

Delegated Report

Planning Application

Planning Application No: 20260368

Location: 2 Pelham Road Gravesend Kent DA11 0HW

Description: Erection of a single storey rear extension.

Applicant: IPS And CO LTD

Site Visit Date: 15.05.2026

Submitted Documents/Plans

- Application form;
- Drawing no. S01 Rev. P1 – Existing Block – Proposed Block;
- Drawing no. S02 Rev. P1 – Existing Plans;
- Drawing no. S03 Rev. P1 – Existing Elevations;
- Drawing no. S04 Rev. P1 – Existing Plans;
- Drawing no. S05 Rev. P1 – Proposed Plans; and
- Heritage Statement.

Relevant Planning History

Reference	Description	Decision	Decision Date
20251252	Erection of two-storey rear extension and subdivision of dwelling into 5x one bed flats.	Refused Appeal Pending	26.02.2026
20251047	Works to trees in a Conservation Area; Removal of Sycamore Tree (T2), and Norway Maple (T3). Replanting with 2x Acer Campestre.	Consent tree works in Conservation Area	10.11.2025
20240940	Works to trees in a Conservation Area; T1 Lime Tree - Pollard to remove all branches back to the knuckles, T2 Sycamore Tree - Crown reduction to where the largest stem divides into three branches at approx. 3.5 to 4 meters above ground level, reduction of the smaller diameter stem to a similar height of 4 to 5 meters and cut back to a small side branch to lower the potential risk of uncontrolled failure and possible harm while maintaining the ecological value of the tree concerning the decay and cavities; and T3 Sycamore Tree - Reduce branches growing towards the house walls and roof to separate from the building of up to 2 meters.	Consent tree works in Conservation Area	15.11.2024
20140269	Conversion of a single dwelling into three self-contained one bed flats and a bedsit.	Permitted	08.08.2014
20050219	Conversion of dwelling into two self-contained flats, a	Permitted	27.05.2005

	maisonette and a bedsit.		
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Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Design and Development Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- TC7 – Other Archaeological Sites

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.

Other Material Considerations

Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving Well-Designed Places
- Section 15 – Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

Supplementary Planning Guidance

- Pelham Road/The Avenue Conservation Area Character Appraisal (2009);
- Management Plan Gravesend's 19th Century Suburban Conservation Areas (2009);
- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- 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

No response from:

- GBC Conservation Officer
- Ward Councillors

Neighbouring properties

4 surrounding properties were consulted plus site and press notices – overall consultation expiry date was 05.06.2026 – 2 comments received (objections) the comments of which can be summarised as follows:

- Appreciate it has been reduced from two storeys to single storey but hasn't addressed last reasons for refusal;
- House is already unusually deep compared with its neighbours and extending it further would still make it look overly long and dominant on the plot;
- As no. 2 is on the corner, the rear and side are clearly visible from Darnley Road and the Green, so a flat-roofed extension with a raised parapet is going to be seen from the street and it doesn't sit well in the Conservation Area. It will result in an unsightly overbuilt nature and not in line with the existing building line;
- The reduced size yard as a result of the extension will inevitably further exasperate issues with clutter, refuse and parking;
- Proposed extension's depth and massing are excessive compared with neighbouring properties and



would disrupt the established pattern of rear development so would not preserve or enhance character of Conservation Area;

- Two trees already lost, should be replaced not an extension built;
- Due to its projection, height and proximity to the shared boundary, the proposed extension would cause a material loss of daylight and sunlight to their rear rooms and garden;
- Even at single storey depth it would create an overbearing and enclosing effect from their rear windows and garden and significantly reduce their outlook and sense of openness;
- Proposed extension would project significantly further than neighbouring rear elevations which would disrupt the building line harming the Conservation Area and creating an unbalanced and intrusive form of development; and
- No BRE Sunlight & Daylight Assessment has been submitted.

Officer's Analysis

The application site consists of a two storey end of terraced building in use as an HMO situated on the south eastern side of Pelham Road to the south of the grassed area at the junction with Darnley Road. The site is located in the Pelham Road Conservation Area, an Area of Archaeological Potential, Thames Estuary and Marshes Ramsar Buffer Zone and the Nine Elms Historic Landfill Site Buffer Zone.





Planning permission was refused for erection of two-storey rear extension and subdivision of dwelling into 5x one bed flats under application ref. 20251252 on 26.02.2026.

This application was refused on the following grounds:

1. The proposal in respect of design, character and appearance including heritage would be unacceptable and represents overdevelopment of the site. Specifically the proposed two storey rear extension by virtue of its depth, width, height, bulk, massing and design including the resultant overall depth of the dwelling would be an overly dominant addition which would be harmful to the character and

appearance of the host dwelling, the wider terrace it is situated in, the streetscene and the Pelham Road/The Avenue Conservation Area. As such, the proposal is contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014), saved Policy TC3 of the Gravesham Local Plan First Review (1994) and sections 12 & 16 of the National Planning Policy Framework (2024).

2. The proposal would provide extremely poor living conditions for future occupiers which would be harmful to their amenity by virtue of four of the five flats being undersized, and given the proximity of the ground floor rear flat to the refuse bins and the parking area would provide extremely poor living conditions for future occupiers, failing to safeguard their amenity. As such the proposal in respect of occupier amenity is contrary to Policy CS19 (LPCS) and paragraph 135(f) of the NPPF (2024).

3. The proposed two storey rear extension by virtue of its scale, bulk and massing would cause a harmful impact on no. 4 Pelham Road in respect of overshadowing, being overbearing and would generally be an unneighbourly extension. This would cause harm to the amenity and living conditions of existing and future occupiers of no. 4 Pelham Road and as such the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 135(f) of the National Planning Policy Framework (2024).

4. The proposal would result in the loss of the only remaining soft landscaping on the site in the form of the Common Lime Tree on the rear boundary and insufficient information has been submitted to enable an assessment of the loss of this tree. As such the proposal is contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014) and sections 12 and 19 of the National Planning Policy Framework (2024).

5. The applicant has failed to provide any ecological evidence to inform a habitat regulations assessment to address the impact of the proposed development on the Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) or offered a financial contribution towards the identified mitigation measures to address the impact of the development on the SPA/Ramsar site. The proposal is therefore contrary to Policy CS12 of the Gravesham Local Plan Core Strategy (2014) which seeks to ensure that detrimental effects on the integrity of SPA/Ramsar sites are avoided, and also contrary to Paragraphs 193 and 194 of the National Planning Policy Framework (2024).

This current proposal is for erection of a single storey rear extension only.

In the previous application the two storey rear extension was 3.8m in depth, full width of the rear elevation (5.1m) and 8.6m in height to the top of the ridgeline of the pitched roof. It would have had four windows in its rear elevation and none in either side elevation, faced with matching bricks and tiles and the windows would be uPVC. There would be brick banding continued from the existing dwelling across the rear and side elevations.

In this application the single storey rear extension would be 3m in depth, full width of the rear elevation (5.1m) and 2.7m in height to the top of the flat roof. It would have a window a door in the rear elevation and no windows in either flank elevation; it would be faced in matching materials.

It therefore needs to be seen whether the above grounds of refusal have been resolved.

For ease of reference the existing, refused and proposed schemes are as follows:



Block Plans

Existing



Refused



Proposed



Elevations

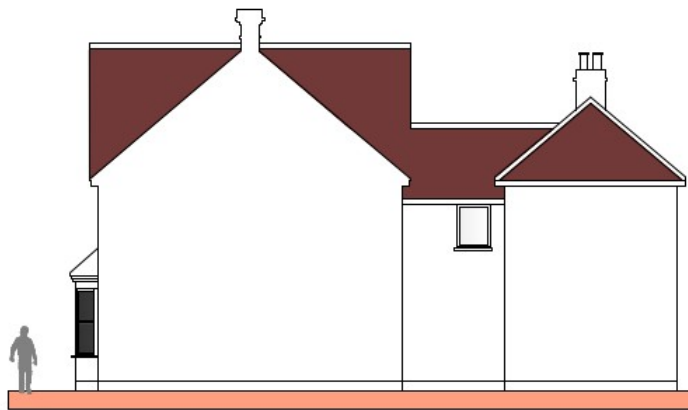
Existing



Existing Side Elevation



Existing Rear Elevation



Existing Other Side Elevation

Refused



Proposed Front Elevation @ 1.50



Proposed Left Elevation @ 1.50



Proposed Rear Elevation @ 1.50

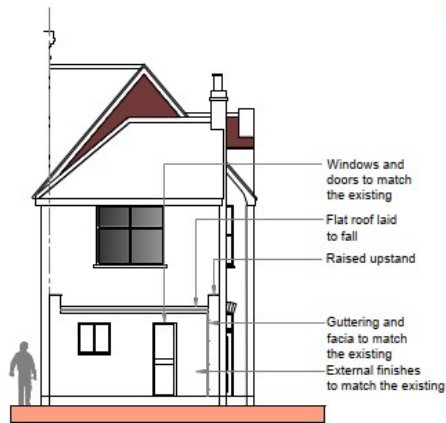


Proposed Right Elevation @ 1.50

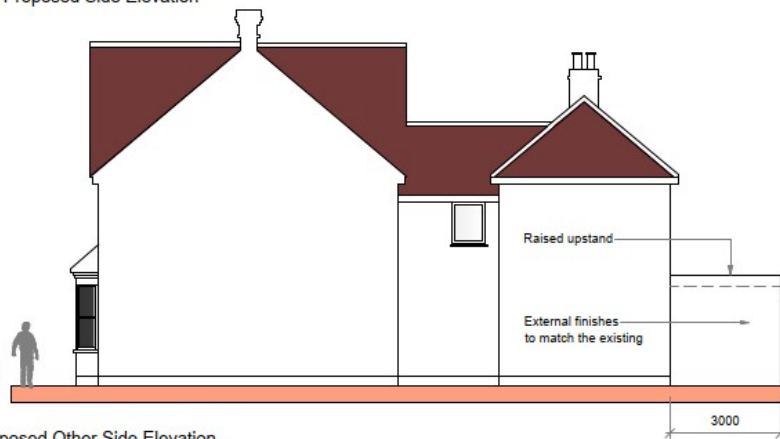
Proposed



Proposed Side Elevation

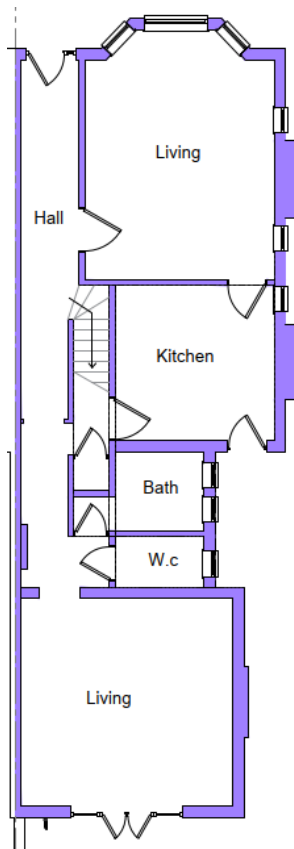


Proposed Rear Elevation



Proposed Other Side Elevation

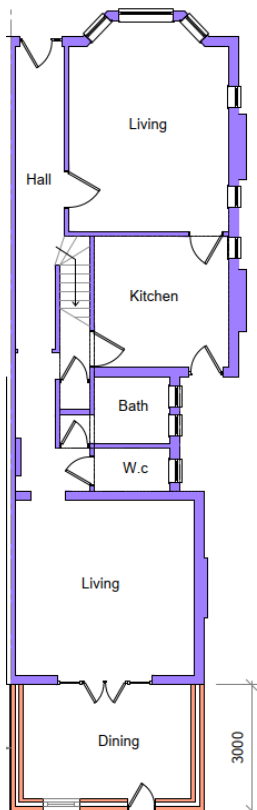
Existing



Refused



Proposed



Principle of Development

The application site consists of no. 2 Pelham Road which is located within the urban area of Gravesend.

Policy CS02 of the Gravesham Local Plan Core Strategy (2014) (LPCS) prioritises development in the urban area as a sustainable location and seeks to achieve this by promoting regeneration by prioritising redevelopment and recycling of underused, derelict and previously developed land, predominately in Opportunity Areas located within Gravesend and Northfleet.

The extension of this existing building in the urban area would therefore be acceptable in terms of the principle of the development subject to all other considerations which are discussed below.

Design, Character and Appearance including Heritage

This matter was concerning ground of refusal no. 1 of planning application ref. 20251252.

As stated above, no. 2 Pelham Road is a two storey end of terrace dwelling which is the first dwelling on the south-eastern side just south of the grassed area which extends up to the junction with Darnley Road. The rear and north side elevations of the dwelling are therefore fully open to view and visible in the streetscene.

The site is located in the Pelham Road/The Avenue Conservation Area.

The issues previously were that:

- It's depth which would extend across the full depth of the rear elevation, built directly up to one of the side boundaries and its ridgeline would be built in line with the ridgeline of the main dwelling; this would therefore leave very little of the existing rear elevation still visible;
- Behind the extension would be a parking area and therefore this would become a site which would appear heavily dominated by built form and hardstanding with no relief in terms of soft landscaping;
- The proposal would have therefore been harmful to the character and appearance of the host dwelling. Given the property currently has a mirrored appearance with no. 6 Pelham Road in terms of its depth and appearance of the rear elevation, the proposed extra depth would throw this off-balance and therefore appear as an incongruous and harmful addition in respect of the character and appearance of the whole terrace; Furthermore, given that the rear and side elevation of no. 2 Pelham Road are fully visible from Darnley Road, the proposal would also have caused greater harm outside of the dwelling itself and the terrace and would be harmful also to the streetscene and the character and appearance of the Pelham Road/The Avenue Conservation Area, which would not be preserved. This was considered even more unsatisfactory given that no. 2 Pelham Road forms the entrance to Pelham Road and the first property one sees when entering from the north.

The Council's Householder Guidance states the following in respect of single storey rear extensions:



Single Storey Rear Extensions

10.2 Single storey rear extensions are not normally visible from the street so are usually less visually intrusive than other extensions. However, these extensions can still have an impact on neighbouring amenity, including access to sunlight, daylight and outlook. To resolve these potential issues, single storey rear extensions should be designed to ensure that:

- Depth: The extension does not dominate the original property. This can cause the site to appear overdeveloped, and cause long dark internal spaces to be formed. Extensions to extensions will generally not be supported.
- Height: Single storey extensions should not rise above the window sill level of any first-floor windows. Care should be taken to limit the height of extensions where they abut neighbouring property boundaries, especially where extensions are of significant depth (above 3m deep).
- Width: Generally, extensions should not be of greater width than the original building.
- Design: Whilst flat roofs on low visibility rear extensions might be acceptable, care should be applied to extensions to properties on open corners. Pitched roof extensions to single storey properties should use roof shapes which reflect the pitch and type of roof of the original building.
- Materials: Generally, using matching external materials and window/door frames. In some instances, contemporary design may be appropriate, through the use of high-quality materials and design which complements the original house and has minimal impact on neighbouring properties.
- Overlooking: Extensions should avoid inserting any flank windows, or involve raised platforms where they would allow new, or increased overlooking views into neighbouring gardens/properties.

The map from 1862-1875 on the Kent Historic Environment Record shows the property as follows:



It appears that the depth of the dwelling as it is now, is therefore the original depth. It can be seen that nos. 2 & 6 Pelham Road, the two end properties in the terrace had the same depth and the property in the centre no. 4 was of shorter depth which still remains the case today.

As such the depth of the original dwelling was 17.6m. In the previous application, the proposed two storey rear extension was 3.8m which would have led to an overall resultant depth of the dwelling of 21.4m which would have all been at two storey level. A two storey rear extension at 3.8m was considered to be fairly deep and this would be added onto the original depth of the dwelling which is already very deep. With the existing dwelling being so deep already it was therefore considered that to add even more depth would overly dominate the property.

In this case the extension would now be single storey at a depth of 3m. This would still therefore add to the overall length of the dwelling so that it would be 20.6m (17.6m of it two storeys and 3m of single storey height). Although 3m is standard for a single storey rear extension and not an excessive length, it is still the fact that it would be added onto a dwelling which is already exceptionally deep.

The extension would still be built directly up to the neighbouring boundary (with no. 4 Pelham Road) on its south-western side.

The extension would not be of greater width than the original building.

In the previous application the proposed roof was unacceptable as it would have been built in line with the ridgeline of the host building and not set down at all, however, it would at least have been a pitched roof which matched the roof of the host building. In this application the proposed extension would have a flat roof which the existing dwelling does not have. It is a positive that the roof of the extension would now not be in line with the ridgeline of the host building as it would be single storey and not two storeys, but now the roof design is not in keeping with the roof design of the original building. Whilst flat roofs are normally acceptable across the Borough for single storey rear extensions, in this case this would be a high visibility rear extension where the rear of the property is fully visible from both Darnley Road and the grassed area to the north-east. With the rear of the property being so visible, this is not an issue that can be countered with the argument of limited visibility as is normally the case with a rear extension. The proposed flat roof would not be in keeping with the roof form of the host building and the extension would appear as a standard box-like structure on the back of this building, which would be completely out of keeping with its late 19th century architecture.

In the previous application the proposed sash windows would have been in keeping with the existing fenestration. In this proposal the window and door proposed in the rear elevation would not be the size, style or design of the existing fenestration in the building and would therefore be out of keeping.

In the previous application the proposal would have taken up 3.8m depth from the area to the rear of the property and then have garden and parking beyond; in this application it would take up 3m depth and beyond that would be the same hardstanding area used for parking and bins as existing. In the previous application it was considered that the proposal would contribute to a general overdeveloped nature to the plot. This is still considered to be the case even with the depth of the proposed extension now being 3m instead of 3.8m. With the house at 17.6m in depth already, to then add a 3m extension onto this which would result in a dwelling with a total depth of 20.6m where there would then be the parking area beyond that with no soft landscaping to soften all this built form, would lead to an overdeveloped character to the plot still

In summary, the proposed single storey rear extension is considered unacceptable in design terms due to its depth which would still make the resultant overall depth of the dwelling significant, its width which would extend across the full depth of the rear elevation, be built directly up to one of the side boundaries and would have a flat roof design would not be in keeping with the roof form of the host building. Behind the extension would be the remainder of the existing parking area and therefore this would become a site which would appear heavily dominated by built form and hardstanding with no relief in terms of soft landscaping. The proposal would therefore be harmful to the character and appearance of the host dwelling. Given the property currently has a mirrored appearance with no. 6 Pelham Road in terms of its depth and appearance of the rear elevation, the proposed extra depth would through this off-balance and therefore appear as an incongruous and harmful addition in respect of the character and appearance of the whole terrace. Furthermore, given that the rear and side elevation of no. 2 Pelham Road are fully visible from Darnley

Road, the proposal would also cause greater harm outside of the dwelling itself and the terrace and would be harmful also to the streetscene and the character and appearance of the Pelham Road/The Avenue Conservation Area, which would not be preserved. This is considered even more unsatisfactory given that no. 2 Pelham Road forms the entrance to Pelham Road and the first property one sees when entering from the north.

Overall, the proposal in respect of design, character and appearance including heritage would be unacceptable. The proposed single storey rear extension by virtue of its scale and design including the resultant overall depth of the dwelling would be an overly dominant and incongruous addition which would be out of keeping and harmful to the character and appearance of the host dwelling, the wider terrace it is situated in, the streetscene and the Pelham Road/The Avenue Conservation Area which would not be preserved. As such the proposal is contrary to Policies CS19 and CS20 (LPCS), saved Policy TC3 (LPFR) and sections 12 & 16 of the NPPF (2024). Ground of refusal no. 1 of planning application ref. 20251252 has not been resolved.

Amenity of Future Occupiers

This matter was concerning ground of refusal no. 2 of planning application ref. 20251252.

The issues were that four of the five flats were undersized and given the proximity of the ground floor rear flat to the refuse bins and the parking area this would have provided extremely poor living conditions for future occupiers, failing to safeguard their amenity.

In this application no flat conversion of the HMO is proposed. The ground floor plan shows that there is two living rooms, a kitchen, a bathroom and wc on the ground floor level. The extension would form a dining room off of a living room which would be 10.78 sq. m.

The Council's Guidance for HMO Amenity Standards (2025) state that for a combined living and dining room this should be at least 14 sq. m for 3 people plus 1 sq. m for every additional person. The overall living and new dining room would be 28 sq. m together so it would appear that the minimum standard for combined living and dining room would be exceeded.

The dining room would have a window and door so would have good natural light and outlook.

The window and door would look onto the existing hardstanding parking area which would give rise to car lights directly beaming into their windows at night, noise from engines running, car doors slamming and people talking etc. However, as this would be a communal dining room and not the bedroom of a self-contained flat as in the previous application, then it is considered that the impact on amenity would not be so unacceptable in this case.

There is no external amenity area as existing and there is none proposed, however there are public parks nearby including Woodlands Park and Riverside Leisure Area such that future occupiers would have access to external amenity space.

In summary, the proposal would now not be undersized, and occupiers would not experience poor living conditions. As such the proposal in respect of occupier amenity is contrary to Policy CS19 (LPCS) and paragraph 135(f) of the NPPF (2024). Ground of refusal no. 1 of planning application ref. 20251252 has not been resolved.

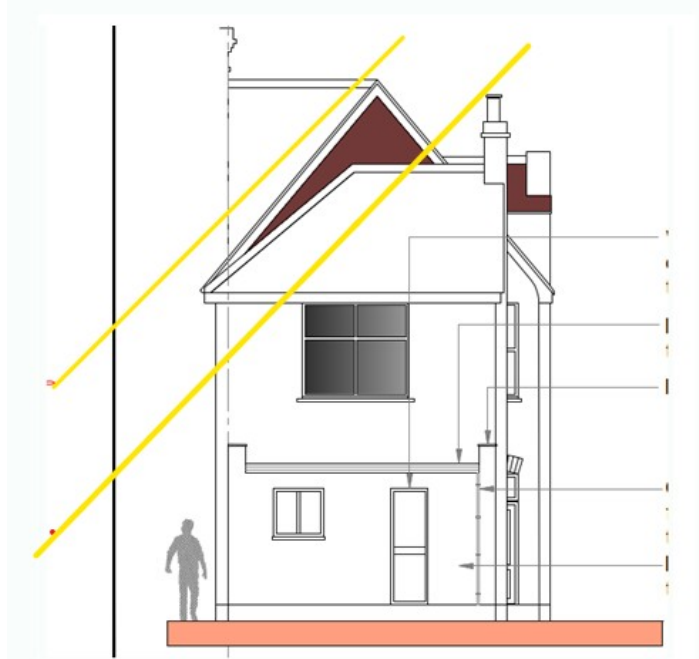
Neighbouring Amenity

This matter was concerning ground of refusal no. 3 of planning application ref. 20251252.

The issues were that due to the proposed two storey extension failing the 45 degree test on both plan and elevation there would be overshadowing to the windows in the rear of no. 45 which would have been harmful to the amenity and living conditions of existing and future occupiers of no. 4 Pelham Road.



The neighbouring property to the south-west is no. 4 Pelham Road, the middle property in the terrace. The proposed single storey rear extension would be built directly up to the boundary with no. 4. No. 2 due to its long depth already extends beyond the rear elevation of no. 4. No. 4 has a two storey rear extension (permitted under ref. 20120022). In the side elevation of the extension facing no. 2 there is a door serving a stairwell, a ground floor window serving a toilet and a first floor window serving a stairwell. These all currently experience overshadowing from no. 2 Pelham Road and are non-habitable rooms in any case. In the rear elevation there are two windows at ground floor level serving a kitchen and two windows at first floor level serving study/bedroom. These are habitable windows and the 45 degree test has been carried out from the windows in the rear of no. 4 on both plan and elevation and this is shown as follows:



This shows that the proposed extension would fail the 45 degree test on plan but not elevation, as it would not fail both this thereby denotes that there would be no overshadowing to the windows in the rear of no. 4 Pelham Road.

There would be no windows in the south west flank elevation of the proposed extension therefore no overlooking to no. 4.

There would be a distance from the rear of the extension to the front of the properties in Darnley Road of some 25.8m therefore no overshadowing or overlooking to those properties.

In summary, the proposed two storey rear extension by being reduced from two storeys to single storey means that the proposed extension would now not cause a harmful impact on no. 4 Pelham Road in respect of overshadowing, being overbearing or unneighbourly. As such in respect of neighbouring amenity the proposal would be compliant with Policy CS19 (LPCS) and paragraph 135(f) of the NPPF (2024). Ground of refusal no. 3 of planning application ref. 20251252 has therefore been resolved.

Parking and Highways

The proposed block plan shows the existing hardstanding for parking will remain in front of the single storey rear extension thereby providing space for at least one vehicle. SPG4 (2006) requires a maximum of 1 space per dwelling for 1 bedroom units. Given this and that the site is on the edge of the town centre it is considered that two parking spaces would be sufficient. In respect of parking and highways the proposal

would therefore be compliant with saved Policy P3 (LPFR).

Ecology and Biodiversity

Biodiversity Net Gain

Biodiversity Net Gain (BNG) is a mandatory requirement for all new development and proposals must deliver a BNG of at least 10% unless they are exempt. In this instance, the applicant is stating on the application form under the BNG section that the proposal is subject to the de minimis exemption in that the proposal would impact less than 25 sq. m of onsite habitat as there is no on-site habitat.

It can be seen from the Google Street View image from November 2022 that there are two trees in the rear yard which have been removed which was carried out under consent granted in 2025 (ref. 20251047) for 'Works to trees in a Conservation Area; Removal of Sycamore Tree (T2), and Norway Maple (T3). Replanting with 2x Acer Campestre'. At the site visit for this current application however, it could be seen that there is one tree in the back garden with the rest all hardstanding (the tree is referred to as T1 Common Lime Tree in application ref. 20251047). It is therefore agreed that the proposal is subject to the de minimis exemption as it would impact less than 25 sq. m of onsite habitat, but it is not the case that there is no on-site habitat.

As well as the BNG section on the application form, it is also stated under the Trees & Hedges section that there are no trees on the proposed development site which is incorrect. The tree is not shown on the existing block plan or the proposed block plan; these errors were made in the previous application. With the extension built and parking could only take place beyond this, the tree would have to be removed. The tree is protected by virtue of being a Conservation Area. It appears the Acer Campestre' replacement trees required under application 20251047 have not been re-planted and they are not shown on the existing or proposed block plan in this application. No Arboricultural Report has been submitted with this application to demonstrate the condition of the tree or why it is proposed to be removed. The tree provides the only soft landscaping in the entire back garden and its removal would leave the whole of the rear garden with no soft landscaping at all, it would just all be hardstanding. No replacement planting is proposed, indeed as stated the existence of the Common Lime Tree is not even acknowledged in the application.

As such, the proposal would result in the loss of the only remaining soft landscaping on the site in the form of the Common Lime Tree on the rear boundary and insufficient information has been submitted to enable an assessment of the loss of this tree. As such the proposal is contrary to Policies CS12 and CS19 (LPCS) and sections 12 and 19 of the NPPF (2024). Ground of refusal no. 4 of planning application ref. 20251252 has not been resolved.

Thames Estuary and Marshes Special Protection Area (SPA)

The tariff was not paid in previous application ref. 20241252 but is no longer applicable now the proposal is only for an extension. Ground of refusal no. 5 of planning application ref. 20251252 has therefore been resolved.

Land contamination

The site is located in the Nine Elms Historic Landfill Buffer Zone which raises contamination concerns. Should permission be forthcoming planning conditions are recommended to request details of a gas permeable membrane to be incorporated within the structure along with a ventilated sub-floor area and a second condition to be a watching brief for contamination. Subject to this the proposal would be acceptable in respect of land contamination and compliant with Policy CS19 (LPCS).

Archaeology

The site is located in an Area of Archaeological Potential. The proposal is for an extension to an existing building on the site. Given the developed nature of the plot already from when the dwelling was originally

constructed it is considered that the proposed extension would not result in any harm to archaeology. In respect of archaeology the proposal is therefore considered compliant with saved Policy TC7 (LPFR).

Any Other Material Planning Considerations

None.

Conclusion

The proposal remains acceptable in respect of parking and highways, land contamination and archaeology and would now also be acceptable in respect of amenity of occupiers, neighbouring amenity and the Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) and has therefore resolved grounds of refusal nos. 2, 3 & 5 of planning application ref. 20251252.

However, it would still not be acceptable in respect of design, character and appearance including heritage, and ecology and biodiversity and has therefore not resolved grounds of refusal nos. 1 and 4 of planning application ref. 20251252.

As such the proposal is still contrary to local and national planning policy.

Recommendation

Refusal

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

Case Officer:	Ms Rebecca Harrison	Team Leader:	Mrs Faye Walsh
Signed:	<i>Rebecca Harrison</i>	Signed:	<i>F Walsh</i>
Dated:	22nd June 2026	Dated:	22 June 2026