

Delegated Report

Removal or Variation of Condition

Planning Application No: 20250388

Location: 1 Genesta Glade, Gravesend, Kent DA12 4PR

Description: Application for variation of condition 2 attached to planning permission reference number 20230698 for the erection of a ground floor front extension, and construction of 2no. dormer extensions in the south roof slope with associated external and internal alterations; to allow the addition of 2 new dormers in the front roof slope

Applicant: Mr and Mrs Mee

Submitted Documents/Plans

Application Form
Cover Letter
1101 C Proposed Site Block Plan
1110 E Proposed Ground Floor Plan
1111 D Proposed First Floor Plan
1112 C Proposed Roof Plan
1120 C Section AA
1121 B Section BB
1130 C Proposed North Elevation
1131 D Proposed South Elevation
1132 C Proposed East Elevation
1133 D Proposed West Elevation

Relevant Planning History

Reference	Description	Decision	Decision Date
20250198	Application for a non-material amendment to planning permission reference number 20230698 to allow relocation of proposed ground floor main entrance door from west (front) elevation to south (side) elevation, amendment of respective ground floor window to south elevation, and amendment of proposed first floor window to west (front elevation)	Permitted	01/04/25
20230699	Application for prior approval of a proposed: Enlargement of a dwellinghouse by construction of additional storey under Schedule 2, Part 1, Class AA	Refused	24/08/23
20230698	Erection of a ground floor front extension, and construction of 2no. dormer extensions in the south roof slope with associated external and internal alterations	Permitted	23/08/23
20211554	Erection of a single storey front extension and construction of a dormer to south and north elevation	Refused	14/02/22

20200204	Erection of a front extension and two side dormer extensions	Refused	20/04/20
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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 12 – 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)

Consultations, Publicity and Representations

Consultees

Shorne Parish Council

Received on 29/05/2025

This proposal is a significant change in design that is more than just a variation of condition and therefore requires a new planning application. It is noted that previous applications 20200204 and 20211554, for dormers on both sides of the roof slope, were both refused. Application ref 20230698 for divided dormers only on one side of the roof slope was permitted. The Parish Council commented then that it had “no objection to this part of the proposal. The dormer roofs are level with the roof ridge, which we dislike, however the existing dormers that were previously permitted have that same design”. Similar properties in the area have had a variety of alterations which have set design precedents. However, this application would appear to create the largest amount of dormer area, on both sides of the roof slope so affecting both neighbouring properties, and which could constitute overdevelopment

Ward Councillors

No comments received.

Neighbouring properties

7no. surrounding properties were consulted; the expiry date was 29/05/2025. No comments have been received.

Officer's Analysis

Background

Planning permission reference 20230698 for the erection of a ground floor front extension, and construction of two dormer extensions in the south roof slope with associated external and internal alterations was granted on 23 August 2023. The Local Planning Authority has therefore judged the principle of the development as acceptable.

This application seeks permission for a variation of condition 2 of 20230698 under S 73 of the Town and Country Planning Act 1990 (as amended). For the purposes of the application, no fresh issues can be introduced into the determination, as only the issues relating to the variation of the conditions are relevant.

Condition 2 of 20230698 reads as follows;

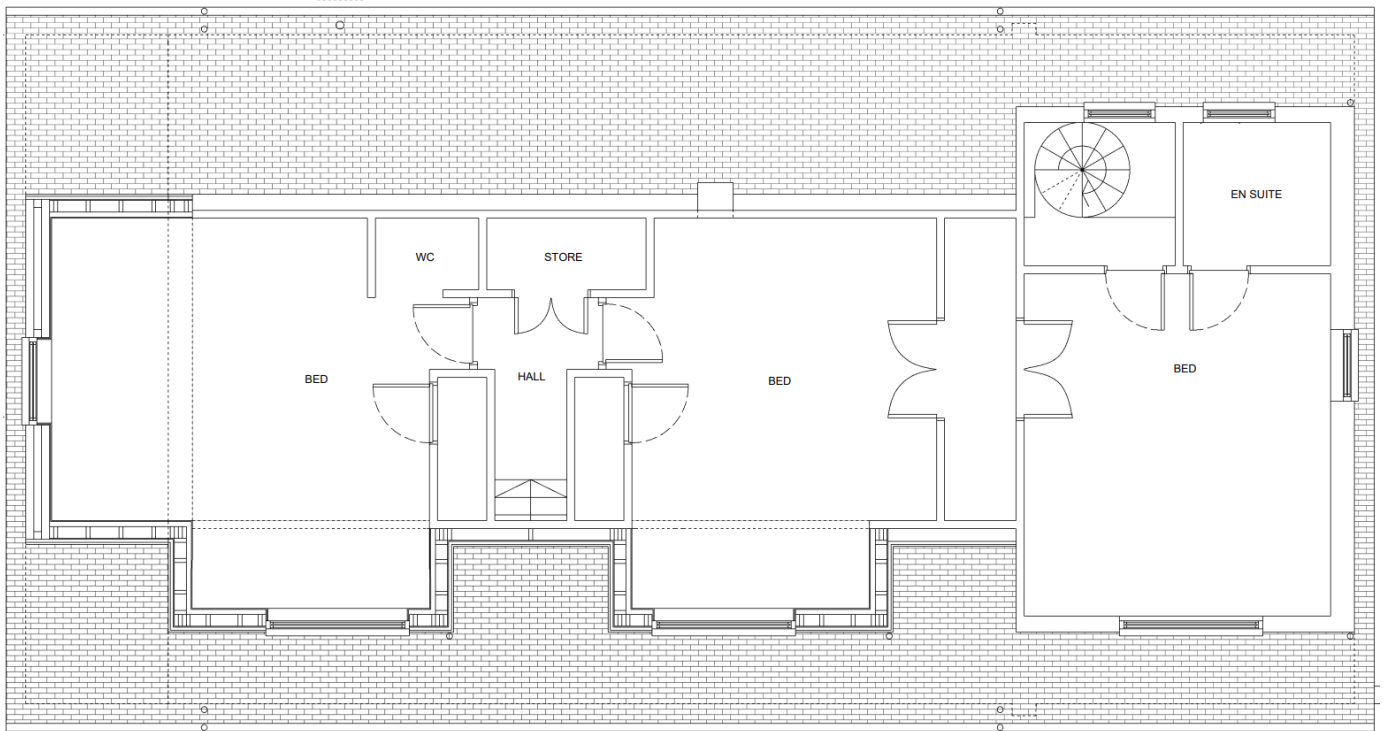
“The development hereby permitted shall be carried out in accordance with the following schedule of approved plans:

Planning Application Form;
Drawing No. 1000 - Location Plan;
Drawing No. 1001 - Existing Site Block Plan;
Drawing No. 1010 - Existing Ground Floor Plan;
Drawing No. 1011 - Existing First Floor Plan;
Drawing No. 1012 - Existing Roof Plan;
Drawing No. 1020 - Existing Section AA;
Drawing No. 1021 - Existing Section BB;
Drawing No. 1030 - Existing North Elevation;
Drawing No. 1031 - Existing South Elevation;
Drawing No. 1032 - Existing East Elevation;
Drawing No. 1033 - Existing West Elevation;
Drawing No. 1100 - Context Plan;
Drawing No. 1101 - Proposed Site Block Plan;
Drawing No. 1110 - Proposed Ground Floor Plan;
Drawing No. 1111 - Proposed First Floor Plan;
Drawing No. 1112 - Proposed Roof Plan;
Drawing No. 1120 - Proposed Section AA;
Drawing No. 1121 - Proposed Section BB;
Drawing No. 1130 - Proposed North Elevation;
Drawing No. 1131 - Proposed South Elevation;
Drawing No. 1132 - Proposed East Elevation; and
Drawing No. 1133 - Proposed West Elevation.

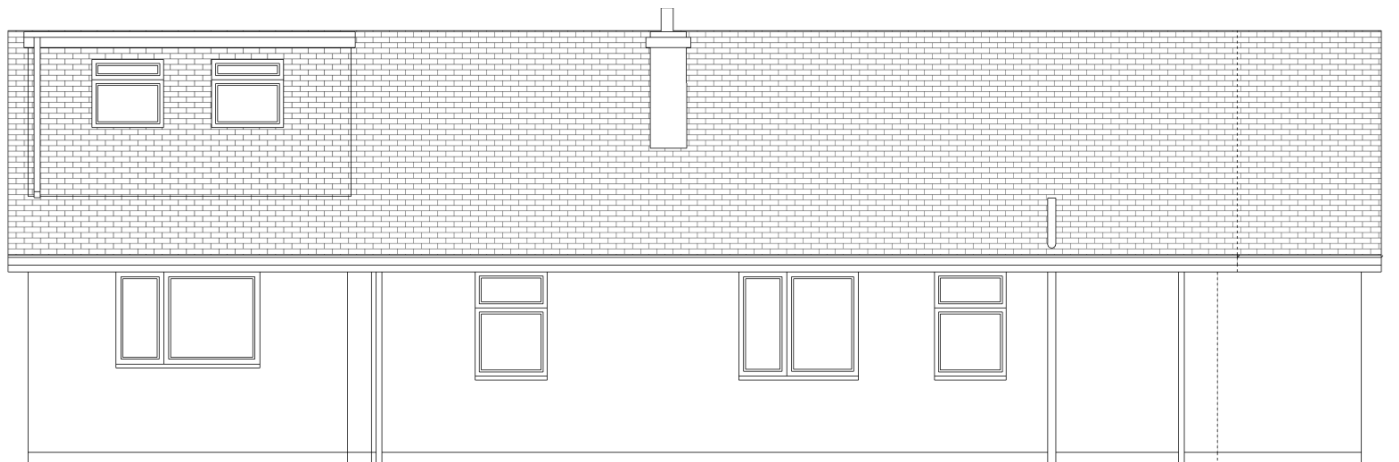
Reason: For the avoidance of doubt and in the interests of proper planning”.

The applicant has requested changes to the approved plan nos. 1110, 1111, 1112, 1130, 1131, 1132 and 1133 to allow for the insertion of two additional dormer windows in the north elevation of the dwelling.

The following images are from the plans approved under 20230698

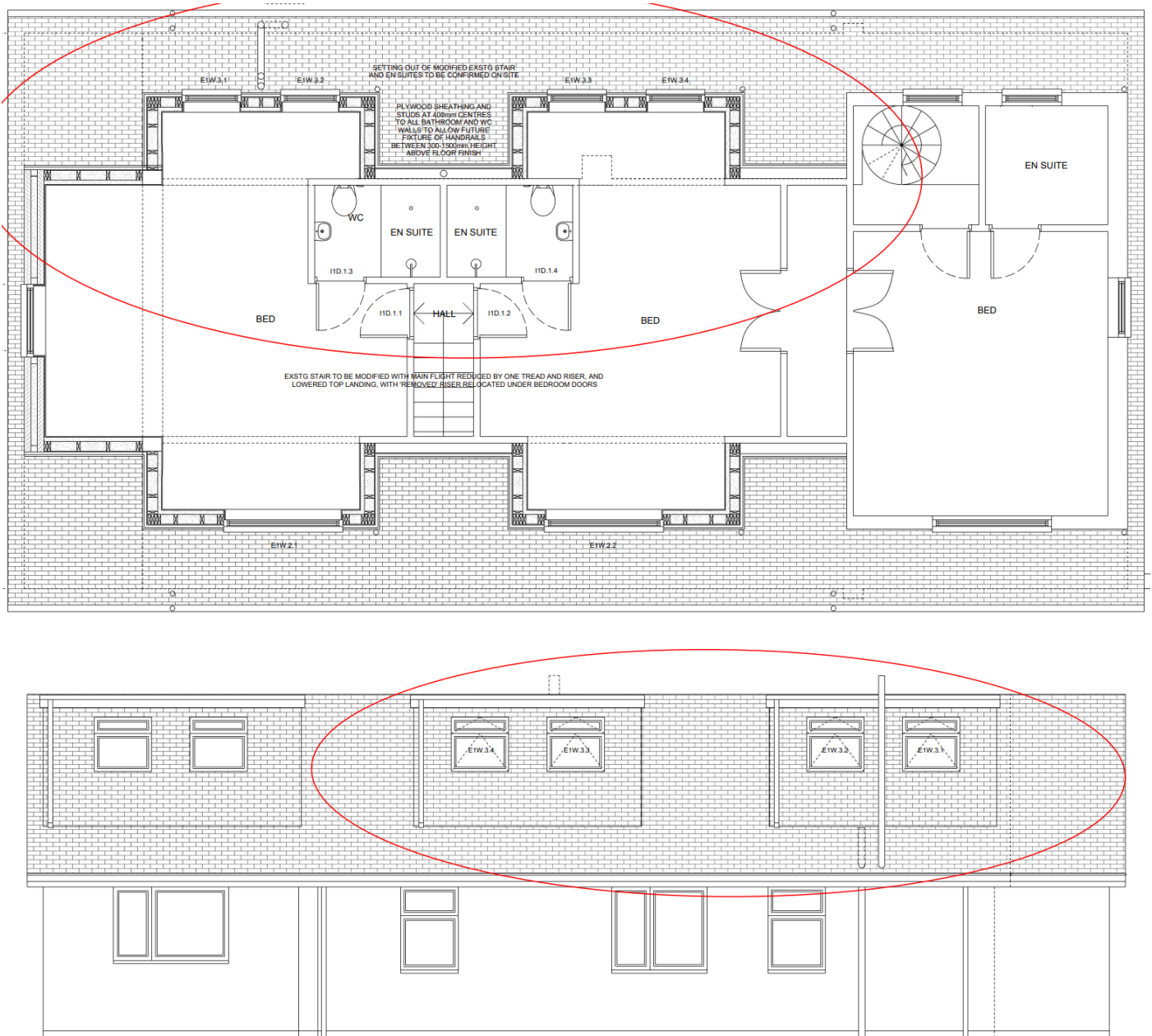


Proposed First Floor Plan



Proposed North Elevation

The following images are from the proposed plans in the current application (20250388)



The amended scheme proposes the addition of two extra dormer windows in the north roof slope of the dwelling. As such, it goes beyond the scope of the original approval (ref. 20230698) in that this approval permitted two dormer windows in the south roof slope only. Accordingly, the development if approved would not be in accordance with the original description of development. A section 73 application cannot be used to change the description of a development as its purpose is to vary conditions attached to a previous planning permission. An attempt to use section 73 to alter the fundamental nature or description of a permitted development is outside the scope of the legislation and would be unlawful.

Moreover, it is considered that the proposed alteration is not of an appropriate design but would have a detrimental impact upon the character and appearance of the dwelling and the street scene as the proposed dormer windows would result in a dominant and overbearing form of development which would be out of character with the host dwelling and would be harmful to the character and appearance of the street scene.

Recommendation

The recommendation is to refuse this application.

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

Case Officer:	Mr Tom Gabriel	Team Leader:	Richard Hart
Signed:	TM Gabriel	Signed:	<i>R Hart</i>
Dated:	6 th October 2025	Dated:	6th October 2025