

# Delegated Report

## *Householder Planning Application*

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| <b>Planning Application No:</b> | 20260856                                                                                                     |
| <b>Location:</b>                | 2 Albion Road Gravesend Kent DA12 2SR                                                                        |
| <b>Description:</b>             | Demolition of existing rear conservatory and erection of a single storey rear extension with two rooflights. |
| <b>Applicant:</b>               | Pamela Kuyumani                                                                                              |
| <b>Site Visit Date:</b>         | Desktop assessment                                                                                           |

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### Submitted Documents/Plans

Application form  
Location Plan  
Drawing no. 01 Rev. A (Location Plan)  
Drawing no. 02 Rev. A (Site Plan)  
Drawing no. 03 Rev. A (Existing Plans)  
Drawing no. 04 Rev. A (Existing Sections)  
Drawing no. 05 Rev. A (Existing Elevations)  
Drawing no. 06 Rev. A (Demolition Plan)  
Drawing no. 07 Rev. A (Proposed Plans)  
Drawing no. 08 Rev. A (Proposed Sections)  
Drawing no. 09 Rev. A (Proposed Elevations)  
Drawing no. 09 Rev. A (Existing and Proposed 3D Visuals)

### Relevant Planning History

There is no relevant planning history.

### Development Plan

#### Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development and Design Principles

#### Gravesham Local Plan: First Review (1994)

- TC7 – Other Archaeological Sites
- T1 – Impact of Development on Highway Network
- P3 – Vehicle Parking Standards

As set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012 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

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 (2026), the Council will also seek to replace these.

#### National Planning Policy Framework (2026)

- Section 3 – Decision-making policies
- Section 4 – Achieving sustainable development
- Section 5 – Meeting the challenge of climate change
- Section 12 – Making effective use of land
- Section 14 – Achieving well-designed places
- Section 15 – Promoting sustainable transport
- Section 17 – Pollution, public protection and security
- Section 19 – Conserving and enhancing the natural environment

#### Supplementary Planning Guidance

- SPG2 - Residential layout guidelines (2020)
- Householder Extensions/Alterations Design Guide (2021)
- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

### **Emerging Local Plan as a Material Consideration**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (Planning and Compulsory Purchase Act 2004) and section 70(2) of the Town and Country Planning Act 1990 (Town and Country Planning Act 1990) make it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise.

Decision Making Policy DM4 of the Framework sets out that when considering development proposals, relevant policies may be given weight, however, this is subject 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 compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

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 of the Framework, which from 17 August 2026 Decision Making Policy DM4 of the Framework.

The Council's emerging Local Plan has reached the Regulation 19 Consultation stage, with the consultation having ended on 18 August 2026. The emerging Local Plan does not form part of the Development Plan. The Council is aware that third parties have raised objections to the wider emerging Local Plan and specific policies within it. Therefore, at present the Council cannot categorically state that the emerging Local Plan can be considered sound and consistent with the National Planning Policy Framework (2024) [as an emerging Local Plan being brought forward under the legacy system, it would be examined under the 2024

Framework]. 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 has been advertised by individual neighbour letters to 5 properties. The overall consultation period expired on 23 September 2026.

No letters of representation have been received.

Local Ward Councillors were also consulted but no responses were received.

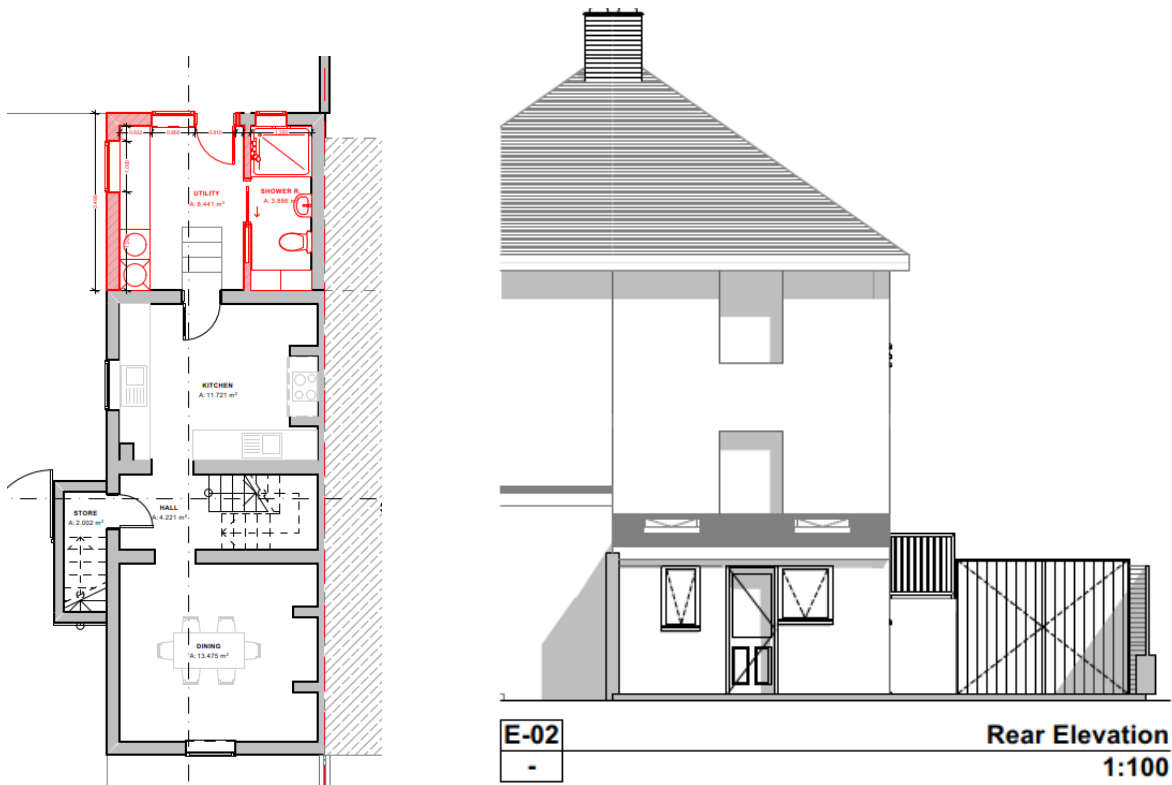
## **Officer's Analysis**

### Proposal

This application seeks permission for the demolition of an existing rear conservatory and the erection of a single storey rear extension with two rooflights

The extension will create a new utility and shower room, squaring off the rear of the building. It will extend approximately 3.5m to the rear. It will have a low, pitched roof up to approximately 2.8m high at the top of the pitch, and 2.1m to eaves. The extension will be constructed using render and tiles to match the existing.

*Proposed Floor Plan and Rear Elevation:*



### Design, Character and Appearance

Section 14 of the NPPF 2026 relates to promoting high quality places and sets out the Government's requirements in relation to design issues. Policy DP3 sets out the key principles for well-designed places, including that development proposals should respond to their context so they integrate with and enhance their surroundings. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well-designed and respects the character and appearance of the surrounding area.

The application site comprises a semi-detached property in residential use. The site is located on the southern side of Albion Road, on the corner with Albion Terrace, within the urban area of Gravesend.

*Current Google Earth Image:*



Other surrounding properties have existing single storey rear additions, including the adjoining semi and the application property itself, and the proposed rear extension will be similar to these. As a replacement single storey extension, it will not project excessively in height or depth and will remain subservient. The design and materials will be in keeping with the appearance of the main building. Despite it being a corner property, the existing boundary treatment will limit public views, and the extension would not have a detrimental impact on the visual amenity of the property itself or street scene in general.

Overall, the proposed extension is considered to be appropriate in terms of its size, scale and appearance, and would respect the character and appearance of the area. As such, the proposal would comply with the requirements of Policy CS19 of the Core Strategy 2014 and the guidance in the Council's Design Guide.

### Residential Amenity

Section 12 of the NPPF 2026 seeks to promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions, Section 14 seeks to promote high quality, healthy, inclusive and sustainable places, and Section 17 focuses on the new development being appropriate for its location, taking into account the risks and impacts of pollution and other hazards. Policy P3 sets out that development proposals should provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life. The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land.

### *Future Occupiers*

The size of the proposed accommodation is acceptable with regards to the provision for future occupiers, and the size of the rear garden will remain consistent with minimum garden area required for such a property. The proposal is therefore considered to comply with Policy CS19 of the Core Strategy 2014 and the relevant sections of the NPPF 2026 and would safeguard the amenity of future occupants.

### *Neighbouring Properties*

As the proposal comprises a single storey rear extension, and the property has a favourable southern orientation at the rear, it would not be considered to cause any significant loss of light or privacy, nor have any dominant impact on neighbouring properties, particularly considering the presence of existing similar rear extensions at neighbouring properties. The proposal would comply with Policy CS19 of the Core Strategy 2014.

### Parking and Highways

The proposal would have no impact on the existing parking provision and access and there would therefore be no adverse parking or highway impact from the proposal, which would comply with Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014.

### **Conclusion**

The proposed single storey rear extension is considered to be acceptable in terms of the design and impact on the application building and the character and appearance of the surrounding area, and with regards to residential amenity and highways and parking matters. The proposal would therefore comply with the requirements of Policies CS11, and CS19 of the Core Strategy 2014, saved Policies T1 and P3 of the Local Plan 1994, and Sections 12, 14, 15 and 17 of the NPPF 2026.

### **Recommendation**

Permission subject to standard time limit and approved plans and matching materials conditions.

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

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| <b>Case Officer:</b> | Mrs Katherine Parkin | <b>Team Leader:</b> | Mrs Faye Walsh  |
| <b>Signed:</b>       | <i>K. Parkin</i>     | <b>Signed:</b>      | <i>F Walsh</i>  |
| <b>Dated:</b>        | 7th October 2026     | <b>Dated:</b>       | 08 October 2026 |