



Delegated Report

Full Planning Application

Planning Application No: 20250576

Location: 54 Pelham Road, Gravesend, Kent DA11 0HZ

Description: Demolition of existing rear extensions and erection of a double storey rear extension with nine rooflights and two dormers to the rear roof, internal alterations and changes to the fenestration to split the single dwelling into two semi- detached self- built dwellings.

Applicant: Mr J and A Bhachu

Site Visit Date: 01/09/2025

Submitted Documents/Plans

Application forms

Self- Build Form

Design and Access and Heritage Statement

Drawing no 5483 D- 01 Rev A – Site Location Plan and Block Plan as Existing

Drawing no 5487 D- 02 Rev A – Floor Plans as Existing

Drawing no 5487 D- 03 Rev B – Elevations as Existing

Drawing no 5487 D- 101 – Block Plan as Proposed

Drawing no 5487 D- 102a – Floor Plans as Proposed

Drawing no 5487 D- 103d – Elevations as Proposed

Superseded plans

~~Drawing no 5483 D- 102 Floor Plans as Proposed~~

~~Drawing no 5483 D- 103 Elevations as Proposed~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20250284	Demolition of existing rear extensions and erection of double storey rear extension with six rooflights and installation of a dormer window to rear roof elevation. Internal alterations to split the existing dwelling into two semi- detached dwellings	Refused	20/05/2025

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure

- CS14 – Housing Type and Size
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- H5 – Increasing the Housing Stock by the Conversion of Existing Buildings

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 5 – Delivering a Sufficient Supply of Homes
- Section 8 – Promoting Healthy and Safe Communities
- Section 9 – Promoting Sustainable Transport
- Section 12 – Achieving Well-Designed Places
- Section 15 – Conserving and Enhancing the Natural Environment
- Section 16 – Conserving and Enhancing the Historic Environment

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)
- Pelham Road/ The Avenue Conservation Area Character Appraisal (2009)

Consultations, Publicity and Representations

Consultees

Ward Councillors

No responses received.

GBC Conservation Officer

No response received.

Neighbouring properties

26 no. surrounding properties were consulted and the application was advertised by means of a site notice and a press notice. The overall date of expiry was 18.07.2025. No comments from members of the public have been received.

Officer's Analysis

Site Description

The application site comprises a two storey detached dwelling on the south- eastern side of the road.



The site is located in the Pelham Road/The Avenue Conservation Area, the Thames Estuary and Marshes Ramsar Buffer Zone, an Area of Archaeological Potential and the Campbell Road Pit & Nine Elms Historic Landfill Site Buffer Zone.

This application follows a recently refused application (20250284) for a very similar scheme, which was refused on the following grounds;

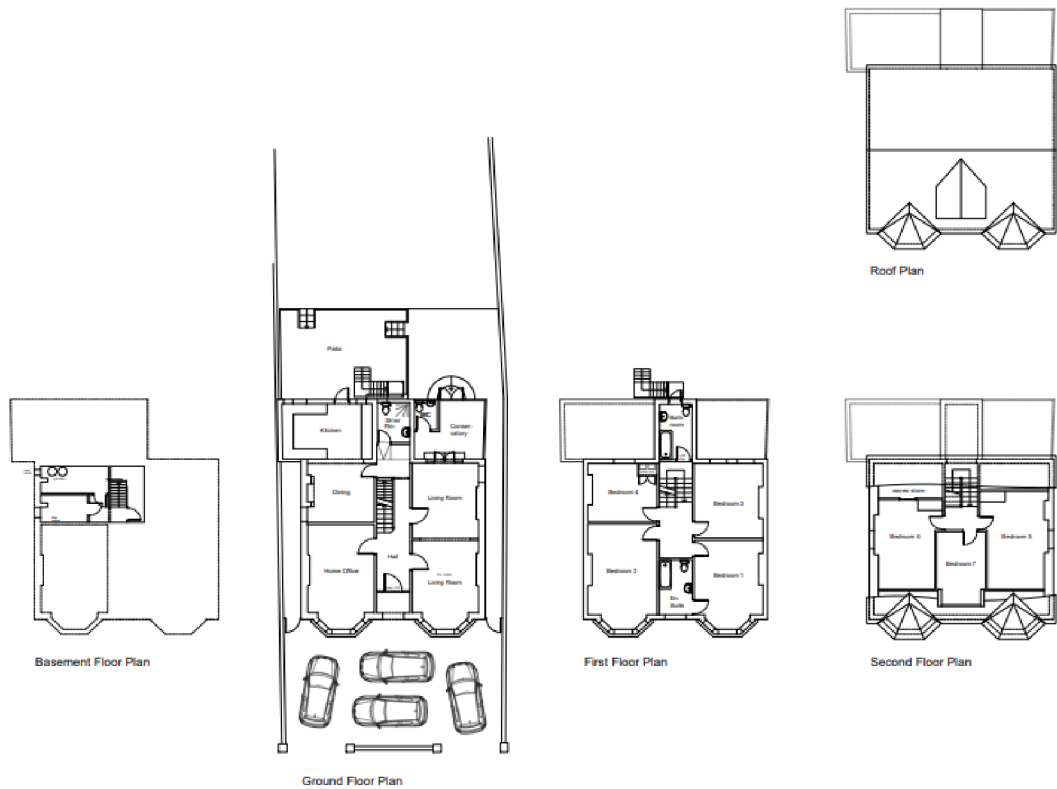
- The application differs from the previous refused one on the site in the following ways:

- The principal considerations in the assessment of the application are as follows:

- The existing and proposed block plans, floor plans and elevations are shown below;



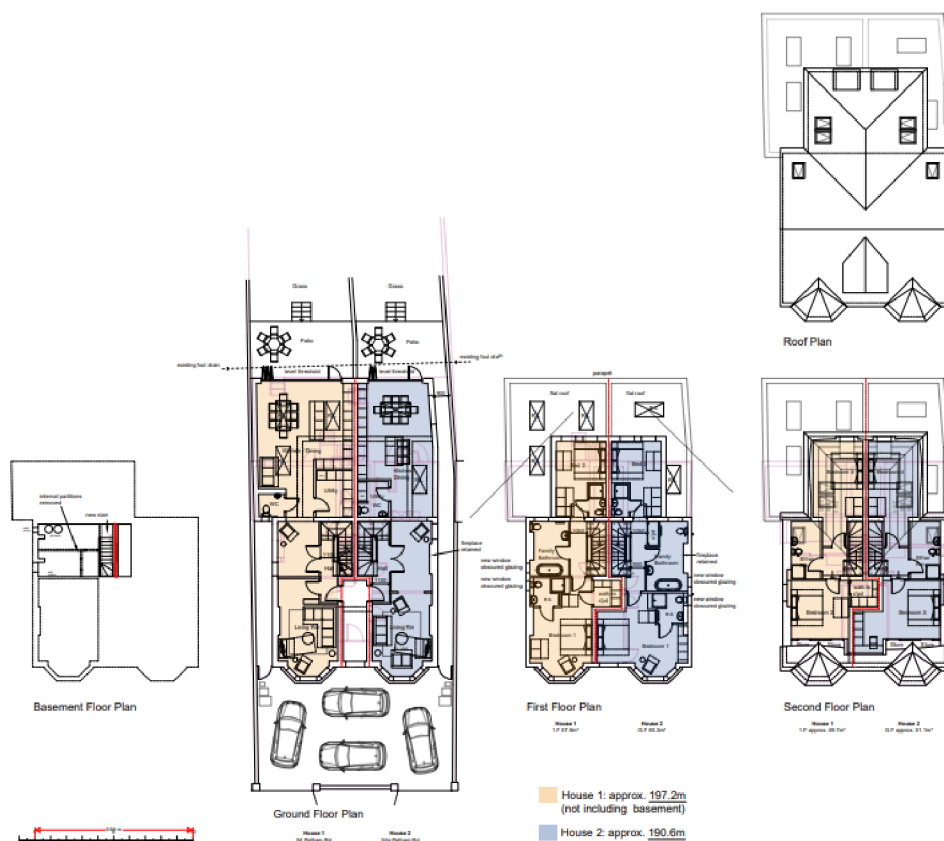
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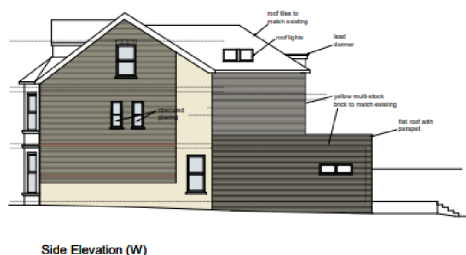
Existing Plans



Existing elevations



Proposed Plans



Proposed elevations

Housing Need

In *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865, Lord Carnwath re-emphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that planning applications should be determined in accordance with the development plan. Paragraph 12 of the NPPF expressly states the starting point for decision-making is the development plan. Lord Carnwath, as part of the Supreme Court decision, stated,

“It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policy-making role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has a statutory recognition), it is no more than “guidance” and as such, a “material consideration” for the purposes of section 70(2) of the 1990 Act. It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme”.

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in March 2023 which demonstrates that based on data up to the period 2022- 2027, the Council can only demonstrate a land supply of 2.9 years.

Given the Council’s current inability to demonstrate a 5 year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham’s Local Plan Core Strategy (LPCS) (2014), Policy CS02 must be regarded as being out of date, as required by paragraph 11(d) of the National Planning Policy Framework (NPPF) (2024). This requires that in regard to housing development, planning permission should be granted unless:

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well- designed places and providing affordable homes, individually or in combination.

In the context of Gravesham, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in the development plan), relating to any of the following;

- Habitats sites (and those listed in NPPF paragraph 189)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- National Landscape
- Irreplaceable habitats
- Designated heritage assets (and other heritage assets of archaeological interest, see NPPF footnote 75)
- Areas at risk of flooding or coastal change

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 130(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

The proposed development for a net increase of only one residential unit would offer a minimal contribution towards meeting this local need and, accordingly, officers consider this should be accorded appropriate weight in support of the application. However, this has to be balanced against other requirements of the development plan and the NPPF (2024) which require new development to contribute positively to the overall quality of the area, be visually attractive, sympathetic to local character and to create a high standard of amenity for existing and future occupiers.

Principle of Development

The broad principle of residential development of splitting this dwelling into a pair of semi- detached dwellings finds support in the NPPF (2024). Paragraph 61 of the document states;

“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of the groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community”.

In addition, paragraph 73 (d) requires that in order to promote the development of a good mix of sites, local planning authorities should, *inter alia*, “support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”.

The application is within the urban area of Gravesend. Policy CS02 (LPCS) “prioritises development in the urban area as a sustainable location for development”.

Saved Policy H5 of the Local Plan First Review (1994) states that in considering proposals for conversion of existing properties, the building shall be of such a size and arrangement as to be generally unsuitable for single family occupation. The property is currently large with 7 bedrooms, which is considered excessive for a single family dwelling, and converting it into two dwellings would be more practical.

In light of these considerations, there is no objection to the broad principle of the conversion of the property to two residential dwellings, subject to the proposal being appropriate in terms of all other planning issues.

Design, Character and Appearance including Impact Upon the Conservation Area

Policy CS19 of the Gravesham LPSC states new development will be visually attractive, fit for purpose and locally distinctive. New development will conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti- crime standards. The Residential Householder Extension SPD (2021) and the Design Guide SPD (2024) require development to protect the residential amenity of neighbours and to enhance the local built environment.

The application building comprises a detached dwelling with gable ends with a two storey outrigger and single storey additions either side of this. The proposal is to remove the existing rear extensions and to erect a double storey rear extension with 9 roof lights and to install a dormer window to the rear roof elevation along with internal alterations to split the dwelling into two semi- detached dwellings.

The Council’s Householder Extensions/ Alterations Desing Guide (2021) states, with respect to two storey and first floor rear extensions;

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.

The proposed extensions to the dwelling would represent significant additions to it. However, on balance, it is considered that they would not dominate the building. While of reasonably considerable depth and bulk, the extensions would be set in sufficiently from the flank elevations of the building at first floor level with a pitched roof which would be suitably subordinated to (and in keeping with) its main roof, for the proposal to have an acceptable impact upon the character and appearance of the building. Together with matching materials of construction and fenestration, the proposed extensions would sit comfortably with the host building. The flat roof of the single storey element of the proposal is considered acceptable as it would be at the rear of the building. While the ground floor element of the extension would be greater than the width of the building, the first floor element would not be. It would be sufficiently set in from either flank elevation to have an acceptable impact upon its character.

There have been additions and extensions to a number of the neighbouring and surrounding dwellings, particularly the neighbouring property with an almost identical extension;



The adjacent property to the north-east no. 52 Pelham Road has a large two story rear extension which was permitted under application ref. 20150149. This extension has a pitched roof which is in keeping with the roof form of the host building, the two storey flat roof element was an already existing element. The large two storey flat roofed addition at the rear of no. 46 Pelham Road was permitted in 1962. The other additions are the original two storey out-ridgers with single storey additions around them.

The proposed extensions to no.54 Pelham Road and the resulting dwelling would accordingly in be keeping with the character and appearance of the surrounding properties. The impact upon the character of the area when viewed from the rear – the surrounding properties – would be acceptable. The extensions would not impact upon the street scene – except in limited glimpses between the host dwelling and its neighbours – and they would, it is considered, have an acceptable impact upon and preserve the character and appearance of, the Pelham Road/ The Avenue Conservation Area.

The proposed changes to the front elevation of the dwelling – a smaller window to the front dormer and the addition of a window to the front elevation of rear/ side extension – would be minimal and would have an acceptable impact upon the character and appearance of the dwelling, the street scene and the Conservation Area. In respect of design, character and appearance, the proposal would be acceptable, in accordance with Policy CS19 (LPCS), the Council's Householder Extensions/ Alterations Design Guide (2021) and section 12 of the NPPF (2024). The previous ground of refusal has been sufficiently overcome.

Amenity of Future Occupiers

The NPPF (2024) states that planning decisions should aim to secure a high standard of amenity for all existing and future users of a site. The impact on amenity is also considered with regard to the criteria in Policy CS19 which states that new development should be located, designed and constructed to safeguard the amenity, privacy, sunlight and daylight of its occupants and those of the neighbouring properties and land.

The proposal includes the conversion of the dwelling into two semi- detached dwellings. They would both be four bed and would have floorspaces of 197.2sqm and 190.6sqm, comfortably exceeding the minimum standard of 121sqm contained in the Technical Housing Standards (2015) for such dwellings. Their rear garden areas and depths would be 125.7sqm and 41m, and 114.4sqm and 41.3m, respectively. They would both exceed the 100sqm area and 10m depth Council minimums for four bed dwellings.

Each of the bedrooms would exceed the minimum standard of 11.5sqm for a double bedroom as set out in the Technical Housing Standards (2015).

As such in respect of occupier amenity the proposal is considered acceptable in respect of Policy CS19 (LPCS).

Neighbouring Amenity

It is important that any new development safeguards the amenity of the neighbouring occupiers, in accordance with the guidance contained in the Council's Householder Extensions/ Alterations Design Guide (2021), Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and the amenity guidance in

the NPPF (2024).



54 (left) and 52 (right) Pelham Road

The neighbouring dwelling at 52 Pelham Road has had a part single storey/ part two storey rear extension not dissimilar to that proposed in this application. There are no windows in the flank elevation of this extension and while there is one window in the rear elevation of the original dwelling at 52, the stepped in nature and limited depth of the first floor element of the proposal is such that the 45 degree line drawn from this window would not be cut. While there are a few windows in the flank elevation of the original dwelling at 52 facing 54, the outlook from and levels of light to them would not, it is considered, be unduly impinged upon by the extension due to the location of the extension in relation to those windows.

There would be two windows inserted in the flank elevation of the existing dwelling at first floor level (serving a family bathroom and an en suite bathroom), looking towards 52 Pelham Road. It is considered appropriate to obscure these to a minimum height of 1.7m above internal floor level in order to prevent the possibility of overlooking and loss of privacy for 52 (and reverse overlooking) from arising.

Amended plans detailing the velux windows in the flank roof slopes to be a minimum of 1.7m above internal floor level have been received, preventing the possibility of overlooking 52 Pelham Road (previously, the windows were to have been only 1.5m above internal floor level).

It is not considered necessary to restrict the insertion of windows in the flank elevations of the extensions as, at ground floor level, they would look onto the flank elevations of the neighbouring dwellings or the flank boundary fences between the properties and at first floor level and above, such windows would require permission in their own right.



56 (left) and 54 (right) Pelham Road

The neighbouring dwelling at 56 Pelham Road has the original two storey rear projection with single storey additions either side of it. There is one first floor rear facing window in close proximity to the flank elevation

of the dwelling. The stepped in nature and limited depth of the first floor element of the proposal is such that the 45 degree line drawn from this window would not be cut. There is a window in the flank elevation of the original dwelling at 56 facing 54 (in the gable end), however, the outlook from and levels of light to it would not be unduly impinged upon by the extension due to the existing relationship between the buildings.

It is not considered that the increased intensity of use of the site (as two dwellings rather than one larger one) would have an adverse impact upon the amenities of the occupiers of the neighbouring and surrounding dwellings due to noise and disturbance from increased activity on the site, as Pelham Road is a fairly busy road where the dwellings are set well back from the fronts of their plots. The difference in activity levels between a seven- bedroom dwelling and two, four bed dwellings would, furthermore, not be that significant, it is considered.

There would be one window in the flank elevation of the ground floor element of the proposed extension looking towards 56 Pelham Road. However, this is shown to be a high level window: the possibility of overlooking would from it would not arise, therefore (and the window would look onto the flank elevation and boundary of 56). There would also be two windows inserted in the flank elevation of the existing dwelling at first floor level (serving a family bathroom and an en suite bathroom), looking towards 56 Pelham Road. It is considered appropriate to obscure these to a minimum height of 1.7m above internal floor level in order to prevent the possibility of overlooking and loss of privacy of 56 (and reverse overlooking) from overlooking.

Amended plans detailing the velux windows in the flank roofslopes to be a minimum of 1.7m above internal floor level have been received, preventing the possibility of overlooking 56 Pelham Road (previously, the windows were to have been only 1.5m above internal floor level).

With modern means of insulation required by the Building Regulations, it is not considered that the two semi- detached dwellings would have an adverse impact upon each other.

None of the other nearby or surrounding dwellings would be unduly impinged upon by the proposal in terms of noise, disturbance or overlooking and loss of privacy due to the distances involved.

The proposed development is therefore considered to comply with the guidance contained in the Council's Householder Extensions/ Alterations Design Guide (2021), Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and the amenity guidance in the NPPF (2024).

Parking and Highways

The front garden of the dwelling is fully laid to hardstanding and can accommodate four cars. It would be shared between the two dwellings – two spaces per dwelling. This is considered to be adequate parking provision in this location which is fairly close to the town centre and on a bus route.

The proposed development is therefore considered to be acceptable with regard to saved Policy P3 of the Gravesham Local Plan: First Review (1994) and Policy CS11 (LPCS), with regards to parking and transport.

Cycle parking spaces are not indicated on the submitted plans. It is considered appropriate to require two spaces per dwelling, in accordance with Kent County Council standards. This may be conditioned.

KCC Biodiversity

Thames Estuary and Marshes Special Protection Area (SPA) and SAMMS

The application site falls within 6km of the Thames Estuary and Marshes Special Protection Area (SPA) classified in accordance with the European Birds Directive which requires Member States to classify sites that are important for bird species listed on Annex 1 of the European Directive, which are rare and/or vulnerable in a European context, and also sites that form a critically important network for birds on migration. It is also listed as a Wetland of International Importance under the Ramsar Convention (Ramsar Site).

Studies have shown marked declines in key bird species, particularly in areas that are busiest with recreational activity. Research conducted in 2011 found that additional dwellings were likely to result in additional recreational activity, causing disturbance to protected bird species that over-winter or breed on the SPA and Ramsar Site. The studies found that 75% of recreational visitors to the North Kent coast originate from within 6 km of the SPA boundary and Ramsar Site. The impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European Sites. The Borough Council has mitigated out the impacts of this on each and every planning application for a new residential development of one or more units within the 6km zone since September 2015 by accepting a Strategic Access Mitigation and Monitoring Strategy (SAMMS) (tariff) payment (currently £337.49 per dwelling). This approach is approved by Natural England for all new residential developments.

For every planning application for a new dwelling (including new flats) which does not require any other contributions to be secured through a s106 legal agreement or unilateral undertaking the tariff has been secured through a contribution agreement. The tariff has been accepted effectively in lieu of an Appropriate Assessment (AA) under the Habitat Regulations and thus avoiding the need to progress into a full AA.

However a more recent Court of Justice European Union (CJEU) ruling means that this approach is now no longer valid and although the mitigation measures (in the form of a tariff payment) will still need to be made the first stage will be a screening assessment as to whether the development either alone or in combination, is likely to have significant effects on a designated site without mitigation. The CJEU sees a distinction between “the plan or project” itself and “measures intended to avoid or reduce the harmful effects of a plan or project on a European site”. This means that mitigation measures, which are intended to avoid or reduce effects, should be assessed within the framework of an AA and cannot be taken into account at the screening stage.

This proposal would result in the net addition of one unit and the applicant has paid the required tariff (£337.49). The Local Planning Authority is therefore satisfied that the proposal has put in place adequate measures to mitigate potential significant adverse effects on the Thames Estuary and Marshes SPA/Ramsar site and as such the proposal accords with Policy CS12 (LPCS) and paragraphs 193 and 194 of the NPPF (2024). This has overcome the previous grounds of refusal.

Biodiversity Net Gain

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

The application is for a custom self-build housing development and has been supported by a self-build statement. As such, the self-build BNG exemption has been met and the 10% net gain is not relevant.

Refuse and Recycling

The submitted proposed block plan indicates refuse and recycling storage areas for both of the proposed dwellings. These are within the 25m refuse carrying distances for refuse operatives and householders.

Permitted Development Rights

It is considered appropriate and necessary to remove the permitted development rights for the dwellings regarding Classes A, B and C of Part 2 of Schedule 1 of the Town and Country Planning (General Permitted Development) Order 2015 such that future development at the properties may not harm the amenities of each other or the neighbouring properties.

Archaeology

Given the form of development proposed and the quite significant extent of hardstanding on the site, it is not considered that the proposed development would have any adverse impacts on archaeological remains.

Conclusion

The proposed development would have an acceptable impact upon the character and appearance of the dwelling, the street scene and the Pulham Road/ The Avenue Conservation Area. The extension would respect the scale and proportions of the existing building, would not impact upon the street scene and would not harm the amenities of the neighbouring occupiers.

The division of the dwelling to two four- bedroom dwellings would not unduly impact upon the amenities of the occupiers of the neighbouring or surrounding properties through increased noise and disturbance or overlooking. With modern methods of insulation, the dwellings would not unduly impact upon each other either.

Highway safety and parking issues would not arise from the proposal.

The proposed development therefore accords with the requirements of the Householder Extensions/ Alterations Design Guide (2021), Policy CS19 of the Local Plan Core Strategy (2014) and paragraph 135 of the National Planning Policy Framework (2024), in terms of design, character and appearance.

Recommendation

The recommendation is to approve this application.

(For detailed reasons for approval and informatives, see draft Decision

Case Officer:	Mr Tom Gabriel	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	17 th September 2025	Dated:	18 September 2025