



# Delegated Report

## Householder Planning Application

**Planning Application No:** 20260550

**Location:** 11 Lake Drive Higham Rochester Kent

**Description:** Demolition of existing garage and erection of a single storey rear/side extension with roof lights. Re-location of front entrance door and alterations to fenestration.

**Applicant:** Mrs Hilary Stevens

**Site Visit Date:** 20/07/2026

### Submitted Documents/Plans

- Application Form
- Site Location Map
- Drawing No: 005 REV B (Proposed Elevations & Section)
- Drawing No: 004 REV B (Proposed Floor Plans)
- Drawing No: 006 (Proposed Location & Block Plan)
- Drawing No: 001 (Existing Location & Block Plan)
- Drawing No: 002 (Existing Floor Plan)
- Drawing No: 003 (Existing Elevations & Section)

### Superseded

- ~~Drawing No: 005 REV A (Proposed Elevations & Section)~~

### Relevant Planning History

| Reference | Description                                                                                                                                                           | Outcome             | Decision Date |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------|
| 20250153  | Demolition of existing garage. Erection of a single storey front extension, two storey side extension and part single/part two storey rear extension with roof light. | Permitted           | 09.05.2025    |
| 20210577  | Erection of a single storey front extension, two storey side extension and part single/part two storey rear extension                                                 | Permitted           | 04.08.2021    |
| 20171175  | Erection of a two storey side extension, part two storey and part single storey rear extension and erection of a single storey front extension.                       | Application Refused | 09.01.2018    |
| 20170195  | Erection of a two storey side extension and single storey rear extension.                                                                                             | Application Refused | 24.04.2017    |

### Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Saved Policies in the Gravesham Local Plan First Review (November 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

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Technical Housing Standards – Nationally Described Space Standard (2015)
- 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**

### Local Ward Councillors

No comments received.

### Higham Parish Council

No comments received.

### Dickens Country Protection Society

*"The Society would wish to comment that after the loss of the garage, the proposed front porch appears to be encroaching on the remaining on site parking."*

### Neighbouring properties

The application was advertised by way of letters to 6 surrounding properties. The consultation period expired on 29.06.2026 and one representation was received. The main points raised were:

- Concerns that the relocation of the front entrance would appear out of keeping with the established character and layout of Lake Drive.
- Objection to the raising of ground/floor levels to match the existing dwelling, which is considered detrimental to neighbouring properties.
- Concern that the proposal would be out of character with the street scene, particularly given the sloping topography of the road.
- The development is considered to be overly large in scale, extending substantially beyond the existing dwelling and garage.
- Concerns that the proposed front entrance and raised levels would require steps to the front and rear of the property.
- Concerns that the front steps could reduce available driveway parking space and that rear works may affect garden/green space.
- Reference made to the extent of hard surfacing and construction works, with concerns regarding potential environmental impacts.
- Concerns raised regarding possible drainage and flood risk issues associated with the development.



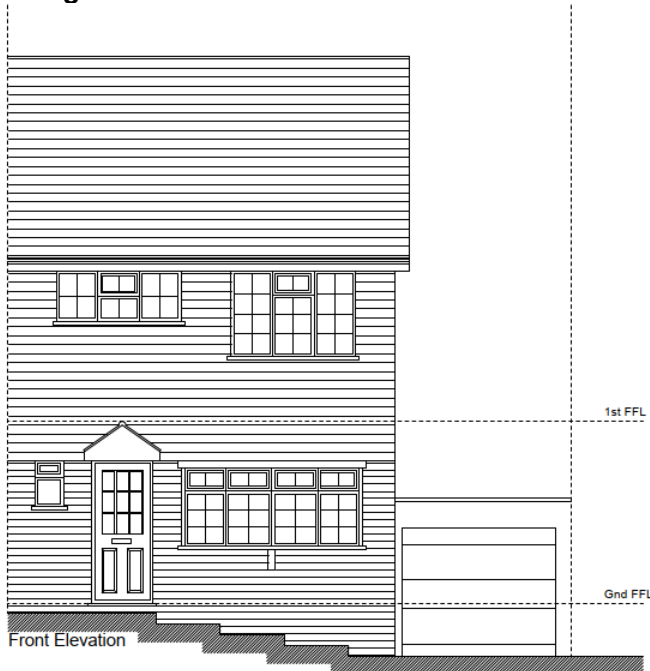
- Loss of privacy and overlooking identified as the principal concern, including:
  - a. Potential views towards a neighbouring property's front-facing living room area from the relocated entrance and access steps.
  - b. Potential overlooking of neighbouring rear gardens due to the raised floor levels and rear extension.

## Analysis

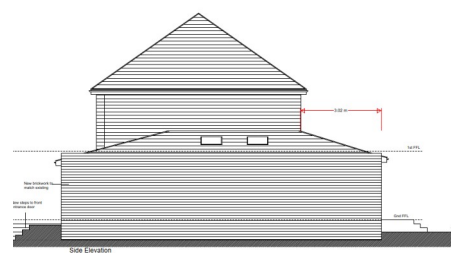
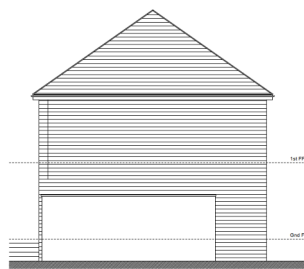
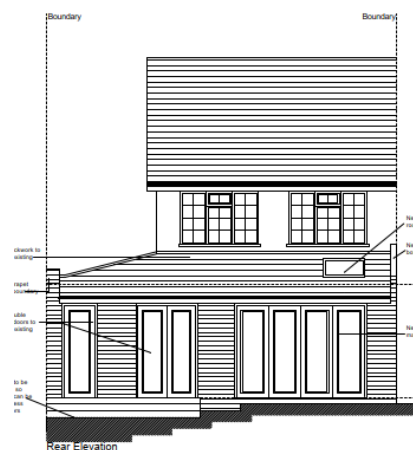
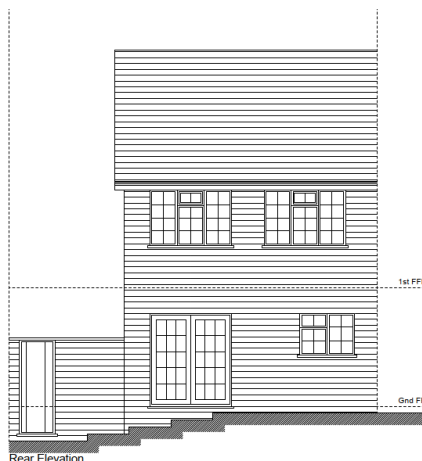
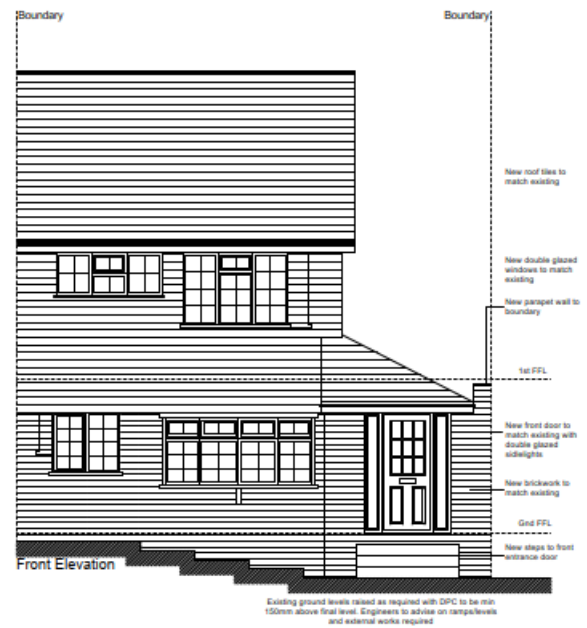
## Proposal

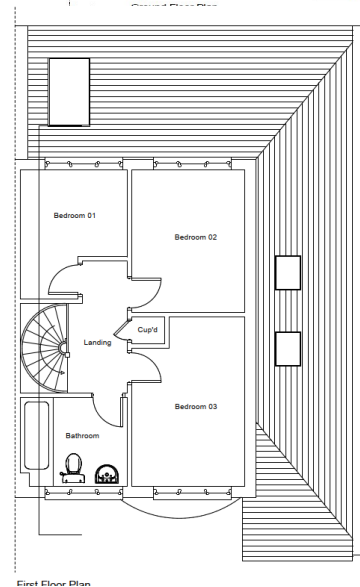
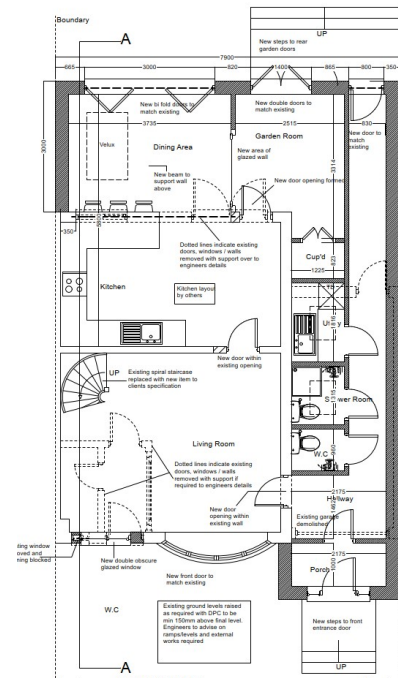
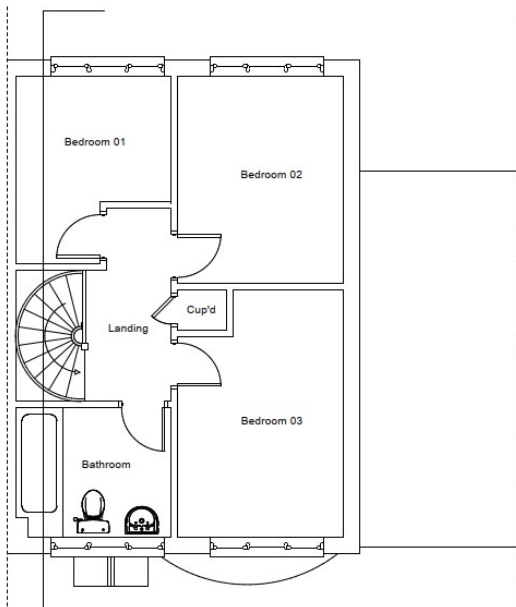
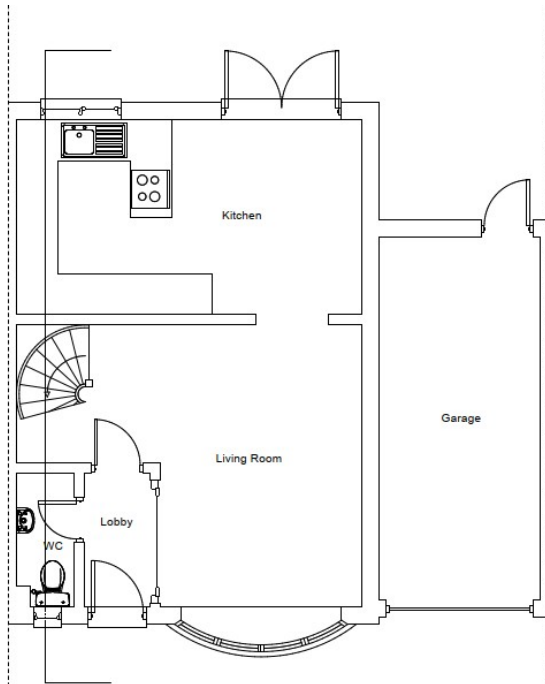
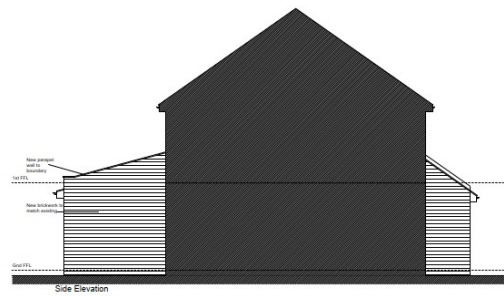
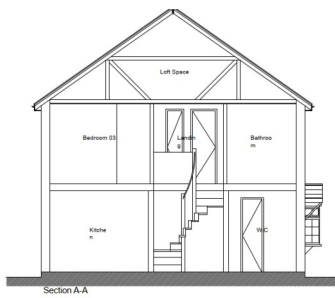
The proposal seeks the demolition of the existing garage and erection of a single storey rear/side extension with roof lights. Re-location of front entrance door and alterations to fenestration.

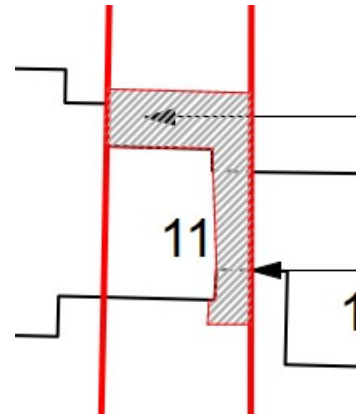
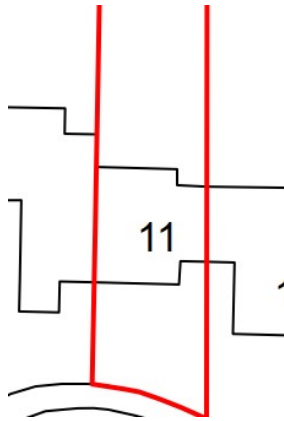
### Existing



### Proposed



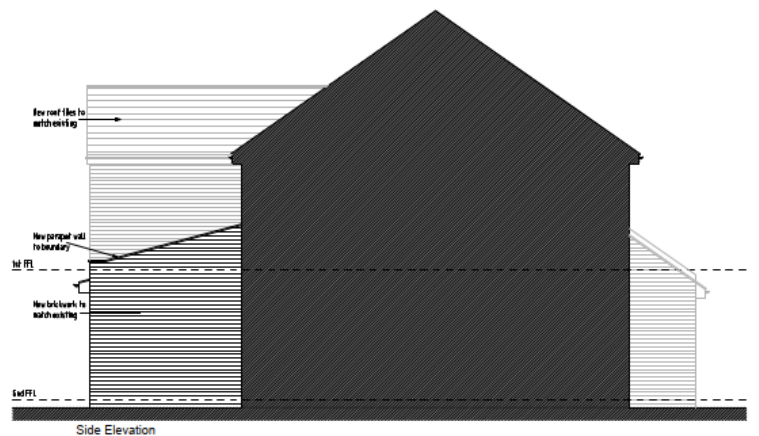
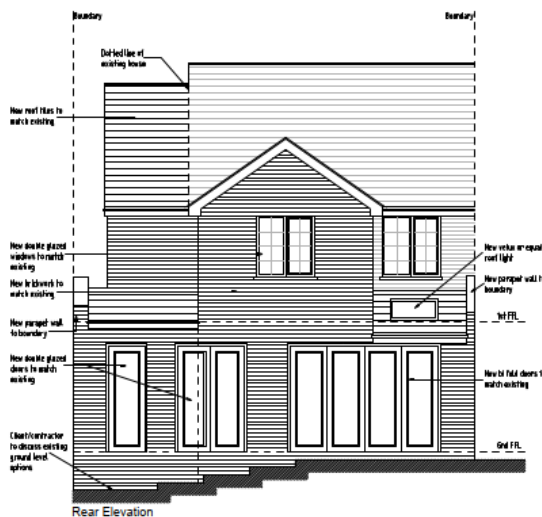
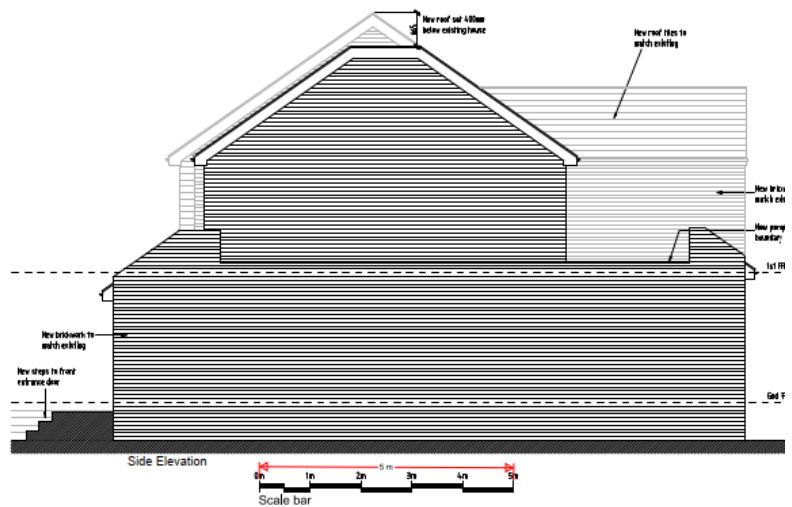
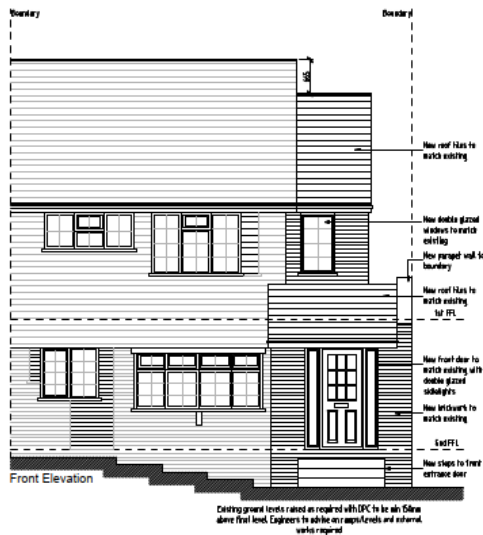




### Background

There have been a number of application at this application site for a similar extension, albeit to a larger scale spanning over two floors. The most recent proposal was granted consent on 09.05.2025 under reference 20250153 for the "Demolition of existing garage. Erection of a single storey front extension, two storey side extension and part single/part two storey rear extension with roof light."

The below extract was taken from the above application and shows the extent of works previously permitted:



The applicant has revised the plans and scaled them down to a single storey level, despite being smaller in scale a new grant of planning permission is required as it is significantly different to the previously permitted plans.

### Character and Appearance

The application site is a two storey semi detached house in use as a single family dwelling. The site is situated within the rural parish of Higham and within a landscape character area. The site is located on the northern side of the highway and is accessible via steps which lead to the front door due to the gradient of the land. The properties' attached garage is joined to the neighbouring property known as No.13 Lake Drive.

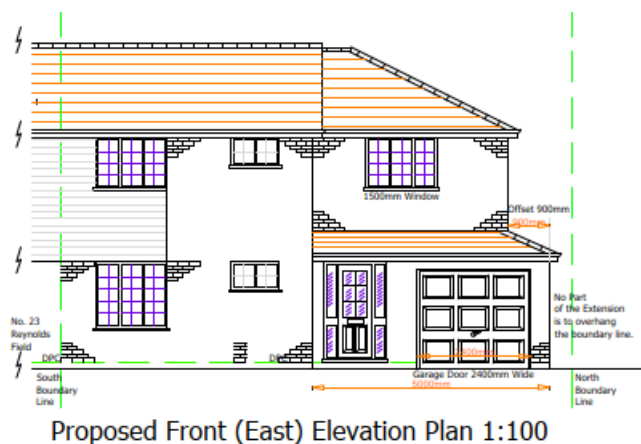
The below images are taken from google street view and show the frontage in 2012 and more recently in 2023.



The current proposal is scaled back from the previously permitted application under reference 20250153, it has omitted all development above ground floor level. The revised proposal still retains the relocation of the front door which is accessible via steps into the property, in order to facilitate this development the side garage will be demolished. The roof form of the front and side extension has been altered from a false pitch to a hipped monopitch which will be finished with a parapet on the flank elevation. The side extension will project past the existing garage depth and past the front elevation and will join the single storey rear extension.

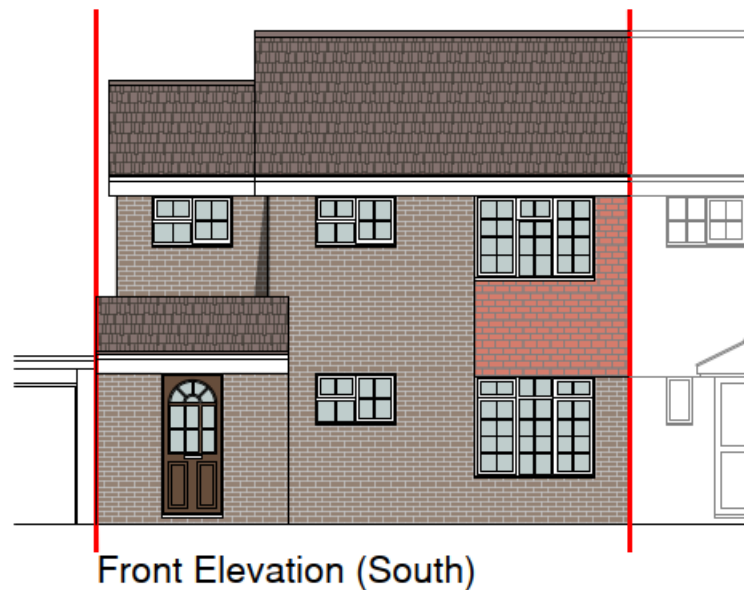
A similar but larger scale development has been permitted at 25 Reynolds Field under reference 20221175, although it is noted that this has not been built as of yet. This permission does however mean that such extensions are considered appropriate in design and character in this location.

The below extract is of the permitted plans at No.25



A Larger extension was also permitted under reference 20211148 at No. 5 Lake Drive – this also has not been built as of yet.

The below extract is of the permitted plans at No.5



As can be seen from the above examples which are in the proximity of the application site, the area is characterised by larger two storey side extensions, therefore the proposed would not appear out of character nor bulky or out of scale given the surrounding examples.

The rear element of the proposal, is not visible from a public vantage point and is not liable to have an impact on the public realm. The depth of the extension is not excessive at 3m and due to the gradient of the land the extension will have a height of 3.6m from the adjoining property at No. 9 which is situated on slightly higher land and 3.3m from the adjoining property at No.15 which is situated on lower ground. The height and scale of the development is considered to be acceptable.

The proposal shows some alterations to the land levels which allow a ramp and some steps which will provide access in and out of the property to the rear, this is part width and located on the shared boundary with No.15. It is not considered to be excessive in depth and is necessary to allow for access in and out of the property due to the changing land levels.

Soft landscaping is characteristic of the property frontages in Lake Drive, the planting contributes positively to the road and softens the road which would otherwise have a harsh urbanised feel. Whilst the proposed development will result in the loss of some soft landscaping to development it is important that any soft landscaping is restored post development. This will be secured by way of a condition.

The proposed development is acceptable and is of a reduced scale to the previously permitted application in which the principle of development has already been established. The proposal is therefore compliant with CS19 Local Plan Core Strategy 2014.

#### Amenity of Future Occupiers

The proposal will increase the internal living space and post development the resultant garden space will be 122sqm which is compliant with the councils technical standards.

The proposal safeguards the amenity of future occupiers in line with SPG2 Residential Layout Guidelines 2020.

#### Neighbouring Amenity

The application site is situated between No.9 and 15 Lake Drive.

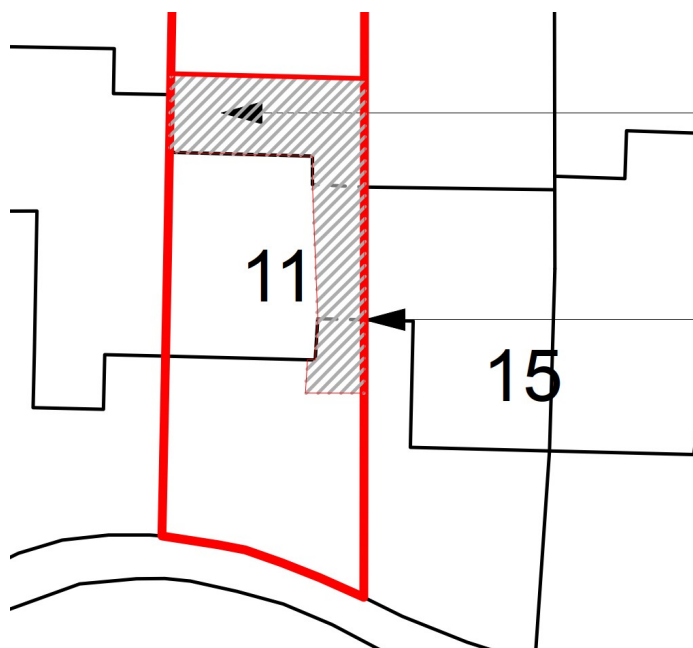


### Impact on No.9 Lake Drive

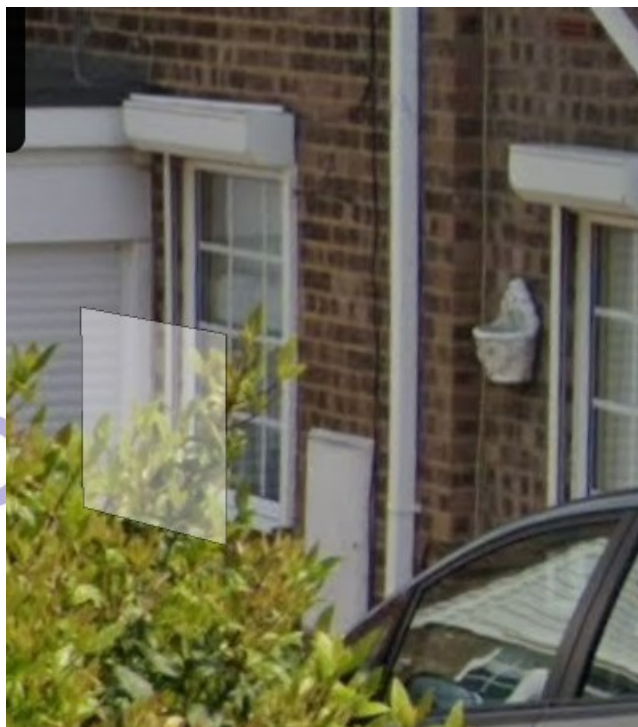
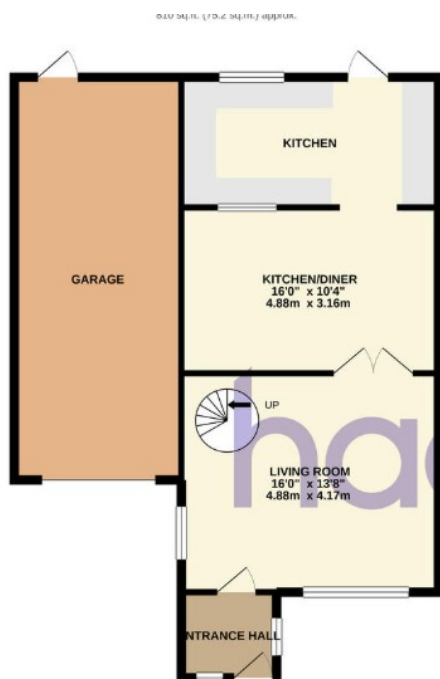
This property forms part of the semi and the land levels are slightly higher in the garden of No.9. The proposed extension has a depth of 3m and a height of 3.6m from the garden level of No.11, there are no windows proposed in the flank elevation of the development. The proposal is no excessive in scale and would not materially harm any light or outlook currently received by this property. There are no concerns relating to privacy due to there not being any flank windows in the extension.

### Impact on No 15:

This property is situated to the East and is situated on lower ground. No 15 is sited further forward of the application site and has a flank window which faces the proposed extension.



Concerns were raised regarding a loss of privacy to this window as a result of the steps leaving the proposed front extension. The below plans have been retrieved from a previous sale record and indicate that the flank window is a secondary window which serves a lounge. As this is a secondary window and it is not a particularly large window it is not considered to result in material harm.



Due to the path of the sun and the garages which separate both properties there would not be a meaningful loss of light. In terms of outlook there are no concerns as the dwellings are separated by a gap which is currently occupied by two attached garages.



The height is not excessive on this side and given the path of the sun there would not be a significant loss of light as the gardens are north facing.

The proposed development is not considered to detrimentally impact neighbouring amenity. In order to further safeguard amenity a condition will be imposed which will prohibit the insertion of any flank windows.

The proposal safeguards the amenity of future occupiers in line with SPG2 Residential Layout Guidelines 2020.

#### Parking and Highways

The proposal would result in the loss of a garage parking space and a reduction in the depth of the existing driveway. In addition, the submitted plans do not provide sufficient detail regarding any replacement parking provision or the extent of the proposed hard and soft landscaping works.

Whilst the existing garage is considered substandard in terms of modern parking standards, having an entrance width of approximately 2.15m, it nevertheless remains capable of accommodating a smaller vehicle and is therefore considered to contribute towards the site's existing parking provision.

It is noted that planning permission for a previous scheme under reference 20210577 was granted subject to a condition requiring details of additional parking provision, primarily as a consequence of the increase in the number of bedrooms. In the current submission, the block plan does not show the proposed access steps to the dwelling. As these works may further reduce the usable depth of the driveway, the final parking arrangement cannot be fully assessed from the submitted plans.

Notwithstanding this, it is considered that the outstanding details can be appropriately secured by condition.

Accordingly, a condition will be imposed requiring the submission and approval of details relating to the hard and soft landscaping, levels, access arrangements and parking provision prior to the first occupation of the development. This will ensure that satisfactory parking and landscaping are provided and retained in the interests of visual amenity and highway safety.

#### Any Other Material Planning Considerations

Impact on the Landscape - in addition to being inset from the Green Belt, the property is located within the Higham Arable Farmlands Landscape Character Area. This area is characterised by very gently undulating topography of open arable farmland with pockets of orchards and garden nurseries. The developments spread from the original Saxon settlement of Lower Higham in the North, to more contemporary developments in the South around main road networks.

Policy CS12 (LPCS) seeks to protect the Green infrastructure within the Borough and states at 5.7.26 the overall landscape character and valued landscapes will be conserved, restored and enhanced.

The proposed development is not considered to impact on the Higham Arable Farmlands as the application dwelling is located in the rural settlement. Therefore the proposal is in accordance with Policy CS12 (LPCS).

#### **Conclusion & Recommendation**

Permission is recommended subject to conditions

(For detailed conditions and informatives, see draft Decision)

|                      |                                                                                     |                     |                                      |
|----------------------|-------------------------------------------------------------------------------------|---------------------|--------------------------------------|
| <b>Case Officer:</b> | Mrs Sharon Sahota                                                                   | <b>Team Leader:</b> | <b>Richard Hart</b>                  |
| <b>Signed:</b>       |  | <b>Signed:</b>      | <i>R Hart</i>                        |
| <b>Dated:</b>        | <b>09/09/2026</b>                                                                   | <b>Dated:</b>       | <b>9<sup>th</sup> September 2026</b> |