



Delegated Report

Householder Planning Application

Planning Application No: 20260571

Location: 9 Grangeways Close Northfleet Gravesend Kent

Description: Application for variation of condition 3 (use of outbuilding) attached to planning permission reference number 20200028 for Retention of an outbuilding; to allow ancillary family accommodation in the outbuilding.

Applicant: Ms Thind

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form;
Location Plan, Existing Block Plan and Proposed Block Plan – 001.A; and
Floor Plans and Elevations - 002.A.

Relevant Planning History

Reference	Description	Decision	Decision Date
20200028	Retention of an outbuilding.	Granted	20.02.2020

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

There have been no consultees consulted on this application.

Neighbouring properties

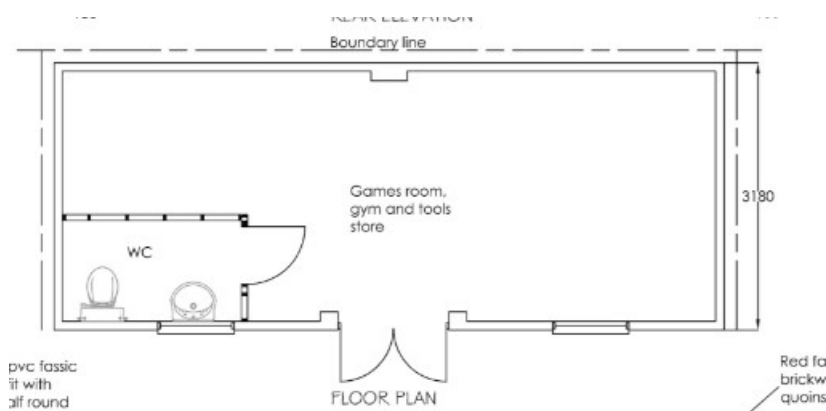
Six surrounding properties were consulted with a response date of 24.06.2026, objections were received from three addresses. The issues raised are summarised as follows:

- Parking stress
- Overdevelopment of the site
- Character of the surrounding area
- Impact on neighbour amenity
- Unauthorised use of the building in the future

Officer's Analysis

Background

Under application reference 20200028, planning permission was granted in February 2024, for the retention of an outbuilding. The outbuilding was identified as being used as games room, gym and store, with a wc;



It did not include any habitable accommodation such as bedrooms, kitchens or living rooms. The following condition was attached to limit the use;

Condition 3 (use of outbuilding) reads as follows:

3. The outbuilding hereby permitted shown annotated on 'Drawing no. 9GC/A3/01 - Proposed Floor Plan and Elevations' shall be used only for residential purposes, incidental to the use of the main dwelling of 9 Grangeways Close and for no other purpose. For the avoidance of doubt the outbuilding shall not at any time contain any primary living accommodation or be sold, parted, let or exchanged as a separate unit of living accommodation and no trade or business shall be carried on therefrom.

Reason: To enable the Local Planning Authority to manage any subsequent alterations to or intensification of residential use on the site, in accordance with Local Plan: Core Strategy Policy CS01 and CS19.

Design, Character and Appearance

The outbuilding is an existing flat roofed single storey building, it is located to the rear of the site. Planning permission was granted for the retention of the building under application 20200028. There are no external changes to the building proposed as part of this application. As such, the proposed variation is considered acceptable in regard to its impact on the character and appearance of the site and its surroundings, in accordance with Policy CS19 of the Local Plan Core Strategy 2014.

Amenity of Future Occupiers

Internally the outbuilding would be rearranged to provide a separate bedroom area, a kitchenette and living area as well as a shower room. The bedroom would have a floor area of 9sqm which would

exceed the minimum floor area requirement for a single bedroom. There would be windows to the two living area and bedroom which would provide occupants with sufficient daylight and outlook.

The overall floor area of the outbuilding is approx.22m² which is not suitable for self contained living. As referenced in the planning statement, the additional accommodation is required for visiting family members due to the personal circumstances of the applicant. Family members will not be permanently and it varies between few weeks to a few months. The outbuilding will provide some private space, while still being reliant on the main household for day to day living. The Planning Statement also makes it clear that the accommodation is not intended as a commercial letting, independent residential unit or separate dwellinghouse.

Based on the above information, the outbuilding is considered suitable on a short term basis for visiting family members. The use will be conditioned accordingly, tied to the main dwelling and not be let or sold separately.

On balance, the proposal is considered comply with the requirements of Policy CS19 of the Local Plan Core Strategy 2014 by safeguarding the amenity of future occupants.

Neighbouring Amenity

As there would be no changes to the building, there would be no overshadowing or overbearing impact on the occupants of neighbouring properties. It is considered that in normal residential use of the outbuilding there would be no greater noise disturbance on neighbouring properties than currently exists or would be considered reasonable from a single family dwelling. A condition would be placed on the decision restricting the use of the outbuilding to ancillary to the main dwelling, to minimise impacts on the surrounding area. Given the oblique angle, there is not considered to be any loss of privacy. Subject to such condition, the proposed variation is considered acceptable and safeguards neighbouring amenity in accordance with Policy CS19 of the Local Plan Core Strategy 2014.

The concerns of surrounding residents are duly noted, but decisions must be based on the information presented, and not based on 'what could happen'. Were the outbuilding to become permanently occupied, or appear to contain an occupant not related to the host dwelling, then this can be raised with Planning Enforcement who will investigate the matter.

Parking and Highways

It is noted that residents have raised concerns regarding increased parking pressure, there is parking space for three vehicles to the front of the property. The parking provision would be sufficient for the property with space to accommodate a visitors vehicle. In any case, as a condition would be imposed restricting the outbuilding to ancillary use only there would be no need for additional parking arising.

Ongoing Conditions

It is important to note that the original planning permission 20200028 was subject to four conditions, condition 1 will be removed as the outbuilding has been constructed. Condition 2 has been updated to reference the updated plans, condition 3 has been reworded to allow for outbuilding to be used as ancillary residential accommodation, condition 4 is unchanged.

Recommendation

The application has been fully considered and the use of the outbuilding for residential accommodation is considered acceptable, subject to conditions.

For detailed conditions and informatives, see draft Decision

Case Officer:	Adeoye Lawal	Team Leader:	Mrs Faye Walsh
Signed:	<i>Ade Lawal</i>	Signed:	<i>F Walsh</i>
Dated:	17th July 2026	Dated:	29 July 2026