

Delegated Report

Planning Application

Planning Application No: 20260501

Location: 48 Parrock Road, Gravesend DA12 1QH

Description: Retrospective application for hard & soft landscaping to front garden with infilling of existing swimming pool.

Applicant: Mr & Mrs Stephen Dalton

Submitted Documents/Plans

Application form
Materials and Planting Schedule
Drawing no. 103 (site location plan)
Drawing no. 108B (proposed sections)
Drawing no. 105B (pre-existing and proposed block plans)
Drawing no. 106B (pre-existing and proposed plans)
Drawing no. 107B (front garden sections as pre-existing)

Relevant Planning History

20260388	Demolition of a two storey garage. Erection of a single storey front/side extension.	Permitted	26.06.2026
20260187	Erection of a single storey rear/side extension with roof lanterns.	Permitted	23.03.2026
20150408	**REVISED DESCRIPTION** Erection of single storey one bedroom annex.	Application Refused	16.06.2015
20120085	Erection of two storey, three bedroom detached dwelling with two car parking spaces	Application Refused	05.04.2012
20110973	Erection of a detached two storey, three bedroom dwelling with three car parking spaces.	Application Refused	04.01.2012
20080506	Application for variation of condition 2 of Appeal Decision reference number APP/K2230/C/02/1085707 for retention of the open fronted garage and roof store over; to permit the room over to be	Permitted	12.11.2008

occupied by a lodger.

20070806	Application for a Lawful Development Certificate in respect of the existing use of the room above the open-fronted garage as residential subservient to the existing dwelling.	Certificate Refused	27.03.2008
20010441	Retention of open fronted garage and roof store over.	Application Refused	30.07.2001
19920341	Application for the variation of condition (iii) attached to planning permission ref. no. GR90/830 for the formation of a driveway and access onto Parrock Road.	Permitted	14.01.1993
19900830	** REVISED LAYOUT PLAN ** Erection of 2 no detached two storey dwellings each with an attached double garage at the side.	Permitted	22.02.1991
19880193	Outline application for erection of 2 no detached dwellings with garages and access onto Parrock Rd	Application Refused, appeal allowed	29.07.1988
19860088	Outline application for the erection of two detached dwellings with double garages and access on to Parrock Road.	Application Refused	07.04.1986

Development Plan

Gravesham Local Plan Core Strategy (September 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 4 – Decision-making
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

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);
- Design for Gravesham: Design Code (2024);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021); and

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

Neighbouring properties

The application has been advertised by individual letters to 10 neighbouring properties. No letters of

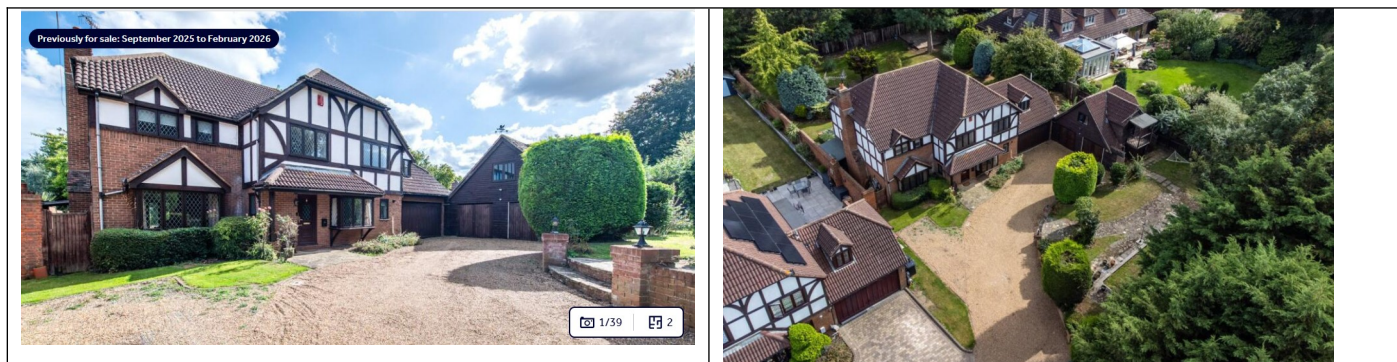


representation have been received and the overall consultation period expired on 30 June 2026.

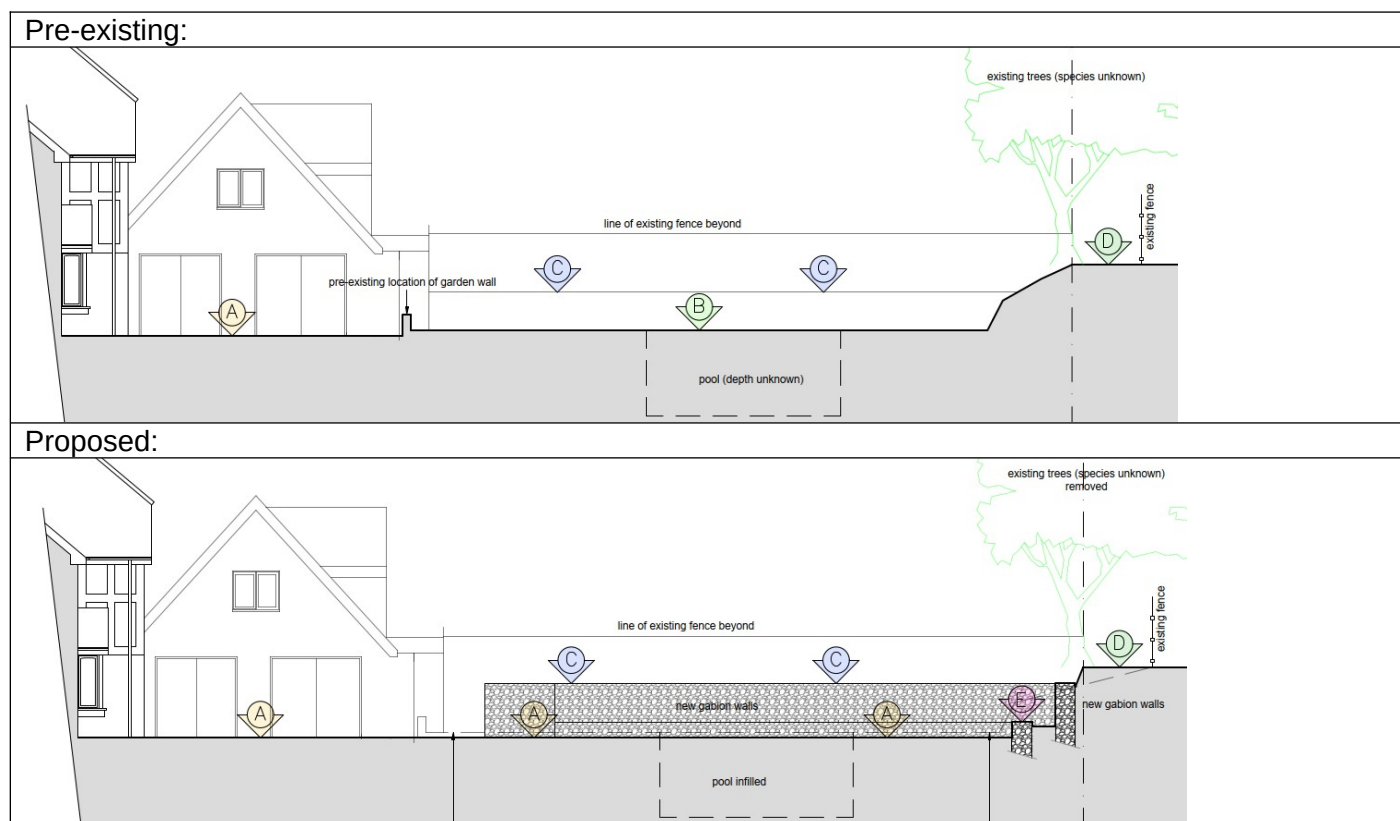
Officer's Analysis

Proposal

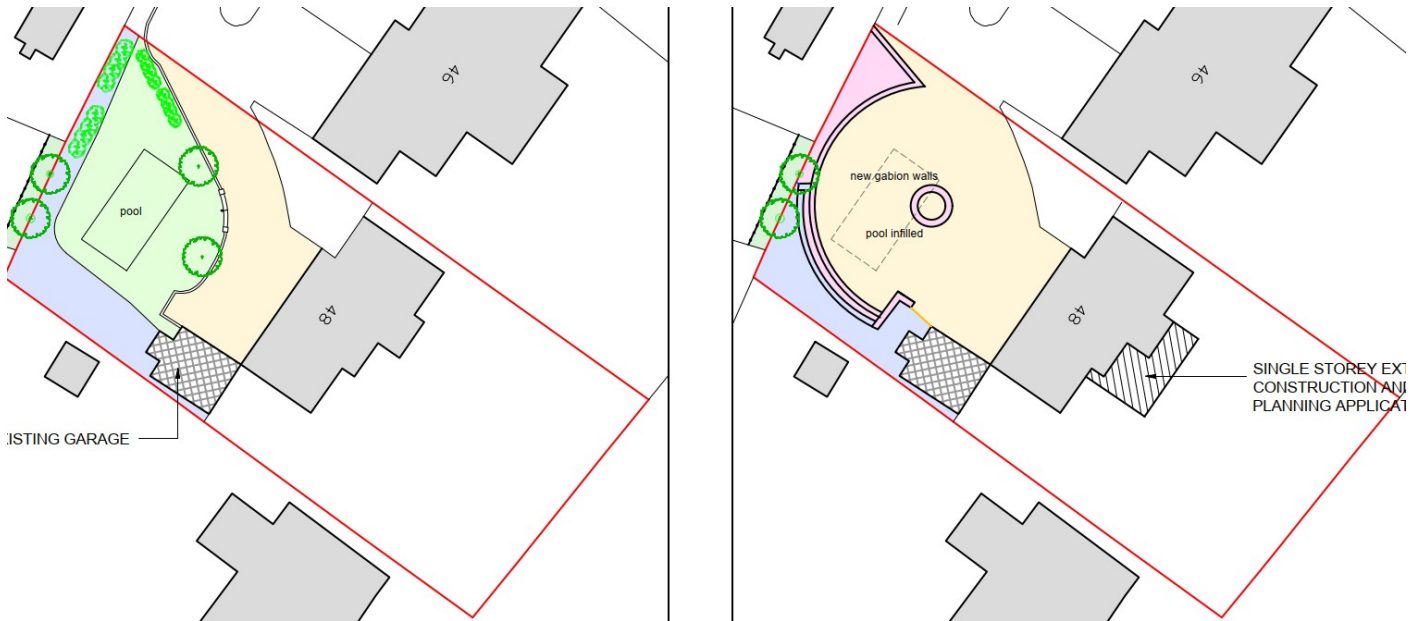
This application seeks retrospective planning permission for hard & soft landscaping to front garden with infilling of existing swimming pool. The existing frontage is shown below:



The drawing below shows the pre-existing and proposed section of the frontage from the front of the house to the front-most part of the front garden:



The plans below show the site before works took place and the proposed finished plans:



Design, Character and Appearance

The application site is a two storey detached property with generous front and rear gardens. There is a two storey garage to the front with permission to be demolished and re-built as an extension. The property is set down from the main road significantly. The property to the north is at the same level as the application site, as are properties to the south. Properties to the northwest are at road level which is much higher. There is significant boundary treatment running along the northwestern boundary consisting of fencing and trees.

The character of the street scene is mixed in design and type of dwelling. The application site is of mock-Tudor design with a sweeping front garden laid to gravel and lawn. There was once a pool to the front which has been infilled.

The proposed plans show a larger area of hardstanding that will allow cars to circle the site to enter and exit in a forward gear. There will be a planted area to the west supported by gabion walls. The site is not readily visible from the street but is visible from the neighbouring property. The proposal includes planting and a schedule has been included with the application. A condition is recommended to ensure this is implemented. The proposed development is considered to be visually attractive and will enhance the character of the built form.

The proposed development therefore accords with policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135 of the National Planning Policy Framework 2024.

Amenity

Future Occupiers

The proposed works are to the front of the house and therefore do not impact on the rear garden. The works do not provide any habitable space and therefore there are no concerns regarding overlooking.

Neighbouring Amenity

The closest neighbours (52C and 54) are located to the north west of the site where the works are being undertaken. These properties are at a higher level than the application site. Boundary treatment of 2m high laurels are proposed in front of the existing fence which will screen the development. No. 46 is

located to the northeast of the application site. Given that the proposed works are not forming private amenity space there will be no loss of privacy, sunlight, daylight or outlook from the development.

The proposed development therefore accords with policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2024.

Ecology and Biodiversity

Biodiversity Net Gain

Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better quality natural habitat than there was before development.

BNG does not apply to householder developments.

Parking and Highways

The proposed development will not result in the reduction of off road parking or the alteration to the site access and therefore no objection is raised on highways grounds.

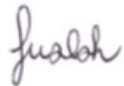
Conclusion

The proposed development will have no detrimental impact on the character and appearance of the area, neighbouring amenity, parking or highway safety and therefore accords with the abovementioned policies and is recommended for approval.

Recommendation:

Permission

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

Case Officer:	Mrs Alison Webster	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	28 July 2026	Dated:	29 July 2026