

Delegated Report

Householder Planning Application

Planning Application No: 20260297

Location: 4 Fairview Drive Higham Rochester Kent

Description: Erection of an extension to front dormer to form ensuite.

Applicant: Shani Berry

Submitted Documents/Plans

- Application Form
- Drawing No: 26001-PL01 (Existing/Proposed Plans, Elevations, Block Plans and Site Location Map)

Supplementary Information

- Site Photos

Relevant Planning History

No relevant planning history.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) sets out those 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 The review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2024), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving Well-Designed Places

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Technical Housing Standards – Nationally Described Space Standard (2015)
- Gravesham Landscape Character Assessment (2009)

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

Local Ward Councillors

No comments received.

Higham Parish Council

No comments received.

Neighbouring properties

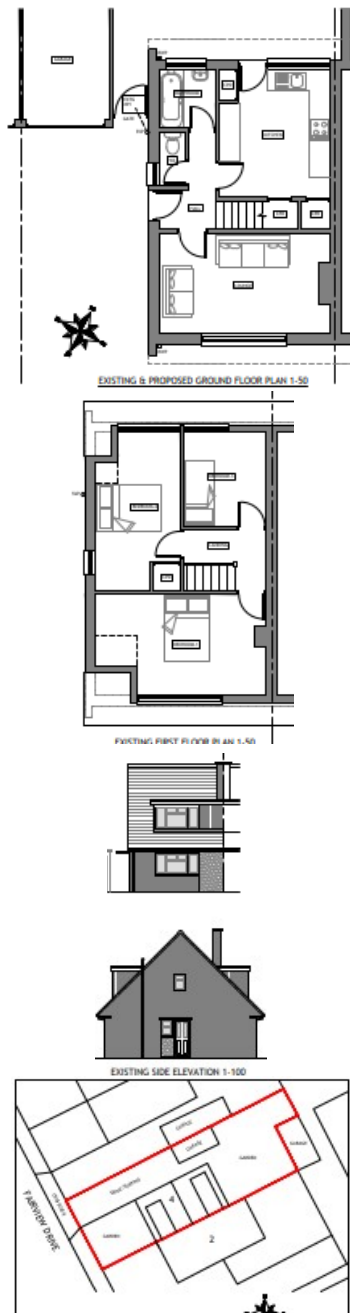
The application was advertised by way of letters to 5 surrounding properties. The consultation period expired on 15.04.2026 and no comments were received.

Analysis

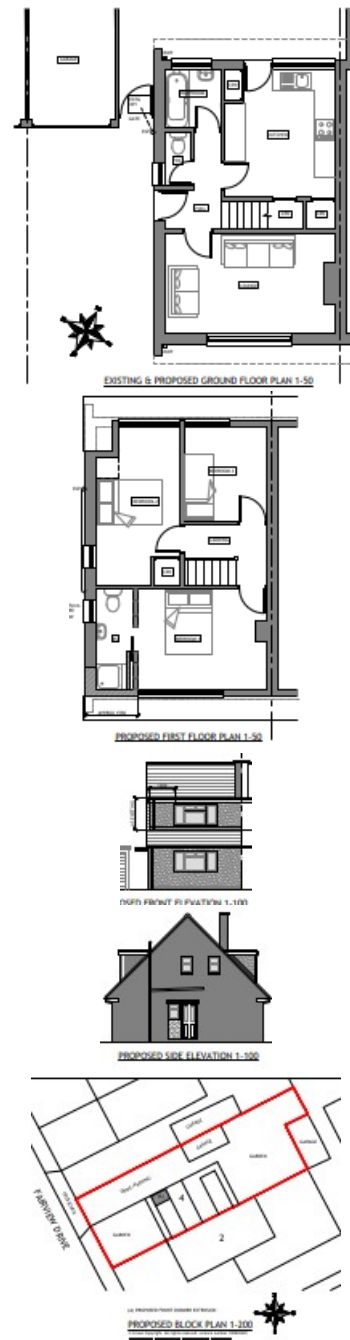
Proposal

The proposal seeks to extend a front dormer to form an ensuite.

Existing



Proposed



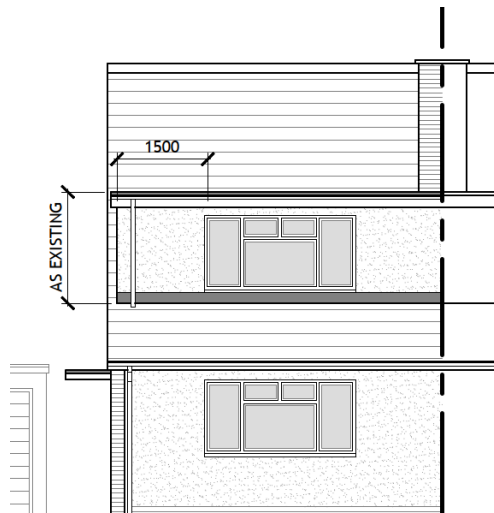


Character and Appearance

The application site is a semi-detached bungalow situated within the village of Higham. The site is within a rural settlement and in a landscape character area.



The proposal seeks to extend the front dormer to the side to allow for the creation of an ensuite. The existing fenestration will be retained.



There are many properties in the surrounding area, including Fairview Drive and Oak Drive that have extended and altered their front dormers to an extent that there is not a consistent pattern or sized.

The street scene is mixed with houses and bungalows. Front dormers of varying sizes are a common addition within the bungalows.

The existing dormer is finished with brown shiplap cladding and the adjoining is finished with white shiplap cladding. The proposed dormer will be finished with a smooth off white render which will be more visually aligned with the adjoining and surrounding in terms of colour.

Whilst it is unfortunate that the dormer extension will result in the unbalancing of the fair of properties this site forms part of, on balance this is acceptable given the varied character of the area. The proposed extension is not considered to harm the character of the dwelling or the wider area. The increase to the dormer is modest and appropriate for this location.

The proposal is compliant with CS19 Local Plan Core Strategy 2014.

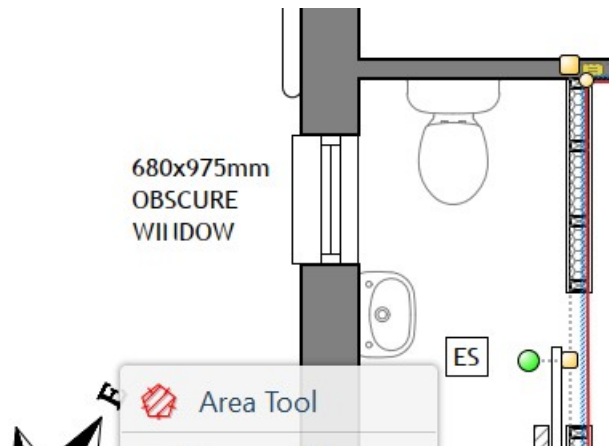


Amenity of Future Occupiers

The proposal will not impact amenity space and the resultant bedroom will be appropriate in terms of its size and access to light and outlook. As the window serves an ensuite, it will be conditions to be obscure glazed. The proposal therefore complies with SPG2 Residential Layout Guidelines 2020.

Neighbouring Amenity

The proposal will not impact light or outlook to neighbouring occupiers. The proposal does show a window in the flank elevation which will be facing the neighbouring property, however the plans show this window as top hung and obscure glazed.



In order to further safeguard neighbouring amenity this window will be conditioned so that it remains obscure glazed and top hung in perpetuity.

No neighbouring representations have been received.

The proposal complies with SPG2 Residential Layout Guidelines 2020.

Parking and Highways

The proposal will not impact existing parking arrangements and therefore further assessment is not required in relation to this.

Any Other Material Planning Considerations

Impact on the landscape - In addition to being inset from the Green Belt, the application site is located within the Higham Arable Farmlands Character Area, as set out in the Council's Landscape Character Assessment document.

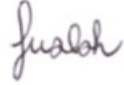
Policy CS12 of the Gravesham's Local Plan Core Strategy LPCS (2014) seeks to protect the Green infrastructure within the Borough and states at 5.7.26 that the overall landscape character and valued landscapes will be conserved, restored and enhanced.

It is considered that this development would not be detrimental to the Higham Arable Farmlands Character Area, as the property is located in the settlement area and development would not impact on the wider rural landscape.

Conclusion & Recommendation

The proposal is recommend for permission subject to conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Sharon Sahota	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	05.05.2026	Dated:	07 May 2026