



Appeal Decision

Site visit made on 24 April 2026

by F Leung BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2026

Appeal Ref: 6006459

1 Marina Drive, Northfleet, Gravesend, Kent DA11 9LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Asif Tanveer against the decision of Gravesend Borough Council.
 - The application Ref is 20251291.
 - The development proposed is described on the application form as “proposed single storey rear extension”.
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing lean-to and the erection of a single-storey rear extension with rooflights at 1 Marina Drive, Northfleet, Gravesend, Kent DA11 9LQ in accordance with the terms of the application, Ref 20251291, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with Drawing Nos 240701 L 010 (titled “Site Location Plan as Existing”), 240701 L 011 (titled “Site Plan as Proposed”), 240701 L 012 (titled “Plans as Existing & Proposed”), 240701 L 0.13 (titled “Elevations as Existing”), and 240701 L 014 (titled “Elevations as Proposed”).
 - 3) The external surfaces of the development hereby permitted shall match those used in the existing dwelling.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or doors, shall be constructed on the north-east side elevation of the development hereby permitted.

Preliminary Matters

2. Notwithstanding the description of development set out in the banner heading above, which is taken from the application form, it is clear from the plans and accompanying details that the proposal comprises the demolition of the existing lean-to and the erection of a single-storey rear extension with rooflights, as described in the Council’s decision notice. Accordingly, the formal decision has adopted the description of development from the Council’s decision notice, as it more precisely describes the proposal. The appellant has also adopted the same description in the appeal statement and appeal form, and I am satisfied that neither party is prejudiced by this course of action.

Main Issue

3. The main issue is whether the proposal would provide acceptable living conditions for the existing and future occupiers of the appeal property, with regard to the provision of external private amenity space.

Reasons

4. The appeal property is a two-storey semi-detached dwellinghouse which shares a wall with 74 London Road. The appeal site is broadly triangular, with a tapered rear garden and a wide front garden. The property also benefits from a garage to the side of the host building.
5. The proposed single-storey rear extension would project approximately 3.5m from the rear elevation of the host building, thereby reducing the available usable garden area of the property.
6. The Supplementary Planning Guidance 2 – Residential Layout Guidelines including Housing Standards Policy Statement October 2015 (amended in 2020) (the SPG) advises that, where an existing three-bedroom dwelling is extended, a minimum rear garden area of 60sqm should be retained, with a minimum depth of 10m measured from the rear wall of the dwelling. This is to allow for adequate outside storage, leisure use, clothes drying and play space.
7. The remaining size and depth of the rear garden would fall below the SPG requirements. However, based on the evidence before me, I agree with the appellant that the Council's calculation has omitted part of the usable rear garden area, and that the remaining usable rear garden area would be approximately 50sqm. Given the triangular shape of the rear garden, the remaining depth would vary from around 3m to 8.7m.
8. The SPG also acknowledges that minimum garden depths and areas may be modified in exceptional circumstances, and that schemes should be considered on their individual merits, having regard to any exceptional circumstances and other material considerations. In this instance, a substantial proportion of the rear garden would be retained, which given its position relative to the trajectory of the sun would be a pleasant light useable area. In practical terms, this remaining rear garden space could reasonably accommodate typical day-to-day activities such as sitting out, play and clothes drying.
9. In addition to the main area of the rear garden, there is a side area between the host building and the garage. Although narrower in form, it remains a sizeable space, enclosed behind a secured side access gate. It could reasonably contribute to overall private external amenity provision, for example as outdoor storage space and for drying clothes.
10. The appeal property also benefits from a generous front garden. In addition to the hard-surfaced access and driveway, it includes a sizeable grassed area. While the front garden may not offer the same degree of privacy as the rear garden, it is clearly defined by low boundary walls and lies within the land under the appellant's declared ownership. In these circumstances, it could reasonably provide additional usable outdoor space for the exclusive use of the occupiers, including for leisure and play.

11. Taking the remaining area of the rear garden together with the other usable areas in the side area and the front garden, the proposal would retain an overall adequate level of private amenity space to meet typical day-to-day needs of the occupiers. It would therefore generally meet the overall objectives of the SPG, as it would allow for the provision of adequate outside storage, leisure use, clothes drying and play space.
12. The Council refers to a previous appeal decision elsewhere in the Borough (Appeal Ref: APP/K2230/D/23/3326998). However, that case is not directly comparable to the appeal proposal. Based on the available evidence, the Inspector in that case found that it would be impractical to use large sections of the remaining garden as play space or for the drying of clothes. Moreover, the property in that case did not benefit from a generous usable front garden. Consequently, the material differences involved limits the weight of this other case in the determination of the appeal.
13. Overall, the proposal would provide acceptable living conditions for the existing and future occupiers of the appeal property, with regard to the provision of external private amenity space. It would therefore accord with Policy CS19 of Gravesham Local Plan Core Strategy (adopted in 2014). Amongst other matters, this policy seeks to ensure new development safeguards the amenity of its occupants and provides appropriate levels of private amenity space.
14. The proposal would also be consistent with the National Planning Policy Framework (published in 2024) which stipulates that planning decisions should ensure that developments create places with a high standard amenity for existing and future users.

Other Matters

15. An interested party has raised concerns regarding the effect of the proposal on their living conditions, with particular regard to privacy and outlook. Concerns have also been raised about safety and security due to an alleged lack of boundary treatment between the appeal property and its neighbours. There is no dispute between the Council and the appellant on these matters, and I am satisfied that subject to the imposition of an appropriate condition to prevent overlooking, the proposal would not unacceptably harm the living conditions of neighbouring residents. In relation to concerns about boundary treatment, this is not a matter that is before me, and consequently this is a private matter between the relevant parties that does not have a material bearing on the outcome of the appeal.

Conditions

16. The Council has suggested a set of conditions in the event that the appeal is allowed. In imposing conditions, I have had regard to the tests within the National Planning Policy Framework, the Planning Practice Guidance, and relevant statute, and have accordingly amended the wording of certain conditions proposed by the Council without altering their aim.
17. Conditions specifying the time for commencement and requiring compliance with the approved plans are necessary for reasons of certainty.

18. A further condition requiring external materials to match the existing dwelling is also necessary in order to ensure that the proposed development integrates satisfactorily with the host building and the surrounding area.
19. Although the Council has not raised an objection in relation to the privacy of the occupiers of 74 London Road, I have considered the suggested condition to safeguard privacy, given the relationship between the properties. I agree that it is necessary to restrict the future installation of any window or door in the side elevation of the extension facing 74 London Road. However, the Council's suggested wording refers to Classes A and G of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015. As Class G relates to chimneys, flues, and soil and vent pipes, it does not appear to be relevant to the intended purpose of this condition. In any event, I have amended the wording of this condition accordingly.

Conclusion

20. For the reasons given above, the proposal would accord with the development plan as a whole. No material considerations indicate that a decision should be made otherwise. I therefore conclude that the appeal should be allowed.

F Leung

INSPECTOR