

Delegated Report

Householder Planning Application

Planning Application No: 20260012

Location: 62 Kings Drive Gravesend Kent DA12 5BJ

Description: Demolition of existing dwelling. Erection of a self build single detached dwelling with associated internal and external works.

Applicant: Mr Sundeep Photay

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form Dated 05/01/2026;
Supplementary Information - Design and Access Statement;
Drawing Number D-01 Rev B (Floor Plans and Elevations – Existing);
Drawing Number D-09 (Site Location Plan);
Drawing Number D-10 (Block Plan – Existing);
Drawing Number D-11 Rev A (Block Plan – Proposed); and
Drawing Number D-12 Rev A (Floor Plans, Elevations and Section – Proposed).

Relevant Planning History

Reference	Description	Decision	Decision Date
20250195	Erection of a second floor with roof lantern and solar panels. Erection of a single storey front extension and single storey rear extension with 3 rooflights. Internal alterations and changes to fenestration.	Application Refused	28.04.2025
20240911	Erection of a second floor and habitable loft space with 7 rooflights and roof lantern. Erection of a single storey rear extension with 3 rooflights and a single storey side extension. Internal alterations and changes to	Application Refused	02.12.2024

	fenestration.		
--	---------------	--	--

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- T1 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network
- 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

Commented [RH1]: CS11 is relevant as this is a replacement larger dwelling. There may be highway issues.

Commented [RH2R1]: CS14 is also applicable.

Commented [NG3R1]: Added

Commented [RH4]: Read T1 and T3 they are relevant policies.

Commented [NG5R4]: Actioned

Commented [RH6]: Whilst it's a replacement dwelling the relevant householder SPGs are still helpful as they provide design guidance which applies to new dwellings.

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

KCC Biodiversity

The following is provided by Kent County Council's Ecological Advice Service (KCC EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the county council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application and if sufficient/appropriate ecological information has been provided.

Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the planning officer, who will seek input from the EAS where appropriate and necessary.

SUMMARY: ADDITIONAL INFORMATION REQUIRED

We have reviewed the information submitted in support of this application and advise that insufficient ecological information has been provided to determine the application. The following information is required prior to determination:

- Preliminary Roost Assessment

Bats

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, we advise that the proposed development has the potential to adversely affect roosting bats which need to be considered as a demolition is proposed.

Bats and their roosts are fully protected from disturbance and harm through the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). Some species of bat (including Bechstein's, noctule, soprano pipistrelle and brown long-eared) are also listed under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 as Species of Principal Importance for conservation. Local planning authorities must have regard for the conservation of Section 41 species and all bat species as part of their planning decisions¹⁵.

The existing structures proposed for demolition appears to have wooden fascias, eaves, soffits and felt roofs which could be potential roost features (PRFs) which may support roosting bats. Bats often roost

Commented [RH7]: Emerging Local Plan text is required.

Commented [NG8R7]: Done

under tiles, roofing felt and lead flashing, adjacent to windowsills and windowpanes and within cracked brickwork, lifted rendering, weatherboarding, eaves and soffit boxes. As these proposals may adversely affect bats, a Preliminary Roost Assessment (PRA) for bats is requested.

If the PRA identifies roosting bat suitability to be present and impacted by the development, it is likely that further surveys for bats will need to be carried out. The results of the necessary surveys carried out, and details of any mitigation required should be submitted prior to determination of the planning application. This is in alignment with paragraph 99 of the Office of the Deputy Prime Minister (ODPM) Circular 06/200517, which states "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

Should bats be found to be roosting in the buildings proposed for alteration/demolition, a mitigation licence may be required from Natural England for works to proceed

Enhancements

The proposed development provides opportunities to incorporate features into the design which are beneficial to wildlife, such as native species planting and the installation of integrated bat/bird nest boxes. We advise that measures to enhance biodiversity are secured as a condition of planning permission, if granted. This is in accordance with Paragraph 193 of the NPPF that "opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity". We can suggest condition wording once we have received the additional information required.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications¹ for development (unless exempt^{2,3}) must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development.

Significant on-site gains, and all off-site gains will need to be secured for at least 30 years.

All exemptions from statutory BNG are laid out in The Biodiversity Gain Requirements (Exemptions) Regulations 2024. The exemptions are:

- The temporary exemption for small developments (applied until 2 April 2024)
- The de minimis exemption (development affecting <25m² area habitat or 5m linear habitat)
- Householder applications
- High Speed Railway Transport Network
- Biodiversity gain sites (to satisfy another development's biodiversity gain objective)
- Self-build and custom build applications

Other types of planning application (retrospective, prior approval, condition discharges, etc) are also not subject to statutory BNG as it is a post-permission matter for full and outline consents only.

Philippa Bromley Biodiversity Officer

This response was submitted following consideration of the following documents:

- Plan & Elevations as Existing (DAC Architects, June 2025).
- Plan, Elevations & Section As Proposed (DAC Architects, November 2025).
- Site Location Plan (DAC Architects, December 2025).
- Block Plan as Existing (DAC Architects, December 2025).
- Block Plan as Proposed (DAC Architects, December 2025).
- Design & Access Statement (DAC Architects, January 2026).

KCC Fire and Rescue

Thank you for your email dated 7 January 2026. Following my assessment of Fire and Rescue Service emergency access provisions for application number 20260012 I would like to make the following observations.

Upon reviewing the plans on the planning portal, I can confirm that on this occasion, it is my opinion that the emergency access requirements under the above act appear to have been met.

Please be aware that should this proposal be successful it would then be subject to a Building Regulations consultation where the access arrangements would again be examined under section B5.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

If you require any further advice, please contact this office using the details above. Please be aware that the Building Safety office hours are 09:00-17:00 Monday to Friday.

KCC Flood and Water

Thank you for your consultation on the above referenced planning application.

As Lead Local Flood Authority, Kent County Council are required to provide technical advice and guidance on the surface water drainage strategies, designs and maintenance arrangement put forward by developers to any new major development.

According to the Town and Country Planning (Development Management Procedure) (England) Order 2010, major development is defined in planning as any development involving any one or more of the following:

- a) The winning and working of minerals or the use of land for mineral-working deposits; b) Waste development;
- c) The provision of dwelling houses where:
 - i. The number of dwelling houses to be provided is ten or more; or
 - ii. The development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c) (i);
- d) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- e) Development carried out on a site having an area of one hectare or more.

The application under the above reference number therefore falls outside the definition of major development and also falls outside of KCC's remit as statutory consultee.

Notwithstanding the above, please feel free to contact us again if you consider there to be local flood risk issues on this site that may require further consideration.

Environment Agency

We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee. Please refer to the attached 'When to consult the Environment Agency' document for guidance on when to consult us.

Non planning consents

Although we have no comments on this planning application, the applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.

The applicant should contact 03708 506 506 or consult our website (<https://www.gov.uk/guidance/check-if->

you-need-an-environmental-permit) to establish whether a consent will be required.

If you feel we should assess this planning application in more detail due to local issues/opportunities please email KSLPLANNING@environment-agency.gov.uk

Southern Water

Thank you for your correspondence, please see our comments below regarding the above application.

Connection to public sewer

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: <https://developerservices.southernwater.co.uk> and please read our New Connections Charging Arrangements documents which are available on our website via the following link: <https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Proposed soakaways

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main.

No Soakaways should be connected to the public surface water sewer.

Proposed works involve demolition

In order to protect and safeguard the existing water supply apparatus, Southern Water requests formal notification of any proposed demolition works prior to such works being undertaken.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119)

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

GBC Environmental Protection Team

There is no objection to this application. The following to be considered:

Code of Practice on Construction and Demolition
Please apply as appropriate.

Smoke Control Informative

The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant

should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

Drainage/sewerage informative
The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

Neighbouring properties

7 surrounding properties were consulted and no responses were received. The consultation period ended on 28th January 2026.

Commented [RH9]: Make sure you do a final check that now further comments received.

Commented [NG10R9]: Done

Officer's Analysis

Site Description

The application site is situated within the urban area of Gravesham, on the southern side of Kings Drive on a corner plot to the junction with Windsor Road.



To the east of the application site lie neighbouring properties 58 and 60 Kings Drive. These are detached properties characterised by a hipped roof.



The properties directly opposite the application site on King's Drive are semi-detached of a slightly different character with gable end roof form.



The properties immediately to the south and west of the application site, situated along Windsor Road are a mix of detached bungalows and two storey properties which are all characterised by a hipped roof form.



Whilst there are slight variations of design within the street scene in terms of character, 62 King's Drive has a larger footprint than the surrounding dwellinghouses within the immediate area.



Proposal

The proposed development seeks to demolish the existing 3-bedroom bungalow with a replacement of a two-storey detached dwelling. The replacement dwelling would be a 4-bedroom property with hipped roof form and gable feature to the front elevation. The proposal would include a projection from the west flank elevation including replacement garage.

Commented [RH11]: You mention replacement dwelling is 4 bedroom. I would amend the wording to be clear how many bedrooms existing dwelling is.

Commented [NG12R11]: Done

Existing Front Elevation	Proposed Front Elevation
Existing Rear Elevation	Proposed Rear Elevation
Existing West Elevation	Proposed West Elevation



Principle of development

As the application site is located within the urban area of Gravesham, within a residential street, the principle of residential development is generally considered as acceptable in principle.

Design, Character and Appearance

The existing dwelling is a single storey three-bedroom detached dwelling with a mix of soft landscaping and hard standing to the frontage and linked garage to the flank. The existing dwelling measures approximately 5.73 metres in height. The existing dwelling continues the building line of the adjacent properties along King's Drive.

The replacement dwelling would stand at 8.42 metres tall, with an eaves height of 5.36m. The proposal would measure 20 metres wide at ground floor and 13 metres wide at first floor and with a depth of 11.4 metres at ground floor, inclusive of front gable.

From the footprint of the existing property, the proposed replacement dwelling does not differ considerably in terms of plot position, however the proposed area and shape of the footprint would be more in keeping with neighbouring properties. While the ground floor would retain the projection to the western flank elevation with garage, as this is at ground floor level only and as such is not considered to be excessive considering the size of the plot and distance between the neighbouring properties.

Existing Footprint

Proposed Footprint

Commented [RH13]: Do you need to remove any pd rights to protect design?

Post development the rear garden would retain an area of circa 500sqm and a minimum depth of 15.8m, in accordance with Gravesham's Residential Layout Guidelines.

The proposed dwelling would provide ample room for the occupants with all the bedrooms exceeding the minimum standards for a double bedroom. Furthermore, all living areas and bathrooms/WC are in accordance with the recommended guidelines.

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 CS14 (Housing Type and Size), CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

Commented [RH18]: CS14 applies.

Neighbouring Amenity

The application proposes to replace the existing bungalow with a two storey dwellinghouse and would introduce habitable (bedroom) first floor windows to the front, rear and both flank elevations.

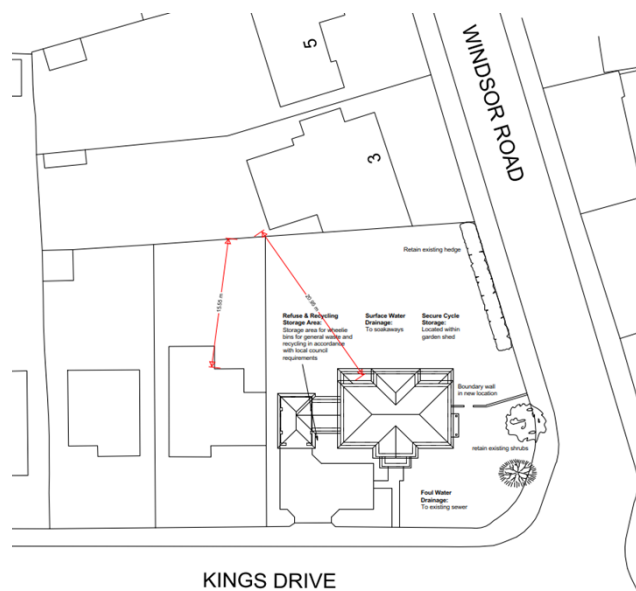
Commented [RH19]: To protect amenity of surrounding properties do you need to remove pd rights on flank walls. Have a think.

Commented [NG20R19]: I didn't think so as habitable windows are proposed on all elevations and do not impact privacy?

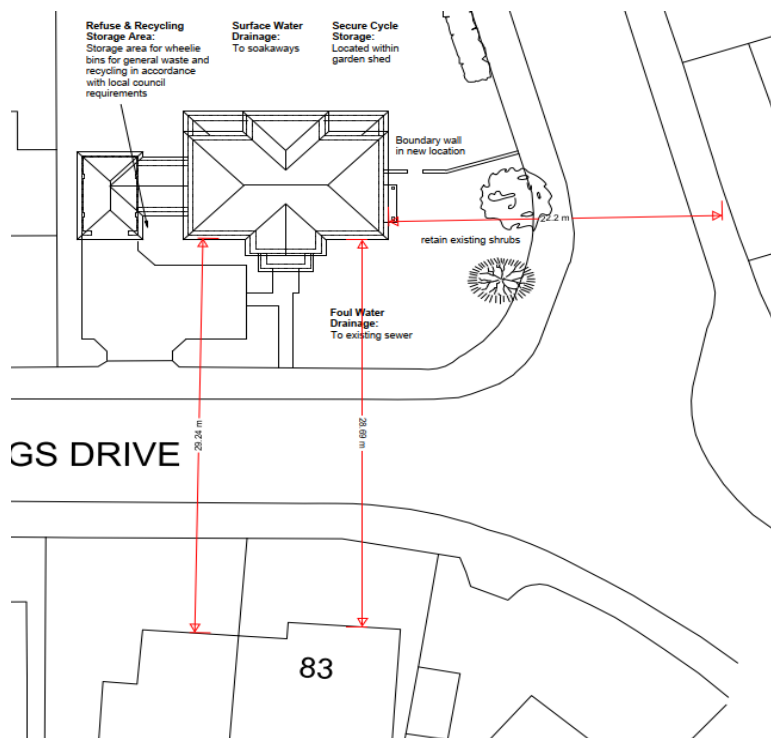
Gravesham's Residential Layout Guidelines state for Privacy Distances:

- 17 Where windows of habitable rooms face each other (whether across a road, pedestrian way or private garden) a window-to-window distance of at least 21 metres should be provided. Habitable rooms are defined as bedrooms and living areas, but specifically exclude kitchens and bathrooms.
- 18 In addition, a minimum distance of 21 metres shall be provided between the windows of habitable rooms and the private garden area of any dwelling. A private garden area is defined as the first five metres of garden adjacent to the rear of the dwelling.

The proposed bedroom windows to the rear elevation would face the private garden area of neighbouring property known as 3 Windsor. However, by way of distance from this property, the application is not considered to have a detrimental impact on the neighbouring amenity. Furthermore, the proposed windows are not considered to impact the privacy more than the existing windows to neighbouring property known as 60 King's Drive:



The proposed habitable windows to the front and eastern flank elevation are also a sufficient distance from the habitable windows of neighbouring properties:



There is a first-floor window to neighbouring property known as 60 King's Drive, however, this room serves a bathroom which is not a habitable room and as such there are no concerns with the proposed first floor window to the western elevation.

The application introduces a first floor where there currently is none. However, the proposal is for a detached dwelling set on a generous plot away from neighbouring properties. As such the replacement dwelling is not considered to have a detrimental impact on neighbouring outlook, overshadowing or loss of light.

As such, the proposal is in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

Parking and Highways

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

However, the application would include a replacement garage and would increase the existing area of hardstanding to the frontage. The garage is suitable for the parking of a car and the storage of some cycles. The remainder of the driveway is suitable for turning a vehicle so it may enter and leave the highway in forward gear.

The proposal would utilise the existing access, which is deemed as sufficient to support the larger driveway and for the potential increase in vehicles.

As such, the proposed parking provision, is sufficient and is in accordance with Policy CS11 of the Core Strategy and KCC Parking Standards (2006).

Any Other Material Planning Considerations

Biodiversity Net Gain

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

The self-build of a development consisting of no more than 9 dwellings, on a site that has an area below 0.5 hectares and meets the definition of self-build housebuilding in section 1(A1) of the Self-build and Custom Housebuilding Act 2015, is an exemption to the BNG requirement.

The application seeks to construct a single replacement dwelling on a site of 0.104 hectares, and the applicant/agent has confirmed that the proposed development will be self-built and is therefore exempt from BNG.

As such, it is considered that the construction of the proposed dwelling is considered to meet the definition of self-build. Therefore, no additional information is required under Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 for BNG.

Conclusion

The proposed replacement dwelling would be acceptable both in terms of position, height, scale, massing and design that would sit well within its setting that would respect the character of the properties within the immediate street scene and would not result in a detrimental impact on the neighbouring amenity.

It is therefore considered that the application is recommended for approval subject to conditions.

Recommendation

Permission

(For detailed Conditions and informatives, see draft Decision)

Case Officer:	Mrs Nina Goodbody	Team Leader:	
Signed:	N Goodbody	Signed:	

Commented [RH21]: How many bedrooms existing V proposed. Intensification of access okay. Does existing driveway remain or blocked up.

Commented [NG22R21]: Done

Dated:	30 th June 2026	Dated:	
---------------	----------------------------	---------------	--