

Delegated Report

Householder Planning Application

Planning Application No: 20260842

Location: 101 Old Road East Gravesend Kent DA12 1PB

Description: Erection of a single storey front/side extension, extension to loft and dormers with 2no. additional roof lights.

Applicant: Mr Aamir Alam

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form 24/08/2026;
Site Location Plan;
Block Plan – Existing;
Block Plan – Proposed;
Drawing Number AA.26.154.PO1 (Ground Floor Plan – Existing and Proposed);
Drawing Number AA.26.154.PO2 (Loft Plan - Existing and Proposed);
Drawing Number AA.26.154.PO3 (Roof Plan - Existing and Proposed);
Drawing Number AA.26.154.PO4 (Front Elevation – Existing and Proposed);
Drawing Number AA.26.154.PO5 (Side Elevation - Existing and Proposed);
Drawing Number AA.26.154.PO6 (Rear Elevation - Existing and Proposed); and
Drawing Number AA.26.154.PO7 (Side Elevation - Existing and Proposed).

Relevant Planning History

Reference	Description	Decision	Decision Date
19820721	Erection of single storey rear extension to form bedroom kitchen and store and retention of boundary wall	Permitted	10.11.1983
19820089	Erection of a single storey rear extension to form kitchen and two bedrooms	Permitted	19.03.1982

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)

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

- 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

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

Consultees

Ward Councillors – No comments received

Neighbouring properties

5 surrounding properties were consulted and one response was received. Neighbouring concerns were raised with:

- The impact on light to surrounding properties.

This will be addressed in the neighbouring amenity section of the following report.

Neighbouring concerns were also raised with the need for the number of bedrooms at the property. This is not considered to be a material planning concern and as such is not assessed within the following report.

The consultation period ended on 15th September 2026.

Officer's Analysis

Design, Character and Appearance

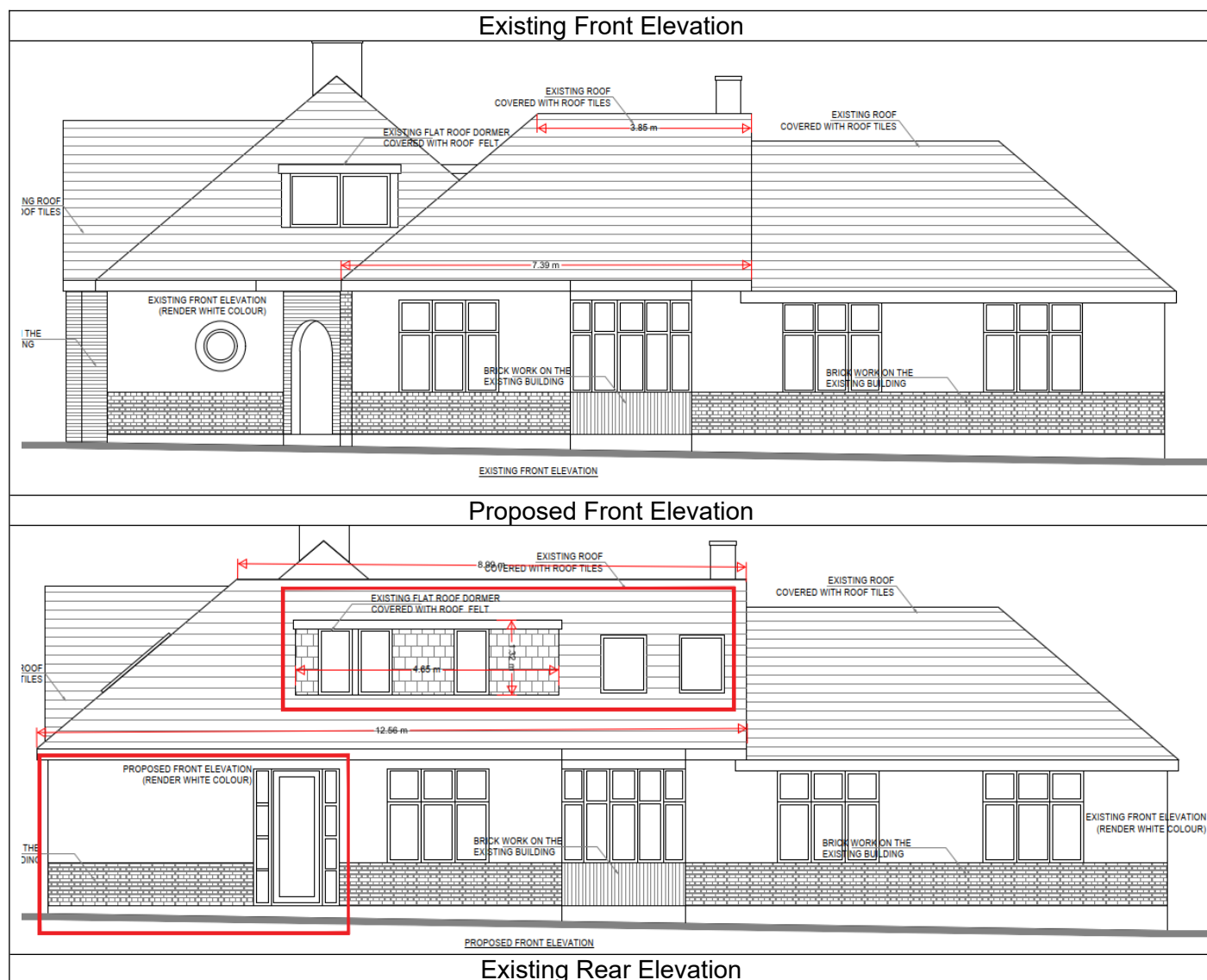
101 Old Road East is a semi-detached bungalow located on a corner plot to the northern side of the highway, on the junction of Old Road East and Pine Avenue. The property is hardstanding to the frontage with detached garage for off road parking and has previously been extended to the rear.

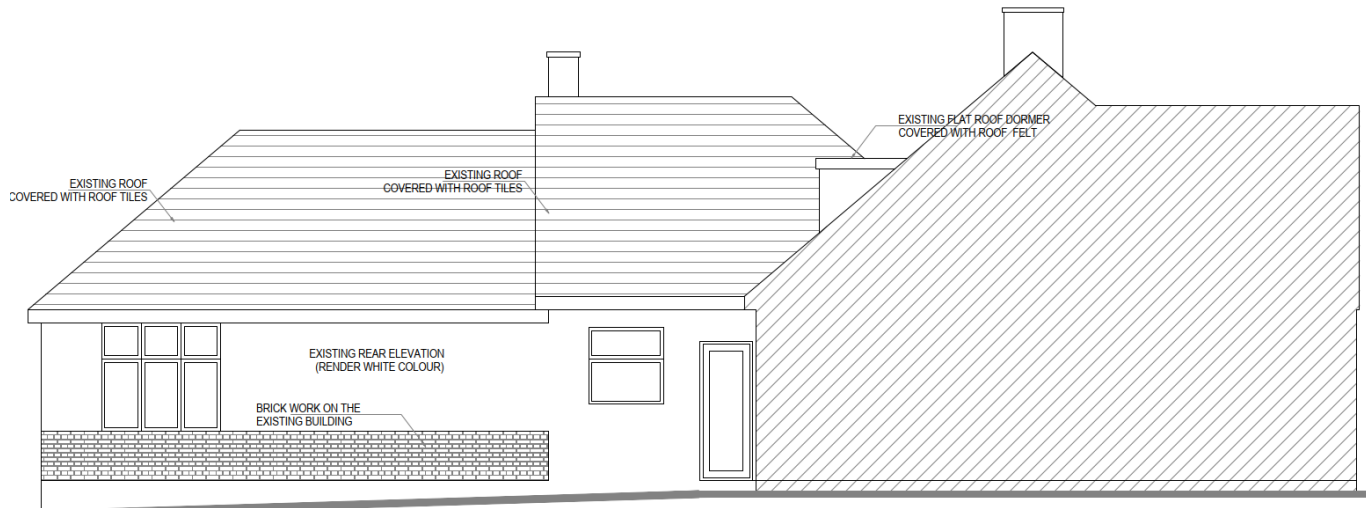


The application proposes the erection of a single storey front/side extension and an extension to the roof and loft space with dormers and roof lights.

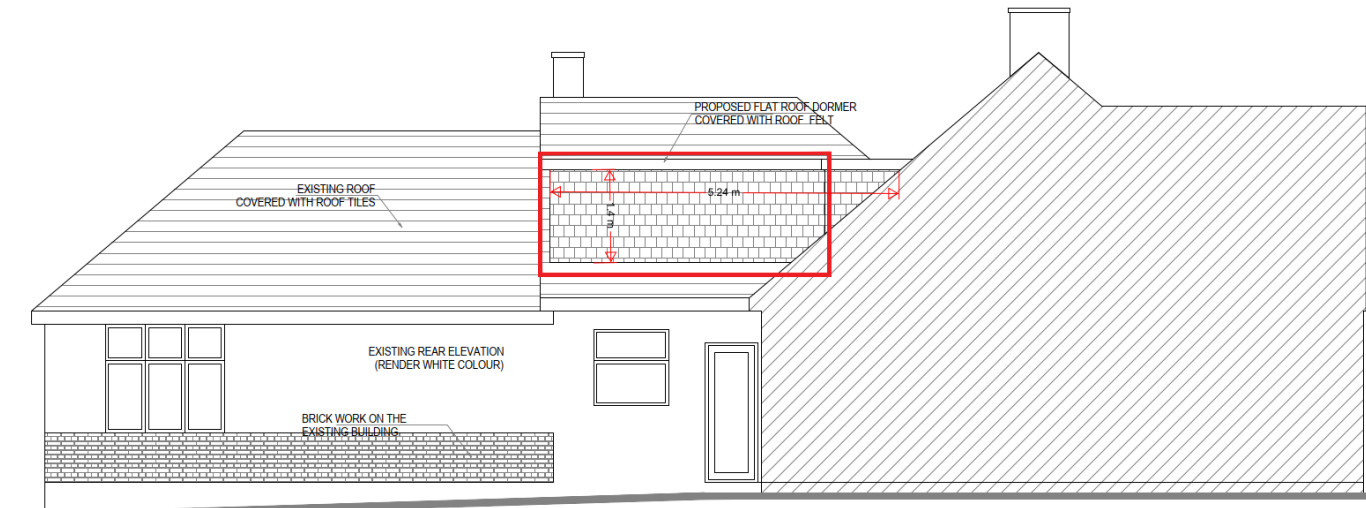
The single storey front / side extension would have a false pitched roof at a maximum height of 6m and an eaves height of 2.84m. The extension would have a width of 5.4m and would project by a maximum of 3.7m from the front elevation. The extension would create space of a larger entrance hall and additional WC. There would be a main entrance door to the front elevation, a door to the side elevation and 2 no side windows serving the hall and the WC. Should an application be permitted, any window serving a WC would be required to be obscure glazed to Pilkington level 3 or above. The extension would be rendered with brick detailing to match the existing dwelling.

The application also proposes an extension to the existing roof form with dormer and 2 no roof lights to the front and an additional 'L' shaped dormer to the rear roof slope, incorporating the existing dormer, as shown below:

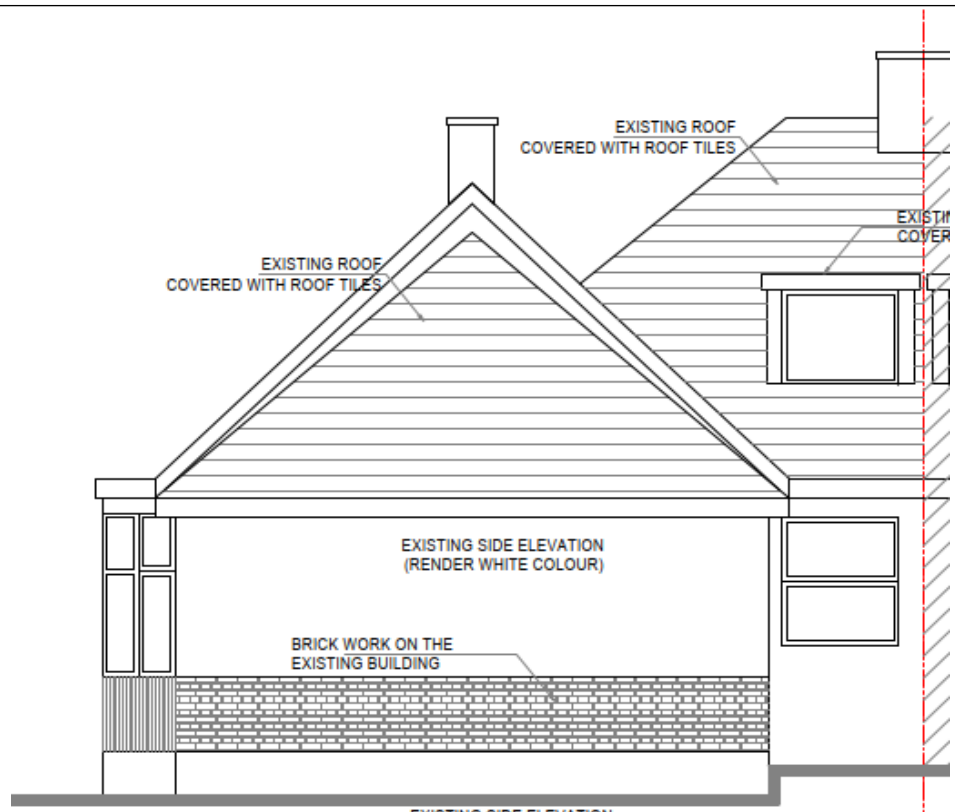




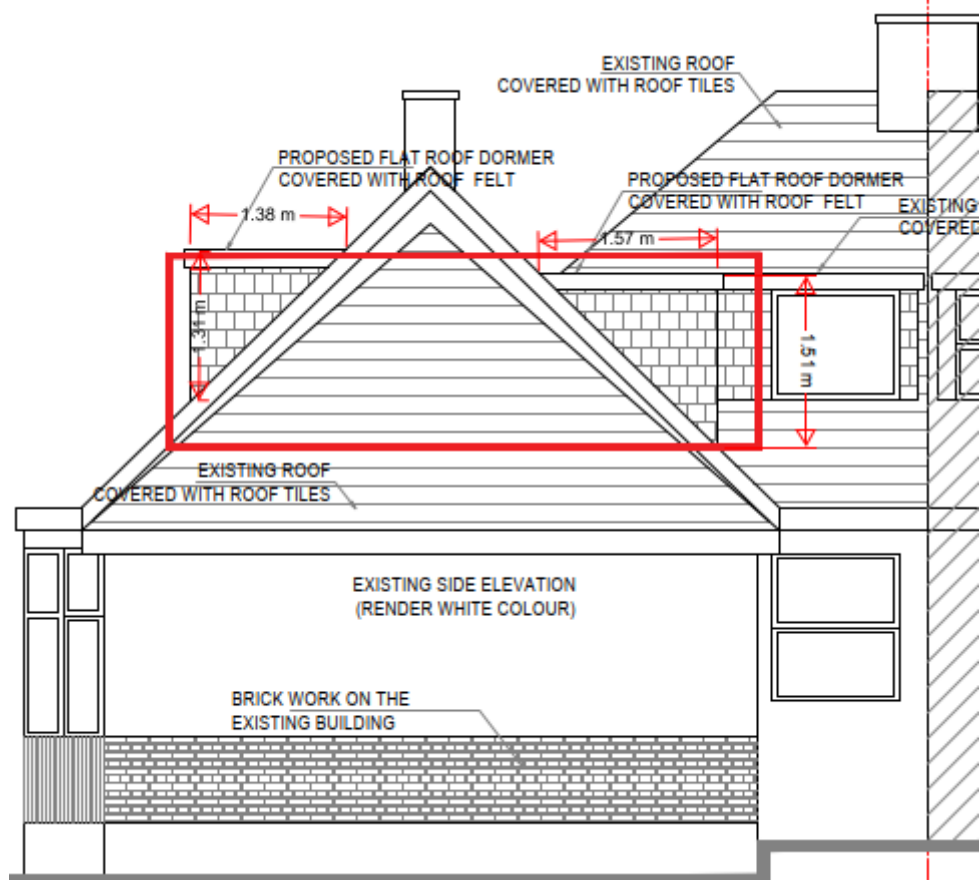
Proposed Rear Elevation



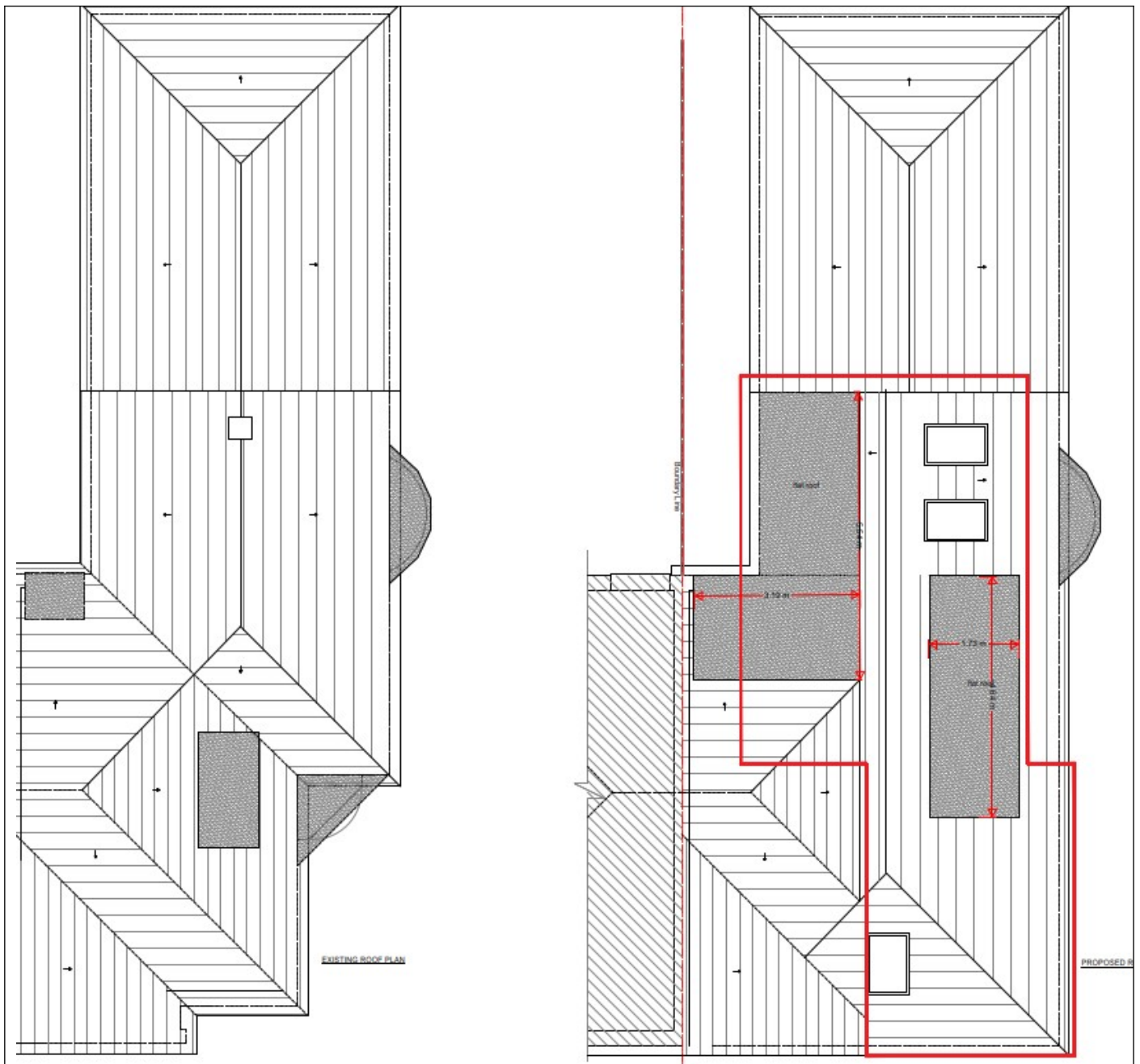
Existing Side Elevation



Proposed Side Elevation



Existing and Proposed Roof Plan

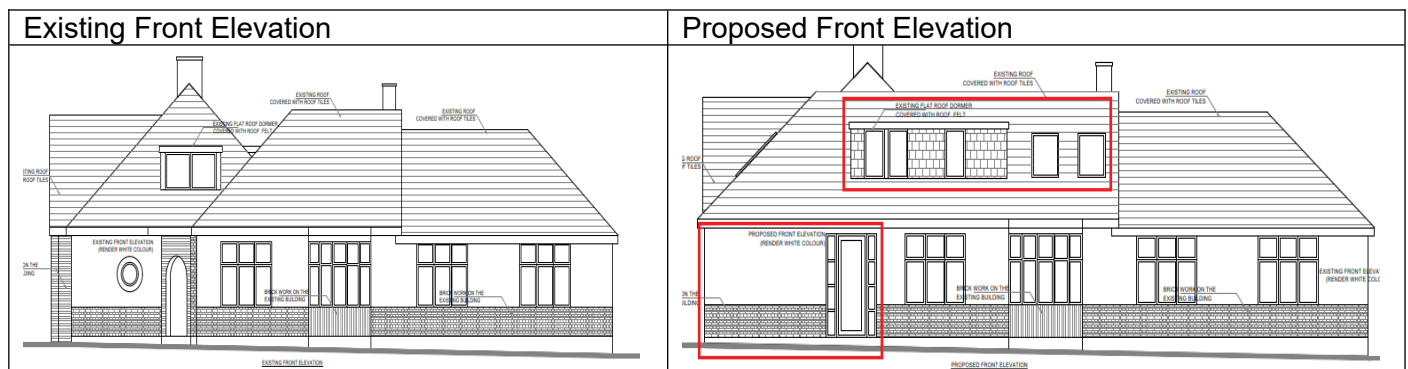


Section 14 of the NPPF (2026) seeks to promote high-quality places and sets out the Government's requirements in relation to design issues. Policy DP3(1) states that development proposals should respond positively to their context, including the history, character and features of the site and its surroundings, ensuring they integrate with and enhance the local area. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

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.*

The proposed alterations to the roof form for the two-storey side extension are considered to be contrary to the guidance as set out in Gravesham's Householder Design Guidance.

The application proposes to extend the roof line to the front of the property from an existing length of 3.85m to 8.99 and the length of the eaves to be extended from 7.39m to 12.56m.



This is considered to be a incongruous and bulky addition to the existing dwelling house which disrupts the original character of the existing roof form, which originally takes on a more stepped appearance, and as such is detrimental to the host dwelling and the surrounding area. This is further exacerbated by the introduction of the front dormer, measuring 4.36m in length and 1.32m in height. Whilst it is noted that there is an existing dormer to the original front roof slope, this considerably smaller in scale.

Moreover, the distinctive character of the original roof form is mirrored with the roof form of neighbouring property known as 2 Pine Avenue, as shown in the google earth image below:



The extension to the roof and introduction of the front dormer is considered to unbalance the pair of semi-detached properties and would ultimately, by way of the prominent corner location, would be highly detrimental to the surrounding street scene.

Furthermore, the proposal for the front / side extension would further exacerbate the added bulk to the front of the dwelling and further increase the unbalanced appearance of the semi-detached properties which again would be highly visible from the public vantage point of the corner plot between Old Road East and Pine Avenue:



As such, the extensions proposed are not subservient or sympathetic to the character and appearance of the host dwelling or wider street scene and would result in the dwelling having an incongruous, bulky and overdeveloped appearance which would also unbalance the visual amenity of the semi-detached properties and be harmful to the surrounding street scene.

Overall, the proposal is not considered to be subservient or sympathetic to the character and appearance of the host dwelling or wider street scene and would result in the dwelling having an incongruous, bulky and overdeveloped appearance. As such the proposal is considered to be harmful to the visual amenity of the area and is contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Policy DP3(1) of the National Planning Policy Framework (NPPF) (2026).

Amenity of Future Occupiers

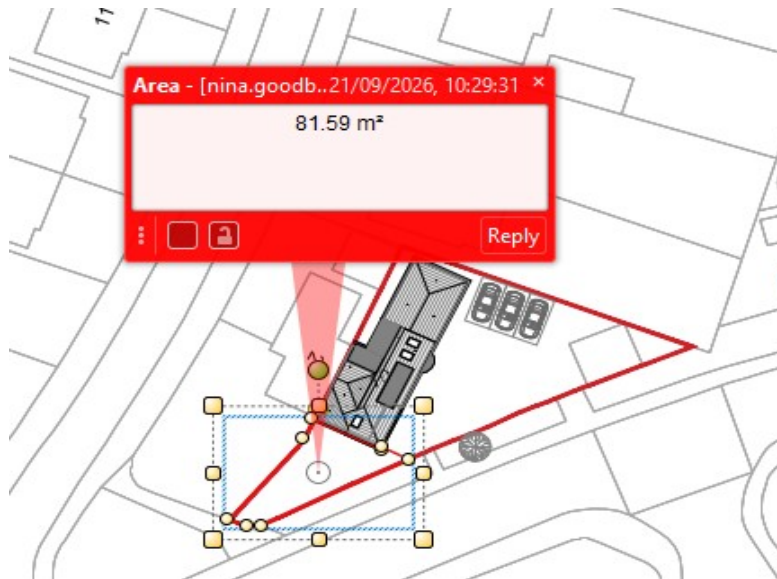
Policy P3 of the NPPF (2026) requires development proposals to provide healthy living conditions for occupiers and users, including adequate access to natural light and protection from noise, pollution and other adverse impacts that could harm health or quality of life.

The application seeks to increase the number of properties at the dwelling from three to six. Gravesham's residential layout guidelines state that a property with four or more bedrooms should have the minimum private amenity space as set out below:

Accommodation with :	Minimum garden area (sq. metres)	Minimum depth from rear wall of house (metres)
1-2 bedrooms	37.2	7.6
3 bedrooms	60.0	10.0
4 or more bedrooms	100.0	10.0

Post development the private amenity area retains an area of 81.59m² and a minimum depth of 13.34m.

Total Area of Private Amenity Space:



In this instance, the private amenity space is located to the side of the dwelling and whilst the application does not seek to encroach upon this space and reduce the area, the application does increase the number of bedrooms. As such, the private amenity area would be below the 100m² recommended guidelines for a property with four or more bedrooms.

As such, the proposal would result in an undersized garden area remaining which detrimentally limits the available usable area, subsequently providing unacceptable living conditions for existing and future occupiers. As such the proposal would be contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Policy P3 of the National Planning Policy Framework (NPPF) 2026.

Neighbouring Amenity

Policy DP3 of the National Planning Policy Framework (2026) requires development proposals to respond positively to their context and integrate successfully with their surroundings. In addition, Policy P3 seeks to ensure that development provides healthy living conditions for occupiers and users, including adequate access to light and protection from adverse impacts that could affect health or quality of life.

Also relevant to this proposal is SPG2 Residential Layout Guidance 2020 which is the Council's adopted Supplementary Planning Guidance document as well as Policy CS19 of the Local Plan Core Strategy 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land.

Neighbouring concerns were raised with the impact the development may have on the light to surrounding properties.

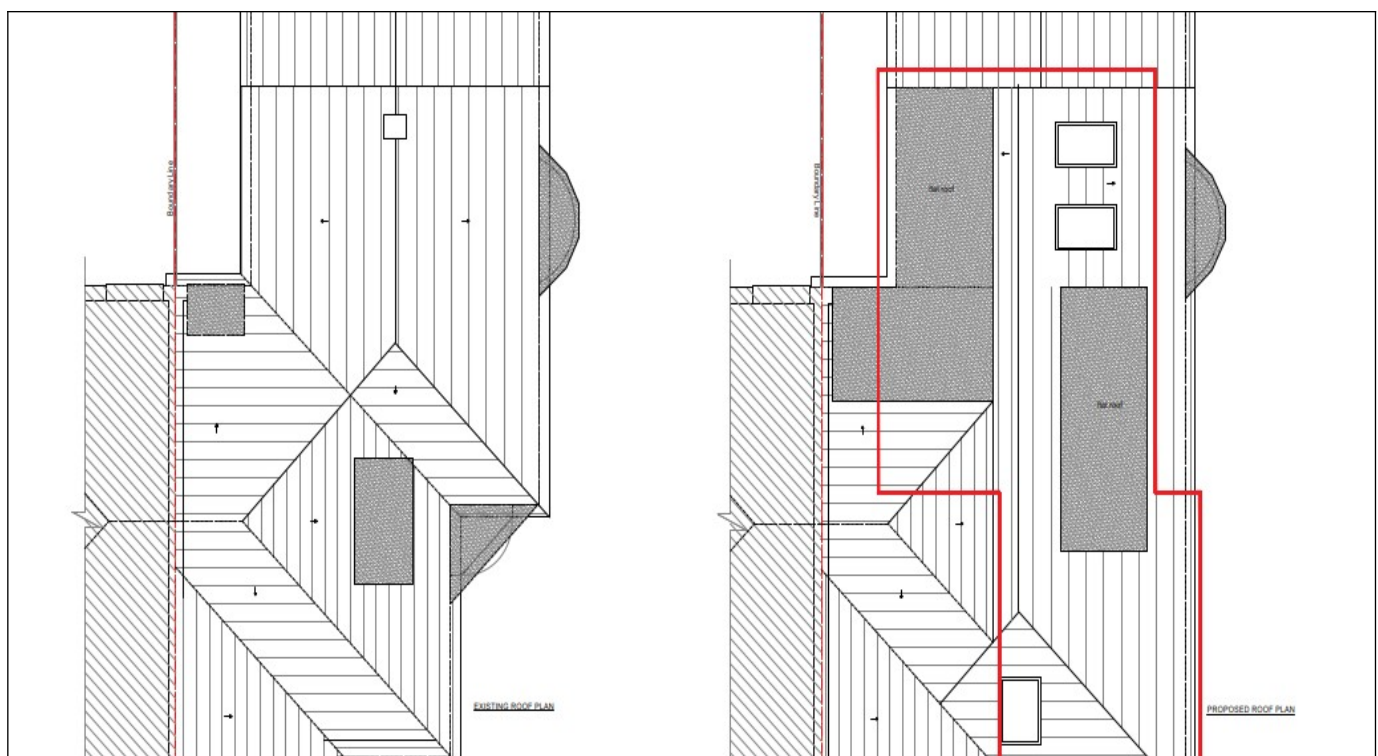
The single storey extension and roof alteration are set to the front of the dwelling and as such are located away from neighbouring properties and raise no concerns with the impact on neighbouring properties. However, by way of the 'U' shaped form of the semi-detached dwellings, the proposed

dormer to the rear roof slope would be adjacent to the existing rear dormer or neighbouring property known as 2 Pine Avenue:

Google Earth Image of Adjacent Rear Dormers:



Existing and Proposed Roof Plans



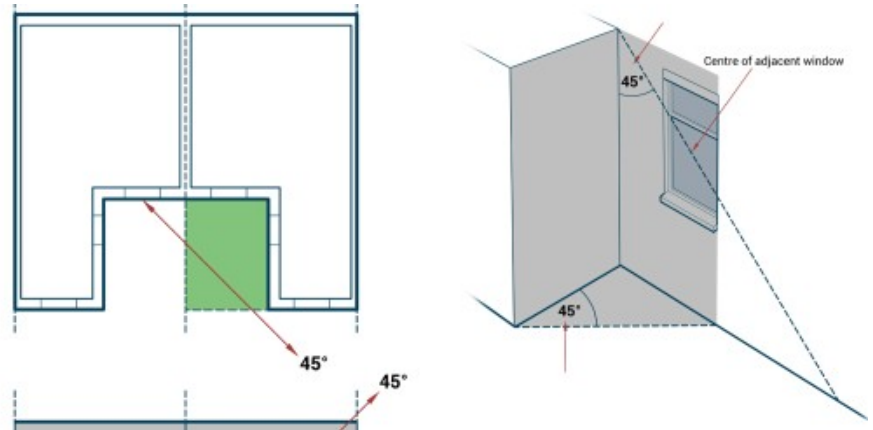
Gravesham's Householder Design Guidance states that where a proposed extension is at right angles to a neighbouring habitable window, the proposal should not be higher or wider than a 45 degree angle, in order to protect neighbouring light and outlook, as shown below:

45 degree rule

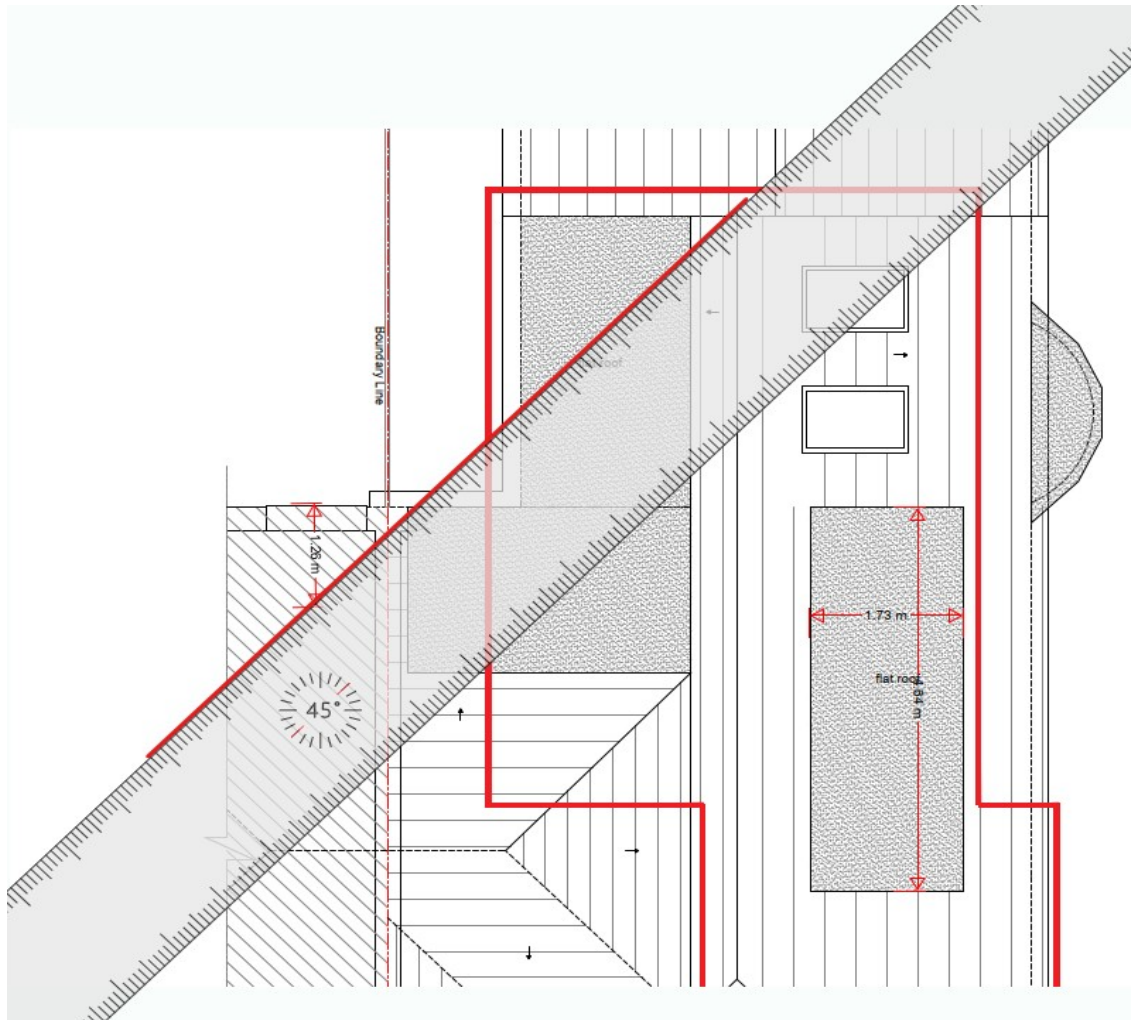
This test should be used where the proposed development is at right angles to the affected window of the neighbouring property:

- Draw a line at 45 degrees upwards from the centre of the affected window.
- Draw a line at 45 degrees sideways from the centre of the affected window.

If the proposed development is both higher and wider than these 45 degree lines, there may be an unacceptable loss of daylight to the affected window.



As shown below, the proposal is contrary to the 45 degree rule and as such is considered to have a detrimental impact on neighbouring light and outlook.



As such, by way of the proximity of the proposed rear dormer to the neighbouring habitable window, the application is not considered to protect the outlook and light of the surrounding properties.

There is a rear window to the existing rear dormer. The replacement rear dormer does not propose any additional window sand as such would not impact neighbouring privacy.

Overall, by way of the proximity of the extended rear dormer to neighbouring habitable window, the proposal is considered to have a detrimental impact on the light and outlook of neighbouring properties and therefore the proposal is contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Policies DP3 and P3 of the National Planning Policy Framework (NPPF) 2026.

Parking and Highways

The proposal seeks to increase the number of bedrooms at the property from three to six. However, there is sufficient off-road parking within the application site, furthermore, by way of the close proximity to local public transport and amenities, there are no concerns with parking and highways related to the application.

Conclusion

The proposal is not considered to be subservient or sympathetic to the character and appearance of the host dwelling or wider street scene and would result in the dwelling having an incongruous, bulky and overdeveloped appearance. As such the proposal is considered to be harmful to the visual amenity of the area and is contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Policy DP3(1) of the National Planning Policy Framework (NPPF) (2026).

The proposal would result in an undersized garden area remaining which detrimentally limits the available usable area, subsequently providing unacceptable living conditions for existing and future occupiers. As such the proposal would be contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Policy P3 of the National Planning Policy Framework (NPPF) 2026.

By way of the proximity of the extended rear dormer to neighbouring habitable window, the proposal is considered to have a detrimental impact on the light and outlook of neighbouring properties and therefore the proposal is contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Policies DP3 and P3 of the National Planning Policy Framework (NPPF) 2026.

Recommendation

Refusal

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

Case Officer:	Mrs Nina Goodbody	Team Leader:	Richard Hart
Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	7 th October 2026	Dated:	7th October 2026