

Delegated Report

Householder Planning Application

Planning Application No: 20260577

Location: 170 Waterdales Northfleet Gravesend Kent

Description: Erection of part single storey, part two storey and part three storey rear extension and conversion of loft space and existing outbuilding to habitable accommodation.

Applicant: Mr Kelvin Arutode Ajise

Site Visit Date: 21 July 2026

Submitted Documents/Plans

Householder Planning Application form;
Drawing no. M181(02)1250 Existing location and block plans;
Drawing no. M181(02)001 Existing site plan;
Drawing no. M181(02)002 Existing ground floor layout;
Drawing no. M181(02)003 Existing first floor layout;
Drawing no. M181(02)004 Existing loft layout;
Drawing no. M181(02)005 Existing roof plan;
Drawing no. M181(02)006 Existing elevations;
Drawing no. M181(08)1250 Proposed location and block plans;
Drawing no. M181(08)001 Proposed site plan;
Drawing no. M181(08)002 Proposed ground floor layout;
Drawing no. M181(08)003 Proposed first floor layout;
Drawing no. M181(08)004 Proposed loft layout;
Drawing no. M181(08)005 Proposed roof plan;
Drawing no. M181(08)006 Proposed elevations;
Drawing no. M181(08)007 Proposed section A-A;
Drawing no. M181(08)008 Proposed section B-B; and
Design and Access Statement.

Procedural Issues

It should be noted that, following a request from the case officer, to reduce the overall size and bulk of the proposal and to include more consistent/appropriate roof pitches, the applicant submitted amended drawings. However, following an assessment of the drawings, the Borough Council did not consider that they overcame the negative design issues and as such, it declined to accept them as an amendment to the proposal.

Relevant Planning History

None.

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 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)

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).
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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. The following is advised as the property falls within the buffer zone of a former landfill site.

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 informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Neighbouring properties

The application was publicised by a site notice and to four neighbouring properties by letter. No representations have been received.

Officer's Analysis

Design, Character and Appearance

Policy DP3(1) of the National Planning Policy Framework 2026 (NPPF 2026) states that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. The policy highlights that this should not preclude innovation or change where appropriate. Policy DP3(3) of the NPPF 2026 states (amongst other things) that development proposals should be refused if, without clear justification, they conflict with Policy DP3(1) and that substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

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 rear roof extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that proposals should be set away from the gables, hips, eaves and ridge of a property; be lower than the existing ridge line and retain the original ridge line treatment; that dormers should not overwhelm the roof slope within which they are placed; and that windows should reflect the position, design and character of existing windows on the host building.

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.

The application property is a two storey, terraced dwelling, which is of a design and materials that is very typical of its immediate surroundings. Due to its location adjacent to Wombwell Park, the rear elevation of the building is widely visible to the public.

The proposed development would result in a significant increase in built form at the rear of the building, with a three storey appearance and a stepped design that would incorporate multiple roof pitches, none of which match with the existing. The dormer element would reach almost to the ridge of the main roof and would have no set back on the north eastern side of the roof. Due to the attachment of the two storey element of the rear extension to the dormer, the dormer would not have the appearance of being set back from the eaves, when viewed from the south east. As such, the dormer would essentially appear as part of a three storey, flat roofed rear extension.

The ground floor element of the rear extension would have a depth of 4 metres and incorporate an existing outbuilding, which means that the maximum depth of the ground floor element would be 6.3 metres. This would be only 0.8 metres shorter than the overall depth of the existing building.

The proposed roofing material would match with existing but the proposed walls would be white render, which would not match with the existing pebble dash walls or for the dormer, with the existing tiled roof.

For the reasons set out above, it is considered that the proposal would not be subservient to the existing building, it would have an incongruous design and be an overdevelopment of the application site, which would be out of character with the existing building and be detrimental to visual amenity.

The positive features of the proposal include that the dormer and extension would be set away from the boundary with no. 172 Waterdales, that the fenestration would match with existing and that an external rear accessway would be retained.

Overall, it is considered that the negative impacts of the proposed design would significantly outweigh the positive features. The proposed development, by virtue of its size, bulk and design, would not be subservient to the existing building, would have an incongruous appearance and would be an overdevelopment of the application site. As such, the proposal would be out of character with the existing building and the existing terrace, would be detrimental to the visual amenities of the surrounding area and would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014), to Policy DP3 of the NPPF 2026 and to the Householder Extensions/Alterations Design Guide 2023.

Amenity of Future Occupiers

Paragraph 135(f) of the NPPF 2024 sets out that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for

existing and future users.

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.

According to the RLG a three bedroom dwelling should have a minimum garden area of 60 square metres and a minimum depth of 10 metres. According to the NDSS the minimum floor area for a single bedroom is 7.5 square metres (with a width of at least 2.15 metres) and for a double bedroom is 11.5 square metres (with a width of at least 2.75 metres).

The proposed development would result in an increase in the number of bedrooms at the application property from two to three and a reduction in the size of the rear garden. However, the residual garden would meet the minimum size requirement of the RLG.

The proposed loft bedroom would exceed the minimum floor area requirements for a double bedroom in the NDSS but bedroom one would have an area below the minimum requirement for a single bedroom. Although it is noted that a large wardrobe area would be accessible from the room. As such, the proposed bedrooms would provide acceptable living conditions for future occupiers.

The proposal would result in the loss of a kitchen window and door and bedroom window in the rear elevation of the application property thereby reducing the levels of natural light available. However, due to internal layout alterations and the provision of alternative windows, there would be no significant loss of natural light overall.

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 (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 closest residential properties to the application site are nos. 168 and 172 Waterdales (located to the north east and south west respectively).

The proposed dormer window and first floor bedroom window would obliquely overlook the rear gardens of nos. 168 and 172 Waterdales. However, as existing rear windows have similar overlooking impacts, the occupiers of these properties cannot not have an expectation of total privacy in their gardens. Furthermore, dormer windows are a common feature in the residential environment and in many instances are development that does not require planning permission.

The ground floor shower room window in the side elevation of the proposed rear extension would face no. 168 Waterdales but due to the screening provided by the existing boundary treatment and due to the need for obscure glazing to be used to protect the privacy of future users, there would be no adverse overlooking impacts.

In order to prevent any future loss of privacy or adverse noise/odour impacts to neighbours, any planning permission granted should be conditioned to preclude the insertion of any windows or openings (including flues) in the side elevations of the proposed development.

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.

No. 172 Waterdales has a first floor bedroom window located close to the boundary with the application property. Due to the set in of the proposed extension from the side boundary, the proposal meets the 45° rules in both plan and elevation form and as such, there would be no significant adverse overshadowing impacts to that window.

At ground floor, no. 172 Waterdales has a door closest to the application site boundary. Due to the depth and proximity of the proposed extension, some adverse overshadowing and overbearing impacts to this door and the adjacent private garden area would occur. However, due to the orientation of the properties and to the design of the proposed extension, any adverse overshadowing or overbearing impacts would not be so significant as to warrant a refusal of planning permission.

No. 168 Waterdales has a first floor bathroom window located closest to the boundary with the application site and a ground floor window set some 0.6 metres away from the boundary. Due to the design of the proposed development and to the layout and orientation of no. 168, there would be no adverse overshadowing or overbearing impacts to its residential occupiers.

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

Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review (1994) require new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

The application property has two bedrooms and no on-site parking provision. The proposed development would result in the building increasing from two to three bedrooms.

It is noted that the application site is located in a sustainable location, close to local shops and services and various bus routes. Therefore, occupiers would not be entirely dependent on a private vehicle for transport. Although the proposed development would result in a small increase in demand for on-street parking in the surrounding area, this would not undermine highway safety. As such, the proposal would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (2014).

Any Other Material Planning Considerations

The application site is located within an area with some palaeolithic and multi-period archaeological potential and Groundwater Source Protection Zone 1. 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 (2014) and Saved Policy TC7 of the Gravesham Local Plan First Review (1994).

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

The application site is located in a smoke control area. As such, advice regarding smokeless fuels/appliances can be given to the applicant in an informative attached to any planning permission granted.

It is noted that works are proposed to an existing outbuilding that adjoins the outbuilding at no. 172 Waterdales. The submitted details do not show any of the proposed works encroaching over the boundary with no. 172 and ownership certificate A has been signed by the applicant. Therefore, if planning permission were to be granted, an informative should be attached to the decision highlighting the need for a fresh planning application, serving appropriate notice on the affected neighbour, should any of the proposed works result in encroachment.

Conclusion

The proposed development would have no adverse highway safety, archaeology, groundwater or contamination impacts and would not be detrimental to residential amenity. However, the proposal would be an overdevelopment of the application site, which would be out of character with the existing building and the existing terrace and be detrimental to the visual amenities of the surrounding area.

Overall, it is considered that the adverse impacts of the proposed development attract significant weight and would significantly and demonstrably outweigh the benefits of the proposal. Therefore, following a thorough assessment of the application and all material planning considerations, it is considered that the proposed development cannot be supported.

Recommendation

That planning permission should be refused on the following ground;

- (1) The proposed development, by virtue of its size, bulk and design, would not be subservient to the existing building, would have an incongruous appearance and would be an overdevelopment of the application site. As such, the proposal would be out of character with the existing building and the existing terrace, would be detrimental to the visual amenities of the surrounding area and would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014), to Policy DP3 of the National Planning Policy Framework 2026 and to the Householder Extensions/Alterations Design Guide 2023.

(For detailed informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	27 August 2026	Dated:	28th August 2026