



Delegated Report

Variation of Condition Application

Planning Application No: 20260315

Location: 90 Downs Road Istead Rise Gravesend Kent

Description: Application for variation of condition 2 (Approved Plans) attached to planning permission reference number 20250937 for the Erection of a 3 bed detached residential property and garage to allow alterations to the design of the house.

Applicant: Alder Homes Ltd

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Planning Application Form;
Drawing No. 2603 / IRG / SLP.01 – Rev P1 – Proposed Site Layout Plan;
Drawing No. 2603_IRG-01 Rev P1 – GA Ground Floor Plan;
Drawing No. 2603_IRG-02 Rev P1 – GA First Floor Plan;
Drawing No. 2603_IRG-03 Rev P1 – Elevations (Half Weatherboarded / TH);
Drawing No. 2603_IRG-CB-G Rev P1 – Garage / Car Barn; and
Covering Letter.

Relevant Planning History

Reference	Description	Decision	Decision Date
20250937	Erection of a 3 bed detached residential property and garage.	Permitted	04.02.2026

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 4 – Decision-making
- Section 8 – Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural 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)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

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

KCC Highways and Transportation

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Local Highway Authority in accordance with the current consultation protocol arrangements. However if there are any material highway safety concerns that you consider should be brought to the attention of the Local Highway Authority, then please contact us again with your specific concerns for consideration.

GBC – Environmental Protection

There is no objection to this variation.

Neighbouring properties

The application has been advertised by site notice and individual letter to one property. No letters of representation have been received. The overall consultation period expired on 23.04.2026.

Officer's Analysis

Proposal

This application seeks planning permission for variation of condition 2 attached to planning permission reference number 20250937 for the Erection of a 3 bed detached residential property and garage to allow alterations to the design of the house. The variation would allow the substitution of drawings 90-DRG-10 Rev B Site with Topo, 90-DRG-11 Rev B – Site Plan with out Topo, 90-DRG-001 Rev A – Proposed Floor Plans, 90-DRG-002 Rev A – Proposed Elevations, 90-DRG-003 Rev A - Proposed Garage Plans and Elevations; with drawings 2603 / IRG / SLP.01 – Rev P1 – Proposed Site Layout Plan, 2603_IRG-01 Rev P1 – GA Ground Floor Plan, 2603_IRG-02 Rev P1 – GA First Floor Plan, 2603_IRG-03 Rev P1 – Elevations (Half Weatherboarded / TH) and IRG-CB-G Rev P1 – Garage / Car Barn respectively showing minor external changes to the house and garage.

These changes consist of:

- Garage will be detached as opposed to an integral garage;
- Enlargement of the dormer windows in the roofspace;
- Addition of two velux windows on rear elevation and one velux on front elevation; and
- Rear elevation change with insertion of doors in place of kitchen door and window.

The location of the property remains the same as approved. The development will still provide for three bedrooms and garage for two vehicles.

Condition 2 reads:

The development hereby permitted shall be carried out in accordance with the following approved plans:

Planning Application Form;

Drawing No. 90-DRG-1001 Rev B - Site Location Plan;

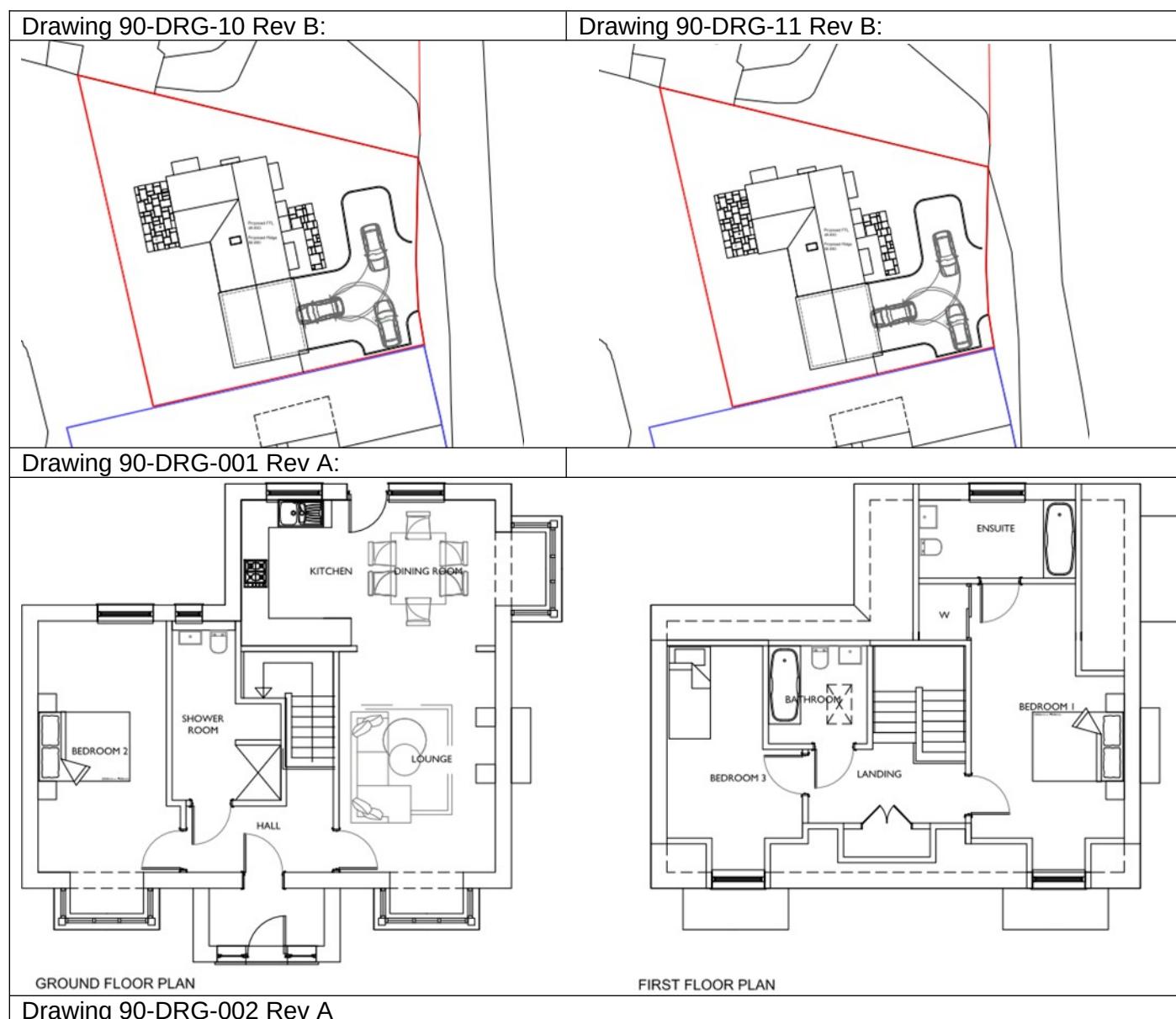
Drawing No. 90-DRG-001 Rev A - Proposed Floor Plans;

Drawing No. 90-DRG-002 Rev A - Proposed Elevations;

*Drawing No. 90-DRG-003 Rev A - Proposed Garage Plans and Elevations;
Drawing No. 90-DRG-10 Rev B - Site Plan with Topo;
Drawing No. 90-DRG-11 Rev B - Site Plan without Topo;
Drawing - On-site Post Intervention Map;
Drawing - On-site Baseline Map;
Supporting Information - Planning Statement;
Supporting Information - Design and Access Statement;
Supporting Information - Preliminary Ecological Appraisal;
Supporting Information - Covering Letter;
Supporting Information - Biodiversity Net Gain Report (Ref: 1527); and
Supporting Information - BNG Metric.*

Reason For the avoidance of doubt and in the interests of proper planning.

Drawings 90-DRG-10 Rev B, 90-DRG-11 Rev B, 90-DRG-001 Rev A, 90-DRG-002 Rev A, 90-DRG-003 Rev A are shown below:

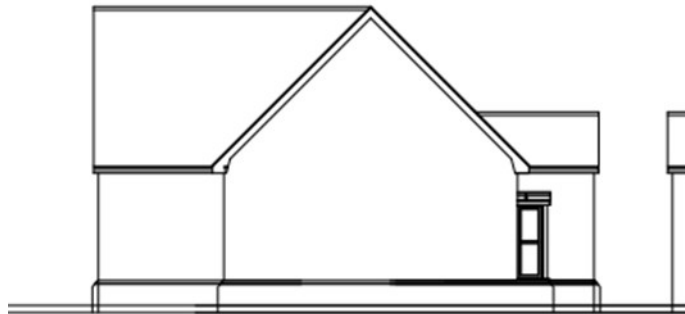




FRONT ELEVATION



REAR ELEVATION

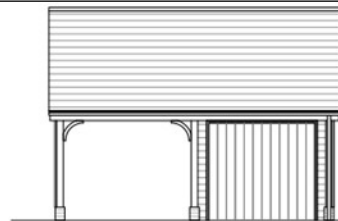


SIDE ELEVATION

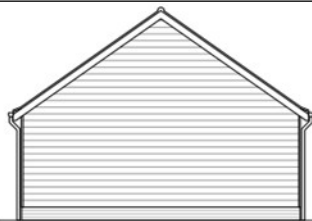


SIDE ELEVATION

Drawing 90-DRG-003 Rev A



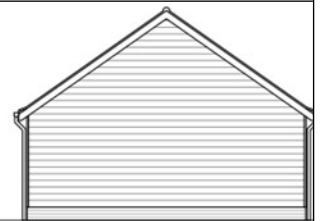
FRONT ELEVATION



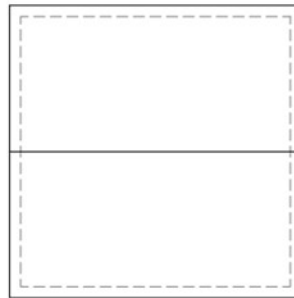
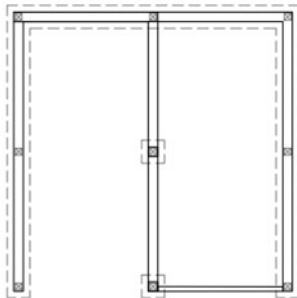
SIDE ELEVATION



REAR ELEVATION



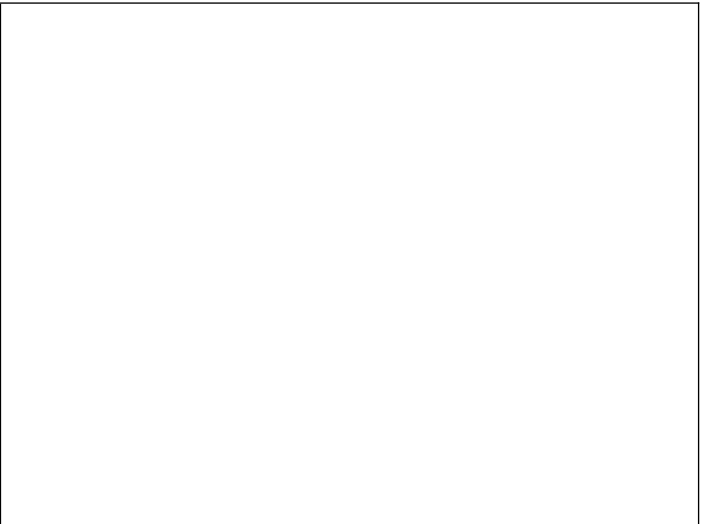
SIDE ELEVATION



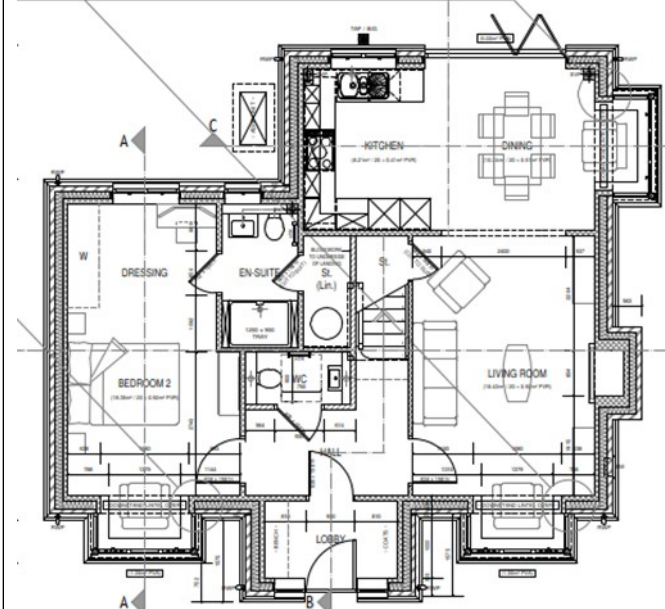
The application is proposing to replace these drawings with drawings 2603 / IRG / SLP.01 – Rev P1, 2603_IRG-01 Rev P1, 2603_IRG-02 Rev P1, 2603_IRG-03 Rev P1 and IRG-CB-G Rev P1 shown below:



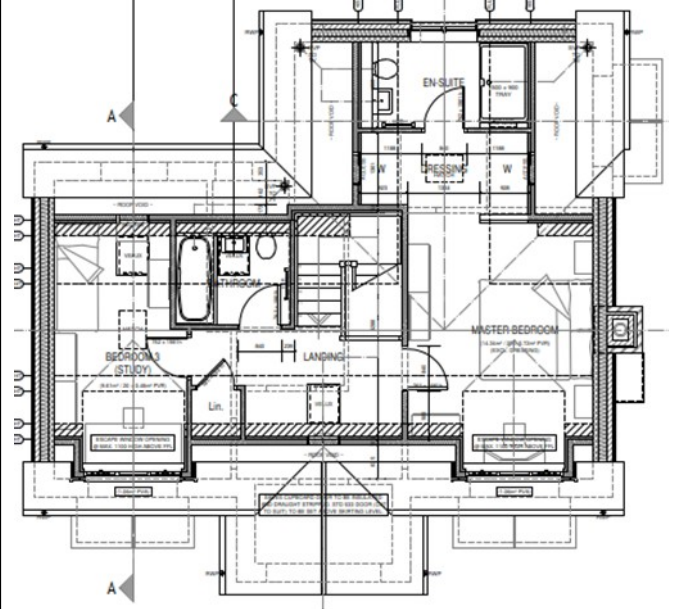
Drawing 2603_IRG-01 Rev P1



Drawing 2603_IRG-02 Rev P1



Drawing 2603_IRG-03 Rev P1





Drawing IRG-CB-G Rev P1



Principle of Development

As this application is for a variation of condition 02 the principle of development has already been determined and is therefore not repeated in this report. The changes relate to the internal arrangement and use of materials and therefore the main considerations are design, character and appearance and amenity.

Design, Landscape Character and Appearance

The application site is located within the Istead Arable Farmlands Landscape Character Area. The proposed changes to the approved scheme relate only to the arrangement of the garage and some of the windows and doors of the dwelling. The location and arrangement of the property and number of bedrooms would remain the same. The garage would be not integral and would be detached with a pedestrian access separating the dwelling and the garage but would remain in the similar location, design and provide the same number of parking spaces. No objection is raised to this. The design of the property remain as a chalet style bungalow with dormer windows to the front. The proposed amendments increase the size of the front dormers, however their location, overall design and outlook would be the same as the approved. The increased size would still be acceptable in their setting and do not overwhelm the roof or provide additional views of the approved. Furthermore the amended dormers would create a more balanced view when viewed with the ground floor front windows. To the rear the first floor gable window would remain unchanged, the amendment includes one additional rooflight which would not result in visual clutter. The ground floor door and window to the dining area would be replaced with bifold doors which would not detract from the main property and would not be visible from public vantage points.

Overall the proposed amendments would not significantly alter the approved design and layout of the property and are considered acceptable in their context.

The proposed changes will have no detrimental impact on the surrounding Landscape Character Area and therefore accord with policies CS12 and CS19 of the Gravesham Core Strategy 2014 and paragraph 135 of the National Planning Policy Framework 2024.

Amenity

Neighbouring Amenity

The proposed property would remain the same size as previously approved. The change to the garage becoming detached, would bring it slightly closer to the southern border, however this would still be set away from the common boundary and significantly away from the existing dwelling No. 90. The front dormers afford views over the front driveway and highway only and therefore their increase in size would not result in any detrimental overlooking. The additional rear rooflight would not afford any additional unacceptable overlooking. The amendments to the garage and windows/doors would not result in any additional impact on any neighbouring property in terms of loss of outlook, privacy, sunlight or daylight.

The proposal therefore accords with policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2024 in relation to amenity.

Ecology and Biodiversity

Biodiversity Net Gain

Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better quality natural habitat than there was before development.

As the application is a s73 application BNG is not required.

Parking and Highways

The proposed changes to the garage and dwelling do not result in any alterations to the parking

arrangements or access as the garage would still provide 2no. parking spaces and be located in the same area of the site and therefore no objection is raised on highways grounds.

Conclusion

The proposed changes will have no detrimental impact on the surrounding landscape character or neighbouring amenity and therefore accord with the abovementioned policies and are recommended for approval.

Recommendation:

Permission

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

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:	<i>A Cue</i>	Signed:	<i>R Hart</i>
Dated:	28 th May 2026	Dated:	28 th May 2026