



Delegated Report

Householder Planning Application

Planning Application No: 20260648

Location: 15 Lamorna Avenue Gravesend Kent DA12 5QF

Description: Demolition of existing rear projection. Erection of a two storey/part single storey rear extension and alterations to fenestration.

Applicant: Mr Sean Molloy

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form Dated 24/06/2026;
Block Plan – Proposed;
Drawing Number 2026/44 (Site Location Plan and Block Plans – Existing and Proposed and Floor Plans and Elevations – Proposed); and
Drawing Number 2026/45 (Floor Plans and Elevations – Existing).

Relevant Planning History

Reference	Description	Decision	Decision Date
20180561	Formation of a vehicle crossover and creation of a hardstanding in the front garden.	Permitted	13.08.2018

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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- 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

Four surrounding properties were consulted and no responses were received. The consultation period ended on 31/07/2026.

Officer's Analysis

Design, Character and Appearance

15 Lamorna Avenue is a two storey end of terraced dwellinghouse located on the western side of the highway. The property is hardstanding to the frontage for off road vehicular parking.



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.

The application proposes the demolition of the existing outrigger to the rear elevation and the erection of a two storey / part single storey rear extension and alterations to fenestration.

The rear extension will have a pitched roof at a maximum height of 5m and an eaves height of 5.08m at first floor level and a maximum height of 3.45m and eaves height of 2.59m at single storey. The extension will have an overall width of 5.5m at single storey and the part two storey extension will be set back from the adjoining neighbouring boundary by 2.2m. The extension will project 3.5m from the rear elevation.

The development will create space for an open plan kitchen / living area and WC to the ground floor and a fourth bedroom to the first floor. The development will introduce bi-fold doors and a window to the rear elevation at ground floor level and a window to the rear elevation at first floor level serving the newly created bedroom. The application also proposes a window to the existing flank elevation serving the existing bathroom which will be conditioned to be obscure glazed to Pilkington Level 3 or above. The extension will be constructed with a rendered finish to match the existing dwelling.

As such, the development hereby proposed is not excessive in size or bulk, will be constructed using appropriate materials and will have no impact on the street scene. Therefore, the application is in accordance with 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.

The application will increase the number of bedrooms at the property from three to four.

Gravesham's Residential Layout guidelines state that a four-bedroom property should have the minimum rear 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 94.28m² and a minimum depth of 14.4m. Whilst the remaining area would measure slightly below the recommended guidelines, the shortfall is considered to be minimal and as such it would be unreasonable to refuse the application on these grounds alone.

Furthermore, all proposed rooms are in accordance with those as set out in the recommended guidelines.

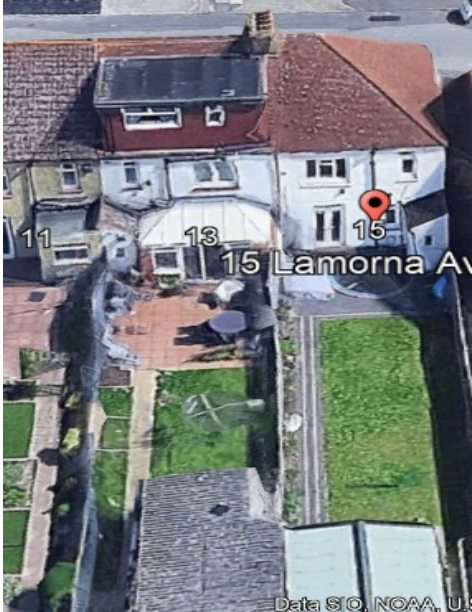
As such there are no concerns with the amenity of future occupiers and the application is in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Policy P3 of the National Planning Policy Framework (NPPF) 2026.

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,

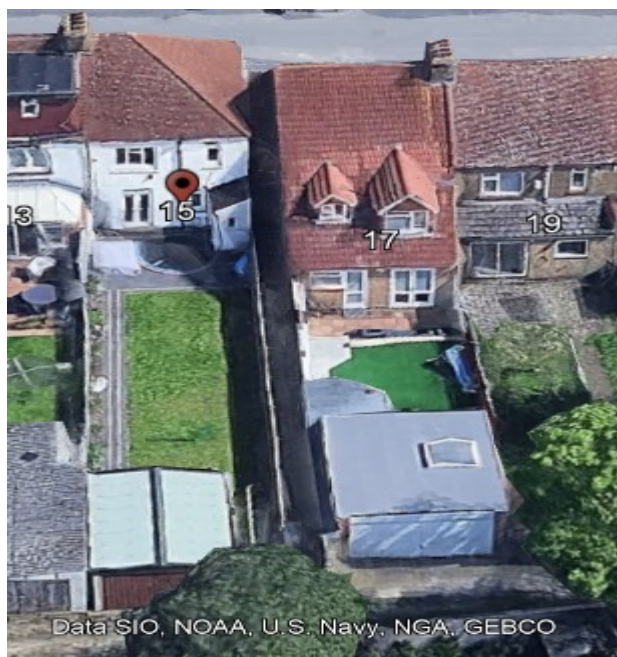
including adequate access to light and protection from adverse impacts that could affect health or quality of life.

The application proposes a two-storey rear extension. However, the extension is set back from the boundary of neighbouring property known as 13 Lamorna Avenue by 2.2m and as such is not considered to have a detrimental impact on this property in terms of outlook, overshadowing or loss of light.

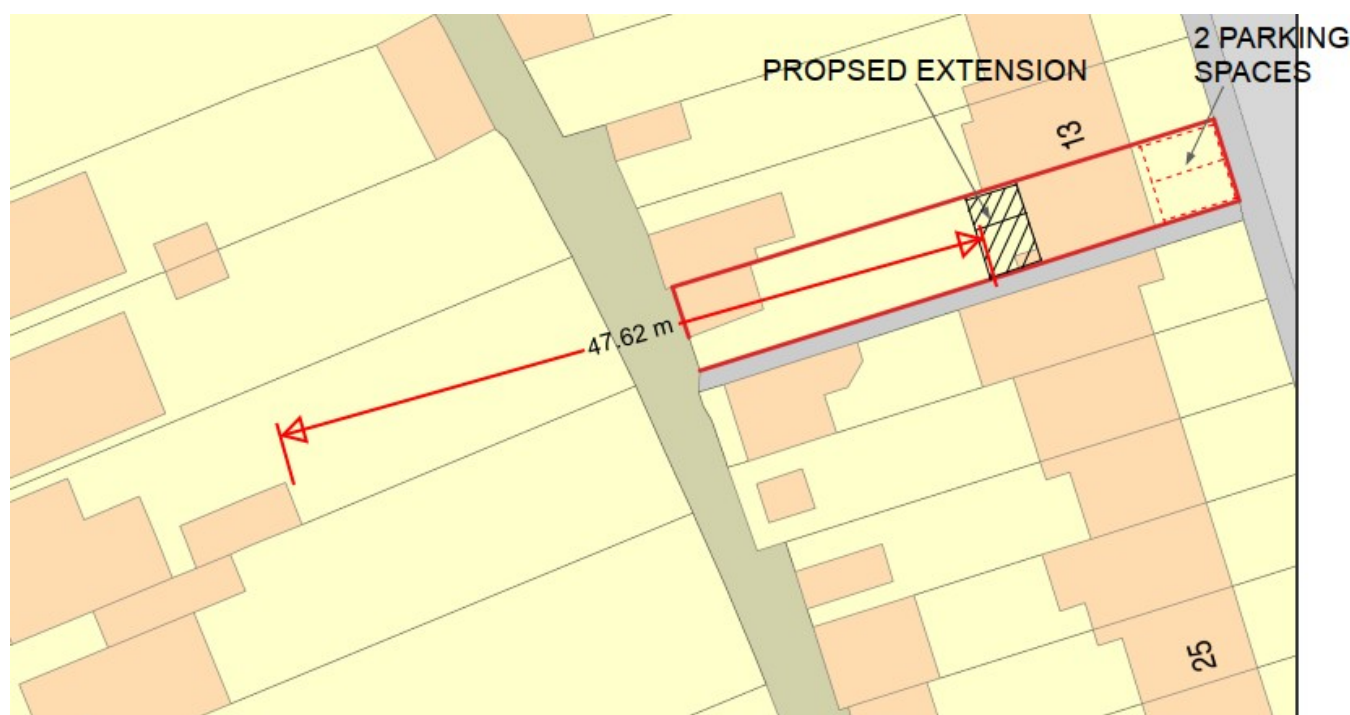
Proposed Rear Elevation	View from Google Earth
 REAR ELEVATION	 Data SIO, NOAA, U.S.

Furthermore, by way of the existing development to neighbouring property known as 17 Lamorna Avenue, the development is not considered to be detrimental to this property:

Google Earth Image



The application proposes a first-floor habitable window to the rear elevation. However, by way of distances from neighbouring properties to the rear of the application site, the proposed window is not considered to impact the privacy of these properties:



The application also proposes a window to the flank elevation at first floor level. However, this would serve the existing bathroom and as such would be conditioned to be obscure glazed and would not impact neighbouring privacy.

Overall, the proposal is in accordance with 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

Whilst the proposal would increase the number of bedrooms from three to four, the application site retains sufficient off-road parking and as such raises no concerns.

Conclusion

The proposal is not excessive in size or bulk, will be constructed using appropriate materials and will have no detrimental impact on the street scene. The development will safeguard the amenity of future occupiers and will not harm the amenity of any adjoining property. As such, it is recommended that planning permission is granted, subject to conditions.

Recommendation

Permission

(For detailed **conditions** 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:	25 th August 2026	Dated:	25th August 2026