



Delegated Report

Householder Planning Application

Planning Application No: 20260136

Location: 44 Lewis Road Istead Rise Gravesend Kent

Description: Erection of part single storey and part two storey rear extension and single storey front extension; Removal of existing pitched roof and its replacement with part pitched and part flat roof, with two front dormers and three rear dormers (one with balcony); Conversion of resulting roof space to habitable rooms; Fenestration alterations and part conversion of garage into habitable room.

Applicant: Mr Nick Gallagher

Site Visit Date: 07 April and 22 July 2026

Submitted Documents/Plans

Householder Planning Application form;
Drawing no. 1802/01 Existing ground floor layout and roof plan received 16 June 2026;
Drawing no. 1802/02 Existing elevations and section received 16 June 2026;
Drawing no. 1802/03B Proposed ground floor layout, first floor layout and roof plan;
Drawing no. 1802/04A Proposed elevations and section received 04 September 2026;
Drawing no. 1802/05B Existing and proposed car parking plans, proposed block plan and location plan;
Drawing no. #01019402-69909E Proposed block plan; and
Drawing no. #01019400-5BABF9 Existing block plan.

Superseded Documents/Plans

~~Drawing no. 1802/03A Proposed ground floor layout, first floor layout and roof plan;~~
~~Drawing no. 1802/04A Proposed elevations and section received 16 June 2026;~~
~~Drawing no. 1802/01 Existing ground floor layout and roof plan received 04 February 2026;~~
~~Drawing no. 1802/02 Existing elevations and section received 04 February 2026;~~
~~Drawing no. 1802/03 Proposed ground floor layout and roof plan;~~
~~Drawing no. 1802/04 Proposed first floor layout;~~
~~Drawing no. 1802/05 Proposed elevations and section;~~
~~Drawing no. 1802/06A Existing and proposed car parking plans, proposed block plan and location plan;~~

Procedural Issues

Following a request from the case officer, the design of the proposed development was amended to reduce the size and bulk. The revised drawings were subject to additional publicity to neighbours.

As a result of the design amendment, the description of the proposal was amended from 'Erection of part single storey and part two storey rear extension and two storey front extension; Removal of existing pitched roof and its replacement with part pitched and part flat roof, with two front dormers and three rear dormers (one with balcony); Conversion of resulting roof space to habitable rooms; Fenestration alterations and part conversion of garage into habitable room.' to that shown at the start of this report.

Following a further request from the case officer, the roof design and facing materials for the proposed development, were amended. Because the alterations reduced the size and bulk of the proposal, closest to the site boundaries, any adverse residential amenity impacts were reduced and because the materials alterations were only minor, no further publicity to neighbours was undertaken.

It should be noted that the proposed roof design shown on drawing no. 1802/05B has been superseded. Therefore, this drawing shows only the existing and retained frontage car parking layout and has been assessed accordingly.

Relevant Planning History

Reference	Description	Decision	Decision Date
20260541	Erection of garden room at rear.	Pending Consideration	

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- TC7 – Other Archaeological Sites

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 (2026), the Council will also seek to replace these.

National Planning Policy Framework (2026)

- 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)

- Gravesham Landscape Character Assessment (2009)

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

GBC Environmental Protection Team (Regulatory Services)

There is no objection to this application but as the site falls within the buffer zone of a former landfill site, the following is advised:

Watching Brief:

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be

- Loss light to the neighbouring properties on either side, including to the kitchen/diner and lounge at no. 46 Lewis Road.
- Increased vehicle movements on an already congested road (due to the village hall opposite), exacerbating local parking issues.
- Loss of an accessible bungalow suitable for elderly or limited mobility residents.
- The owners have stated that part of the garage would be used as a hair salon. A commercial use would be unacceptable due to adverse parking issues.
- There is a dwelling at the bottom of the garden which does not have planning permission.
- Adverse impacts to the sewage pipe for no. 46 Lewis Road which runs under the proposed extension.

Officer's Analysis

Background

The initial design approach was considered an overdevelopment of the application property, which would have been out of character with the existing dwelling and the surrounding street scene and would have been detrimental to residential amenity. Therefore, following requests from the case officer, the proposal was amended to incorporate a half hipped roof, a single storey element at the rear, to reduce the two storey front projection to a single storey, to reduce the amount of flat roof at the apex, to set back the garage at the front and rear and to amend the external facing materials.

It should be noted that the following assessment is based on the amended design.

Design, Character and Appearance

Policy CS19 of the Gravesham Local Plan Core Strategy (2014) sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

In relation to two storey rear extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that they should not dominate the host property in terms of depth (extensions to extensions will not generally be supported); should not be of greater width than the original building; should generally not be built adjoining the side boundaries of the site, should have roof designs that reflect and not overwhelm the main roof and window patterns and proportions that are in keeping with the host building and local character.

In relation to single storey rear extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that they should not dominate the original property in terms of depth (extensions to extensions will not generally be supported); they should not rise above the window cill level of any first floor windows; they should not be excessive in height, especially where they are greater than three metres in depth; or excessive in width (no greater than the original building). Flats roofs can be acceptable where they are not widely visible and pitched roof designs should reflect the main roof.

In relation to front extensions and porches, the Householder Extensions/Alterations Design Guide (2021) sets out that proposals can change the character of the original building and where poorly designed, have a negative impact on the appearance of the street scene; that their scale and design should respond to the existing dwelling; that existing features such as bay windows should be preserved; that open porches, where they are an original feature, should generally not be enclosed; and that proposals should not undermine the depth of front parking spaces.

The application site is located in the Instead Arable Farmlands Landscape Character Area (LCA) and as such, Policy CS12 of the Gravesham Local Plan Core Strategy (2014) is relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment will be taken into account in determining applications.

Local residents have raised concerns that the proposal would be overdevelopment and out of character with the low-profile, single storey character of the street and that the proposed flat roof and black cladding would not be in keeping with surrounding materials.

The application site is a bungalow which has a brown tiled, hipped roof and pebble dashed walls and which extends across a significant width of the plot. A single storey, flat roofed side projection almost adjoins the boundary with no. 46 Lewis Road but the building is set away from the boundary with no. 42 Lewis Road. The maximum height of the roof is 5.5 metres and its hipped form ensures visual separation from the neighbouring buildings. The surrounding dwellings are mainly bungalows with hipped roofs but there are a number of examples of buildings that have been extended at roof level to provide first floor accommodation. The closest example of such an alteration is at no. 48 Lewis Road. External facing materials for roofs in Lewis Road are predominantly tiles (although no. 46 Lewis Road has a slate roof) and for walls, there are a variety of materials including red and yellow bricks, pebble dash and painted render.

The proposed development would provide first floor habitable accommodation via the erection of a new roof incorporating five dormers. The roof would have half hips and a flat section at the apex and be 0.3 metres taller than the existing hipped roof. Two dormers and two roof lights would be located in the front roof slope and three dormers (one with a balcony) would be located in the rear roof slope.

A part two storey and part single storey rear extension would extend across the full width of the building with depth of 5 metres and a maximum height of 3.3 metres for the single storey element and 5.8 metres for the two storey element. The existing single storey side projection (garage) would be set back by one metre at the front and extended by 2.8 metres at the rear, with a new part pitched/part flat roof of a maximum of 3.4 metres height. Part of the garage would be used for habitable purposes (a home office). A porch would be erected at the front (3.5 metres width by 1.3 metres depth by 3.9 metres maximum height) with a pitched, gable end roof.

The proposed facing materials for the main building would be cream painted render walls and a grey slate dry ridged roof, with black composite cladding for the porch and cream render for the dormer faces and grey slate dry ridged dormer roofs. The rear extension and rear part of the side projection would have a grey zinc profile seamed roof.

The proposed development would add significant size and bulk to the building, altering it from a bungalow to a dwelling with two storeys. However, due to the relatively small increase in height and the incorporation of half hips and dormers, the overall bulk of the roof would be reduced. The neighbouring dwellings have similar roof heights to the application property and are both smaller bungalows which are visually separated from the building. Whilst the proposal would extend the roof closer to the site boundaries and raise it slightly above existing, sufficient distance would remain such that the neighbouring dwellings would not be visually overwhelmed by the alterations.

The rear extension would have a sizable depth, but due to the low pitched roof, it would not be significantly visually overwhelming and would appear subservient to the extended building.

The proposed porch and dormers would appear subservient to the extended building/roof slope and their design would be appropriate. Whilst a hipped roof dormer would be preferable, the gable end design would not be significantly visually detrimental and the dormers would not overwhelm the proposed roof slopes.

The proposed fenestration alterations and the new roof for the side projection would match with the extended property and be visually acceptable.

It is noted that the application property could be significantly extended using permitted development rights (for example, by hip to gable roof alterations, dormers, rear/side extensions etc) which could result in much greater alterations to the building than the development proposed.

The proposed facing materials would not be typical of the surrounding street scene, but there are some

examples of painted render and grey roof tiles in Lewis Road. The grey zinc roof would be out of character with the existing building but due to its rear location, it would not be widely visible and it would match with the proposed facing materials. Therefore, on balance the proposed facing materials would be acceptable.

The application site is located within the village of Istead Rise and the proposed development would be within an existing residential curtilage. The proposal would result in a significant increase in the amount of built development but would not adversely affect the overall landscape character of the surrounding area.

Overall, for the reasons set out above, the proposed development would be appropriate in terms of design and would not have an adverse impact on the character or appearance of the existing building or the surrounding area. Therefore, the proposal would be in line with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (September 2014) and the Householder Extensions/Alterations Design Guide SPD (2021).

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy (2014) requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants. In this regard, the Nationally Described Space Standards (NDSS) and the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The proposed development would increase the property from three bedrooms to five and reduce the size and depth of the rear garden. However, the residual rear garden would significantly exceed the size requirements of the RLG for a dwelling with four or more bedrooms (even accounting for existing outbuildings).

The proposed bedrooms would significantly exceed the minimum floor area requirements for double bedrooms in the NDSS 2015.

It is noted that the proposal would result in the loss of various windows in the rear elevation of the application property, thereby reducing the levels of natural light available in the affected rooms. However, due to the proposed internal layout alterations and the provision of alternative windows, there would be no detriment to the living conditions of future occupiers.

In order to prevent a loss of privacy for future occupiers, any proposed bathroom/w.c./en-suite windows should be conditioned to be permanently obscure glazed.

Overall, the proposed development would improve the living conditions for future occupiers and as such, the proposal would not be detrimental to residential amenity and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupiers. In this regard, the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The proposed development would introduce a number of new windows to the application property. The RLG set out that privacy distances between facing windows should be met, in order to prevent overlooking. A privacy distance of 21 metres is required for facing windows where there is no private garden area in between and a privacy distance of 26 metres is required where a private garden is within the field of view.

In terms of assessing overshadowing impacts, the Householder Extensions/Alterations Design Guide (2021) states that the 25° and 45° rules will be used. If the centre of any perpendicular neighbouring window is crossed by a 45° line drawn from the extension (in plan and elevation form), then daylight and

sunlight could be adversely affected. Similarly, if a development breaches a 25° line drawn from the centre of any opposite window, then daylight and sunlight could be adversely affected.

The closest residential properties to the application site are nos. 42 and 46 Lewis Road (located to the north west and south west respectively). Nos. 44 and 46 Castlefields are located to the west. Nos. 31 and 37 Lewis Road are located to the east, across the roadway and also located across the roadway, is the Istead Rise Memorial Hall.

Local residents have raised concerns that there would be adverse overlooking impacts from the proposed balcony to the rear gardens at nos. 42 and 46 Lewis Road and from the proposed windows to the side windows/gardens at those properties.

The proposed dormer windows/balcony would obliquely overlook the rear gardens of nos. 42 and 46 Lewis Road. However, as dormer windows are a common feature in the residential environment and in many instances are development that does not require planning permission, the occupiers of these properties cannot have an expectation of total privacy in their gardens. The proposed balcony would be set back under the dormer roof and as such, direct overlooking would be precluded (in a similar fashion to that from a Juliet balcony) and any loss of privacy from the balcony or dormers would not be so significant as to warrant a refusal of planning permission.

The proposed rear dormer windows/balcony would have privacy distances in excess of 26 metres, to the rear boundaries of nos. 44 and 46 Castlefields and as such, there would be no adverse overlooking impacts to the occupiers of these properties.

The proposal includes two first floor, ensuite windows (rooflights) in the side elevation facing no. 46 Lewis Road and a ground floor window (lounge) facing no. 42 Lewis Road. Any loss of privacy from the ensuite windows at first floor level would be mitigated by the use of obscure glazing (which can be secured by planning condition). For the ground floor window, it is noted that an existing ground floor side window already faces no. 42 (albeit smaller in size and set further back than that proposed and to a non-habitable, utility room) and that a 1.8 metre close boarded fence provides some screening. Therefore, there would be no significant increase in adverse overlooking impacts to the side windows of no. 42 and no adverse overlooking impacts to no. 46 Lewis Road.

The proposed front dormer windows would have privacy distances in excess of 21 metres, to the front elevations of nos. 31 and 37 Lewis Road and as such, there would be no adverse overlooking impacts to the occupiers of these properties.

In order to prevent any future loss of privacy to neighbours, any planning permission granted should be conditioned to preclude the insertion of any additional windows or openings in the side elevations of the proposed development.

Local residents have raised concerns that there would be adverse overshadowing/loss of light and overbearing impacts to hallway, lounge and sunroom windows at no. 42 Lewis Road and kitchen and hallway windows at no. 46 Lewis Road. The following are images of the affected side elevations;



42 Lewis Road (Google Earth Image)



46 Lewis Road (Case officer's image 22 July 2026)

The two storey element of the proposal would be set away from side boundary with no. 42 Lewis Road by some 3 metres and no. 42 is located to the north west of the application property. The proposed development would breach a 25° line for the side (lounge) window and door at no. 42 Lewis Road (located opposite the proposed side elevation). Therefore, there would be some adverse overshadowing and overbearing impacts and a loss of sunlight to the window/door in the side elevation of no. 42. But it is noted that the affected window would face the sloped part of the rear of the roof (albeit with an eaves height of around 3.3 to 4.1 metres), with the closest dormer set away from the edge of that part of the sloping roof. Also, the affected sunlight would be mainly in the morning (due to the orientation of the window). Lastly, the affected door would be to a non-habitable room (hallway). Therefore, due to the set back from the side boundary and the design approach (incorporating a half hipped roof, dormers and a single storey rear element), it is considered that any adverse overshadowing or overbearing impacts to the occupiers of no. 42 Lewis Road would not be so significant as to warrant a refusal of planning permission.

The two storey element of the proposal would be set away from side boundary with no. 46 Lewis Road by some 4 metres and no. 46 is located to the south west of the application property. Therefore, there would be some adverse overshadowing and overbearing impacts but no loss of direct sunlight to the windows/doors in the side elevation of no. 46 (due to its north western aspect). It is noted that the affected windows/doors would be to non-habitable rooms and that the separation between the properties (at first floor level) and the inclusion of a half hipped roof, dormers and a single storey element, would limit any adverse overshadowing and overbearing effects. The new roof for the single storey garage would be 0.7 metres taller than the existing one but due to the sloped roof design, with an eaves height of 2.9 metres closest to the site boundary, any adverse overshadowing or overbearing impacts would be limited. As such, there would be no significant adverse overshadowing or overbearing impacts to the occupiers of no. 46 Lewis Road.

Due to the separation and orientation of the properties and the design approach, there would be no adverse overshadowing impacts to the private garden areas or any of the windows in the rear elevations of nos. 42 and 46 Lewis Road.

Overall, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Parking and Highways

The application property has three bedrooms and on-site parking for four/five vehicles (one in a garage and four on the site frontage). The proposed development would result in the building increasing from three to five bedrooms, with the loss of the garage (because the proposed garage would be too small to accommodate a vehicle) but with no alteration to the frontage parking arrangements.

According to the Borough Council's adopted Vehicle Parking Standards (SPG4), a four or more bedroom dwelling should have three vehicle parking spaces. Therefore, to ensure adequate parking in future, the existing frontage parking can be subject to a planning condition to secure its permanent retention.

Local residents have raised concerns that increased vehicle movements on an already congested road

(due to the village hall opposite), would exacerbate local parking issues. However, as an existing dwelling subject only to extension, there would be no significant increase in vehicle movements and in any event, adequate parking would be available on site.

Overall, the proposal would make sufficient provision for the parking of cars within the site in accordance with the Borough Council's adopted Vehicle Parking Standards and would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994.

Any Other Material Planning Considerations

The application site is located within an area of multi-period archaeological potential and Groundwater Source Protection Zone 2. However, as the proposed development is within the confines of an existing residential garden and only a relatively small amount of groundworks would occur, then it is considered that there would be no adverse impacts to groundwater or archaeology. As such, the proposal would be in line with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

The application site is located within the buffer zone for the Lewis Road historic landfill site and the GBC Environmental Protection Team have set out the wording for a watching brief condition. Therefore, provided that this condition is attached to any planning permission granted, then there would be no adverse ground contamination impacts.

Southern Gas Networks advise that there is a high pressure gas pipeline located either within, or in close proximity to, the application site. Due to the need to protect gas infrastructure, the comments of Southern Gas Networks should be brought to the attention of the applicant, as an informative attached to any planning permission granted.

Local residents have raised a number of concerns, some of which have been covered in the above discussion. The outstanding issues are summarised (in italics) and commented on as follows;

- *Adverse noise, mess and disruption from construction works* – these are not material planning considerations.
- *The garage would be used as a hair salon causing adverse parking impacts and be detrimental to the local hairdresser in Lewis Road* – there is no reference to this use in the application details and the applicant has confirmed that this would not be part of the proposal.
- *Loss of an accessible bungalow suitable for elderly or those with limited mobility and for retiring or downsizing to* – Policy CS14 of the Gravesham Local Plan Core Strategy (2014) encourages a range of dwelling types and sizes and there is no local policy that seeks to retain smaller bungalows. Therefore, there is no, in principle, policy objection to the proposed development.
- *Adverse impacts to sewer pipe that runs beneath the garage of the application property* – this issue would be addressed under Building Regulations but the applicant can be made aware of the pipeline by an informative attached to any planning permission.
- *There is a dwelling at the bottom of the garden which does not have planning permission* – this matter was the subject of a recent planning application (reference 20260541) and is not a material consideration in this determination.

Suggested Conditions

Time limit

Development in accordance with plans

Materials as shown on drawing no. 1802/04A received 04 September 2026

Obscure glazing to w.c. bathroom and ensuite windows

No further windows in the side elevations

Home office use only

Retention of existing frontage parking as shown on drawing no. 1802/05B

Contamination watching brief

Parking layout drawing clarification

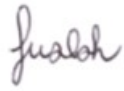
Conclusion

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Recommendation

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	17 September 2026	Dated:	17 September 2026