

Delegated Report

Householder Planning Application

Planning Application No: 20260547

Location: 10 Mermaid Close Gravesend Kent DA11 9ED

Description: Conversion of garage to habitable space. Erection of a single storey rear/side extension.

Applicant: Mr Mahesh Kalia

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form Dated 07/05/2026; and
Drawing Number 26 – 04 – 06 – PL01 (Site Location Plan, Block Plans, Floor Plans and Elevations – Existing and Proposed).

Relevant Planning History

Reference	Description	Decision	Decision Date
20190858	Application for a Lawful Development Certificate in respect of the proposed construction of dormer extension in the side roof slope and conversion of the roof space into habitable rooms	Certificate Granted	17.09.2019
20140134	Application for Lawful Development Certificate for the proposed erection of a single storey rear extension to form enlarged kitchen and dining room.	Certificate Granted	20.03.2014
20140131	Single storey rear extension with a maximum depth of 3.5m maximum height of 3.45m and maximum height to the eaves of 2.175m	Prior Approval not Required	14.03.2014
19990841	Details pursuant to conditions 3 (part), 4 and 5 attached to outline planning permission ref. No. GR/97/110 relating to the siting, design and external appearance of the proposed buildings and the means of access thereto, internal roads, car parking and service areas, boundary walls, fences and other means of enclosure, all external materials to phase 1, pedestrian and secondary emergency access to the site and details of the pedestrian refuge to the north side of the Rosherville Way tunnel, for the erection of 128 dwellings comprising of two and three bedroom detached and semi-detached two storey houses and 64 no. flats in two blocks of 32 with associated garaging and car parking spaces, an electricity sub-station and the formation and laying out of access roads onto Rosherville Way and associated estate roads.	Permitted	15.12.2000

19970110	Outline application for residential development comprising of 218 houses/flats and ancillary parking with access onto Rosherville Way	Permitted	29.01.1999
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Development Plan

Gravesham Local Plan Core Strategy (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

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

Ward Councillors – No comments received

Neighbouring properties

2 surrounding properties were consulted and a site notice was displayed on 1st June 2026. No responses were received and the consultation period ended on 26.06.2026.

Officer's Analysis

Design, Character and Appearance

10 Mermaid Close is a two-storey semi-detached dwellinghouse located on the west side of the highway. The property has previously been extended by a single storey to the rear and by a dormer to the side roof slope. To the frontage, the application site is part soft landscaped with hard standing for off road parking and a garage.



The application seeks to convert the existing garage to habitable space and the erection of a single storey rear/side extension.

The application proposes to convert the existing garage to habitable rooms by replacing the garage door with a window and associated brick work. The proposed development would create space for internal layout changes to include a playroom.

The proposed window would be aligned to respect the window placement of the existing windows and will be PVCu to match. The front elevation will have a brick finish to match the host dwelling.

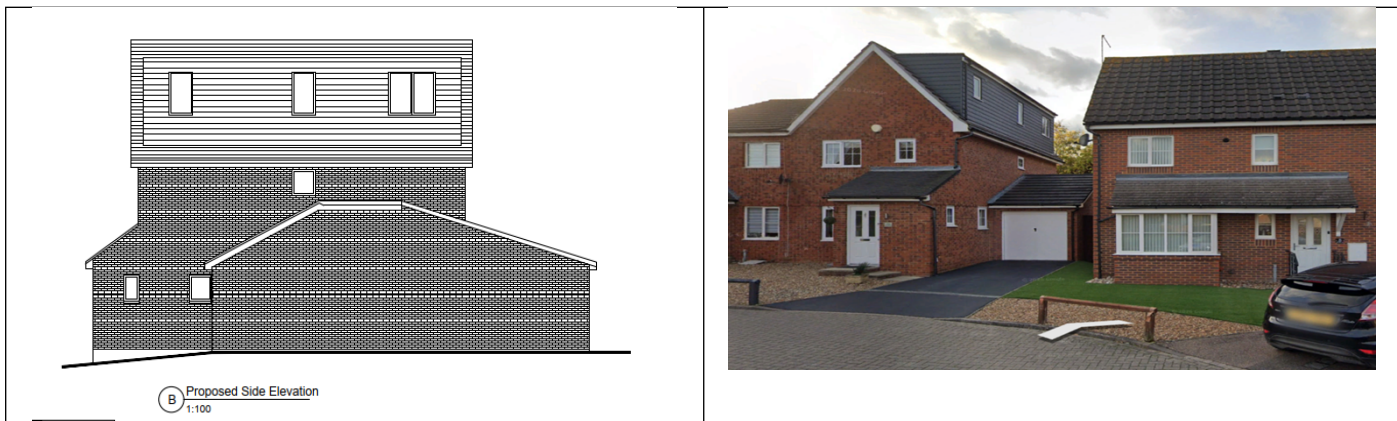
While there are no surrounding properties with a similar garage conversion, the development would take on the appearance of a standard side extension and as such is not considered to be detrimental to the existing street scene.

The application also proposes the erection of a side/rear extension. The extension would have a false pitched roof at a height of 4.12m and an eaves height of 2.23m. The extension proposes an overall width of 5.6m and a depth of 9m and would serve as an infill between the existing rear extension and the converted garage.

The extension would create space for a lounge/dining area with utility room. There would be a window to the rear serving the dining area. The extension would be constructed with a brick finish to match the existing dwelling.

While the proposal of a false pitched roof is not considered to be desirable to a side extension, the existing garage is set back from the front elevation and by way of neighbouring property, known as 8 Mermaid Close, the extension is set back from the street scene and as such the roof would not be highly visible and would have minimal impact:

Proposed Side Elevation	Google Earth Street View
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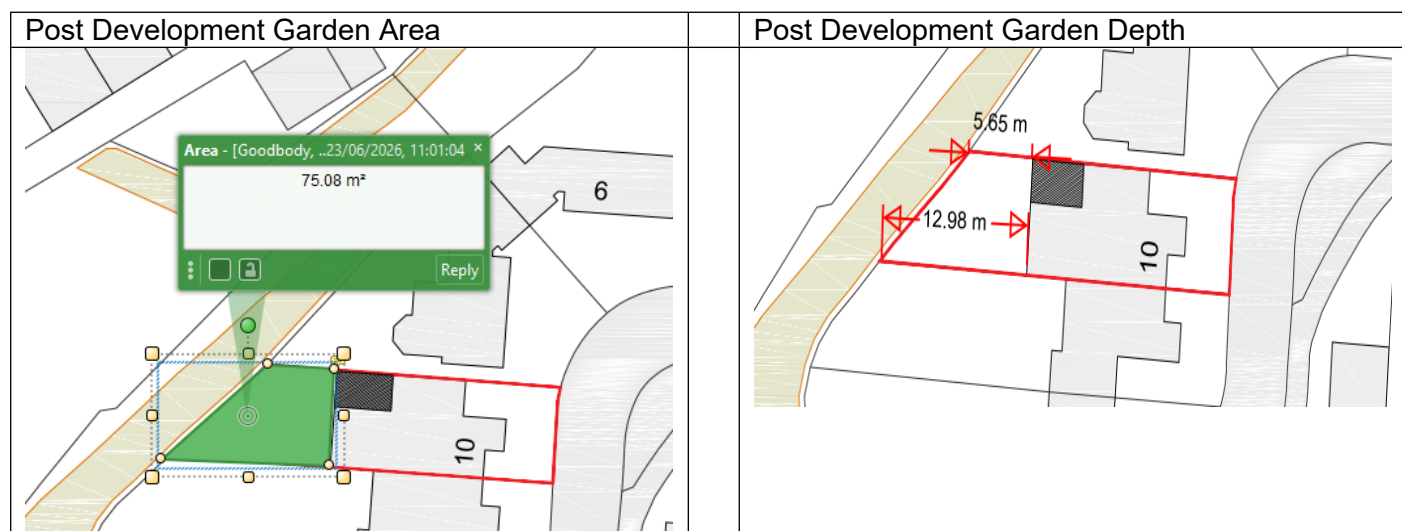
Overall, the development hereby proposed is not excessive in size or bulk, will be constructed using appropriate materials and will have no impact on the street scene. Therefore, the application is in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

Amenity of Future Occupiers

Gravesham's Residential Layout guidelines state that a four-bedroom property should have the minimum rear amenity space as set out below:

Accommodation with :	Minimum garden area (sq. metres)	Minimum depth from rear wall of house (metres)
1-2 bedrooms	37.2	7.6
3 bedrooms	60.0	10.0
4 or more bedrooms	100.0	10.0

Post development, the application site would retain a depth ranging from 5.65m to 12.98m and an area of 75.08sqm:



Whilst both the remaining area and partial depth are below the recommended guidelines, the proposed extension does not seek to increase the number of bedrooms at the property. Furthermore, the footprint of the extension measures an area of 13.83msq which is considered to be minimal and on balance it would be unreasonable to refuse the application on this alone.

As such the proposal is not considered to detrimentally effect the amenity of future occupiers and is in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014) and Section 12 (Achieving well designed places) of the National Planning Policy Framework 2024.

Neighbouring Amenity

The proposed single storey side/rear extension is modest in height and does not to look to introduce any windows to the flank elevations.

The proposed garage conversion would introduce a window to the front elevation. By way of the orientation of neighbouring properties, the host dwelling does not front any neighbouring habitable windows.

As such, there are no concerns with the detrimental impact on neighbouring properties in terms of privacy, outlook, overshadowing or loss of light.

Therefore, the proposal is in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

Parking and Highways

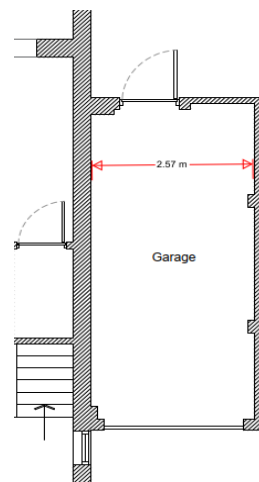
The application proposes the conversion and subsequent loss of the existing garage.

Whilst the application site currently only provides sufficient off road parking for one car to the frontage, the existing garage is unlikely to be used for parking a modern car as it falls below the requirements for minimum width, as set out by supplementary planning guidance; SPG 4 - KCC Parking Standards (2006.), as detailed below:

SPG 4 – KCC Parking Standards (2006)

Preferred Garage Size for Single Car	5.5m (length) x 3.6m (width)
Preferred Garage Size for Two Cars	5.5m (length) x 6.0m (width)

Existing Garage Dimensions



Furthermore, it is considered that due to the sustainable location of the application site, with close proximity to shops and public transport, it would be unreasonable to refuse the application on these grounds.

As such, there are no concerns with parking and highways.

Any Other Material Planning Considerations

Contamination

As the building has previously been used as a garage, there could be some contamination in terms of oil and other contaminants derived from garage use. Therefore, a watching brief condition will be included.

Conclusion

The proposal is not excessive in size or bulk, will be constructed using appropriate materials and will have no detrimental impact on the street scene. The development will safeguard the amenity of future occupiers and will not harm the amenity of any adjoining property. As such, it is recommended that planning permission is granted, subject to conditions.

Recommendation

Permission

(For detailed **conditions** and informatives, see draft Decision)

Case Officer:	Mrs Nina Goodbody	Team Leader:	Richard Hart
Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	8 th July 2026	Dated:	9th July 2026