



Delegated Report

Variation of Conditions

Planning Application No: 20260232

Location: Broadeaves Bowesden Lane Shorne Gravesend

Description: Application for variation of condition 2 (Plans) and condition 7 (Carport plans) attached to planning permission reference number 20231227 for Erection of a two storey side extension and a two storey rear extension with catslide roof incorporating 2no. rear dormers and detached 3 bay car port.; to allow infill between oak posts in car port and addition of windows and enlargement of kitchen window.

Applicant: Mr L Button

Submitted Documents/Plans

Application Form;
Drawing no. 231123/1 - Existing Ground Floor Plan;
Drawing no. 231123/2 - Existing First Floor Plan;
Drawing no. 231123/3 - Existing Roof Plan;
Drawing no. 231123/4 - Existing Elevations;
Drawing no. 231123/5.C - Proposed Ground Floor Plan (received 28/05/26);
Drawing no. 231123/6.C - Proposed First Floor Plan (received 28/05/26);
Drawing no. 231123/7.C - Proposed Roof Plan (received 28/05/26);
Drawing no. 231123/8.C - Proposed Elevations (received 28/05/26);
Drawing no. 231123/9.B - Proposed Sections (received 28/05/26);
071125/1 – Carport Floor Plan; and
071125/2 – Carport Elevations.

~~Drawing no. 231123/5.B – Proposed Ground Floor Plan (received 02/03/26);~~
~~Drawing no. 231123/6.B – Proposed First Floor Plan (received 02/03/26);~~
~~Drawing no. 231123/7.B – Proposed Roof Plan (received 02/03/26);~~
~~Drawing no. 231123/8.B – Proposed Elevations (received 02/03/26);~~
~~Drawing no. 231123/9.B – Proposed Sections (received 02/03/26);~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20250779	Erection of single storey front extension with roof terrace. Erection of front and rear dormers and two storey rear extension. Installation of roof lantern to front elevation. Conversion of garage into habitable room.	Application Refused	25.09.2025
20231227	Erection of a two storey side extension and a two storey rear extension with catslide roof incorporating 2no. rear dormers and detached 3 bay car port.	Permitted	19.02.2024
20220193	Erection of part single story part two story extension.	Permitted	24.05.2022

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)
- 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

Shorne Parish Council

1. Carport - windows in the sides and infilling of one bay, also with a window:

The carport does not appear to be exactly the same design as in the original plans, which had an open lean-to area at one side.

Putting side windows in a carport is unusual, as is infilling the front of one bay also with a window. The purpose of the alterations and the proposed future use of the infilled area is not stated and this should be clarified, however Condition 8 (and all others) of permission 20231227 is not being altered. The Parish Council therefore has no objection in principle to this proposal.

2. Kitchen window enlargement:

Given the location of the house and its extensive curtilage, the Parish Council has no objection.

3. Front extension in the form of a bay window:

There are two other front bay windows presently but this one will be wider and deeper as a 2.5m deep by 4m wide front extension is proposed. Engineering works will be needed and a path and steps re-provided. Given the location of the house and its extensive curtilage, the Parish Council has no objection.

Dickens Protection Society

Thank you for your letter of 3rd March concerning the above. The Society notes the site is in an area within which Green Belt Policies apply on the north side of Bowesden Lane. The existing dwelling is a detached house.

This application is to make some minor changes to the planning consent granted under reference GR/2023/1227. The proposed dormer is at first floor level and should not result in any additional overlooking and does not give rise to objection.

Enclosing 1 bay of the three bay carport and adding two windows, one in the existing side wall and the other in the new side wall will leave two bays at the front of the structure still open. Any attempt to completely enclose the structure or change its use would generate a strong objection from the Society, but the Society has no objection to what is proposed.

Neighbouring properties

Nine surrounding properties were consulted with a response date of 03.04.2026, no representations were

received in response.

Officer's Analysis

Background

Under application reference 20231227, planning permission was granted in February 2024, for the erection of a two storey side extension and a two-storey rear extension with catslide roof incorporating 2no. rear dormers and detached 3 bay car port.

Condition 2 Reads as follows:

2. *The development hereby permitted shall be carried out in accordance with the following approved plans:*

*Application Form - dated 01 December 2023;
Supplementary Information - Building Regs Notes;
Un-numbered Ordnance Survey Site Location Plan (scale - 1:1250);
Un-numbered Existing Block Plan (scale - 1:500) - dated 15 February 2024;
Un-numbered Proposed Block Plan (scale - 1:500);
Drawing no. 231123/1 - Existing Ground Floor Plan;
Drawing no. 231123/2 - Existing First Floor Plan;
Drawing no. 231123/3 - Existing Roof Plan;
Drawing no. 231123/4 - Existing Elevations;
Drawing no. 231123/5 - Proposed Ground Floor Plan;
Drawing no. 231123/6 - Proposed First Floor Plan;
Drawing no. 231123/7 - Proposed Roof Plan;
Drawing no. 231123/8 - Proposed Elevations;
Drawing no. 231123/9 - Proposed Sections;
Drawing no. LB/001 - Proposed Carport Floor Plan;
Drawing no. LB/002 - Proposed Carport Elevations.*

Reason *For the avoidance of doubt and in the interests of proper planning.*

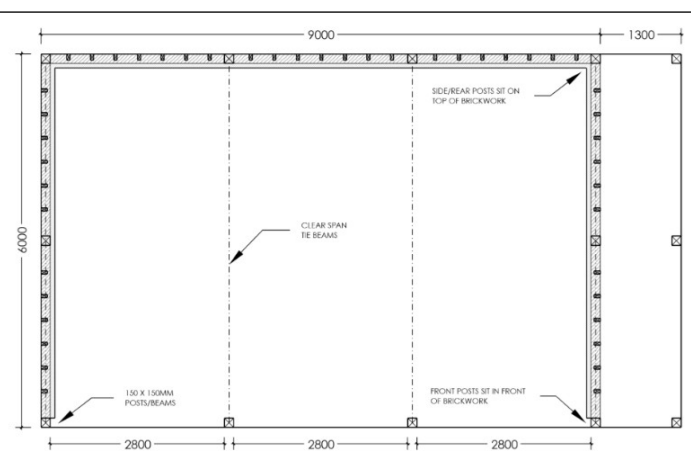
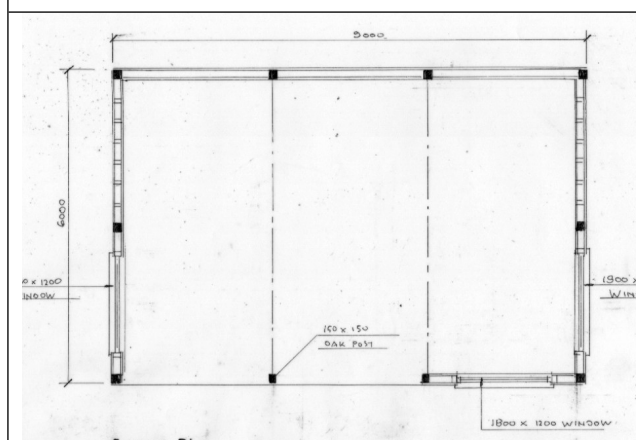
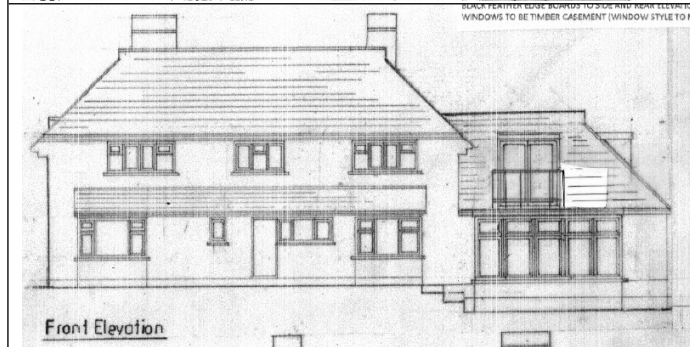
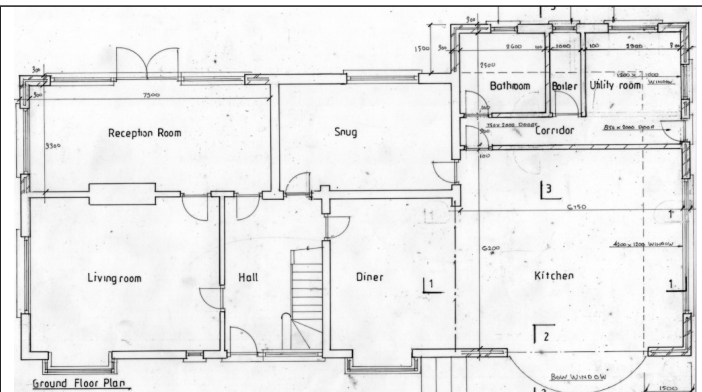
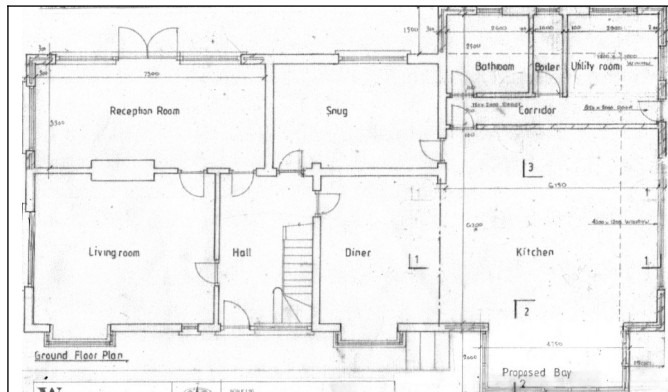
Condition 7 reads as follows

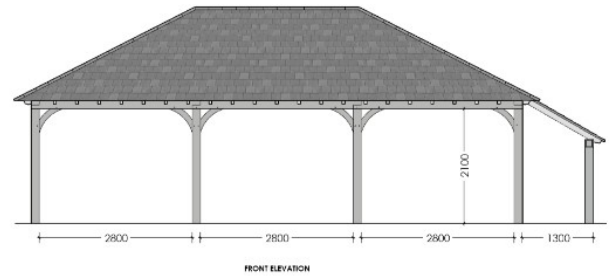
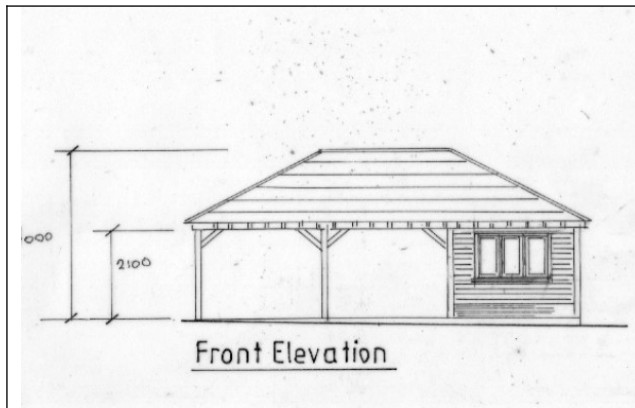
7. *Notwithstanding the details included on the application form and approved plans the materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing dwelling.*

Reason *To ensure a satisfactory visual relationship between the existing and the new development in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014).*

Condition 2 (Plans) and Condition 7 (Carport plans)

Proposed plan and elevations	Approved plan and elevations
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Green Belt

The application site is located within the Green Belt. The originally approved design resulted in an approximately 40% increase in the footprint of the original dwelling, however the extensions were considered sufficiently subordinate in appearance so as not to result in a disproportionate addition. It is not considered necessary to do the full greenbelt assessment again as the circumstances are considered the same. Whilst it is noted in this instance that the proposed variation to the bay window would result in a further increase in footprint, it would still remain subordinate to the large, detached host dwelling. The changes to the car port would not result in any increase in its footprint or overall scale. As such, the proposed changes are considered acceptable in regard to their green belt impact.

Design, Character and Appearance

The proposal seeks to add a flat roofed bay window to the front elevation of the building, in the place of the originally approved curved bay window. The flat roofed bay window would have a width of approximately 4.75m and would project 2m forward of the property's front elevation. The bay window would be an oak framed bay window with casement windows which would match those to the existing dwelling. The oak frame would give the bay window a traditional appearance and would match the existing timber detailing to the front elevation, which would help to ensure the bay window harmonises well with the dwelling.



The proposal also seeks to enclose part of the frontage of the car port, and add windows to the side elevations. The changes to the carport would not result in an increase in its footprint or scale. The changes would somewhat domesticate its appearance through the introduction of windows, however, as two thirds of its frontage would remain open, the changes are considered not to result in a harmful change in

appearance.

It is considered that the proposed changes to the originally approved car port and front bay window would comply with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Neighbouring Amenity

Due the separation from neighbours, and the scale and nature of the changes to the carport and bay window, there would be no harm to the amenity of occupants of neighbouring properties. No neighbouring representations have been received. As such, the proposal would not be detrimental to the residential amenity of future occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Parking and Highways

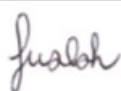
Whilst it is noted that the carport would be partially enclosed and may no longer be suitable for the parking of three vehicles, sufficient parking would be retained for the property. As such the proposal is in accordance with Gravesham's adopted parking standards (SPG4) (2006).

Conclusion

The proposed changes are considered to be acceptable and would not result in any harm to the character and appearance of the host property, the amenity of its occupants or neighbouring occupants. There would also be no negative parking or highway safety impacts. As such the changes are considered to be acceptable.

Recommendation

For detailed conditions and informatives, see draft Decision

Case Officer:	Adeoye Lawal	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	1 st June 2026	Dated:	02 June 2026