

Delegated Report

Householder Planning Application

Planning Application No: 20260456

Location: 29 Coutts Avenue Shorne Gravesend Kent

Description: Erection of a ground floor side infill extension and erection of a first floor extension. Conversion of garage to habitable space with flat roof and rooflight. Changes to fenestration.

Applicant: Aaron Avedat

Site Visit Date: 16th June 2026

Submitted Documents/Plans

Application Form;
BL/DRG/4101/ 01 – Site Location Plan;
BL/DRG/4101/ 02 – Existing & Proposed Site Plan;
BL/DRG/4101/ 03 – Existing Floor Plans;
BL/DRG/4101/ 04 - Existing Elevations Sections 3D Views;
BL/DRG/4101/ 05 – Proposed Plans; and
BL/DRG/4101/ 06.A – Proposed Elevations and Sections.

Relevant Planning History

Reference	Description	Decision	Decision Date
19830210	Details pursuant to GR82/759 for the erection of single storey dwelling with garage as amended by drawing no _ subject to the new 1.8m high close boarded fence to the eastern boundary of the site shown in the submitted drawing _ shall be erected before the development hereby permitted is commenced.	Approved	23.05.1983
19830678	Stationing of a residential caravan for a temporary period of 18 months	Permitted	18.11.1983
19820759	Outline application for erection of a single storey dwelling and garage	Permitted	20.12.1982

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)
- 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

KCC Highways

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the highway authority in accordance with the current consultation protocol arrangements.

Shore Parish Council

The Parish Council has no objection in principle to the proposal (to convert the bungalow to a house), subject to there not being significant concerns raised by neighbours, but has the following comments:

The proposal is to change the property from a 3 bedroom single-storey bungalow to a 6 bedroom house with a mansard roof, inclusive of residential conversion of the existing garage. On-site parking spaces are being reduced from 4 to 3.

The proposed design will be visible from the nearby public footpath and will impact on the street scene however this has already been adversely affected by previous planning decisions in the area. It will impact adversely on the neighbouring property to the east, which is on lower ground, reducing light to living room windows and having quite an overbearing appearance. Consideration should be given to there being a sloped roof on that side.

The western elevation is very close to the boundary.

A proposed bedroom on the second floor has a window on the eastern elevation which will overlook the neighbouring property and its private amenity areas, so should have permanent privacy glass and the window not opening below 2m above floor level, as for all the bathrooms. The balcony may also give rise to privacy concerns.

The loft should only be used for storage and not as habitable space, and no alterations should be allowed by Condition. A Condition should also remove permitted development rights for the whole site

Dickens Country Protection Society

In the Society's view, taking account of the restricted nature of the site, the proposed increase in accommodation, and the impracticality of the proposed on-site parking scheme. The society considers the existing garage should remain as a garage available for parking motor vehicles.

Neighbouring properties

Ten surrounding properties were consulted with a response date of 27.05.2026. Three representations have been received in response, two of which raised objections to the proposal and one in support. The comments received are summarised as follows;

Objections:

- o Resultant building not in keeping with neighbouring properties and would result in an

overdevelopment of the property.

- o The proposal would result in the loss of privacy to neighbouring properties
- o The development would result in increased parking stress and highway safety issues
- o Inaccuracies in submitted plans
- o The development would result in the loss of a small sized dwelling
- o Some properties may not have been consulted

Support:

- o The development would create a long-term family home
- o The development would match the varied character of Coutts Avenue
- o The conversion of the garage would be a practical use of the existing

Officer's Analysis

Design, Character and Appearance

The application seeks permission for the erection of a ground floor side infill extension and the erection of a first-floor extension. As a part of the proposal, the existing garage to the front of the property would be converted to a habitable room.

The area between the existing dwelling and the north facing side elevation of the garage would be infilled with a two-storey extension, it would connect the existing detached garage to the property. As a part of the proposal the existing roof over the garage would be replaced with a flat roof. The northeastern corner of the garage would be partially removed to facilitate the relocation of the entrance to the front elevation of the property.

The first-floor extension would extend across the entire footprint of the property, and would change the appearance of the property to a two-storey property. The resultant property would have an eaves height of approximately 5.3m and a ridge height of 7.6m, there would be a traditional pitched roof over the property which would pitch to a large flat crown section. To the rear elevation of the property there would be a balcony at first floor level, the balcony would be constructed from metal with glass screening. The balcony would project 1.5m from the rear elevation of the property.

Gravesham's Householder Extensions/Alterations Design Guide provides the following advice in regard to first floor extensions.

- *Depth: The extension does not dominate the original property. This can cause the site to appear overdeveloped, and cause long dark internal spaces to be formed. Extensions to extensions will generally not be supported.*
- *Design: Taller extensions are of greater visibility, and should incorporate roof designs to reflect, tie in with and not overwhelm the main property's roof. Patterns and proportions of windows should reflect the host building and local character.*

The extension would significantly alter the character of the existing bungalow, as the first floor would be added over the entire foot print of what is a large bungalow, it would appear significantly bulky, with a large flat roofed crown section. The building would dominate the application site, its roof would fail to respect the property's original roof form as required by Gravesham's Householder Design Guidance. Whilst it is noted that there are a number of properties with habitable accommodation at first floor level that exist along Coutts Avenue, these are typically chalet bungalows, and those that are two storeys typically incorporate front dormers to reduce their visual impact. It is considered that the proposal would result in an overdevelopment of the site and would be at odds with the character of surrounding properties.

The site is located within 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 area of Shorne and the proposed development would be contained within an existing residential curtilage. Whilst there are concerns with the bulk and character of the proposal, given the sites location within a built up residential area, the development is not considered to adversely affect the overall landscape character of the surrounding area. As such, the proposal would be line with Policy CS12 of the Gravesham Local Plan Core Strategy (2014) in this regard.

Amenity of Future Occupiers

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 resultant property would have six bedrooms, five of which would be double bedrooms, each of the double bedrooms would exceed the minimum required internal floor area for a double bedroom of 11.5m. The single bedroom would have an area of 10.3m, which would meet the minimum floor area requirement for a single bedroom. The nationally described space standard sets a floor space requirement of 128m² for a property of this size, the resultant property would have an internal floor area of approximately 301m². Each of the habitable rooms would be provided with a window to either the front or rear elevations of the dwelling, with the exception of one bedroom which would have a first-floor window to the east facing elevation. As this bedroom is not a primary bedroom, it is considered reasonable to impose a condition requiring the lower parts of the window to be obscure glazed to protect this window from overlooking from the neighbouring site to the east. Due to the changes in ground level across the two properties, the upper clear glazed parts of the window to this property would enjoy an unobstructed view over the top of this property. On balance it is considered that the proposed habitable rooms would be provided with acceptable levels of amenity.

Externally 247m² of amenity space is provided to the rear of the dwelling with a side access, and access from the kitchen/dining area. The proposed external amenity area is sufficient private amenity space for future occupants and complies with the council's residential layout guidelines which require 100m² of amenity space. The garden depth at 20m would exceed the minimum depth of 10m as required by SPG 4.

It is considered that the proposal would provide acceptable living conditions for future occupants and would be compliant with Policy CS19 (LPCS).

Neighbouring Amenity

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 neighbouring properties most likely to be impacted by the proposed development are no.31 Coutts Avenue to the east of the site and no.27 Coutts Avenue to the west.

The property at no.27 Coutts Avenue is a detached chalet bungalow, there is a single high level obscure glazed window which serves a bathroom to the facing side elevation of this property. There is also a roof light to the eastern facing side roof slope which serves a landing area. There would be a separation distance of approximately 3.2m between the side elevation of the application property and the side elevation of the neighbouring property at no.27. The application property would project approximately 4.7m beyond the rear elevation of this property. At ground floor level, there are three openings to the rear elevation of this property, the closest two windows serve a kitchen and the third serves a dining area. At first floor level there are three dormers which serve bedrooms, the BRE 45-degree test has

been carried out to assess the impact of the proposed extensions on the rear habitable room windows. The test shows that the proposed extensions to the application property would not intersect a 45-degree line drawn from the centre of the closest habitable room window, as such the test shows that it is unlikely there would be any significantly harmful impact on this window.

The neighbouring property at no.31 Coutts Avenue is a two-storey detached dwelling there would be a separation of 15.45m between the side elevation of the application property and the side elevation of this dwelling with facing windows at first floor level. It is noted that due to the local topography, this property is sited at a lower level than the application property. Despite the difference in land levels, given the generous separation between the properties it is considered that the development would not result in overshadowing or overbearing to the facing windows to the side elevation of this dwelling.

There would be two first floor windows to the eastern side elevation of the application property, one window would serve a bedroom, and one would serve an en-suite. It is noted that due to the elevated positioning of these windows it is likely there would be the perception of overlooking, in the event of an approval, the bathroom window can be conditioned to be obscure glazed. Due the differences in ground level between the application property and no.31, it is considered that obscure glazing the lower part of the bedroom window below 1.7m from the finished floor level would ensure there is no direct overlooking to this property. As this bedroom is one of six bedrooms all of which would be served by windows to the front or rear elevations with unobstructed views, it is considered that a partially obscured window would provide sufficient outlook for what would not be a primary bedroom.

It is noted that the proposal includes a first-floor balcony to the rear of the property, there would be a separation of 47m between the balcony and the neighbouring property opposite. Due to the extent of vegetation along the rear boundary of the property and the large separation distance from the property opposite it is unlikely that the use of the balcony would result in harm to properties along Burdett Avenue opposite. A 1.8m privacy screen is proposed to the western side of the balcony to mitigate potential overlooking to the properties to the west. In the event of an approval of the application a condition would be placed on the decision which would require the submission and approval of details of similar screening to the eastern side of the balcony to mitigate overlooking to both sides.

Parking and Highways

Policy CS11 (LPCS) states that new development should mitigate its impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards which will reflect the availability of alternative means of transport accessibility to services and facilities. This stance is reflected in the NPPF which states at paragraph 109 development should only be prevented or refused on transport grounds where the cumulative impact of development are severe. In this instance the nature and scale of the development does not require a transport statement or transport assessment.

The councils parking standards set a maximum requirement of three off street-car parking spaces for properties with four or more bedrooms. The proposal would result in the loss of the existing vehicle parking space provided by the garage through its conversion. The existing hard standing to the front of the property would provide off street car parking for a total of three vehicles, and would utilise the existing crossover to the front of the property. The retained parking provision will be sufficient for a property of this size.

Conclusion

It is considered that the proposed first floor extension would be an overdevelopment of the property, which would result in harm to the character and appearance of the site and the surrounding area. As such the proposal would fail to comply with Policy CS19 (LPCS).

Recommendation

For detailed reasons for refusal and informatives, see draft Decision

Case Officer:	Adeoye Lawal	Team Leader:	Richard Hart
Signed:	<i>Ade Lawal</i>	Signed:	<i>R Hart</i>
Dated:	14th July 2026	Dated:	16 th July 2026