CA Appraisal dated August 1998.

Dartford Parking Standards SPD (PSSPD)

5.9 This is also relevant in regards to parking provision, although this was adopted in 2012, some 12 years prior to the adoption of the current development plan. It is therefore unclear at this stage as to what weight, if any, should be given to this SPD.

6.0 PLANNING ASSESSMENT

6.1 Reflective of the amended plans, the appeal proposal is assessed by the Applicant against the following key matters:

Matter	Policy	Comment	Position
Design	DP2 (M1, M11)	The extension is to be finished in cladding to match other existing extensions and to separate the identity of the extensions from the original building. Whilst the extension as originally proposed was wide at 10.6m, visibility from the street will be limited given its intended siting behind a retained fence and 15m distance from the highway. If there are any concerns regarding the proportion of the side extension as originally proposed, then the amended width of 4.5m is considered to have addressed this	Compliant
Daylight	DP5, DP7 (M2, M11)	Its siting and flat roof nature will ensure no loss of daylight to existing or neighbouring residents	Compliant
Heritage	DP2, DP13, (M5, M6)	A full heritage assessment is set out below, however, it is considered that the scale, siting and treatment of the extension, coupled with the retention of the timber fencing to the west and front of the property, will ensure compliance with these policies	Compliant
Outlook	DP5, DP7 (M2, M11)	Its siting and flat roof nature will ensure no loss of outlook for existing or neighbouring residents, whilst a west-facing outlook will be available overlooking a new landscaped side garden	Compliant
Overbearing	DP5, DP7 (M2, M11)	Its siting and flat roof nature will ensure no overbearing impact affecting existing or neighbouring residents	Compliant

Overlooking	DP5, DP7 (M2, M11)	The structure is single storey and will only feature openings facing a landscaped garden to the west meaning the development will not lead to any material loss of privacy	Complaint
Parking	PSSPD	No additional bedrooms are to be added to the property and the development does not affect areas of the Site that are used for the parking or turning of vehicles, hence ample room will be retained within the lengthy drive to be able to park a sufficient number of vehicles to serve this dwelling	Compliant
CONCLUSION			Compliant

Impact on Heritage Assets

- 6.2 The above and the single reason for refusal highlights that the main issue for the resubmission is the impact of the revised development on heritage assets.
- 6.3 The property comprises an unlisted building located within the Southfleet CA. In the conservation appraisal, Dale Villa is identified as a key building but the area in front of the property is not identified as an important space which is confined to the area further to the south around the 5 Ways junction that comprises a number of listed buildings.
- 6.4 Dale Villa was built in the late 1800s and consists of a detached two-storey house with a gable end facing Dale Road and with a projecting bay at ground floor level on the south side of the frontage. The main entrance is located at the northern end of the frontage and set within an arched opening with decorative mouldings framing the top of the opening. This detailing is reminiscent of that found on the nearby Priory building in Hook Green Road. The elevations are rendered and painted and there is a band just below first floor cill level.
- 6.5 There are sliding sash windows to the front elevation with Gothic arches formed within the glazing bars. The side elevation facing south contains four sash windows, two on the ground floor and two on the first floor.
- 6.6 Being 5m from the highway, the detached building is a prominent feature in this part of Dale Road and makes a contribution to the CA.
- 6.7 A 2m high fence erected using permitted development rights will remain in place in line with the front elevation of the original dwelling. This will assist in screening the front elevation of the proposed side extension, such that it will not be possible to see much of the key features or openings in

the street facing elevation at ground level. The scale of the extension certainly as revised is akin to a fairly standard outbuilding or garage that already exist along the rear of the dwellings that front Warren Road, whilst it will be set back by 15m from the highway. As such, it is considered that the proposed extension will not harm the CA.

- 6.8 In coming to this view, the Applicant has acknowledged that a similar view was expressed by the officer that dealt with application 18/00280/FUL (now fully implemented). In the accompanying delegated report it was said that there would only be a limited impact on the Conservation Area as the extension is to the side and rear of the property, set well back from the highway and screened by gates. The same principles and relevant development plan policies apply to this proposed side extension.
- 6.9 Danetre, Fiveways and Southfleet Post Office (all now in residential use) are listed under a single entry as a Grade II Listed Building (number 1085805). They are located within the most prominent and important part of the CA, on 5 Ways junction. Fiveways itself has been the subject of a recent first floor rear extension with far greater visibility within the Conservation Area than the revised proposal, as demonstrated in the street view screenshot below:



- 6.10 The proposed single storey extension will be well separated from the rear of the listed properties, at about 26m to the north (as opposed to 20m previously). No harm to these listed properties was identified in connection with those recent applications at the Site for the raising of the roof of the detached garage, the side and rear attached extensions and the front boundary wall, railings and gate. Although not reflected in the previous reason for refusal, the conservation officer suggested that the previous plans would result harm arising to these listed buildings and that it would be "at the low end of 'less than substantial' harm." Although of the view

that the original plans are not harmful, the Applicant says that the amended plans have fully addressed DBC's point.

Response to DBC's Conservation Officer

- 6.11 The previous refusal was focussed on DBC's findings that the original plans would result in harm to the host dwelling and less than substantial harm to the setting of the Southfleet Conservation Area.
- 6.12 Previous comments on the original plans are summarised as follows:
- It is acknowledged that it would connect to a previous extension that juts forward of the south facing side elevation and seeks to follow that line;
 - Due to the extent of the extension it reads as a disproportionate addition, out of scale and out of keeping with the host dwelling in terms of scale, mass and form;
 - Less than substantial harm would arise.
- 6.13 Following a site meeting, DBC sent an email on **16th January 2024** confirming what was required in order to receive a positive recommendation. The suggested amendments were:
1. A reduction in the width to the proposed side extension, of more than half what is currently submitted;
 2. Implement a distinctive glazed link from the existing house to the proposed side extension;
 3. Change the palette of materials to a more contemporary modern arrangement.
- 6.14 In an emailed response on **18th January 2024**, the Applicant confirmed their general agreement with the above with exception to the glazed link. The amended plans were submitted informally on **6th February 2024** seeking DBC's initial thoughts on the amendments.
- 6.15 DBC's comments were emailed on **8th February 2024** to confirm that they had not overcome all of the concerns that were raised, suggesting harm would still be caused to the street scene and the Conservation Area and that it does not read well cumulatively with the existing house. Additionally, there was no glazed link. DBC explained this was needed to "provide a degree of separation from the host dwelling and the proposed extension. The glazed link would also ensure that the proposal would not exacerbate the cumulative impact of previous extensions and would not be a dominating feature to the property as a whole." It is understood that this response did not benefit from input from DBC's conservation officer.
- 6.16 In response to this the Applicant opted to submit further supporting information to DBC on **14th February 2024**, including justification as to why

a glazed link should not be required (assumptions were made that any glazed link would be a minimum 0.5m wide). A photograph below from Dale Road serves to demonstrate what amount of the extension one would be able to see above the fence using the existing side extension as a guide. The Applicant says that this is minimal, whilst views of any glazed link would not be visible at all if a fascia board existed above it. If a cedar board existed at the top as proposed, then this appearance would match the existing side extension on the other side:



- 6.17 A second photograph below seeks to demonstrate what could be seen in the wider context, where the Applicant notes the presence of multiple householder extensions, outbuildings and a considerable amount of fencing in the foreground of the proposed extension. In this photograph it is obvious that a side extension at the Site already exists, but its additional projection into the centre of the photograph will not have a materially harmful impact within this scene given the fencing and, since this photograph was taken, the planting that now exists along the side boundary of the Site. Added to this, the proposed cladding would help to distinguish both this and the revised proposal as a single extension, separate from the original construction – a glazed link between the two is not needed to provide this effect.



- 6.18 Notwithstanding the Applicant's views that the original plans were acceptable in planning terms, the Applicant considers that in consideration of the above the amended plans should be considered acceptable by DBC. When viewing the part of the Site where the extension is to be located from either Dale Road (as per the first photograph) or closer towards the centre of the village (as per the second photograph) it is quite clear that views of the extension will be possible, but visibility is not analogous to harm. The Applicant says in the context of the area, the revised set of plans demonstrate that there will be no harm.

The Forge House

- 6.19 Subsequent to DBC's decision on the previous proposal, an appeal has been allowed for a householder extension, involving a first floor side extension, a single storey side extension and external alterations at a property in the Southfleet Conservation Area which backs on to the Site. The relationship and proximity of the two dwellings are highlighted in an annotated aerial photograph included below that shows the approximate outline of the appeal proposal in red and the two elements of the allowed appeal at the Forge House in blue. The aforementioned first floor extension at Fiveways is also outlined in green:



6.20 DBC's single reason for refusal was as follows and is almost identical to the previous refusal in connection with the Site, bar the omission of any reference to the Framework:

1. *The proposal, due to its scale, bulk, massing and design, would result in an obtrusive and prominent building that would detract from the character and appearance of the host dwelling and the setting of the Southfleet Conservation Area. The proposal would result in less than substantial harm to Southfleet Conservation Area, and there would be no public benefits to outweigh the identified harm. The proposal would therefore be contrary to policies DP2, DP7 and DP12 and DP13 of the adopted Dartford Development Policies Plan (2017) and Policies M1, M5 and M6 and M11 of the Pre-Submission (Publication) Dartford Local Plan.*

6.21 Similar to the previously refused proposal, the associated delegated report confirmed that harm was identified by DBC in respect of the street scene and Conservation Area. By comparison to the revised proposal, this would have been more pronounced due to it involving a first floor extension. In that case, a view was expressed by DBC that cumulatively the extensions would amount to the higher end of the 'less than substantial harm' scale with particular regard to the views that can be achieved from Dale Road.

6.22 The Inspector, in paragraph 7 of the decision, acknowledged that the extensions would be larger, project further to the rear and be taller than the other projections in the terrace. But in paragraph 9 the Inspector acknowledged that "views from Dale Road would mainly be limited to glimpses of the property against the backdrop of the host terrace due to factors such as the presence of buildings and boundary fencing" and ultimately decided to allow the appeal based on there being no detrimental impact. As already noted, and whilst appreciative of the fact that each proposal is determined based on its own individual merits, these views are being relied upon by the Applicant to justify this revised proposal, which is of a much lesser scale being single storey only and now of a much lesser width.

Personal Circumstances

6.23 DBC will have been made aware at the previous site meeting of the needs of the Applicant's wife who is wheelchair bound. The intention of the proposal is to allow for extra ground floor accommodation at a consistent level, hence why the internal ground level of the extension needs to reflect the adjacent and existing extension. It is not, therefore considered practical for the extension to be lowered to reflect the level of the side garden.

7.0 CONCLUSIONS

7.1 In accordance with paragraphs 11 and 38 of the Framework, and in consideration of all relevant development plan policies and material considerations, it is considered that this revised proposal will not result in the significance of the Conservation Area or the host building being diminished, with its character and appearance instead being preserved. As such, the Applicant respectfully requests that the application be approved.