



Delegated Report

Householder Planning Application

Planning Application No: 20241091

Location: 16 Orchard Avenue Gravesend Kent DA11 7NX

Description: Retrospective planning permission for an outbuilding in the rear garden.

Applicant: Mr Satnam Dhesi

Site Visit Date: N/A previous recent site visit undertaken by Officer (photograph taken)

Submitted Documents/Plans

Application Form;
Drawing No. SD/01 – Site Location Plan;
Drawing No. SD/02 – Block Plans – Existing and proposed;
Drawing No. SD/03 – Ground Floor Plan – Proposed;
Drawing No. SD/04 – Elevations – Proposed; and
Drawing No. SD/05 – North Elevation and Section – Proposed.

Relevant Planning History

Reference	Description	Decision	Decision Date
19970679	Erection of first floor side extension to form bedroom, sitting room, w.c. and shower room for granny annexe.	Permitted	05.12.1997
19860323	Erection of a detached two storey dwelling with an attached garage at the side	Permitted	10.06.1986

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-Designed Places

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – Nationally Described Space Standard (2015)
- SPG 4 – KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Consultees

Local Ward Councillors

No comments received.

Neighbouring properties

Four surrounding properties were consulted, and one representation was received objecting to the proposal. In summary the objection raised the following concerns:

- The outbuilding was erected without permission
- The outbuilding is excessive in scale and height
- The owners have no regard for planning rules
- Neighbouring properties would all follow suit and build without planning which some have.
- This outbuilding can be seen from my garden and is overbearing and not considerate to the local area.

The above representation includes both material and non-material planning considerations. Material planning considerations such as the scale and appearance of the outbuilding along with any impact on the character of the area, shall be assessed in the relevant section of this report. Neighbouring impact, in terms of loss of outlook or causing a sense of enclosure, shall also be considered in the neighbouring amenity section of this report. However, whether the outbuilding was constructed without planning permission first being obtained, enjoyment of a view, along with the consideration that neighbouring properties may follow suit with similar developments, are not material planning considerations, and shall not form part of this application assessment. Should any unauthorised development occur, this would fall under the jurisdiction of the Planning Enforcement Team to investigate in the first instance.

The overall consultation period expired on 24.12.25.

Site Description

16 Orchard Avenue is a detached two storey dwelling fronting the northern side of the highway.

Google Image



This application is for retrospective planning permission for an outbuilding that has been constructed in the rear garden.

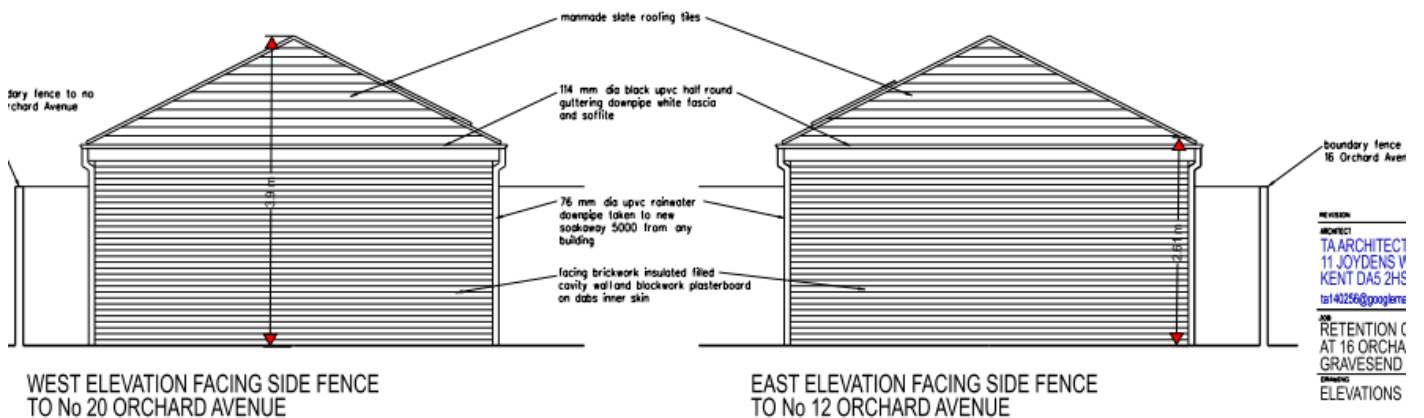
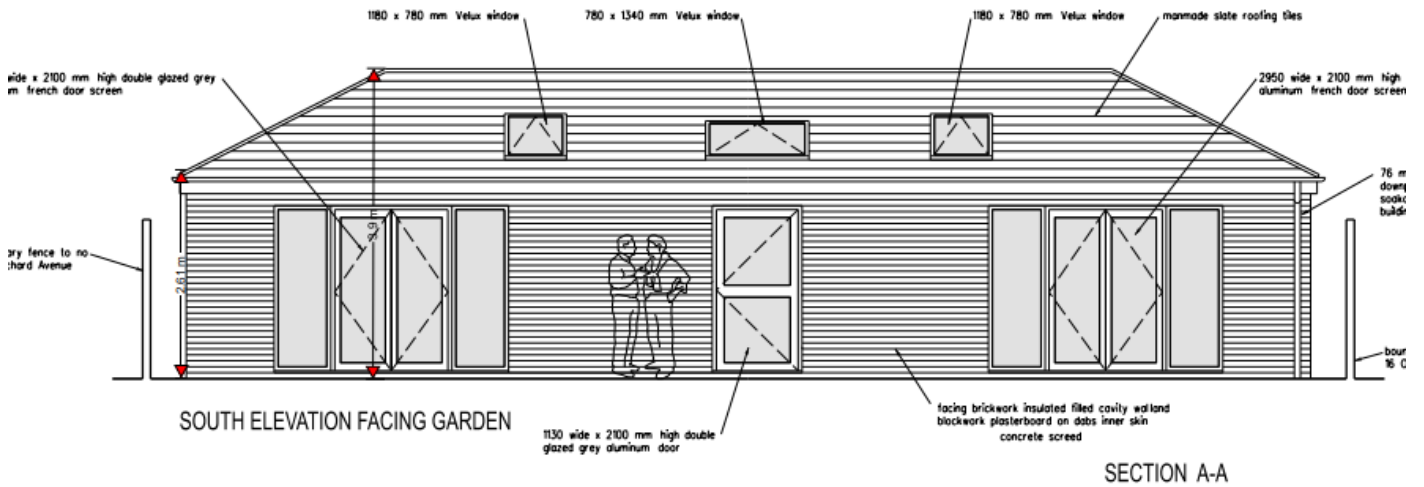
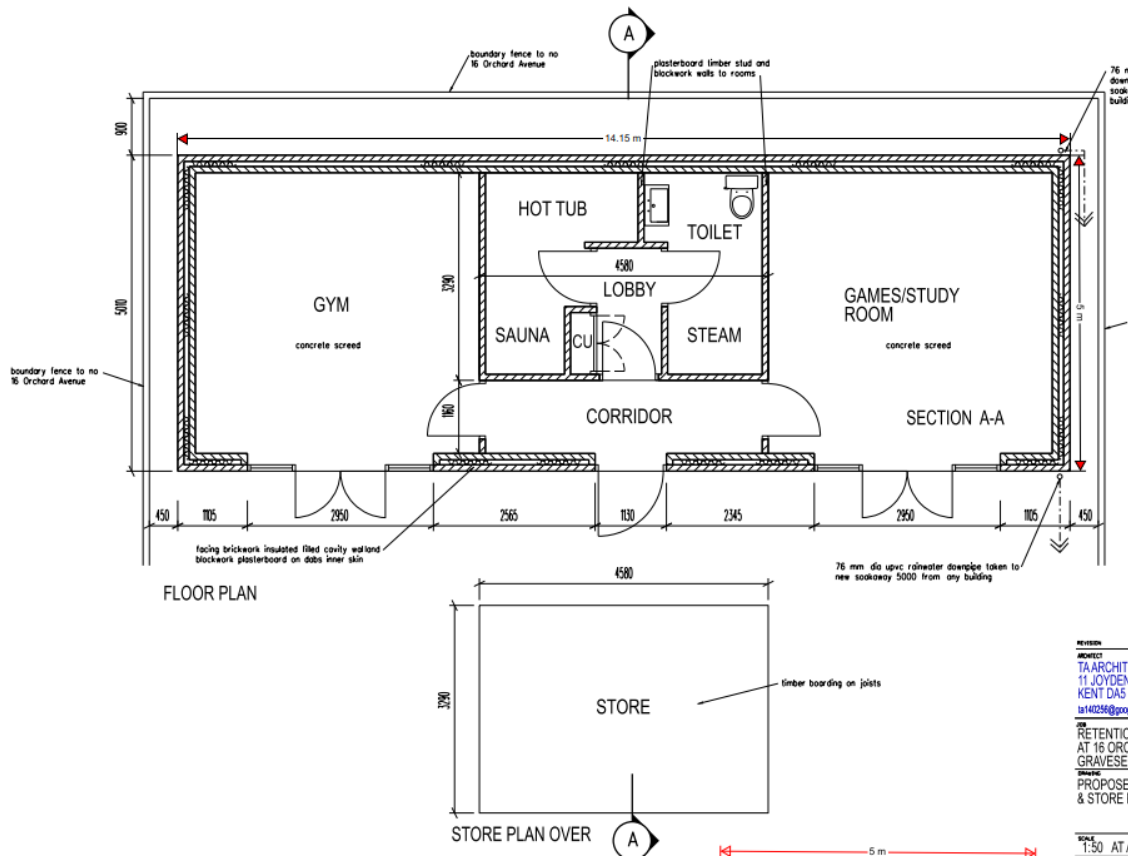
Photo taken from a previous site visit undertaken by the Planning Department



Planning permission is required for the development as it does not fall within the parameters of permitted development rights, set out under Class E of The Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Plans and Elevational Drawings of the Outbuilding

The plans show the outbuilding would provide a gym, sauna, hot tub, steam room, toilet and games room/study, along with storage in the roof. Case Officer measurements demonstrating the dimensions of the outbuilding are included on the plans below:



Outbuildings & Garages

Outbuildings

10.14 An outbuilding should normally only be used for purposes incidental to the enjoyment of the house. Examples could include common buildings such as garden sheds, other storage buildings, garages, and summer houses. A purpose incidental to a dwelling house does not include use as separate self-contained accommodation, or other primary living accommodation incorporating such components as a bedroom, bathroom, or kitchen. Proposals to provide separate accommodation or a commercial use (unless it constitutes working from home) in an outbuilding requires planning permission.

10.15 Outbuilding should not deprive the existing property of adequate private garden space and should be subordinate in scale to the existing dwelling and to the plot. In assessing proposals, the Council will consider factors such as the scale, height, proximity to boundaries, roof design, finishing materials and prominence in the street scene or rear garden environment.

10.16 As with all extensions, outbuildings should not detract from the character of the area (this is especially important where the outbuilding will be visible from the street) and should be unobtrusively located to the side and rear of the existing dwelling. They should also not have an adverse impact on the amenity of the surrounding properties in terms of noise and disturbance created through access or overlooking / overshadowing of existing properties.

The plans demonstrate the outbuilding would be used for purposes incidental to the enjoyment of the main dwellinghouse. If planning permission were to be forthcoming, condition(s) could be added to the decision notice to ensure that the outbuilding is not used for commercial or residential purposes. While the outbuilding is capable of becoming self contained, the proposal must be taken at face value, as any alternative use of the outbuilding (as a dwelling for example) would require planning permission in its own right and would be assessed accordingly. This view follows the decision of appeal reference APP/K2230/D/23/3324637.

Whilst the outbuilding is large, it is overall considered to be subordinate to the existing dwelling and plot. In addition, it has been sited to the back of the rear garden, away from the dwellinghouse itself and the dwellinghouses of surrounding neighbouring properties, which helps minimise impact within the rear garden environment. It is also noted that there is a small gap between the outbuilding and all shared neighbouring boundaries. Furthermore, it has been constructed using acceptable external materials including facing brickwork, slate tiling, velux windows and aluminium doors, and would not be impact the street scene.

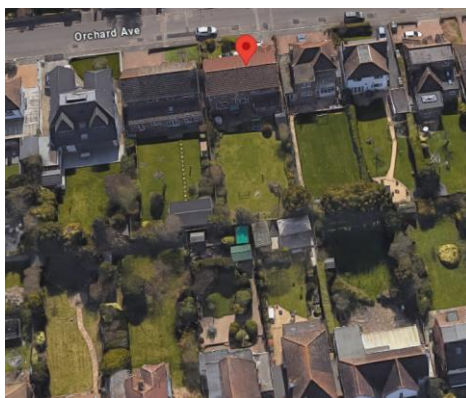
On balance, the outbuilding is acceptable and accords with Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (2024).

Amenity of Future Occupiers

Gravesham's SPG2 – Residential Layout Guidelines (RLG) (2020) sets out expected garden space post development. The proposed block plan shows more than sufficient garden space remains and therefore, the proposed development would safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

Neighbouring Amenity

As aforementioned above one representation objecting to the proposal, was received as a result of the consultation carried out for this application. Neighbouring amenity is considered in terms of whether development would cause a sense of enclosure, loss of light, loss of privacy or loss of outlook. By cross-referencing the plans with the below aerial image, it is evident that the outbuilding would not detrimentally impact the amenity of neighbouring properties or the enjoyment of neighbouring gardens.



Although the outbuilding may be visible to the properties at the rear of the site, there is no harm resulting from the outbuilding. There are no issues to cause overlooking and it will be conditioned that no further windows or openings are inserted in the future. The gardens of Brenchley Avenue are approximately 21 metres deep further ensuring no impact.

Therefore, the proposal is considered to safeguard neighbouring amenity in accordance with Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

Parking and Highways

There are no highways or parking concerns that arise as a result of this development.

Conclusion

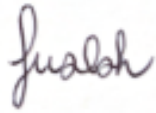
The application has been fully considered and is in accordance with local and national planning policy.

The outbuilding has been constructed using acceptable external materials, and is overall considered to be subservient to the dwellinghouse and plot. Moreover, the development does not harm the amenity of future occupiers and neighbours and does not detrimentally impact the street scene or character of the area.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Lucy Hankin	Team Leader:	Mrs Faye Walsh
Signed:	L Hankin	Signed:	
Dated:	22nd January 2025	Dated:	23 January 2025