

Delegated Report

Householder Planning Application

Planning Application No: 20260533

Location: 25 Bader Walk Northfleet Gravesend Kent

Description: Extension of existing outbuilding to facilitate a toilet.

Applicant: Mrs Sharmin Islam

Site Visit Date: Desktop

Submitted Documents/Plans

- Application form;
- Drawing no. 01 of 01 – Plans.

Relevant Planning History

Reference	Description	Decision	Decision Date
20200509	Application for non-material amendment to planning permission reference number 20180914 for relocation of front wall flush with existing house front wall, roof ridge to be formed at same level as existing house and alteration of internal layout including provision of high level shower room window within flank wall of extension at first floor level	Approval of Non-Material Amendment	25.06.2020
20200411	Application for non material amendment to planning permission 20180914 to allow the relocation of the front wall of the extension to provide a 275mm set back from the original house wall.	Approval of Non-Material Amendment	29.05.2020
20190556	Application for a non-material amendment to planning permission reference no. 20180914 to allow the change of the render finish on the flank wall to facing brick finish to match the main house.	Approval of Non-Material Amendment	11.06.2019
20180914	Erection of a two storey side extension.	Permitted	04.02.2019
20171268	Construction of dormer extensions in the front and rear roof slopes and conversion of the roof space into habitable rooms.	Refused	18.01.2018

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- 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)
- 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

No response

- Ward Councillors

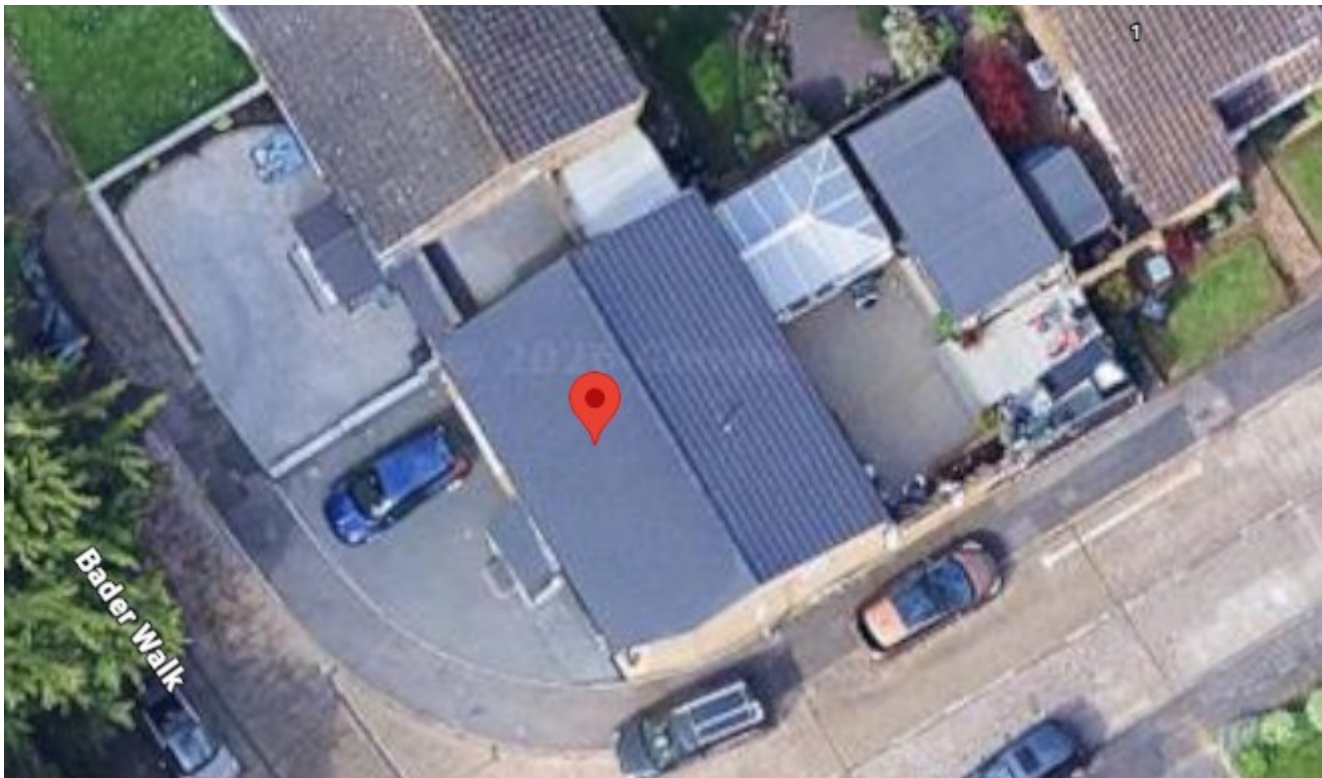
Neighbouring properties

6 surrounding properties were consulted with an overall consultation expiry date of 22.06.2026 – one response received (neither objecting or supporting the planning application), the comments of which can be summarised as follows:

- Concern that the building extension will obscure their current view around their property if the height exceeds the current outer building;
- They object to any structural change that may cause damage to their boundary walls causing lasting repairs; and
- Being a toilet the environmental implications that may have on them and their family's well being.

Officer's Analysis

The application site consists of a two storey detached dwelling on the corner with Gibson Close. The property has been extended with a conservatory and a two storey side extension (permitted under 201800914 and subsequently amended under three non-materials amendment applications). There is an outbuilding in the rear garden which has a playroom in the main part and on the other side of the internal divide is an open area with a large opening in the north-east side elevation and a smaller opening in the north-west front elevation.



Source: Google



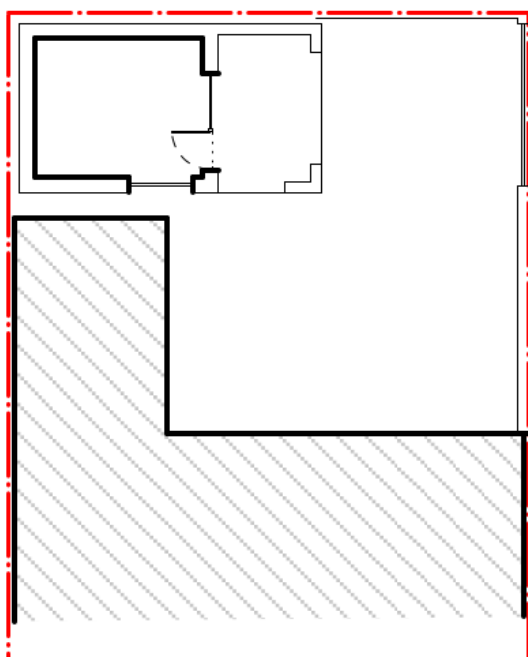
Source: [House Price History](#)

The proposal is not to extend the overall size of the existing building and this would remain at its existing width (5.8m), depth (3.27m) and height (2.38m), but it is to infill the large existing opening in the north-east side elevation, alter the smaller opening in the north-west front elevation to create a door and a window and then remove the existing internal partition to make the main existing room wider and change it from a playroom to an office/study, and then insert a new partition back up form a toilet the north-eastern end of the building. So instead of the large opening in the north-east elevation there would be a blank brick wall with no openings and in the front elevation instead of a window and a smaller opening there would be the same window, a new door and a new window. The other side elevation and the rear elevation would stay the same as existing with no openings in them.

For ease of reference the existing and proposed block plans, floor plans and elevations are as follows:

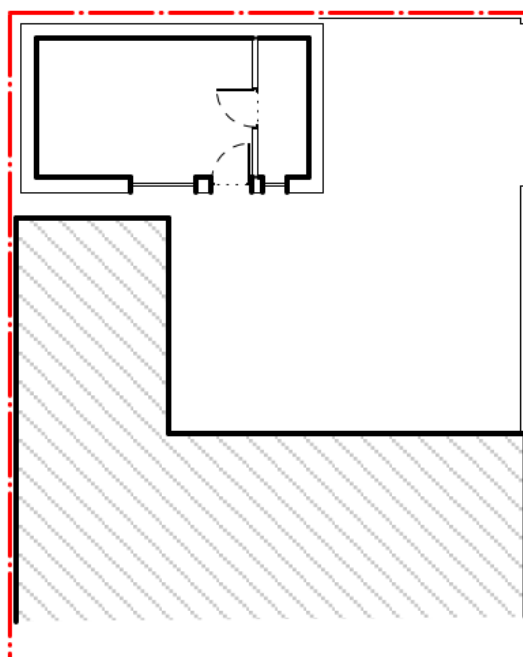
EXISTING SITE PLAN

Scale: 1:200



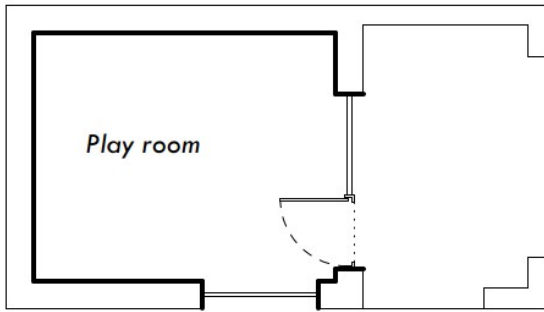
PROPOSED SITE PLAN

Scale: 1:200



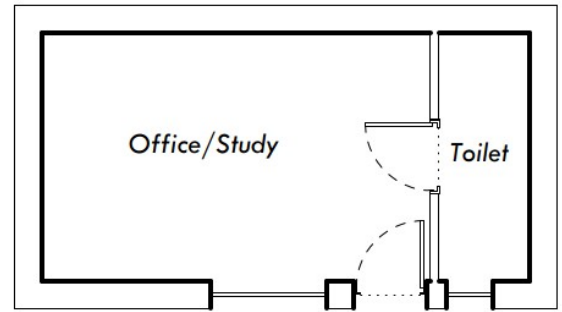
EXISTING FLOOR PLAN

Scale: 1:100



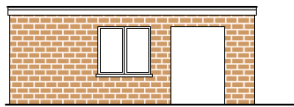
PROPOSED FLOOR PLAN

Scale: 1:100



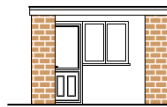
EXISTING FRONT ELEVATION

Scale: 1:100



EXISTING A SIDE ELEVATION

Scale: 1:100



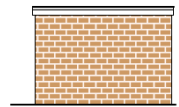
PROPOSED FRONT ELEVATION

Scale: 1:100



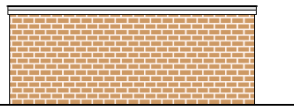
PROPOSED A SIDE ELEVATION

Scale: 1:100



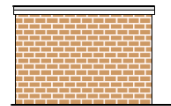
EXISTING REAR ELEVATION

Scale: 1:100



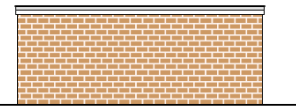
EXISTING B SIDE ELEVATION

Scale: 1:100



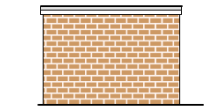
PROPOSED REAR ELEVATION

Scale: 1:100



PROPOSED B SIDE ELEVATION

Scale: 1:100



The principle considerations in the assessment of the proposal are:

Principal

The site is in the urban area where development is encouraged. The principle of the development is therefore acceptable and compliant with Policy CS02 (LPCS). Should permission be forthcoming it is recommended that it is conditioned that the office/study be conditioned to only be used as an office/study and toilet ancillary to the main dwelling and not be used, let or sold at any time as a self contained, separate unit of living accommodation and no business, commercial or industrial use shall be carried out. The proposal also needs to be acceptable in respect of all other matters which will now be considered.

Design, Character and Appearance

As stated, the proposal would not increase the overall width, depth or height of the building, it would just infill the existing large opening in the north-east side elevation and alter the existing opening on the front north-west elevation to a door and window. There is no issue with infilling and altering the openings in this way. The infill brickwork in the side elevation would match the existing brickwork on the building and the new door and window in place of the existing opening on the front are acceptable in design. Overall, in terms of design, character and appearance the proposal is compliant with Policy CS19 (LPCS).

Amenity of Occupiers

The internal layout would be altered with the partition moved further across to make the main room larger and change from a playroom to an office and a toilet at the north-eastern end of the building. The toilet would be 2.65 sq. m which exceeds the 1.5 sq. m minimum for a WC only in SPG2 (2020).

As the outbuilding would not increase in size at all there would be no impact on the existing garden size and depth.

Overall, in respect of the amenity of occupiers the proposal is compliant with Policy CS19 (LPCS).

Neighbouring Amenity

The proposal would not increase in size at all so no impact on neighbouring amenity in respect of overshadowing, loss of light or loss of outlook. In the north-eastern side elevation where the existing large opening would be infilled with solid brickwork there is Gibson Close adjacent to it so no neighbouring dwelling but in any case given the existing opening would be infilled with a door and window there would be no privacy issues. There would be a window to the toilet but that would be no different to those in a main dwelling, it is not considered the toilet would impact on the wellbeing or environment of any neighbouring properties.

Overall in respect of the amenity of occupiers the proposal is compliant with Policy CS19 (LPCS).

Parking and Highways

The proposal raises no demand for additional parking demand and does not impact existing parking provision. As such in respect of parking and highways the proposal is considered compliant with saved Policy P3 (LPFR).

Any Other Material Planning Considerations

None.

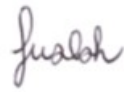
Conclusion

The proposal subject to conditions is acceptable in respect of principal, design, character and appearance, occupier amenity, neighbouring amenity and parking and highways. As such the proposal is compliant with local and national planning policy.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Mrs Faye Walsh
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	17th July 2026	Dated:	20 July 2026