



Delegated Report

Householder Planning Application

Planning Application No: 20260328

Location: 15 Malvina Avenue Gravesend Kent DA12 5AP

Description: Erection of a part first floor, part two storey front extension, erection of a single storey side extension, erection of a first floor rear extension and a single storey rear/side extension. Roof alterations to include change in roof form, raising of the roof, a dormer extension in the side roof slope and installation of rooflights and solar panels. Fenestration alterations and conversion of the roof space to form habitable rooms.

Applicant: Mr Ranj Pattar

Site Visit Date: Street View Site Visit 21.04.26

Preliminary Matters

Upon review of the application, there appeared to be a slight measurement discrepancy between the plans and elevations in relation to the roof plan being a little too large in width. The agent was contacted regarding this matter, and a revised plan was provided and accepted with a reduction to the roof width. An extension of time was agreed until 16.06.26. Reconsultation was not considered to be necessary in this instance.

Submitted Documents/Plans

Application Form;
Drawing No. 2515-PA-EL-01 – Elevations – Existing;
Drawing No. 2515-PA-EL-11 Rev. C – Elevations – Proposed;
Drawing No. 2515-PA-PL-01 Rev. A – Ground Floor, Roof plan and Block Plan – Existing;
Drawing No. 2515-PA-PL-21 Rev. C – REVISED Ground Floor, Loft and Roof Plans – Proposed;
Drawing No. 2515-PA-SI-01 – Site Location Plan and Site Plan – Existing; and
Drawing No. 2515-PA-SI-11 Rev. A – Site Location Plan and Site Plan – Proposed.

Superseded Documents/Plans

~~Drawing No. 2515-PA-PL-21 Rev. B – Ground Floor, Loft and Roof Plans – Proposed;~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20250433	Erection of a double storey front extension. Erection of a side / rear extension. Alterations to roof including raising of the height and hip to gable extension at the rear. Conversion of the loft space to form habitable rooms with 5 roof lights. Demolition of chimney stacks. Changes to fenestration.	Permitted	04.09.2025

20240352	Removal of existing roof, chimneys and demolition of rear conservatory. Erection of a single storey rear extension with inverted roof and 2 roof lights. Erection of a single storey front and side extension. Erection of a second storey with windows to front elevation and 3 dormers to the rear elevation with a roof terrace.	Application Refused	04.06.2024
19980203	Demolition of existing conservatory and erection of single storey rear extension to form living/study area, dining room and kitchen and single storey front extension to form enlarged bedroom.	Permitted	09.07.1998

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)

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

Local Ward Councillors

No comments received.

Neighbouring properties

9 surrounding properties were consulted, a site notice was displayed on 21.04.26 and one representation was received objecting to the proposal. The overall consultation period expired on 15.05.26.

The objection raised the following concerns:

- Loss of light to the rear of my property and garden
- Impact on view
- Reduction in privacy
- Shaded garden
- Loss of value to property
- Whether the development would adhere to 45-degree rule

Loss of property value is not a material planning consideration and does not therefore form part of the considerations for this application. The remaining concerns are material planning considerations and shall be considered within the neighbouring amenity section of this report.

Site Description

The application property is a detached bungalow with existing extensions to the rear of the dwelling.

Within the street scene, there is a mixture of property types including two storey dwellings, bungalows, detached, semi-detached and terraced.

Site Photo

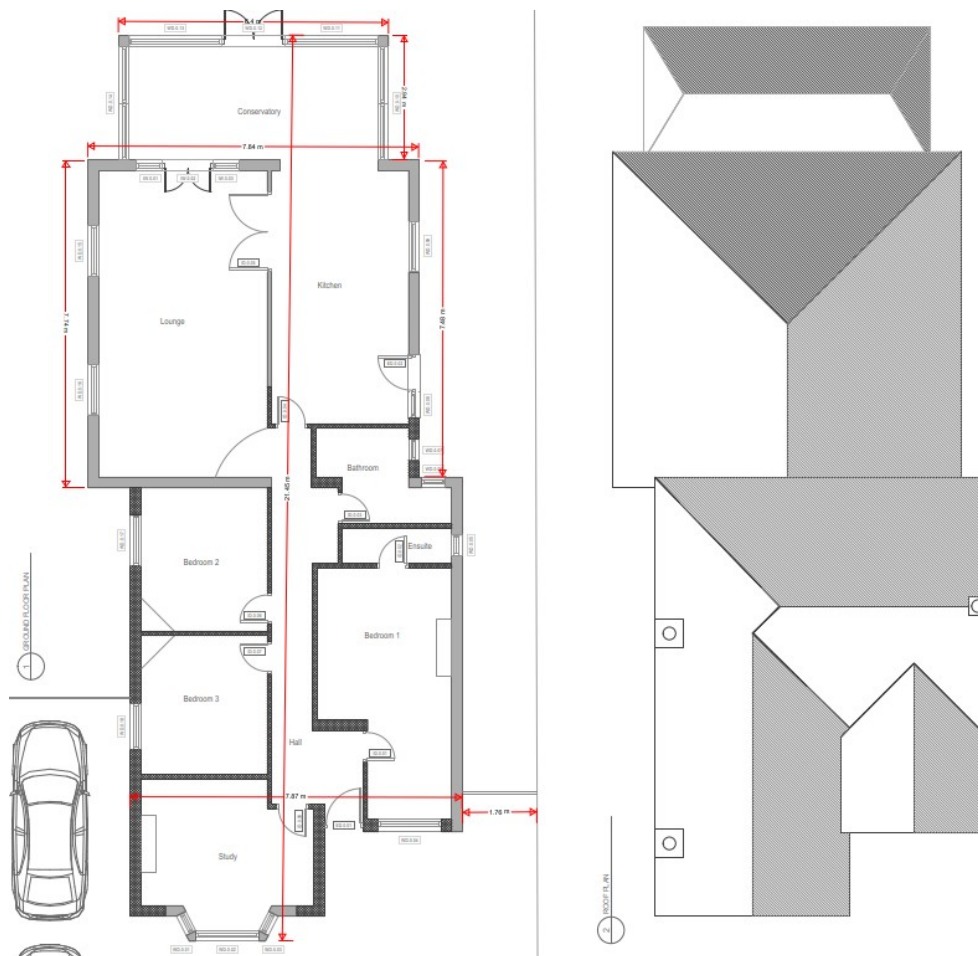


Proposed Development

This application proposes the erection of a part first floor, part two storey front extension, erection of a single storey side extension, erection of a first floor rear extension and a single storey rear/side extension. Proposed roof alterations include a change in roof form, raising of the roof, a dormer extension in the side roof slope and installation of rooflights and solar panels. In addition, fenestration alterations are proposed with conversion of the roof space to form habitable rooms.

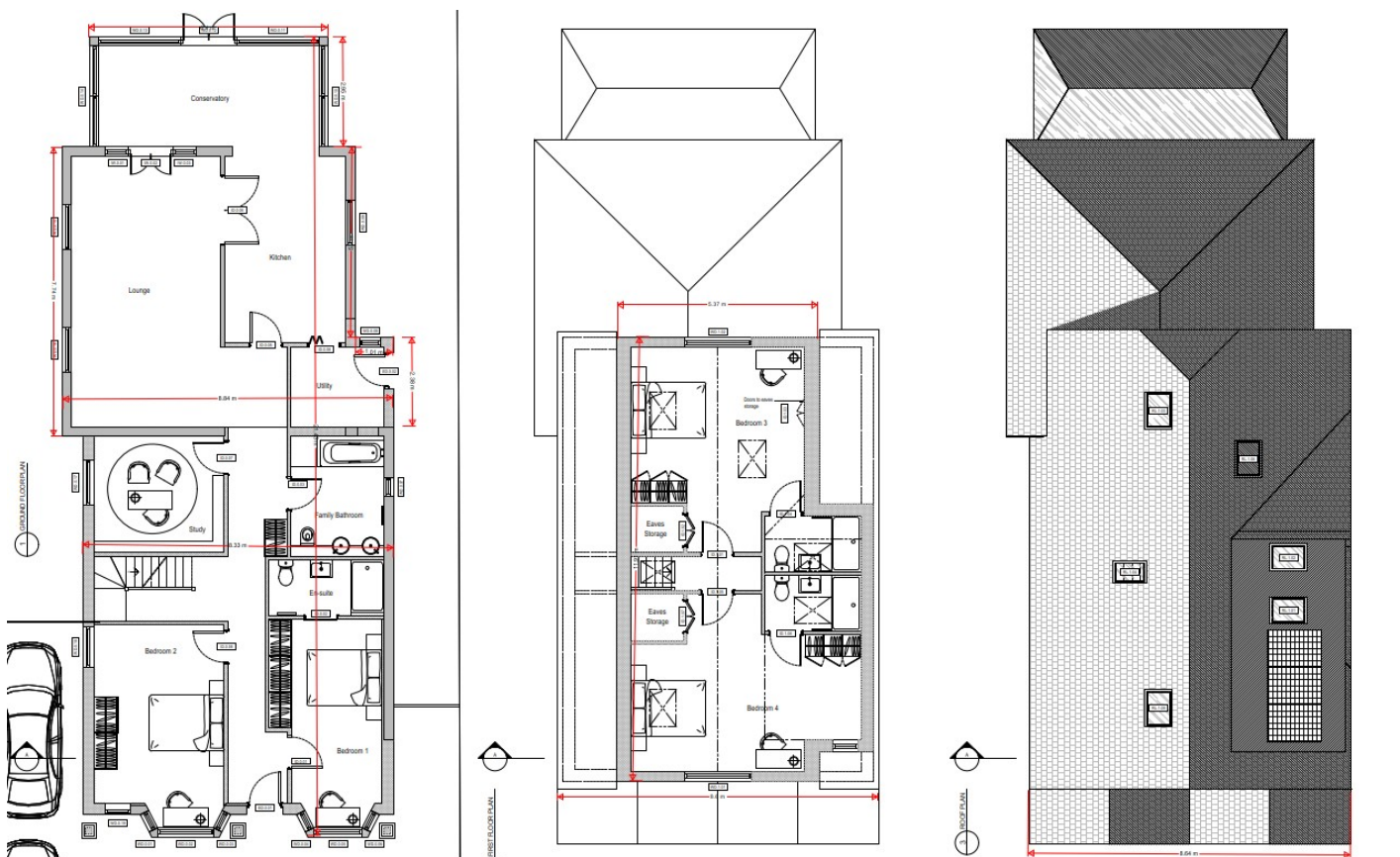
This application is essentially a resubmission of approved application 20250433, with the inclusion of the side dormer.

Existing Plans and Elevations





Proposed Plans and Elevations





Officer's Analysis

Design, Character and Appearance

Policy CS19 (Development and Design Principles) (LPCS) (2014) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well- designed places) of the NPPF (2024) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

In addition to the above, the Design For Gravesham Design Code (2024) is a strategic document that sets out Gravesham's vision and expectation for quality place-making. Gravesham's Householder Extensions/Alterations Design Guidance (SPD) (2021) states *it is important to ensure that any extensions or alterations to a home are well designed, well-built and sympathetic to their surroundings. By doing so we can ensure that there are no adverse effects on the original house, immediate neighbours, the local view of the street, as well as the character and appearance of the local area.*

As previously established, there is a mix of housing types within the local vicinity, with the directly adjacent neighbours both being greater in height than the application property. As such, within its context, the principle of increasing the main roof ridge height is acceptable. As aforementioned above, the previous application was found to be acceptable in terms of design character and appearance. There have been no policy changes since this decision or updated design guidance. As such, the proposed dormer style extension remains to be assessed.

Generally, dormers should not dominate the roof slope and should be set down from the roof ridge in which they are set. In this instance, the dormer is large, and would be visible from the front elevation which is not ideal in terms of design character and appearance. Notwithstanding this, the development would be set back from the front elevation and in situ, would be viewed in a limited capacity due to the height and position of No.11 Malvina Avenue. In addition, there is a mixed style of properties within the street scene. The rooflights and solar panels within the dormer are not shown to project above the dormer roof or to be visible from the front elevation. Therefore, on balance, the development is considered to be acceptable in terms of Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (2024).

Amenity of Future Occupiers

Gravesham's SPG2 – Residential Layout Guidelines (RLG) (2020) sets out expected room sizes and garden space post development. The proposed block plan indicates sufficient garden depth and area would be retained post development. In terms of room sizes, the proposal would also accord with the guidance. Overall, the proposal is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

Neighbouring Amenity

As aforementioned, one response objecting to the proposal was received.

Neighbouring amenity is generally considered in terms of whether development would cause a sense of enclosure, loss of light, loss of privacy or loss of outlook.

As previously mentioned, this application is essentially a resubmission of application 20250433, with the inclusion of the dormer. In the previous application, a Daylight and Sunlight Assessment was provided. The report stated the following:

It is important that any new development safeguards the amenity of the neighbouring occupiers. The neighbouring properties most likely to be affected are those either side of the application site, at nos. 11 and 17 Malvina Avenue. With regard to 11, this dwelling is sited to the west of the application site though it is less than half the depth of the dwelling at 15. It is however two storey. While the proposed extension would introduce quite a significant amount of additional built form to the dwelling, it would not have an adverse impact upon the outlook or amenities of 11 as the raised roof would pitch away from the boundary between the dwellings.

In terms of 17 Malvina Avenue, the raised roof would pitch away from the boundary with this property too. While there are a number of windows in the flank elevation and flank roofslope of this dwelling facing 15 Malvina Avenue, the proposal would not have an adverse impact upon the outlook from these rooms due to the distance between the dwellings and the fact that the raised roof would pitch away from the dwelling at 17.

In terms of the light reaching the windows of the dwellings at 11 and 17 Malvina Avenue, the Daylight and Sunlight Assessment submitted with the application calculates all windows at these dwellings could retain in excess of 80% of their current light values, in accordance with the Building Research Establishment guidance.

The properties to the rear of the site and on the opposite side of the road would not be unduly affected by the proposal due to the distances involved.

The neighbour comments are noted. However, the proposal would not cause a significant loss of light to the windows of the neighbouring property and would not result in a significant blocking of light to those windows, as indicated by the submitted Daylight and Sunlight Assessment. Moreover, the view from the rear of the house would not be significantly reduced as the proposed roof extension at 15 would not project beyond the rear elevation of the dwelling at 17. It is not considered that the proposed extension would



result in an eyesore when viewed from this property.

Adverse or harmful overlooking from the extended dwelling would not arise as the angle from the rear-facing first floor window to the neighbouring properties would not permit it. As the submitted cross section of the proposal demonstrates, the sill level of the proposed velux windows in the flank roofslopes of the extended dwelling would be 1.7m above the finished first floor level of the dwelling. This would be high enough not to permit overlooking of the neighbouring properties. It is not consider necessary to require the velux windows to be either obscure glazed or fixed shut give the sill height above the finished floor level.

In the case of this revised application, the dormer extension in situ would not impact neighbouring amenity. It would be constructed within the parameters of the flank wall of No. 11 Malvina Avenue, and there are no windows in the flank wall of the neighbouring property that would be further impacted by this addition:

Site Photo



As such, the development is not considered to result in a detrimental harm to neighbouring amenity in accordance with Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

Parking and Highways

There are no concerns in terms of parking and highways that arise as a result of this proposal.

Any Other Material Planning Considerations

Archaeology

The site lies within an area of multi-period archaeological potential. However, the proposed development is unlikely to have any archaeological impact.

Gas Pipelines

The site lies within proximity of Gas Pipelines. As such, if planning permission were to be forthcoming, an appropriately worded informative could be added to the decision notice, advising the applicant that they must contact Southern Gas Networks before carrying out any works.

Groundwater Protection Zone

The site is located within Groundwater Protection Zones 1 and 2, however, the proposal would be unlikely to be impacted by this constraint.

Conclusion

The application has been fully considered and on balance, is considered to accord with local and national planning policy.

The proposed development is acceptable in terms of design, character and appearance. There is no detrimental impact on the amenity of future occupiers or neighbours and no concerns in terms of parking. The proposal therefore accords with Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2024).

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	10th June 2026	Dated:	12th June 2026