

Delegated Report

Full Planning Application

Planning Application No: 20250501

Location: Lower Flat 90 Wellington Street Gravesend Kent

Description: Erection of a single storey rear extension.

Applicant: SKYGATE INVESTMENTS LTD

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Planning Application Form;
Site Location Plan;
Block Plan;
Drawing No. 1 – Existing Floor Plans;
Drawing No. 2 – Existing Elevations;
Drawing No. 1 – Proposed Floor Plans;
Drawing No. 2 – Proposed Elevations; and
Drawing No. 3 – Proposed Elevations.

Relevant Planning History

Reference	Description	Decision	Decision Date
19850055	Conversion of dwelling into two self contained flats	Application Refused	13.03.1985

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)
- 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

External

KCC Biodiversity

Suggested Condition Wording

1 Precautionary Mitigation

From commencement of works (including site clearance), to avoid impacts to protected and priority species, the following precautionary mitigation shall be implemented:

- *Any hedgerow and trees to be retained, including its roots, shall be protected from damage in line with The British Standard "Trees in Relation to Design, Demolition and Construction to Construction - Recommendations" (BS 5837) (2012);*
- *All temporarily stored building materials (that might act as temporary resting places) shall be isolated within hardstanding areas and raised off the ground, e.g. on pallets.*
- *Any work to vegetation/structures that may provide suitable bird nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If within the breeding bird season a survey by a suitably qualified person needs to be conducted to confirm absence, prior to commencing works.*
- *If at any time a protected species is discovered within the works area all works must stop while a suitably qualified ecologist and/or Natural England are consulted.*

KCC Heritage

Thank you for consulting us on this application and my apologies for the delayed response. The site lies within an area of multi-period archaeological potential. However, based on existing Historic Environment Record data for the area and the relatively limited extent of the proposed works, I consider it unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

KCC Highways and Transportation

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

Internal

GBC Environmental Protection

No comments received.

Neighbouring properties

The application was advertised by letters sent to 11 surrounding properties with an overall expiry date of 30th June 2025. No comments have been received.

Officer's Analysis

Principle of Development

The application seeks to provide a single storey rear extension to the property which is an existing residential flat within the urban area of Gravesend. Therefore the principle of development is acceptable.

Site Layout and Description

The application property consists of a two storey, double-fronted end-terrace property located within a predominantly residential street, within the urban area of Gravesend close to the town centre. The property is already in use as residential flats. It is not a listed building and is not within a conservation area.

Streetscene



Design, Character and Appearance

Policy CS19 (LPSC) states new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti- crime standards. The Design Guide SPD (2024) requires development to protect the residential amenity of neighbours and to enhance the local built environment.

The Design Guide (2024) states development must positively respond to Gravesham's diverse identities and distinct characteristics of the surrounding areas. Development must engage, enhance and celebrate the surrounding environment and community. Development must enrich and reinforce local identity. Good design is promoted by the NPPF (2024).

The application property is a two-storey end terrace property located on the western side of Wellington Street. The application seeks to provide a single storey extension to the rear of the building, to provide additional space to the existing lower floor Flat. The proposed extension would project a total depth of 4.5m from the original ground floor rear elevation of the building and be 3.8m wide. The extension would have a hip roof over it with a ridge height of 4.68m. It would provide an addition double bedroom, making this property a two bedroom, four person flat.

In this case the proposed extension is quite bulky, however the hip roof design would relate well to the host building and surrounding built form. The layout of the property and adjacent dwellings is such that the proposed extension would not project further to the rear than the neighbouring rear projections. As such, it relates well to its setting and would not detract from the character of the properties or character of the area.

On balance the extension would be in keeping with the character of the existing rear projection. It is noted that rear extensions to properties within this area of the Town Centre are a common feature and the proposed extension would be in keeping with this. It is considered that the extension would be subservient to the host property and would not detract from its character or appearance with materials to match which would be secure via condition.

Overall, the proposal is of a suitable design and notwithstanding the size of the extension it is considered that it can be accommodated reasonably successfully within the site and would not materially harm the character or appearance of the building or impact on the street scene and will comply with policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014.

Occupier and Neighbouring Amenity

It is important that any new development safeguards the amenity of the neighbouring occupiers in accordance with the requirements of Policy CS19 (LPCS), the Council's Supplementary Planning Documents and the NPPF (2024).

The neighbouring properties most likely to be impacted by the proposed development is No.91 to the north of the site.

The property at No.91 benefits from a part single, part two storey rear extension, there is a single window to the side first floor projection.

Existing Rear Elevation



The proposed extension would be set back from this existing projection by 2.84m and would only be at single storey level. The modest projection, height and design of the rear extension would ensure that there is no significant impact on the occupiers of this property.

In addition, no representations have been made.

In terms of occupier amenity. The proposed extension would provide a double bedroom which measures 15.9m², which exceeds the minimum space standard for a double bedroom. It would also have good access to light, ventilation and outlook. The existing rear window is a secondary window to the existing bedroom and this room will still be served by the front facing window. In relation to the existing projection at No. 91 and the first floor window to the side, this window would only afford views over the roof of the extension and would not exacerbate the existing situation. As such, it is considered that the proposed extension would not have a detrimental impact on occupier amenity.

The proposed extension has been sympathetically designed and due to the existing built form of the neighbouring properties, would not result in a detrimental impact on occupier or neighbour amenity and would be in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local

Parking and Highways

The existing property does not benefit from off road parking and parking is on street only. The proposal does not include any additional vehicle parking and would result in one additional bedroom, making the property a two bedroom four person property. It is also noted that the site is located in a sustainable location within the town centre with public transport links readily available to visitors, there is also the Parrock Street car park located nearby which can be used by visitors. It is therefore considered that the proposal is acceptable in regard to its impact on parking and highway safety.

Biodiversity Net Gain

Under the Environment Act 2021 and supporting statutory instruments, Biodiversity Net Gain (BNG) is mandatory for most development. The legislation requires a minimum 10% gain in biodiversity from acceptable development, either on- site, off- site or a combination of both. BNG provided under the mandatory requirements off- site and significant BNG on- site must be secured by a legal agreement for 30 years under an approved Habitat Management and Monitoring Plan.

There are strict requirements in terms of what an application must contain in relation to BNG before it can be accepted as valid, as set out in Schedule 7A (Biodiversity Net Gain in England) of the Town and Country Planning Act 1990. This requires a completed metric calculation tool showing the calculations of the pre-development biodiversity value of the on- site habitats on the date of the application, and other information.

However, there are a number of exemptions from the BNG regulations;

- householder development, as defined in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;
- development granted planning permission by a development order under section 59. This includes permitted development rights;
- development subject to the de minimis exemption – development that does not impact a priority habitat and impacts less than 25 sqm of habitat, or 5m of a linear habitat such as a hedgerow;
- self- build and custom- build development – development that comprises
 - no more than nine dwellings; and
 - is carried out on a site that is no larger than 0.5 hectares in size; and
 - consists exclusively of dwellings which are self- build or custom- build, as defined in section 1(A1) of the Self Build and Custom Housebuilding Act 2015.

The applicant states within the submitted application form that the development is to be exempt from the biodiversity net gain regulations as the de minimis exemption applies. There would be no impact on any existing on site habitat, and the development area would be less than 25m². As such, it is considered that biodiversity net gain does not apply here.

Conclusion

It is considered that the extension would be an acceptable addition to the building, it would not detract from the character of the property, or the amenity of neighbours. There would be no parking or highways safety issues arising from the proposal. As such the application is recommended for approval.

Recommendation

For detailed conditions and informatives, see draft Decision

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
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Signed:	<i>A Cue</i>	Signed:	R Hart
Dated:	8 th July 2026	Dated:	8th July 2026