



Delegated Report

Householder Planning Application

Planning Application No: 20260495

Location: 125 Downs Road Istead Rise Gravesend Kent

Description: Demolition of existing conservatory, erection of a part two storey part single storey rear extension with balcony over single storey element. Changes to internal layouts, and alterations to fenestration to main house and outbuilding.

Applicant: Mr & Mrs Glenn Hughes & Xiuzhen Li

Site Visit Date: 30 June 2026

Submitted Documents/Plans

Householder Planning Application form;
Drawing no. 1087[EX]01 Existing ground floor layout;
Drawing no. 1087[EX]02 Existing first floor layout;
Drawing no. 1087[EX]03 Existing roof plan;
Drawing no. 1087[EX]05 Existing outbuilding elevations;
Drawing no. 1087[EX]06 Existing front elevation;
Drawing no. 1087[EX]07 Existing rear elevation;
Drawing no. 1087[EX]08 Existing side elevation 1;
Drawing no. 1087[EX]09 Existing side elevation 2;
Drawing no. 1087[EX]100 Existing site context plan
Drawing no. 1087[GA]01 Proposed ground floor layout;
Drawing no. 1087[GA]02 Proposed first floor layout;
Drawing no. 1087[GA]03 Proposed roof plan;
Drawing no. 1087[GA]05 Proposed outbuilding elevations;
Drawing no. 1087[GA]06 Proposed front elevation;
Drawing no. 1087[GA]07 Proposed rear elevation;
Drawing no. 1087[GA]08 Proposed side elevation 1;
Drawing no. 1087[GA]09 Proposed side elevation 2;
Drawing no. 1087[GA]10 Proposed section;
Drawing no. 1087[GA]100 Proposed site context plan;
Drawing no. 1087[GA]1250 Site location, existing and proposed block plans and aerial photograph; and Design & Access Statement.

Relevant Planning History

Reference	Description	Decision	Decision Date
20251096	Application for an Existing Lawful Development Certificate for the continued use of an outbuilding at the rear as a garage and study/bedroom.	Certificate Granted	13.03.2026
20030114	Erection of two storey rear extension to form a dining room and conservatory at ground floor level with a bedroom, en-	Permitted	30.05.2003

	suite shower room/w.c., walk-in wardrobe and balcony at first floor level; erection of two storey front extension to form a porch at ground floor level with a study at first floor level; construction of two replacement dormer windows in front roof slope and installation of bay windows at front.		
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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
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- 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)
- 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

Neighbouring properties

The application was publicised to five neighbouring properties by letter. No representations have been received.

Officer's Analysis

Principle of Development

The application site lies within the village of Istead Rise, inset from the Green Belt, where extensions and alterations to dwellings are commonplace and which Policy CS02 of the Gravesham Local Plan Core Strategy (2014) identifies as a sustainable location for development. Therefore, it is considered that the principle of extending the dwelling is not objectionable in planning policy terms. However, in order to determine whether the detail of the proposal is satisfactory, it is necessary to examine the potential for amenity and highways impacts and any design and other issues.

Design, Character and Appearance

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

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.

The application site is located in the Istead Arable Farmlands Landscape Character Area (LCA) and as such, Policy CS12 of the Gravesham Local Plan Core Strategy (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 proposed rear extension would be part two storey and part single storey, with a balcony located over the single storey element. The depth would be between 2.7 and 2.9 metres and the width would be 6.2 metres. It would be located on the north western side of the rear elevation. The proposed roof would have a gable end and the roof of an existing dormer would be extended in an L-shape onto the roof of the proposed extension. The proposal also includes the relocation of a dormer window by 1.1 metres to the north west and refurbishment works and the insertion of a window (facing no. 127 Downs Road) to an outbuilding at the rear.

The proposed rear extension would not be of greater width than the existing building and would be set away from the side boundaries of the application site. The proposed roof pitch, external facing materials and fenestration would match with the existing building. Whilst the gable end roof design would not be in keeping with the half hipped existing roof, it would not be widely visible and would not look out of place. The part single storey and part two storey design would reduce the size and bulk of the extension and it would be subservient to the existing building.

The proposed works to the outbuilding would match the existing external facing materials and fenestration and would improve the visual amenities of the building.

The application site is located in a village and the proposed development would be 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.

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 Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014) and the Householder Extensions/Alterations Design Guide SPD (2021).

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants. In this regard, the Nationally Described Space Standards (NDSS) and the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The proposed bedroom would exceed the minimum floor area requirements for double bedroom in the NDSS (2015). According to the proposed block plan, the proposed garden area and length (some 567 square metres and +10 metres respectively) would exceed the requirement for a dwelling with three bedrooms in the RLG.

The proposed development would improve the living conditions for future occupants and as such, the proposal would not be detrimental to residential amenity and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupants. In this regard, the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The closest residential properties to the application site are nos. 123 and 127 Downs Road (located to the north west and south east respectively). Nos. 28 and 30 Biddenden Way are located to the north east.

The proposed development would introduce a number of new windows and a balcony to the application property. The RLG set out that privacy distances between facing windows should be met, in order to prevent overlooking. A privacy distance of 21 metres is required for facing windows where there is no private garden area in between and a privacy distance of 26 metres is required where a private garden is within the field of view.

Due to a privacy distance of over 50 metres and mature vegetation on the site boundary, there would be no adverse overlooking impacts from any of the proposed rear windows to the occupiers of nos. 28 or 30 Biddenden Way.

The proposed ground floor, side living room window would face no. 123 Downs Road and the proposed ground floor, side dining room window would face no. 127 Downs Road. However, screening would be provided by existing boundary treatments and as such, there would be no adverse overlooking impacts to the occupiers of these dwellings. It is noted that the side windows of the existing conservatory already face these properties from a similar distance and location and that any overlooking towards an existing side window at no. 123 Downs Road would be at a very oblique angle.

Due to the location of the proposed balcony, there would be no adverse overlooking impacts to the occupiers of no. 123 Downs Road.

No. 127 Downs Road is set forward of the application property and therefore, its rear windows are located some 11 metres to the south east of the proposed balcony. Due to the orientation and separation of the buildings and because of the screening provided by an existing boundary treatment and mature vegetation, there would be no adverse overlooking impacts from the proposed balcony or the first floor, side bedroom door, to the rear windows of no. 127 Downs Road. Whilst, the proposed balcony and door would afford some overlooking towards part of the rear garden of no. 127, its private garden area (the first five metres behind the dwelling) would not be affected and the impact would be lessened by the existing screening. It is noted that the rear garden at no. 127 Downs Road already experiences a degree of mutual overlooking from the application site, which is common within a residential area such as this. Therefore, any adverse overlooking impacts to the garden of no. 127 Downs Road would not be so significant as to warrant a refusal of planning permission.

The proposed side window in the outbuilding would face the rear garden of no. 127 Downs Road but due to existing vegetation both at the application site and within no. 127, there would be no adverse overlooking impacts to the occupiers of no. 127 Downs Road.

In order to prevent any future loss of privacy to neighbours, any planning permission granted should be conditioned to preclude the insertion of any additional first floor windows or openings in the side elevations of the proposed development.

Due to the design of the proposed development and to the layout and orientation of surrounding properties, there would be no significant adverse overshadowing or overbearing impacts to the residential occupiers of nos. 123 or 125 Downs Road.

Overall, 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).

Parking and Highways

Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review (1994) require new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

The proposed development would not result in the dwelling increasing in its number of bedrooms and there would be no alteration to the existing parking or access arrangements, which can accommodate at least three vehicles.

Overall, it is considered that the proposal would make sufficient provision for the parking of cars within the site in accordance with the Borough Council's adopted Vehicle Parking Standards and would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review (1994).

Any Other Material Planning Considerations

The application site is located within an area of multi-period archaeological potential and Groundwater Source Protection Zone 3. However, as the proposed development is within the confines of an existing residential garden and only a relatively small amount of groundworks would occur, then it is considered that there would be no adverse impacts to groundwater or archaeology. As such, the proposal would be in line with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014) and Saved Policy TC7 of the Gravesham Local Plan First Review (1994).

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Materials to match existing

No further openings in first floor flank elevations

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:	Richard Hart
Signed:	<i>K Joyce</i>	Signed:	<i>R Hart</i>
Dated:	1st July 2026	Dated:	1st July 2026