



Delegated Report

Householder Planning Application

Planning Application No: 20260782

Location: 29 Coutts Avenue Shorne Gravesend Kent

Description: Erection of a ground floor side infill extension and erection of a first floor extension incorporating the conversion of loft space into habitable rooms with roof lights, increase in roof height and alterations to fenestration.

Applicant: Aaron Avedat

Site Visit Date: 16th June 2026

Submitted Documents/Plans

Application Form;
Location Plan - BL/DRG/4101.1/ 01;
Existing and Proposed Site Plan - BL/DRG/4101.1/ 02;
Existing Floor Plans - BL/DRG/4101.1/ 03;
Existing Elevations Section - BL/DRG/4101.1/ 04;
Proposed Floor Plans - BL/DRG/4101.1/ 05; and
Proposed Elevations Sections 3D Views - BL/DRG/4101.1/ 06.

Relevant Planning History

Reference	Description	Decision	Decision Date
20260456	Erection of a ground floor side infill extension and erection of a first floor extension. Conversion of garage to habitable space with flat roof and rooflight. Changes to fenestration.	Refused	16.07.2026
19830678	Stationing of a residential caravan for a temporary period of 18 months	Permitted	18.11.1983
19820759	Outline application for erection of a single storey dwelling and garage	Permitted	20.12.1982

The application 20260456 was recently refused for a first floor extension to the property, the application was refused for the following reason;

1. The excessive scale, size and bulk of the proposed first floor extension is considered to be unsympathetic to and out of character with the existing and neighbouring buildings and the wider surrounding area. The proposal therefore fails to comply with the requirements of Paragraphs 131 and 135 of the National Planning Policy Framework 2024, Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and the Council's Householder Extensions/Alterations Design Guide Supplementary Planning Document (2021).

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

As set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012 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

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 (2026), the Council will also seek to replace these.

National Planning Policy Framework (2026)

- Section 4 -Achieving Sustainable Development
- Section 5 – Meeting the challenge of climate change
- Section 12 – Making Effective use of land
- Section 14 – 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)
- Gravesham Landscape Character Assessment (2009)

Emerging Local Plan as a Material Consideration

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (Planning and Compulsory Purchase Act 2004) and section 70(2) of the Town and Country Planning Act 1990 (Town and Country Planning Act 1990) make it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise.

Decision Making Policy DM4 of the Framework sets out that when considering development proposals, relevant policies may be given weight, however, this is subject 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 compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

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 of the Framework, which from 17 August 2026 Decision Making Policy DM4 of the Framework.

The Council's emerging Local Plan has reached the Regulation 19 Consultation stage, with the consultation having ended on 18 August 2026. The emerging Local Plan does not form part of the Development Plan.

The Council is aware that third parties have raised objections to the wider emerging Local Plan and specific policies within it. Therefore, at present the Council cannot categorically state that the emerging Local Plan can be considered sound and consistent with the National Planning Policy Framework (2024) [as an emerging Local Plan being brought forward under the legacy system, it would be examined under the 2024 Framework]. 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

Shorne Parish Council

This is a revised application following the previous refusal of Ref 20260456.

The Parish Council has no objection in principle to the proposal (to convert the bungalow to a house), subject to there not being significant concerns raised by neighbours, but has the following comments: The proposal is to now change the property from a 3 bedroom single-storey bungalow to a 4 bedroom house. The present application has been improved by, among other changes, omitting the previously proposed conversion of the garage, and having a double gabled roof profile rather than mansard design. Despite the design improvements it remains the case that the proposed design will be visible from the nearby public footpath and will impact on the street scene however this has already been adversely affected by previous planning decisions in the area. It will still impact adversely on the neighbouring property to the east, which is on lower ground, reducing light to living room windows and having quite an overbearing appearance.

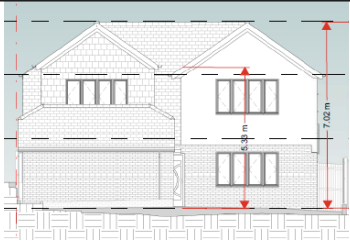
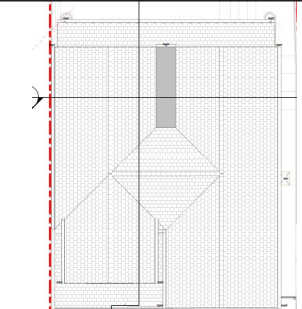
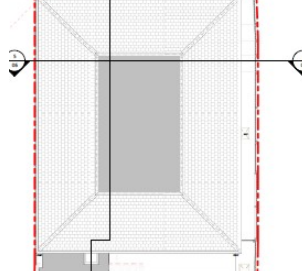
On-site parking spaces remain at 4 including the garage, arranged as at present. The western elevation is very close to the boundary. A proposed bedroom on the second floor has a window on the eastern elevation which has been changed to being a high-level window. The loft should only be used for storage and not as habitable space, and no further alterations (including to the roof) should be allowed. A Condition should also remove permitted development rights for the whole site. A location for refuse bins and also bicycle storage needs to be identified.

Neighbouring properties

Eight surrounding properties were consulted with a response date of 25.08.2026, one representation was received. The concerns raised are summarised below, the comments raised are considered in detail in the relevant sections of this report.

- The proposal is unchanged from the previously refused scheme
- The proposal would be out of keeping with the character of neighbouring bungalows
- The resultant property would dominate surrounding properties
- The development would result in the loss of privacy to neighbours

Officer's Analysis

	Front Elevation	Rear Elevation	Roof Plan
Currently proposed			
Refused under 20260456			

Design, Character and Appearance

Policy DP3 of the NPPF states that Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

The application seeks permission for the erection of a ground floor side infill extension and the erection of a first-floor extension and alterations to the fenestration. The area to the west of the existing entrance to the property would be infilled, it would have a hipped roof over it with a gable roofed dormer at first floor level. The proposed first floor extension would project over the majority of the footprint of the property, at first floor the rear elevation would be set in 1m from original rear elevation. As a part of the development the entrance to the property would be relocated to the front elevation of the property, and there would also be changes to the ground floor fenestration.

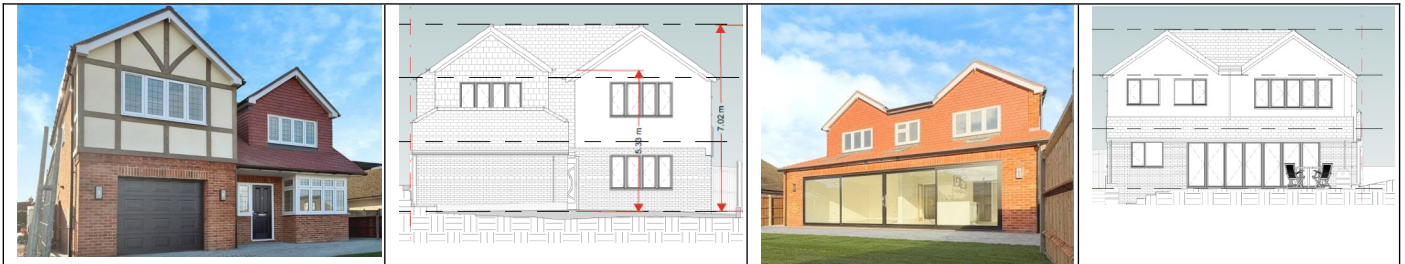
Gravesham's Householder Extensions/Alterations Design Guide provides the following advice in regard to first floor extensions.

- o *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.*
- o *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.*

The resultant property would have a main two storey projection to the front elevation, it would have a gable roof over it with an eaves height of 5.3m and a ridge height of 7m. The main first floor extension would have a catslide type roof over it with a dormer, resulting in a chalet style appearance. To the rear elevation the property would have a more traditional two storey appearance with a double gable. At ground floor level, there would be a pitched roof over the single storey rear projection.

It is noted that the character of Coutts Avenue is varied, there are a range of chalet style bungalows and two storey properties. The application property is sandwiched between a two storey detached property to

the east, and a detached chalet style bungalow to the west. The proposed extension would be a combination of two storey elements, and first floor dormer chalet accommodation. The use of a dormer to the front elevation on the western side, and the two storey projection to the eastern side references the character of the neighbouring dwellings to either side. It is also noted as shown in the comparison photos below that the extensions would result in a property which would be in keeping with the appearance of the development approved at no.28 Coutts Avenue under application 20220956. It is considered that the development would be compliant with Policy DP3 of the NPPF as the design of the dwelling responds well to its surroundings and would integrate well with the surrounding built form.



The site is located within the Higham Arable Farmlands Landscape Character Area, (LCA) and as such, Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 is also relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment will be taken into account in determining applications. The Higham Arable Farmlands LCA is characterised by open arable farmland, with distinctive views out to the marshes and the River Thames in the north. The application site is located within the built-up area of Shorne and the proposed development would be contained within an existing residential curtilage. As the site is located within a built up residential area, the development is not considered to adversely affect the overall landscape character of the surrounding area. As such, the proposal would be in line with Policy CS12 of the Gravesham Local Plan Core Strategy (2014) in this regard.

Amenity of Future Occupiers

Policy CS19 (LPCS) seeks to protect amenity and ensure acceptable future living conditions are included in the LPCS. The NPPF also assists and seeks to ensure developments will function well, do not undermine quality of life and create attractive and comfortable places to live, work and visit and seeks to "Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life".

The resultant property would be a four-bedroom eight occupant property, the nationally described space standard sets out a minimum required internal floor area of 124m² for a four-bedroom eight occupant property. The property would have a gross internal floor area of 257m², which would exceed the requirements set out in the nationally described space standards.

Each of the habitable rooms would be provided with a window to either the front or rear elevations of the dwelling, with the exception of one bedroom which would have a first-floor window to the east facing elevation. As this bedroom is not a primary bedroom, it is considered reasonable to impose a condition requiring the lower parts of the window to be obscure glazed to protect this window from overlooking from the neighbouring site to the east. Due to the changes in ground level across the two properties, the upper clear glazed parts of the window to this property would enjoy an unobstructed view over the top of this property. On balance it is considered that the proposed habitable rooms would be provided with acceptable levels of amenity.

Externally 245m² of amenity space would be retained to the rear of the dwelling with a side access, and access from the kitchen/dining area. The retained external amenity area would be sufficient in size for the number of future occupiers of the property and complies with the council's residential layout guidelines

which require 100m² of amenity space. The garden depth at 20m would exceed the minimum depth of 10m as required by SPG 4.

It is considered that subject to the above condition, the proposal would provide acceptable living conditions for future occupants and would be compliant with Policy P3 of the NPPF and Policy CS19 (LPCS).

Neighbouring Amenity

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and Policy P3.2 of the NPPF which requires the amenity of existing residents to be protected.

The neighbouring properties most likely to be impacted by the proposed development are no.31 Coutts Avenue to the east of the site and no.27 Coutts Avenue to the west.

The property at no.27 Coutts Avenue is a detached chalet bungalow, this property has a single high level obscure glazed window which serves a bathroom to its facing side elevation. There is also a roof light to the eastern facing side roof slope which serves a landing area. There would be a separation distance of approximately 2.2m between the side elevation of the application property and the side elevation of the neighbouring property at no.27. The application property would project approximately 4.7m beyond the rear elevation of this property at ground level, and 3.7m at first floor level. At ground floor level, there are three openings to the rear elevation of this property, the closest two windows serve a kitchen and the third serves a dining area. At first floor level there are three dormers which serve bedrooms, the BRE 45-degree test has been carried out to assess the impact of the proposed extensions on the rear habitable room windows. The test shows that the proposed extensions to the application property would not intersect a 45-degree line drawn from the centre of the closest habitable room window, as such the test shows that it is unlikely there would be any significantly harmful impact on this property in terms of overshadowing or overbearing.

The neighbouring property at no.31 Coutts Avenue is a two-storey detached dwelling there would be a separation of approximately 15.45m between the side elevation of the application property and the side elevation of this dwelling with facing windows at first floor level. It is noted that due to the local topography, this property is sited at a lower level than the application property. Despite the difference in land levels, given the generous separation between the properties it is considered that the development would not result in overshadowing or overbearing to the facing windows to the side elevation of this dwelling.

There would be two first floor windows to the eastern side elevation of the application property, one window would serve a bedroom, with the second window serving an en-suite. It is noted that due to the elevated positioning of these windows it is likely there would be the perception of overlooking, in the event of an approval, the bathroom window can be conditioned to be fully obscure glazed. Due the differences in ground level between the application property and no.31, it is considered that obscure glazing the lower part of the bedroom window below 1.7m from the finished floor level would ensure there is no direct overlooking to this property. As this bedroom is four of six bedrooms all of which would be served by windows to the front or rear elevations with unobstructed views, it is considered that a partially obscured window would provide sufficient outlook for what would not be a primary bedroom.

It is considered that subject to the obscure glazing of the proposed side windows, the development would not result in harm to the amenity of occupants of neighbouring properties, and would be compliant with Policy P3 of the NPPF and Policy CS19 of the LPCS.

Parking and Highways

Policy CS11 (LPCS) states that new development should mitigate its impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and

sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards which will reflect the availability of alternative means of transport accessibility to services and facilities.

The councils parking standards set a maximum requirement of three off street-car parking spaces for properties with four or more bedrooms. The property would retain its existing garage, as well as sufficient space for three vehicles to be parked in the forecourt area whilst utilising the existing crossover to the front of the property. The retained parking provision will be sufficient for a property of this size, and would be compliant with Policy CS11.

Conclusion

It is considered that the proposed development has overcome the grounds for refusal of the previous application 20260456, the extensions will no longer appear as an overdevelopment of the site, and would be in keeping with the surrounding buildings. Subject to conditions there would be no harm to the amenity of future occupants of the property or occupants of neighbouring properties, and there are no parking or highway safety concerns.

Recommendation

For detailed conditions and informatives, see draft Decision

Case Officer:	Adeoye Lawal	Team Leader:	Richard Hart
Signed:	<i>Ade Lawal</i>	Signed:	<i>R Hart</i>
Dated:	27th August 2026	Dated:	4 th September 2026