

Delegated Report

Planning Application

Planning Application No: 20260500

Location: Ballacraine, Gravesend Road, Higham, Rochester ME3 7E

Description: Erection of a part single storey rear extension with roof lights and first floor extension with Juliet balconies. Erection of a part two storey front extension and porch.

Applicant: Mr F Lloyd

Site Visit Date: 5 June 2026

Submitted Documents/Plans

Application form
Site location plan
Drawing no. P01 (site plan existing)
Drawing no. P02 (site plan proposed)
Drawing no. P03 rev B (existing and proposed plans)

Relevant Planning History

19750231	Erection of a single storey extension at rear to lounge	Permitted	21.08.1975
19540394	Erection of a bungalow	Permitted	08.12.1954

Development Plan

Gravesham Local Plan Core Strategy (September 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)

- P3 – Vehicle Parking Standards

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 5 – Meeting the challenge of climate change
- Section 12 – Making Effective use of land
- 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);
- Design for Gravesham: Design Code (2024);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009)

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).

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

Consultees

Neighbouring properties

The application has been advertised by site notice and individual letters to four neighbouring properties. No letters of representation have been received. The overall consultation period expired on 03.09.2026.

Officer's Analysis

Proposal

This application seeks planning permission for the erection of a part single storey rear extension with roof lights and first floor extension with Juliet balconies and erection of a part two storey front extension and porch.

The existing conservatory will be demolished and replaced with a single storey rear extension that will project approx. 3.2m and will be the same width the house. There will also be a first floor extension extending up from the back wall to form a two storey dwelling with a part hipped, part flat roof.

At the front there will be a part first floor, part two storey extension and a porch. The front extension will project approx. 2m and extend upwards to form a first floor. The porch will project approx. 1.1m and will be 2.66m wide. It will be approx. 3.2m high and will have a hipped roof.

Internally the alterations will provide for a kitchen/diner, lounge, bedroom and bathroom at ground floor and four bedrooms and a bathroom at first floor. The garage will remain. The street scene plan as existing and proposed is shown below:





Design, Character and Appearance

Ballacrairie is located along a main road but set down from the road level. The properties on this side of the road are mixed in design and type but are mostly detached with off road parking. The application site is a detached bungalow located between a chalet bungalow and a two-storey dwelling. It has a front projection with a hipped roof and its main roof is pitched.

The proposed extensions will result in a two storey dwelling that will be slightly higher than the existing bungalow roof. The roofs of the three dwellings along this section of the road will stagger upwards to the east. The proposed dwelling therefore will appear subservient between its two neighbouring dwellings.

In terms of scale the footprint of the building will remain similar to the existing but will be extended over two floors. In order to keep the height of the building lower a flat roof is proposed at first floor. Originally the plans showed a flat roof which would have been highly visible from the road. The applicant agreed to change the plans to a dual pitch which improves the appearance and reflects aspect of design of other extended properties in the vicinity.

Landscape Character

The application site is located within the Higham Arable Farmlands Landscape Character Area. As the proposed extensions are contained within the residential curtilage and are modest in scale there will be no detrimental impact from the development on the wider area.

The proposed extensions are considered in keeping with the original property in terms of scale and proportion and will complement the street scene and therefore accord with policies CS12 and CS19 of the Gravesham Core Strategy 2014 and policy DP3 of the National Planning Policy Framework 2026.

Amenity

Future Occupiers

The proposed plans show sufficient garden space to remain for the future occupiers of the dwelling. All the habitable rooms are of a sufficient size and contain sufficient outlook, privacy and daylight for future occupiers.

Neighbouring Amenity

Ardna Grena is located to the north west of the application site. There is currently one window facing this property. The proposed plans show a window at ground floor and one at first floor in the side elevation and two ground floor windows and one first floor window on the floor plans. These will serve a dining room and the stairs (it would appear the stairs window is shown on both floor plans). The windows in the southeastern elevation of this neighbouring property serve non-habitable rooms such as

bathrooms and also a secondary window to a bedroom. Any loss of outlook or daylight is therefore not significant. In terms of perceived overlooking a condition is recommended to ensure the side windows are fitted with obscure glass and are non-opening apart from any top hung fan light or they have a floor to sill height of over 1.7m. Due to the position of the dwelling and path of the sun there will be no detrimental impact in terms of loss of sunlight.

Atbara is located to the southeastern side of the application site. This property has a ground floor window in the flank which is a secondary window to an open planned room and a first floor window serving a bathroom. As these are either a secondary window or serve a non-habitable room, no concerns are raised with regards to loss of outlook or daylight. The proposed plans show a secondary window and bathroom a ground floor proposed and a bathroom window at first floor. As windows already exist in the ground floor in similar positions no concerns are raised. The first floor bathroom window, however, is an additional window. This will face onto this neighbour. The applicant is happy to agree to obscure glass in order to protect amenity but does not agree to the window being fixed shut. As the neighbours have a planning condition that their window will be fitted with obscure glass but not fixed shut, it is considered that it would be unreasonable to insist the window is fixed shut. Any overlooking from open windows will be mutual and therefore no objections are raised.

Due to the path of the sun no concerns are raised with regards to loss of daylight or sunlight for either neighbour.

The proposed extensions therefore accord with policy CS19 of the Gravesham Core Strategy 2014 and policy DP3 of the National Planning Policy Framework 2026.

Ecology and Biodiversity

Biodiversity Net Gain

Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better quality natural habitat than there was before development.

Householder developments are exempt from BNG.

Parking and Highways

The proposed development will result in an additional two bedrooms being created. The application site has off road parking for at least three cars. Whilst this is in tandem which is not ideal, this is an existing situation and therefore no objection is raised.

Conclusion

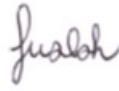
The proposed extensions will have no detrimental impact on the character and appearance of the street scene or wider landscape, amenities, parking or highway safety and therefore accord with the abovementioned policies and are recommended for approval.

Recommendation:

Permit

(For detailed conditions / reasons for refusal and informatives, see draft Decision)



Case Officer:	Mrs Alison Webster	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	5 October 2026	Dated:	05 October 2026