

Delegated Report

Householder Planning Application

Planning Application No:	20250712
Location:	1 Cedar Close Meopham Gravesend Kent
Description:	Erection of a single storey side extension and conversion of garage to create 1 no. annexe ancillary to existing dwelling with 4 roof lights.
Applicant:	Mrs D Lewington
Site Visit Date:	30 July 2025

Submitted Documents/Plans

Application form
Drawing no. PA/25/056/001 (Existing Elevations & Floor Plans)
Drawing no. PA/25/056/002 Rev. A (Proposed Elevations & Floor Plans)

Relevant Planning History

There is no planning history for the property.

Development Plan

Gravesham Local Plan Core Strategy (2014)

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

Gravesham Local Plan: First Review (1994)

- T1 – Impact of Development on Highway Network
- 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 4 – Decision-making
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

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 (NDSS) (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)

Consultations, Publicity and Representations

Consultees

Dickens Country Protection Society

The Society is concerned that the extension has no connecting door to the main dwelling and there is no evidence of need and no evidence that the extension is intended for a family member. Against this it is noted that no kitchen is indicated on the plan.

The Society would suggest that, if granted, conditions are imposed controlling the occupancy and tying it to the main dwelling.

Neighbouring properties

The application has been advertised by individual neighbour letters to 5 properties. The overall consultation period expired on 11 August 2025.

One letter of representation has been received on behalf of the National Annexe Planning Consultancy (NAPC) with the following comments:

- Ancillary residential accommodation makes efficient use of existing residential land.
- Sustainable response to housing and care needs.
- Maintains ancillary relationship and is unlikely to result in a separate planning unit.
- Should remain subordinate and integrated with the main house.
- Rooflights appear modest and in keeping with single storey form.
- Applicant should be advised to ensure that the annexe cannot be easily separated or sold off independently in the future.

Local Ward Councillors were also consulted but no responses were received.

Officer's Analysis

Proposal

This application seeks permission for the erection of a single storey side extension and conversion of garage to create 1 no. annexe ancillary to existing dwelling with 4 roof lights.

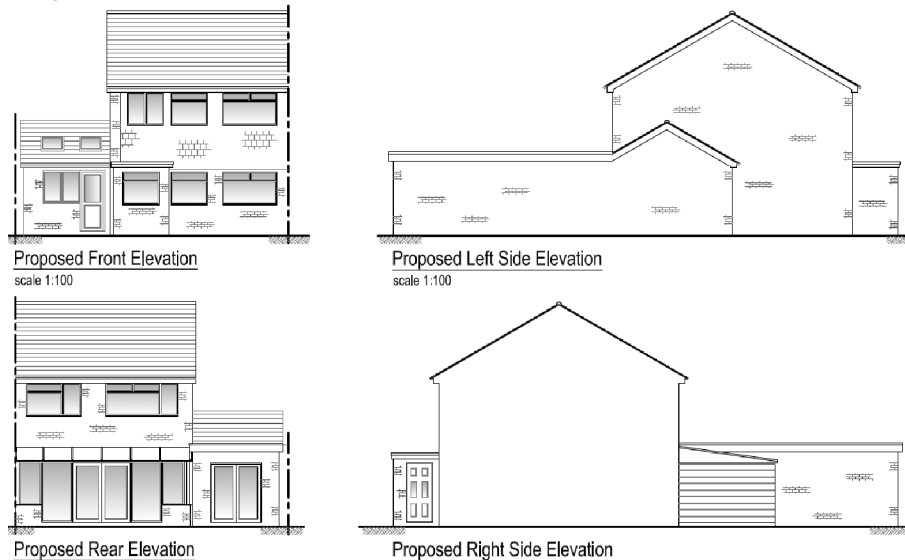
The agent has confirmed that the annexe would be used by one of the applicant's daughters, and that a kitchen would not be needed as meals would be taken in the main house.

The existing garage at the side will be removed and a single storey extension will be erected, measuring approximately 3m wide by 11.6m long. The roof will be pitched at the front, with an eaves height of 2.5m and a roof height of 4m. The roof will be flat behind and 2.8m high. The floor area provided is 29m². The building would extend up to the flank boundary.

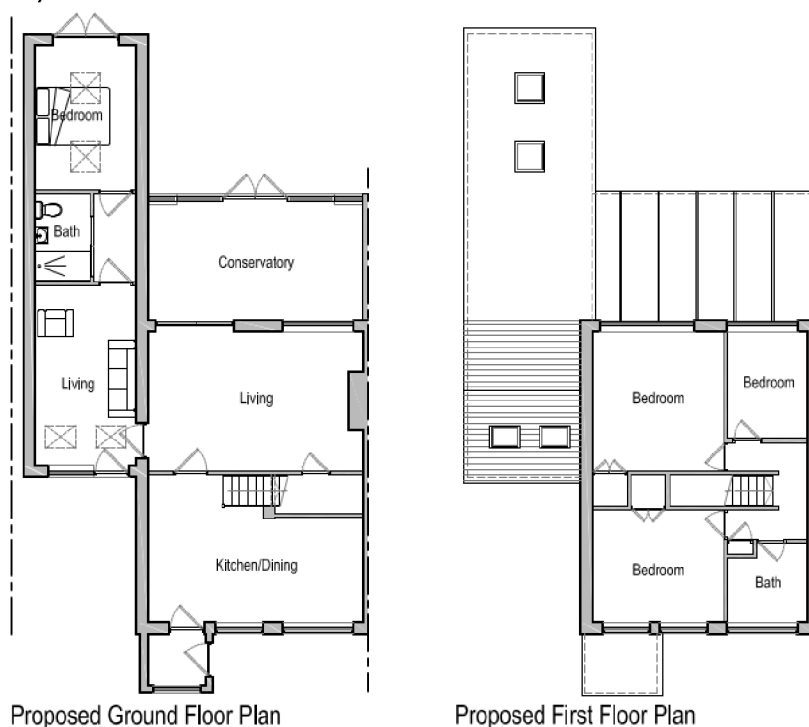
There would be an entrance door and window serving the annexe into a living room, a bathroom beyond this and then a double bedroom. There would be patio doors on the rear elevation serving the bedroom. There would also be an internal door connecting through to the main house.

The walls of the building will be brick, the pitched roof will be tiled, and the windows and doors will be UPVC. There will be two rooflights on the front roof pitch and two on the flat roof.

Proposed Elevations:



Proposed Floor Plans:



Principle Issues

The site lies within the rural settlement boundary of Hook Green and has no particular site constraints or designations. As such, the main issues for consideration in the determination of this application are as follows:

- Design, character and appearance
- Residential amenity
- Parking and highways

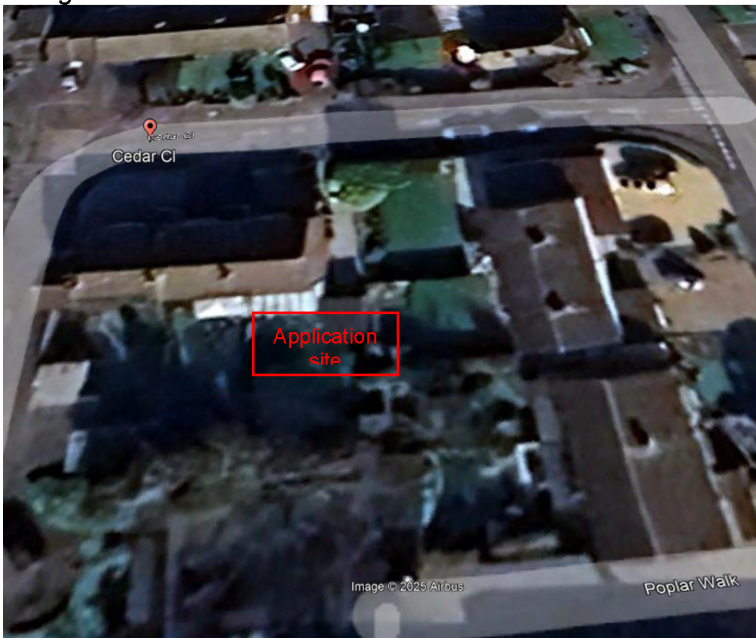
Design, Character and Appearance

Section 12 of the NPPF 2024 relates to achieving well-designed and beautiful places and sets out the Government's requirements in relation to design issues. Paragraph 131 emphasises the importance of achieving high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the NPPF 2024 also seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The property lies within the rural settlement boundary of Hook Green and comprises a terraced dwelling in a fair sized plot:

Google Earth Aerial View:



Existing Front Views:



The proposed annexe would be single storey, set back from the frontage, and would be constructed with matching materials. From the street scene, though the roofline of the annexe extension will be higher and it will project further forward, it would not appear too dissimilar to having the existing single storey garage at the side. The design and siting of the annexe extension will therefore have no adverse impact on the character and appearance of the street scene and surrounding area. On this basis, the proposal would be in accordance with Policy CS19 of the Core Strategy 2014 and paragraphs 131 and 135 of the NPPF 2024.

Residential Amenity

The NPPF 2024 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land.

Future Occupiers

In terms of additional living accommodation, the proposal will add a further bedroom to the application property, which is currently 3 bedrooms.

The annexe will have one bedroom and an internal floor area of approximately 29m², which would not comply with the minimum standard of 39m² for a new one bedroom, 1 person, one storey dwelling (NDSS 2015).

Garden space around the property will not be affected, as the proposed extension would not take up any more of the rear garden than the existing garage. The retained area of garden would be in excess of 100m², which would comply with the minimum garden area that would be expected for a 4 bedroom property (100m²).

If the proposed annexe were to be severed from the main dwelling, there would be amenity concerns: there would be no kitchen, so it would not adequately serve as an independent self-contained unit of accommodation on a long-term basis. There would be issues over the size of the accommodation being inadequate at 29m² and there would also be likely to be privacy issues between the properties on the site and potentially inadequate amounts of amenity space.

There is also a concern that the proposal has the potential not to be ancillary to the main dwelling on the site. The annexe does have its own independent front access. A subdivision of this plot would be likely to lead to additional parking requirements, hardstanding, boundary treatments, and other domestic paraphernalia that would all have a negative impact on the character and appearance of the area, as well as surrounding residential amenities. Such a proposal would not be acceptable.

However, planning permission is being sought for the ancillary use of the annexe. It is helpful to consider case law in terms of the assessment of whether the annexe is ancillary or a separate planning unit.

Case Law

The use of an outbuilding for ancillary residential accommodation in association with a main dwellinghouse does not require planning permission provided it complies with Sec. 55(2)(d) of the 1990 Act that provides that the use of buildings within the curtilage of a dwellinghouse for any purpose "incidental to the enjoyment" of that dwellinghouse is not development. The position with regard to residential use of a new outbuilding is different.

A number of cases, detailed below, have shown that for the purposes of Sec. 55(2)(d) "incidental to the enjoyment" may be interpreted generously. The creation of an annexe from an existing outbuilding would be unlikely to require permission provided the building was occupied by a family member. However, the situation is not as clear where the occupant is someone who is not a member of the family but has a strong functional connection with the main dwelling, for example, a housekeeper or handyman.

If the accommodation created constitutes a separate planning unit, this then is not an incidental use, as Sec. 55(3)(a) makes clear. Any separate residential occupation of a building or buildings formerly within an existing single residential planning unit is development by virtue of Sec. 55(3)(a) of the 1990 Act, as confirmed by *Wakelin v SoS* 1978, a case in which a large house with a lodge that had been converted into two flats used as guest suites was proposed to be converted into a separate dwelling and sold off. The court held that the house, lodge and grounds were one planning unit and that to sever the lodge would constitute a material change of use.

In essence, an annexe will become a separate single dwellinghouse where it is self-contained with all the necessary day-to-day living facilities and has resulted in the creation of a separate planning unit. *Uttlesford DC v SoS and White* 1992, in which a garage attached to a dwelling had been converted to a 'granny annexe', provides leading case law on the matter. In *Uttlesford* an Inspector had determined that where a domestic garage within a residential curtilage was used for living accommodation in connection with the dwelling, no material change of use occurred. The court agreed, ruling that the fact that the elderly occupier of the annexe had all the living facilities that enabled her to live independently from the rest of the family did not amount to the creation of a separate planning unit that required permission. The significance of this case is that the even though the accommodation in the garage was capable of independent use, the court judgment suggested that a quality of separateness was occupation by someone who was not connected with the family occupation of the whole planning unit.

Identifying a separate planning unit requires consideration of a range of factors and not simply the self-containment of the accommodation and is a matter of fact and degree. In her decision to grant permission for the conversion and extension of an outbuilding at a house in the Essex green belt to a residential annexe, notwithstanding the Council's concern that it would result in the creation of an independent residential unit, the Inspector in *Castle Point* 27/11/2020 DCS No 400-028-727 relied on the *Uttlesford* judgment. The Council had reached its own view that the proposal was tantamount to a new dwelling with reference to *Gravesham BC v SSE* 1984 because the accommodation provided all the facilities for independent day-to-day living. The Inspector, however, followed the more recent and relevant case law in *Uttlesford*, stating that even if the accommodation provided facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling and it was a matter of fact and degree whether a change of use had occurred.

In the case before her, the Inspector recorded that whilst the extension and conversion of the outbuilding would provide all the facilities for day-to-day living, it would function as an annexe, with the primary occupants also sharing living space, eating and socialising with the rest of their family in the main dwelling. There was a paved footpath between the annexe and the main house allowing easy access between the two. As such, she held that the garage conversion would remain part of the same planning unit as the main dwelling. Based upon the evidence before her the inspector was satisfied that the proposal related to an

annexe. She allowed the appeal subject to a condition that it should not be severed from the main house by reason of being sold or let as a separate unit of accommodation.

In reaching her decision, the Inspector noted that reference had also been made to *Carter v South Bucks DC* 2011 but considered that case was different in that a garage had been converted into a three-bedroomed property with a substantial conservatory extension. It had its own garden, separated from the main dwelling by fencing, trees and shrubs, with no footpath linking the two buildings. Whilst family meals were taken together that was in the substantial garage conversion rather than in the host dwelling. As a matter of fact and degree in that case it was found that a new planning unit had been created.

In this case, whilst the proposed annexe has the potential to be occupied independently, the annexe would have a clear internal link to the main house, and it would have no kitchen. The size of the accommodation is very modest, particularly in the context of the size of the main dwelling. Furthermore, it has been made clear that the annexe is for the sole use of the applicant's daughter.

It is on this basis and in considering the above case law, as a matter of fact and degree, a new planning unit would not be created at the application site, and the proposal would therefore comply with Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF 2024.

Nevertheless, given the concern relating to the potential for plot severance, it will be essential to impose a condition restricting the use of the annexe as ancillary and related to the main dwelling.

Neighbouring Properties

In terms of the impact on neighbouring amenities, the single storey side extension for an annexe would not cause material harm to any adjoining properties in terms of loss of light, outlook, privacy or sense of enclosure. The annexe would be single storey and positioned similarly to the existing side/rear garage, albeit slightly longer and taller. As a single storey extension, it would be unlikely to cause any overlooking issues or loss of privacy or light. There are no side windows proposed, though regardless of this, there is a 1.8m high flank boundary fence separating the application property from the dwellings to the east on Poplar Walk.

Overall, the proposal would not harm the amenities of neighbouring properties, and as such, would comply with Policy CS19 of the Core Strategy 2014 and paragraph 135(f) of the NPPF 2024.

Parking and Highways

The parking standard for a dwelling with 3 or more bedrooms is a maximum of 2 spaces. This is a maximum standard, and there will be ample off-street parking provision retained on the plot at the front of the dwelling. There have been no neighbour objections in relation to parking.

There would therefore be no adverse parking or highway issues resulting from the proposals, which would comply with Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014.

Any Other Material Planning Considerations

Biodiversity

The NPPF 2024 at paragraph 187 states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Policy CS12 of the Core Strategy 2014 reflects this stance and states that there will be no net loss of biodiversity in the Borough, and opportunities to enhance, restore, re-create and maintain habitats will be sought.

As this is a householder application, it is exempt from Biodiversity Net Gain requirements.

Conclusion

The proposed erection of an outbuilding for use as a granny annexe is acceptable in terms of its design and impact on the application site and the character and appearance of the surrounding area, and with regards to residential amenity, highways and parking and biodiversity matters. The proposals would therefore comply with the requirements of Policies CS11, CS12 and CS19 of the Core Strategy 2014, saved Policies T1 and P3 of the Local Plan 1994, and paragraphs 115, 131, 135 and 187 of the NPPF 2024.

Recommendation

Permission subject to conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	19th August 2025	Dated:	19th August 2025