



Delegated Report

Householder Planning Application

Planning Application No: 20260504

Location: 33 Brenchley Avenue Gravesend Kent DA11 7RG

Description: Erection of a part two storey, part first floor rear and side extension. Roof alterations including the construction of a rear dormer and conversion of the roof space to form additional rooms. Alterations to fenestration.

Applicant: Mr S Hayer

Site Visit Date: Previous Site Visit undertaken

Procedural Matters

The proposed floor plan is considered to be erroneous as it does not include the extended canopy area. However, as the proposed development as a whole is not Planning Policy and Design compliant, a replacement plan has not been sought in this instance.

Submitted Documents/Plans

Application Form;
Site Location Plan;
Block Plan – Proposed;
Block Plan – Existing;
Drawing No. DA117RGPP11 – Floor Plans – Existing;
Drawing No. DA117RGPP12 – First Floor Plan – Proposed and Roof Plan – Existing;
Drawing No. DA117RGPP13 – Loft Floor and Roof Plans – Proposed;
Drawing No. DA117RGPP14 – Front and Rear Elevations – Existing and Proposed;
Drawing No. DA117RGPP15 – Side Elevations – Existing and Proposed; and
Drawing No. DA11RGPP16 – Ground Floor Plan Proposed.

Relevant Planning History

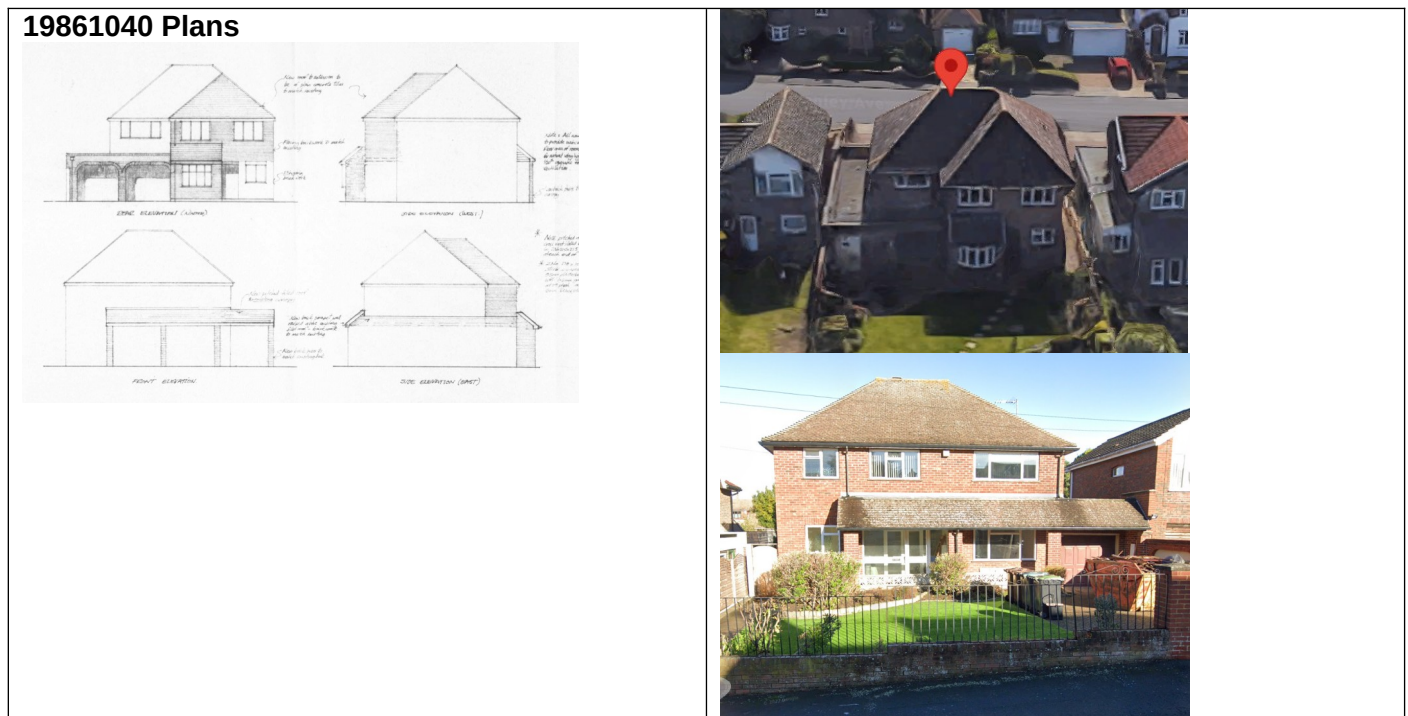
Reference	Description	Decision	Decision Date
20260019	Erection of a first floor side/rear extension. Hip to gable roof alterations with loft conversion into habitable rooms with rear dormer. Alterations to fenestration.	Application Refused	17.03.2026
20251100	Erection of a single storey rear/side extension with roof lights.	Permitted	11.12.2025
19861040	Erection of a single storey and two storey extension to form covered area and enlarged dining room with two enlarged bedrooms at first floor level erection of a covered way at the front and construction of a parapet wall on eastern elevation of existing side.	Permitted	17.03.1987

In addition to the above, there have been several pre-application enquiries for the application property, with

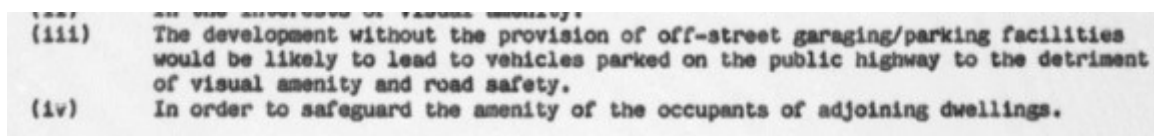
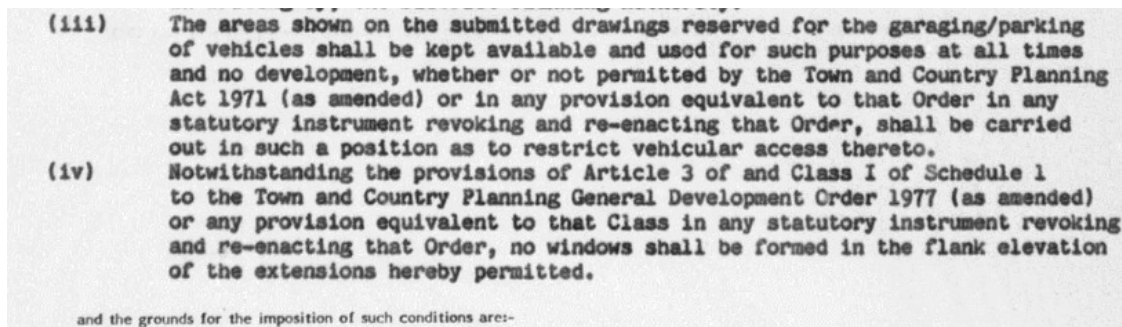
advice given.

Planning History Background Note

It is evident from google aerial images and the 19861040 plans, that the above application has been implemented:



On the 19861040 decision notice, some permitted development rights are restricted. It states:



Previous Refusal of Application 20260019

As set out in the planning history section of this report above, the most recent planning application for this site (reference number 20260019) was refused on the following grounds:

1. The proposal is considered to represent poor design, that would result in an incongruous, dominant and unsympathetic development, to the detriment of the appearance of the existing dwelling and surrounding area. As such, the proposal would be contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (2024).

2. It has not been demonstrated that there would be sufficient head room in the converted loft space. As such, the development is not considered to safeguard the amenity of future occupiers, contrary to Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

3. The proposal would fail to safeguard the amenity of the neighbouring property, No.31 Brenchley Avenue, in terms of the sense of overlooking and perceived overlooking of their private garden area due to the increase in fenestration at height. In addition, the proposal is considered to be an overbearing development, constructed up to the flank boundary at high level. As such the development fails to safeguard the amenity of neighbouring properties, contrary to Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

It therefore stands to be assessed whether the previous grounds of refusal have been overcome and whether any new concerns arise as a result of his revised proposal.

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)

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging

Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

Local Ward Councillors

No comments received.

Neighbouring properties

Seven surrounding properties were consulted and no responses were received. The overall consultation period expired on 23.06.26.

Site Description

33 Brenchley Avenue is a two-storey detached property fronting the northern side of the highway.



Google Image

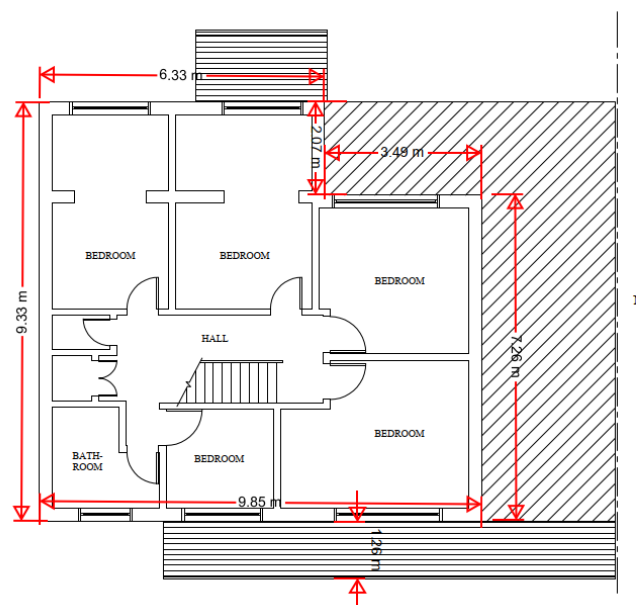
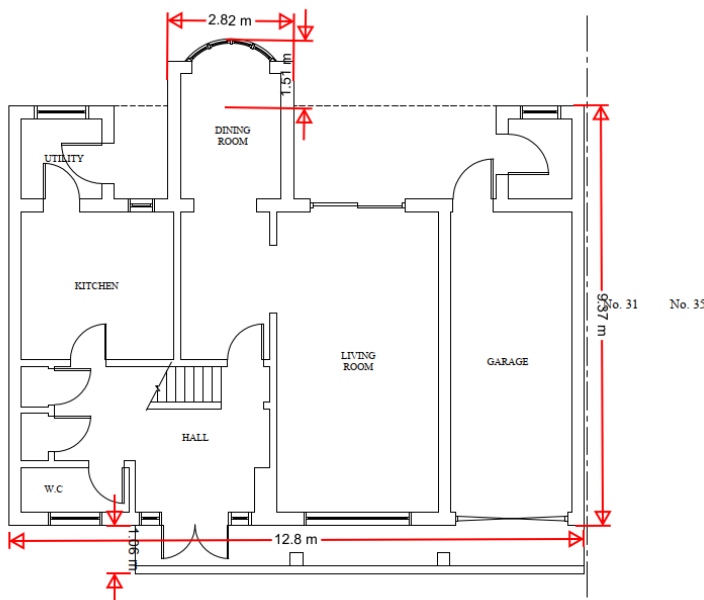


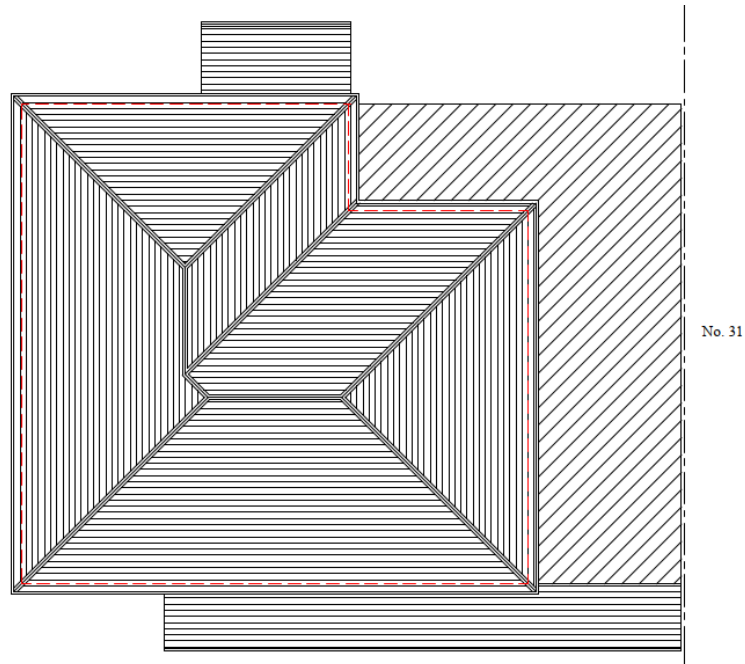
This application proposes erection of a part two storey, part first floor rear and side extension. Roof alterations including the construction of a rear dormer and conversion of the roof space to form additional rooms along with alterations to fenestration.

Proposed Development

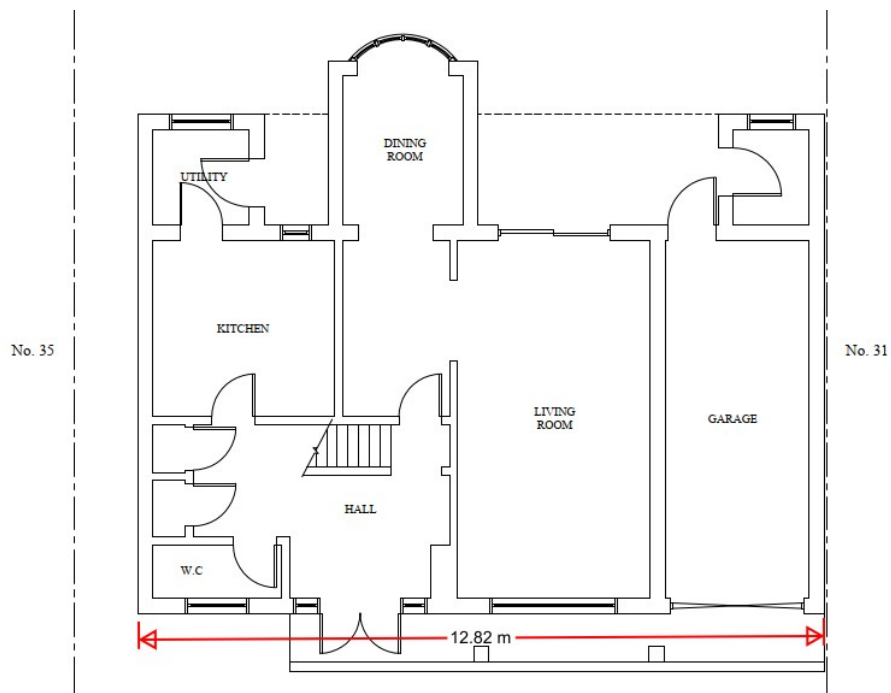
Case officer measurements are indicated on the plans below in black and red.

DN

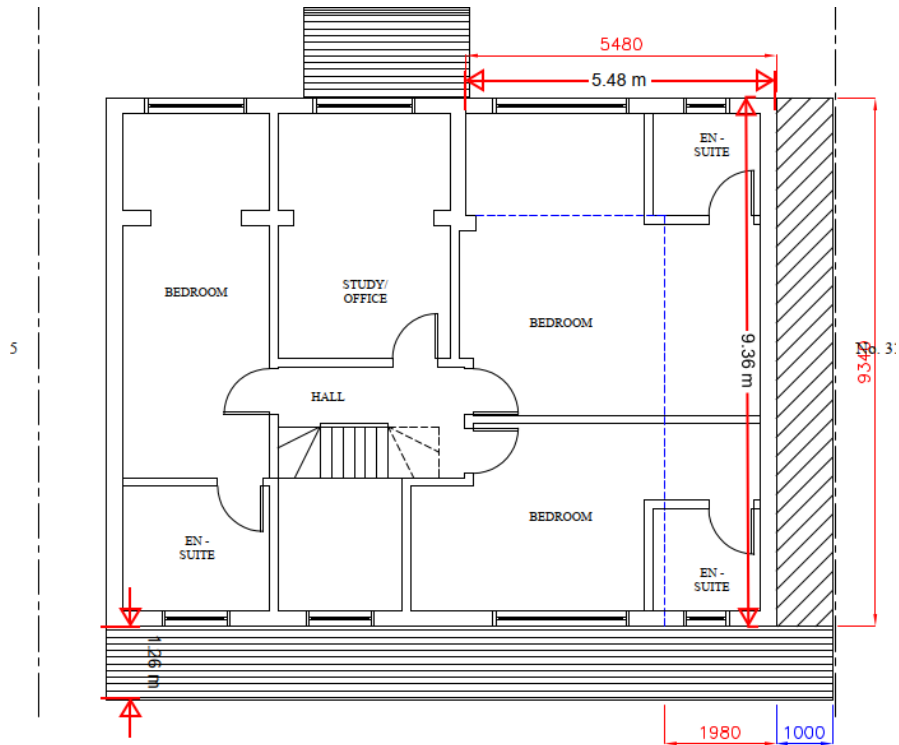




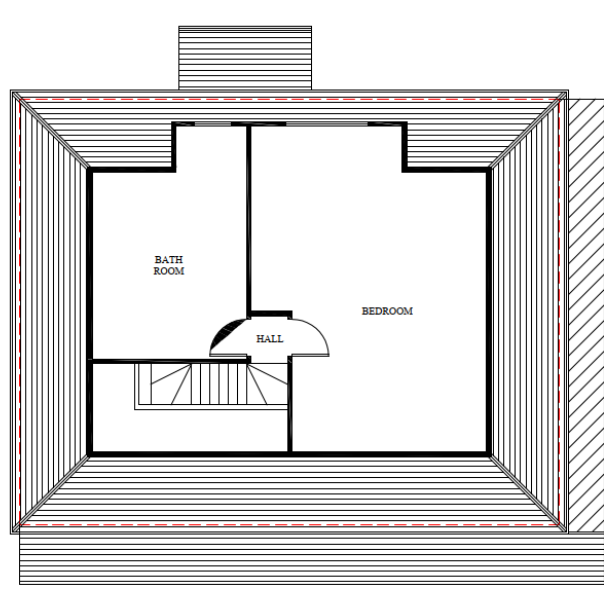
EXISTING ROOF PLAN



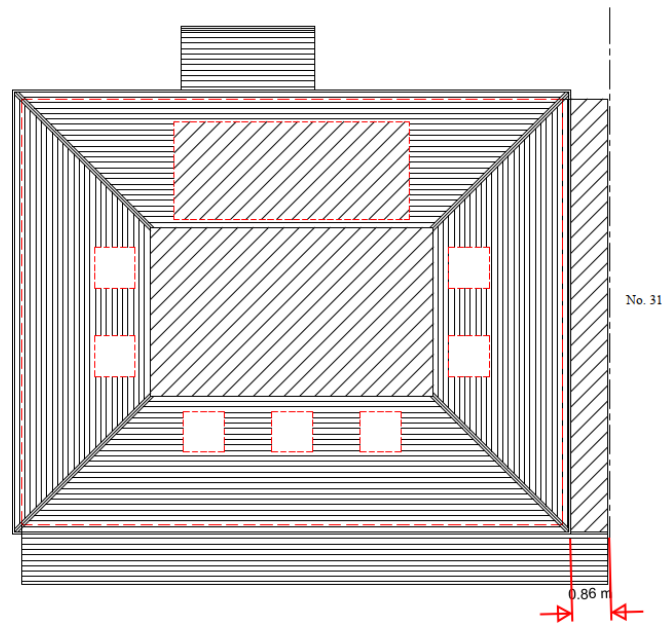
PROPOSED GROUND FLOOR PLAN



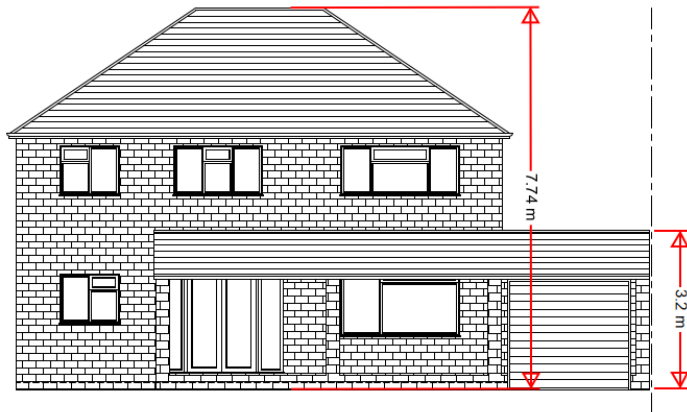
PROPOSED FIRST FLOOR PLAN



PROPOSED LOFT FLOOR PLAN



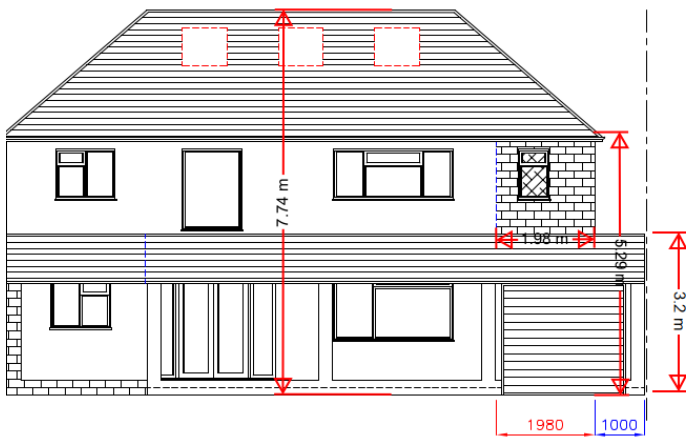
PROPOSED ROOF PLAN



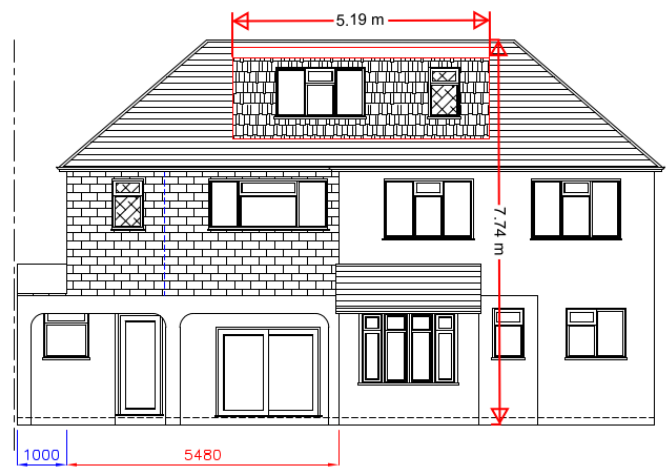
EXISTING FRONT ELEVATION



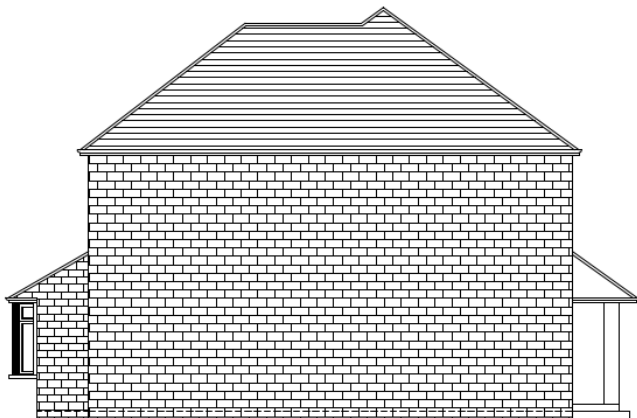
EXISTING REAR ELEVATION



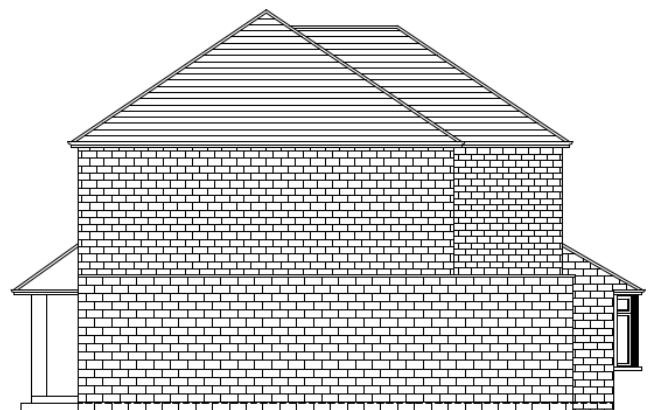
PROPOSED FRONT ELEVATION



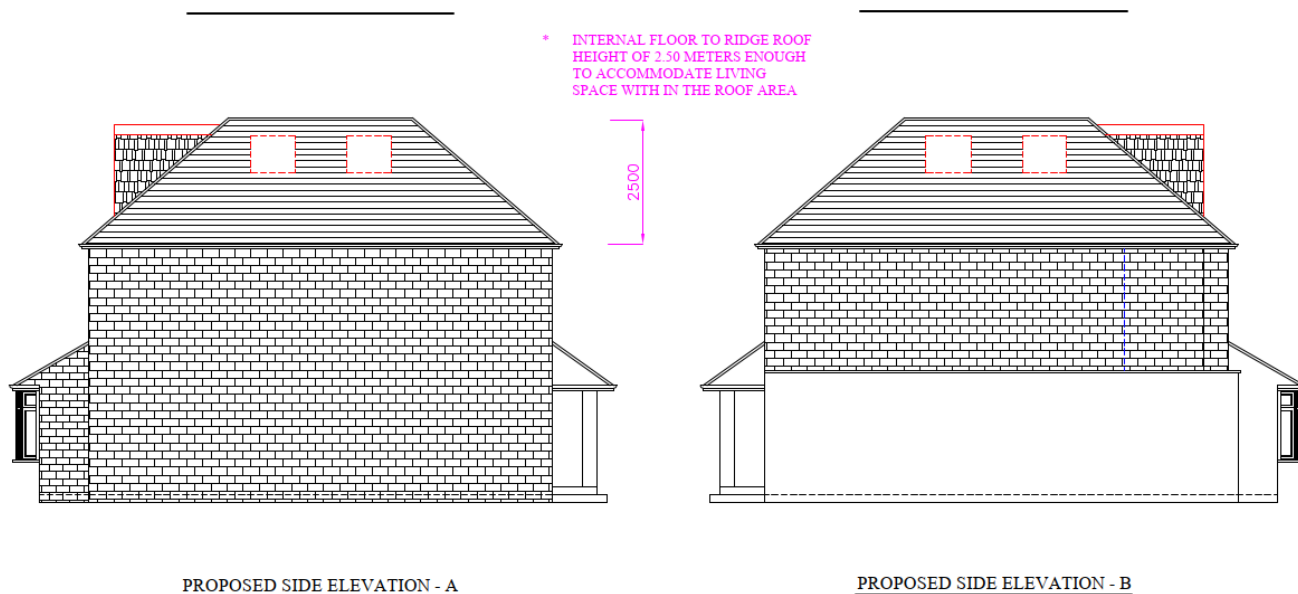
PROPOSED REAR ELEVATION



EXISTING SIDE ELEVATION - A



EXISTING SIDE ELEVATION - B



Officer's Analysis

Design, Character and Appearance

Policy CS19 (Development and Design Principles) (LPCS) (2014) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well- designed places) of the NPPF (2024) sets out that the creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It states developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

The Design For Gravesham Design Code (2024) is a strategic document that sets out Gravesham's vision and expectation for quality place-making. Gravesham's Householder Extensions/Alterations Design Guidance SPD (2021) set out key principles for new developments. Generally, the SPD (2021) highlights the importance of new development complimenting and corresponding to existing character and the wider context.

The Householder Design Guide (2021) sets out the design expectations for the Borough. Key elements that are relevant to this proposal have been included below:

Character and design quality

Any proposed extensions and alterations to a house should respect the original character of the existing dwelling, complement and correspond with the character of neighbouring properties and the local area. It should be noted that this does not always mean an exact replication of the existing character.

9.2 Your proposal should reflect and respect the original character and respond to its features. In order to achieve this as a starting point all residential extensions and alterations should be subordinate to the host property/building, allowing the original building to remain dominant.

9.3 Matching roof styles and pitches should be used in new extensions and new extensions should normally not be larger, higher or forward of the existing dwelling unless they echo an existing characteristic in the local area. It is usually preferable for an extension to have a lower roofline and be set back behind the front building line. In most cases a flat-roofed extension to the front or side, or where clearly visible from the street, will not be supported (unless the original house main roof is flat).

Materials

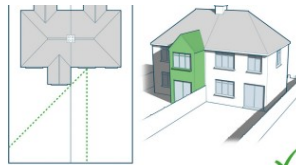
9.9 Extensions should normally be constructed using matching materials to the main dwelling. Matching bricks or render should be used along with similar coursing and pointing detailing and colours. Roof tiles or materials should match the existing in terms of materials, texture, colour and size. Where appropriate, extensions may be constructed of an alternative material if this is consistent with other development in the area and where the extension would still be clearly subordinate to the main dwelling.



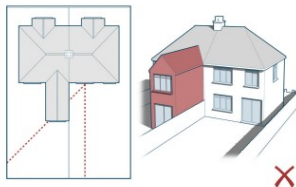
Two Storey and First Floor Rear Extensions

10.3 Two-storey rear extensions are often desirable as they create more space within a home, however they are not appropriate in all circumstances e.g. mid-terraced properties, and need to be carefully designed to avoid negatively impacting neighbouring properties. Proposals for two-storey rear extensions should consider the surrounding context, and ensure that:

- **Depth:** The extension does not dominate the original property. This can cause the site to appear overdeveloped, and cause long dark internal spaces to be formed. Extensions to extensions will generally not be supported.
- **Height:** two storey extensions can have very significant impact on neighbouring amenity, so should generally not be built up to site boundaries with neighbouring gardens / properties.
- **Width:** Extensions should not be of greater width than the original building.
- **Design:** Taller extensions are of greater visibility, and should incorporate roof designs to reflect, tie in with and not overwhelm the main property's roof. Patterns and proportions of windows should reflect the host building and local character.
- **Materials:** Using matching external materials and window / door frames is especially relevant for two storey extensions.
- **Overlooking:** Extensions should avoid inserting any flank windows, or involve raised platforms where they would allow new, or increased overlooking views into neighbouring gardens / properties.
- **Light / Outlook:** The 45 / 25 degree rule will be used to assess the impact of the extension on neighbouring light / outlook.
- **Garden Space:** Adequate garden area for the enlarged house should be retained following development.



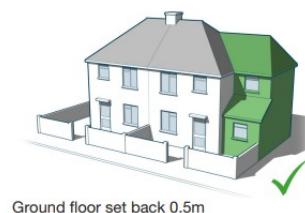
A two storey extension should comply with the 45 degree rule. (See Appendix 1).



Two Storey Side

10.5 Two storey extensions can have a more significant impact on the appearance of the street. Care is also needed when considering the relationship between any proposed extension and the boundary with neighbouring properties as the separation between properties can provide access routes to the rear of the property and in some locations are part of the character of the area. Depending on the orientation of the neighbouring property, side extensions also have the potential to impact their amenity. To ensure these potential issues are resolved, two storey side extensions should be designed in accordance with the guidance below.

- **Footprint:** Extensions should generally aim to appear subservient to the host building by lying behind the main front building line, though where designed well or having regard to positive local character, other approaches can be supported. See advice of extensions to corner properties in the following section.
- **Height:** Extensions should not exceed the eaves height of the host building.
- **Width:** Extensions should generally be no greater than half the width of the host building. The existing rhythm of the street, including for example characteristic gaps between properties, the symmetry of pairs of semi-detached homes or groups of terraced houses, should not be unreasonably interrupted. A minimum gap of 1 metre should be retained between the extension and the flank boundary.
- **Design:** Extensions are of greater visibility, and should incorporate roof designs to reflect and generally be subservient to the main property's roof. The use of flat or false pitched roofs visible from the street should be avoided. Patterns of windows should reflect the host building and local character. Walls to extensions should not form the site boundary with the public highway, as these can be oppressive and encourage antisocial activities.
- **Materials:** Matching external materials and window / door frames should be used.
- **Overlooking:** Extensions should avoid inserting any flank windows where they would allow new, or significantly increased overlooking views into neighbouring gardens / properties.
- **Light / Outlook:** The 45 / 25 degree rule will be used to assess the impact of the extension on neighbouring light / outlook.



Ground floor set back 0.5m



Unacceptable flat roof

Two storey side extensions should be subordinate in scale to the original house.



Side extensions should be set back and set in to avoid the 'terrace effect'.

Rear Roof Extensions

10.9 Whilst in many instances, rear roof extensions can be undertaken without permission under permitted development, these can and have had a harmful effect on roofscapes. When assessing planning applications, a high standard of design shall be required. Rear roof extensions and alterations should be set away from the gables, hips, eaves and ridge of a property and follow the guidance below:

- **Height:** Should be lower than the existing ridge-line, and original ridgeline treatment should be retained.
- **Massing:** Should not wrap around two-sides of a hipped roof unless in special circumstances where it can be justified; this will be judged on a case by case basis. Dormers should not overwhelm the roof slope within which they are to be placed.
- **Alignment of Windows:** Should include window position and design which reflects the position, design and character of windows to the lower levels of the host original building.
- **Detail:** Large blank facades on dormers can have an overbearing appearance and will not generally be acceptable.



Rear and side dormers that are in proportion and in keeping with the design of the house will be considered favourably.

As set out on the application form, the proposed external materials would match those of the existing dwelling, which is desirable to ensure a good visual relationship between the existing dwelling and proposed development. If planning permission were to be forthcoming for the development, all external facing materials could be secured by condition in order to ensure a satisfactory appearance. Although positive, this in itself would not mitigate poor design and inappropriate scale.

23 Watling Street

There is a reference to 23 Watling Street made on the plans, presumably this would be in reference to application 20211244. Notwithstanding that each application needs to be assessed on its own merits within its specific context, it is considered that the application at Watling Street is not comparable to this application and does not have any bearing on the assessment of this application.

Canopy Roof Extension

In isolation the small extension to the canopy roof is not considered to detrimentally impact the character and appearance of the dwelling.

Roof Alterations, Extensions and Alterations

The previous delegated officers report for this site (20260019) remains relevant to this application. Appropriate sections have been included in the assessment below.

The road slopes downwards to the immediate west of the dwelling and the existing dwelling and roof is already prominent within the street scene. Although the maximum height of the dwelling would not increase as a result of the development, the proposed roof alterations would add significant bulk, reduce spaces in and around the dwelling, and further increase the dwellings prominence within the street scene to a detrimental degree. It is noted that the proposed side extension at first floor level has been set in slightly from the shared boundary with No.31, since the previous refusal however this does not serve to overcome the significant design concerns that arise as a result of the proposal. The plans show the two storey/first floor extension would be an unsubservient addition that would expand the full flank elevation and wrap around the side of the property to the rear; joining the previous extension. The development would also result in unsympathetic and unsubservient roof additions and alterations that would, in addition, incorporate an unacceptable flat roof element. Although the proposed rear dormer gives the appearance of being subservient to the proposed new roof form, it is a bulky flat roof addition that would be too large to fit into the parameters of the existing roof form, and further adds to the incongruous appearance of the proposed alterations. Furthermore, the new centre window in the first floor front elevation is not sympathetic in terms of the character and scale of the existing fenestration and further adds to the incongruous appearance of the dwelling as a whole.

Overall, the proposed extensions, alterations and change in roof form dramatically alters the appearance of the dwelling to a detrimental degree and is harmful to its character. The scale, design, bulk and massing, and unsympathetic nature of the development does not comply with planning policy or Gravesham's aforementioned design guidance, and would cause detrimental harm to the appearance of the dwelling. Further to this, the development would be highly visible from the street scene, more so given its prominent position, and would reduce space in and around the dwelling. The proposed development as a whole is considered to be poor design resulting in overdevelopment of the site and an incongruous, disproportionately broad and dominant dwelling; to the detriment of the character and appearance of the host dwelling, surrounding area and street scene.

Therefore, overall, the proposal is considered to represent poor design, that would result in an incongruous, dominant and unsympathetic development, to the detriment of the appearance of the existing dwelling and surrounding area. As such, the proposal would be contrary to 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

According to the plans provided, the development would provide sufficient room area and garden size post development in accordance with the Residential Layout Guidelines (2020). Two of the en-suites on the first floor are slightly undersized, but this is considered insufficient to warrant refusal of the application. In addition, the proposed elevations show the rooms in the converted loft space would provide sufficient light and head room for future occupiers. As such the development is considered to

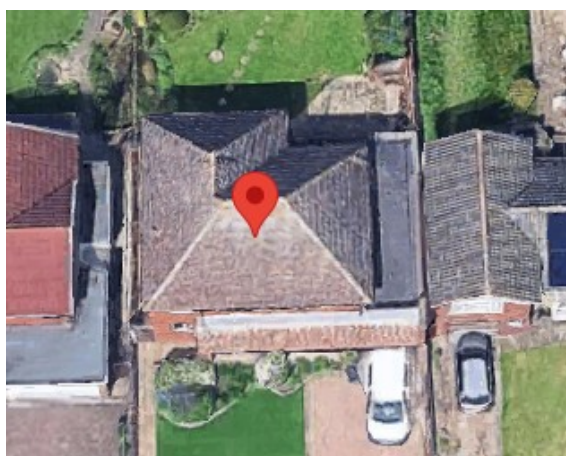
safeguard the amenity of future occupiers, in accordance with Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

Neighbouring Amenity

As aforementioned previously in this report, no neighbour comments have been received as a result of this proposal. Neighbouring amenity is generally assessed in terms of loss of light, loss of privacy, loss of outlook and development resulting in a sense of enclosure.

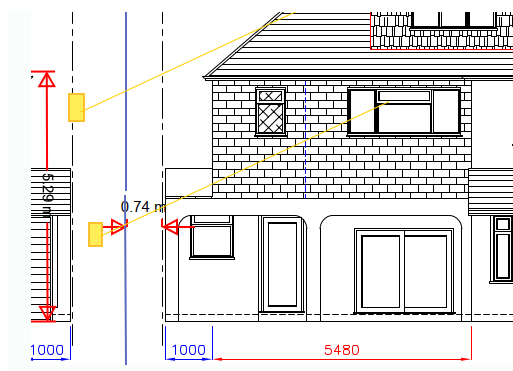
The extension of the canopy is not considered to detrimentally impact the amenity of No. 35 Brenchley Avenue. Despite the application property being on a higher land level than No.35, there is sufficient space maintained between the two dwellings and the closest fenestration in the flank wall of No.35 would serve the garage. No.35 is therefore not considered to be unduly impacted in terms of loss of privacy, impact on outlook, loss of light or sense of enclosure.

In terms of No.31 Brenchley Avenue, this neighbouring property is already constructed close to the shared boundary with No.33. Although the first floor side extension has been set in slightly from the shared boundary since the previous application (20260019), and it is noted the closest window to No.31 at first floor level would serve a bathroom, the amended extension is greater in depth and would wrap around to the rear. Due to its height, positioning and proximity to the boundary, the proposed development, including proposed roof alterations, would be seen as an imposing and overbearing addition that would dominate and overlook the private garden area of No.31:



It would introduce significant built form, and additional fenestration close to the shared boundary.

In addition, the proposed extension in situ also has potential to impact light to No. 31. Unfortunately, detailed plans have not been provided, however an approximation of the 25 degree rule indicates there would be impact on light:



Therefore, the proposal would fail to safeguard the amenity of the neighbouring property in terms the sense of overlooking and perceived overlooking of the private garden area of No.31 Brenchley Avenue due to the increase in fenestration at height. In addition, the proposal is considered to result in a loss of light and would be an overbearing development, constructed close to the flank boundary at high level. As such the development fails to safeguard the amenity of neighbouring properties, contrary to Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

Parking and Highways

There are no concerns in terms of highway and parking that arise as a result of this proposal.

Any Other Material Planning Considerations

Archaeology

The site lies within an area of multi-period archaeological potential. However, the proposed development is unlikely to have any archaeological impact.

Groundwater Protection Zone

The site is located within a Groundwater Protection Zone 3 area, however, the proposal would be unlikely to be impacted by this constraint.

Conclusion

The application has been fully considered and fails to accord with local and national planning policy. Although the previous grounds of refusal relating to the amenity of future occupiers (ground 2 of decision notice 20260019) has been overcome, concerns with regards to design character and appearance and amenity of neighbouring properties remains, as set out below.

The proposal is considered to represent poor design, that would result in an incongruous, dominant and unsympathetic development, to the detriment of the appearance of the existing dwelling and surrounding area. As such, the proposal would be contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (2024).

The proposal would fail to safeguard the amenity of the neighbouring property, No.31 Brenchley Avenue, in terms of the sense of overlooking and perceived overlooking of their private garden area due to the increase in fenestration at height. Furthermore, the proposal is considered to impact light to the neighbouring property and would be an overbearing development, constructed close to the flank boundary at high level. As such the development fails to safeguard the amenity of neighbouring properties, contrary to Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

Recommendation

Refusal

(For detailed reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	22nd July 2026	Dated:	23rd July 2026