

Delegated Report

Householder Planning Application

Planning Application No: 20260519

Location: Court Cottage, Old Road East Gravesend Kent

Description: Erection of single-story rear extension with 3 roof lanterns.

Applicant: Arj Mahal

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form dated 15/05/2026;
Supplementary Information – 3D Images;
Drawing Number 26-0321 D01 Rev 3 (Site Location Plan and Block Plans – Existing and Proposed);
Drawing Number 26-0321 D02 Rev 3 (Floor Plans – Existing);
Drawing Number 26-0321 D03 Rev 3 (Floor Plans – Proposed);
Drawing Number 26-0321 D04 Rev 3 (Roof Plan – Existing);
Drawing Number 26-0321 D05 Rev 3 (Roof Plan – Proposed);
Drawing Number 26-0321 D06 Rev 3 (North and West Elevations – Existing);
Drawing Number 26-0321 D07 Rev 3 (North and West Elevations – Proposed);
Drawing Number 26-0321 D08 Rev 3 (South and East Elevations – Existing); and
Drawing Number 26-0321 D09 Rev 3 (South and East Elevations – Proposed).

Relevant Planning History

Reference	Description	Decision	Decision Date
20040948	Retention of the two storey rear extension forming dining/living area at ground floor level with two bedrooms at first floor level, in substitution of that part of the scheme previously permitted under ref. no. GR2003/1064	Permitted	14.12.2004
20031064	Erection of two storey rear extension to form dining/living area at ground floor level with two bedrooms at first floor level; demolition of existing attached garage and erection of a double attached garage at the side with a bedroom in the proposed roof space and widening of existing vehicular access	Permitted	02.02.2004

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)

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

Ward Councillors – No comments received

Neighbouring properties

3 surrounding properties were consulted and no responses were received. The consultation period ended on 9th June 2026.

Officer's Analysis

Design, Character and Appearance

Court Cottage, Old Road East is a two-storey detached dwellinghouse located on the south side of the highway.





The application would demolish the existing raised patio area and replace with the erection of a single storey rear extension.

The extension would have a flat roof with rooflight at a height of 3.98m, inclusive of roof lantern and an eaves height of 3.61m. The extension proposes an overall width of 15.57m and would project from the rear elevation by 4.75m.

The extension would create space for an open plan lounge / dining area. To the rear elevation there would be 2no windows and patio doors leading to the rear garden. There will be 2no windows to the east flank elevation. The proposal would be constructed with a roughcast render and brick finish to match the existing.

The extension is of a large scale and it is noted that the host dwelling has been significantly extended already. However the property is detached and on a generous application site. There are no policy restrictions on size, as such. On balance the proposal is not deemed to be excessive or dominate the original dwelling, taking into account the extent the property has already been extended.

Therefore, the application 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).

Amenity of Future Occupiers

Post development the private amenity area retains an area of 273.9m² and a depth of 9.64m.

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 Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

Neighbouring Amenity

The application introduces 2no windows to the east flank elevation, fronting neighbouring property known as Elm Hollow. Whilst the dwelling is a detached property on a fairly generous application site,

and set away from Elm Hollow, it is still considered that some overlooking could occur. To avoid this, the windows will be conditions to be obscure glazed. Any boundary treatments may not be permanent and there are some land level changes, and so obscuring the windows will safeguard the impact the privacy of this property.

Neighbouring property known as 69 Cross Lane East is set to the rear of the application site. However, by way of the existing neighbouring outbuildings and extension, the extension will not detrimentally impact the privacy of this property.



In terms of outlook, overshadowing or loss of light, as previously stated, the host dwelling is a detached property set away from neighbouring properties and as such raises no concerns. No neighbour representations have been received.

Therefore, 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).

Conclusion

The proposal is considered to be well designed, 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:	Mrs Faye Walsh
Signed:	<i>N Goodbody</i>	Signed:	<i>F Walsh</i>
Dated:	6th June 2026	Dated:	09 July 2026