

Delegated Report

Householder Planning Application

Planning Application No: 20260494

Location: 27 Brice Road Higham Rochester Kent

Description: Erection of a two-storey side extension and a single storey rear extension with roof light.

Applicant: Mr Simon Smith

Site Visit Date: 07th July 2026

Submitted Documents/Plans

Application Form;
Existing Floor Plans and Elevations – 4007-003.B;
Proposed Floor Plans and Elevations – 4007-004.E;
Roof Plans – 4007-005.A; and
Location Plan – 4007-006.

Relevant Planning History

Reference	Description	Decision	Decision Date
19750460	Erection of a porch at side	Permitted	22.10.1975

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

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)
- 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

Consultees

Higham Parish Council – No response.

Neighbouring properties

Five surrounding properties were consulted with a response date of 04.06.2026, no representations have been received in response.

Officer's Analysis

Design, Character and Appearance

Policy CS19 (LPCS) requires development to conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. This stance is reflected in chapter 12 (Achieving well-designed places) of the NPPF.

The application seeks permission for the erection of a two-storey side extension and a single storey rear extension. The proposed two storey side extension would have a width of approximately 4m, it would be set back 0.5m from the front elevation of property and set down from the ridge line. The side extension would be built flush with the rear elevation of the dwelling and would have a hipped roof over, at first floor level it would be clad with hanging tiles to match the host property.

The rear element of the extension would project 4m in depth from the property's rear elevation, it would extend the full width of the rear elevation and across the rear of the side extension with a total width of 9.2m and would be set in 1.1m from the property's northern boundary. The extension would have a flat roof over it which would be set well down from the first-floor windows.

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.

Whilst it is noted that the extensions would result in a generous enlargement in the footprint of the property, and would exceed half the width of the host property, the extensions have been designed to appear subservient to the host property, and would be in keeping with the character of it. The side extension would maintain separation from the site's side boundary, and the roof of the extension would be set down from the ridge line of the host property, whilst it would also be setback from the front elevation of the dwelling. The modest height and depth of the rear extension would ensure that it does not dominate the host dwelling, and it would be in keeping with the character of existing neighbouring extensions along Brice Road.

As a part of the development, the entrance to the property would be relocated from the side of the property to its front elevation. It is noted that some properties along Brice Road have relocated their entrances to their front elevations, the proposed development would be in keeping with this. The extensions would be constructed from brick, and the first floor would be clad in hanging tiles, the hanging tile, roof tiles and windows would also match the existing. It is considered that the extensions would harmonise well with the host property, and despite their generous scale would not dominate the property and would be compliant with Policy CS19.

The application site is located in the Higham Arable Farmlands Landscape Character Area (LCA) and as such, Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 is also relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment will be taken into account in determining applications. The Higham Arable Farmlands LCA is characterised by open arable farmland, with distinctive views out to the marshes and the River Thames in the north. The application site is located within the built up village and the proposed development would be contained within an existing residential curtilage. The proposal would result in an increase in the amount of built development but would not adversely affect the overall landscape character of the surrounding area. As such, the proposal would be in line with Policy CS12

of the Gravesham Local Plan Core Strategy (2014).

Amenity of Future Occupiers

Development should not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions. Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and paragraph 127 of the NPPF which requires the amenity of existing residents to be protected.

The development would add an additional bedroom to the dwelling resulting in a total of three bedrooms. Bedroom 3 would have an internal floor area of approximately 11.5m², which would meet the minimum internal floor area requirement for a double bedroom. The property would have a total floor area of 138m², which would exceed the minimum floor area requirement set out in the NDSS for a three bedroom five-person property. It is considered that the proposed habitable rooms would be provided with good levels of amenity and their windows would be sufficiently separated from neighbouring windows to ensure they are not overlooked.

The retained external amenity area is sufficient and would comply with the council's residential layout guidelines which require 100m² of amenity space. The garden depth would exceed the minimum depth of 10m as required by SPG 4. The development is considered to provide occupants with good levels of amenity and would be compliant with policy CS19 and SPG4 in this regard.

Neighbouring Amenity

Policy CS19 (LPCS) seeks to protect amenity and ensure acceptable future living conditions are included in the LPCS. The NPPF also assists and seeks to ensure developments will function well, do not undermine quality of life and create attractive and comfortable places to live, work and visit and seeks to "secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings".

The neighbouring properties most impacted by the proposed development are the adjoining no.25 and the neighbouring no.29 to the north.

Both the application property and the adjoining no.25 Brice Road retain their original rear elevations. The two storey side extension would not project beyond the rear elevation of the host property, and as such would not impact the first floor rear windows of the adjoining property. At ground level the proposed rear projection would project to a depth of 4m, it would have a flat roof over it with a height of 3m. The BRE 45-degree test has been carried out to assess the impact of the ground floor extension on the rear windows of the adjoining no.25 Brice Road. Whilst the extension fails the test on plan, when carried out on elevation, the centre of the ground floor rear window lies outside of the 45 degree angle on elevation. As such the test shows that it is unlikely the extension would result in any significant impact on the amenity of this window.

The neighbouring property at no.29 to the north retains its original rear and side elevations, the proposed two storey side extension would not project beyond either the front or rear elevations of this property, there would be a separation of approximately 7.7m between the side elevation of this property and the side elevation of the part one, part two storey side extension. As the side extension would not project beyond the front or rear elevations of this property, and given the modest scale of the rear extension and the separation between the properties it is considered that the development would not result in any significantly harmful impact on the amenity of its occupants.

It is considered that the development would be acceptable in regard to its impact on the amenity of occupants of neighbouring properties. The proposal would therefore be compliant with Policy CS19 in this regard.

Parking and Highways

Any proposals would need to be considered against saved policy T1 (LPFR) (1994) and Policy CS11 of the Gravesham Local Plan Core Strategy (2014). These policies ensure that development provides an acceptable amount of parking in accordance with the adopted KCC Parking Standards and the access and parking arrangements do not have a detrimental impact on highway safety.

The maximum required off street parking provision for a dwelling with three or more bedrooms is two spaces. There is a hardstanding to the front of the property which currently provides space for one vehicle, it is noted that the proposed plans show two car parking spaces, however the width of the parking bays would not be sufficient to provide the minimum width for two parking spaces set out in SPG4. As such there would be one parking space provided, given the low on street parking pressure it is considered that one off street parking space would be acceptable for a property of this size in this location, and overflow parking can be provided along Brice Road. As such the development would be compliant with Policy CS11 in this regard.

Recommendation

Permission

For detailed conditions and informatives, see draft Decision

Case Officer:	Adeoye Lawal	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	7th July 2026	Dated:	09 July 2026