

Delegated Report

Householder Planning Application

Planning Application No: 20260464

Location: 14 The Curlews Gravesend Kent DA12 5QJ

Description: Replacement of existing conservatory roof and wall frames.

Applicant: Miss T Gobell

Site Visit Date: 30 June 2026

Submitted Documents/Plans

Householder Planning Application form;
Red line site boundary plan received 06 May 2026;
Drawing no. 90018533 Existing and proposed block plan;
Drawing no. 900-18533 Page 1 Existing layout and roof plans;
Drawing no. 900-18533 Page 2 Existing elevations;
Drawing no. 900-18533 Page 3 Proposed layout and roof plans;
Drawing no. 900-18533 Page 4 Proposed elevations;
Sustainability and Renewable Energy Statement;
Fire Safety Statement; and
Photograph of the existing conservatory.

Relevant Planning History

Reference	Description	Decision	Decision Date
20200919	Erection of a two storey side extension.	Permitted	12.11.2020
20180061	Erection of a two storey side extension	Permitted	22.06.2018
20061029	Conversion of existing attached garage into a study.	Permitted	18.01.2007
19840393	Erection of 100 dwellings with car parking and garages associated earthworks and laying out of access road onto Hillside Avenue and Old Road East	Permitted	22.11.1984

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
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC7 – Other Archaeological Sites

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)
- 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

Neighbouring properties

The application was publicised by a site notice and to two neighbouring properties by letter. No representations have been received. The overall consultation period expired on 12 June 2026

Officer's Analysis

Design, Character and Appearance

The proposed development would be of a design and materials that would match with the existing building and those in the surrounding area. The overall size and height of the conservatory would be largely unchanged and it would not be widely visible due to its rear garden location.

Overall, the proposed development would be appropriate in terms of design and would not have an adverse impact on the character or appearance of the existing building or the surrounding area. Therefore, the proposal would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and the Householder Extensions/Alterations Design Guide SPD (2021).

Amenity of Future Occupiers

The proposed development would improve the living conditions for future occupiers and there would be no change to the existing rear garden area or depth. As such, the proposal would not be detrimental to the amenity of future occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Neighbouring Amenity

Due to the design of the proposed development and to the design, layout and orientation of surrounding properties, there would be no adverse overlooking, overshadowing or overbearing impacts to any of the surrounding residential occupiers. As such, 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).

Any Other Material Planning Considerations

The application site is located within an area of multi-period archaeological potential, Groundwater Source Protection Zone 2 and close to the Holyoake Mount historic landfill site. However, as the proposed development would not involve any groundworks, then there would be no adverse contamination impacts, groundwater impacts or archaeological impacts. As such, the proposal would be in line with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

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.

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Materials to match existing

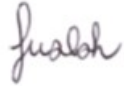
Conclusion

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Recommendation

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	30th June 2026	Dated:	30 June 2026