

Delegated Report

Householder Planning Application

Planning Application No: 20241078

Location: 82 Cross Lane East Gravesend Kent DA12 5HB

Description: Retrospective application for retention of existing wooden privacy screen attached to existing boundary wall and fence.

Applicant: Mr Simon Fincham

Site Visit Date: 20.03.2025

Preliminary Matters

It was noted on the site visit that there has been a raised deck area constructed adjacent to the garage structure in the rear garden. This does not have planning approval and will therefore be subject to a separate assessment. This does not impact the determination of this application, which shall be assessed independently of other works that have been carried out.

Submitted Documents/Plans

Application Form;
Supplementary Information – Planning Statement;
Supplementary Information – Photos;
Supplementary Information – Photos;
Supplementary Information – Photos;
Supplementary Information – Photos;
Supplementary Information – Photos;
Site Location Plan (received on 20.12.24);
Drawing No. 01 – Fence Elevation – Existing;
Drawing No. 02 – Fence Elevation – Proposed;
Drawing No. 03 – Block Plan;
Drawing No. 04 – Floor Plan – Existing; and
Drawing No. 05 – Floor Plan – Proposed.

Plan Note

The plans do not measure at the stated scale correctly, however, there are written dimensions on the plans and a site visit has been undertaken. As such the application shall be assessed, as constructed, based on the stated measurements.

Relevant Planning History

No relevant history.

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

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)

Consultations, Publicity and Representations

Consultees

Local Ward Councillors

No comments received.

Neighbouring properties

Two surrounding properties were consulted, a site notice was displayed on 20.02.25 and one representation was received. The overall consultation period expired on 14.03.25.

The representation objected to the proposal and is summarised below:

- The fence has been attached to the existing boundary wall and fence, is oppressive, poorly constructed and has been built without neighbouring consent.
- An established ivy hedge housing nesting birds and field mice was pulled down as a result of building works being carried out.
- A separate case is the raised decking.
- In my opinion this indicates an intention to proceed with works with complete disregard to impact on neighbours and planning restrictions.
- This has caused stress.
- The 3.00m wooden wall has a negative impact.

The comments relating to design, character and appearance and neighbouring amenity are material planning considerations for this application and shall be considered within the relevant sections of this report. Other concerns are non-material planning considerations that are outside of the planning remit.

However, these may fall under other legislation or a civil matter, outside of the planning remit.

Site Description

82 Cross Lane East is a two-storey semi-detached property located to the southeast of the highway.



This application is in relation to the retention of the existing wooden privacy screen attached to the existing boundary wall and fence.

Proposed Development

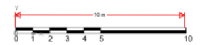
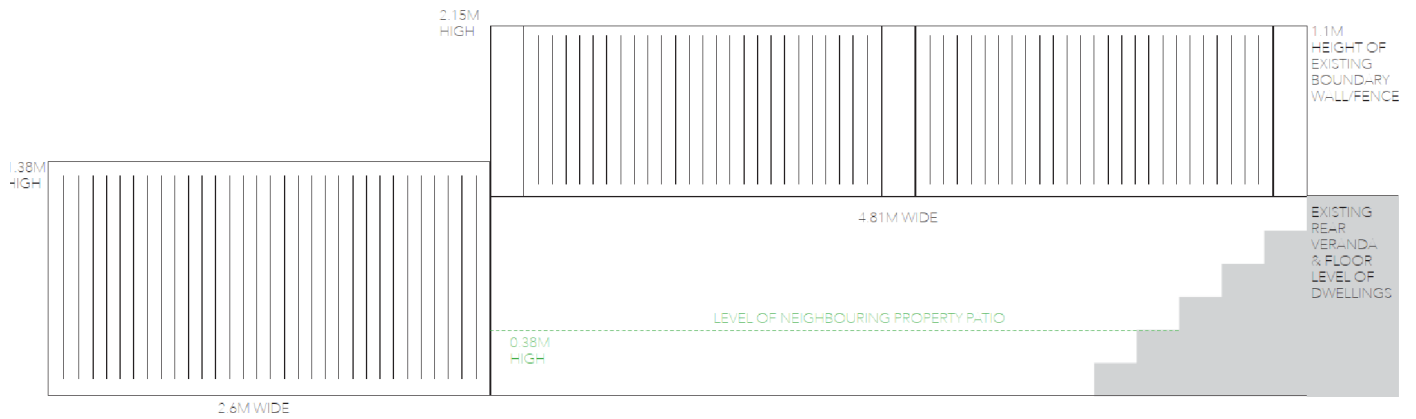
The documents and plans set out the development as follows:

Planning Statement

This retrospective application seeks to gain permission for the retention of a rear privacy screen between neighbouring properties. The proposed privacy screen is fixed to and follows an existing, low level fence that fails to provide any privacy from the neighbouring property – measuring only 1.1M high from the ground level of existing rear verandas and back rooms of both properties. Without the privacy screen it is possible to clearly see in to the rear of both properties, and out across both gardens.

Whilst overall height of the privacy screen is higher than the permitted 2M from the garden level, at the rear of the properties it is only measuring 1.58M. This creates an expected level of privacy whilst not being overbearing in overall height.

Existing Elevation:



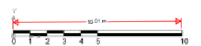
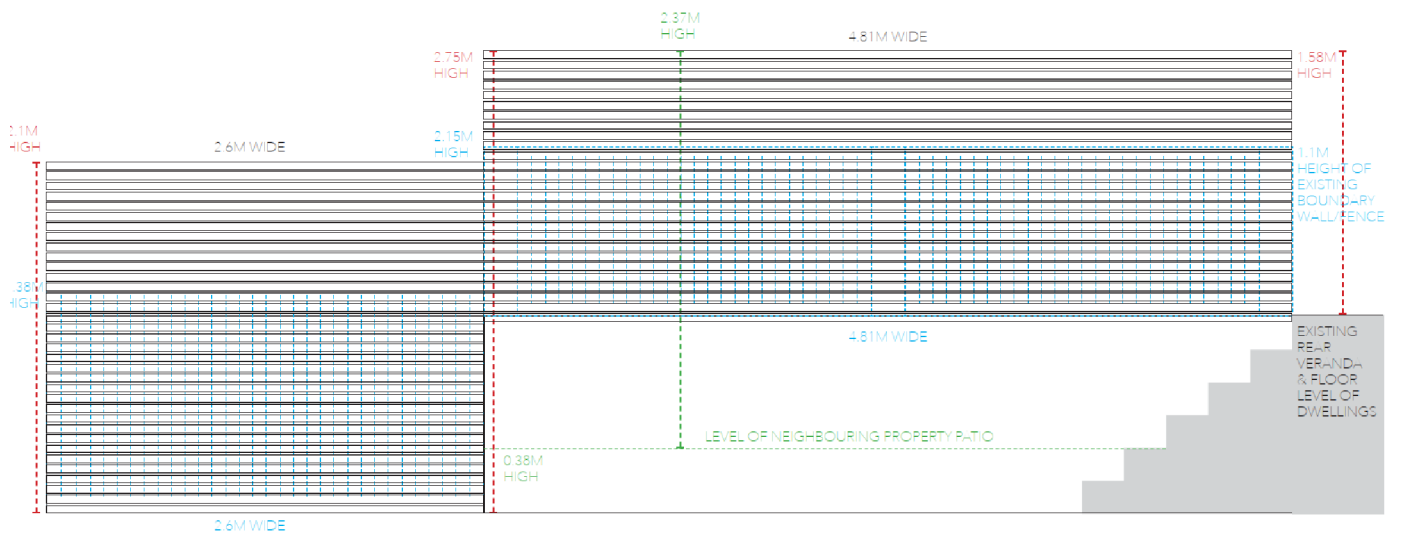
82 CROSS LANE EAST DA12 5HB

EXISTING ELEVATION 01

SHEET SIZE: A2

SCALE BAR 1:100

Proposed Elevation:



82 CROSS LANE EAST DA12 5HB

PROPOSED ELEVATION 02

SHEET SIZE: A2

SCALE BAR 1:100

Photos provided with application:



Officer's Analysis

Design, Character and Appearance

Policy CS19 (Development and Design Principles) (LPCS) (2014) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well- designed places) of the NPPF (2024) sets out that the creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It states developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

The Design For Gravesham Design Code (2024) is a strategic document that sets out Gravesham's vision and expectation for quality place-making. Gravesham's Householder Extensions/Alterations Design Guidance SPD (2021) set out key principles for new developments. Generally, the SPD (2021) highlights the importance of new development complimenting and corresponding to existing character and the wider context.

The application site lies within the urban area of Gravesend, does not fall within a Conservation Area and the development is located within the rear garden of the property, which is not visible from the street scene. As such, it is not uncommon for boundary treatments to vary in design and material type within these areas. The privacy screen is constructed with timber, which is not uncommon. In terms of the total height of the screen, it is noted that it exceeds the allowance permitted under permitted development rights for householders. However, given the context of the site, the height of the screen is considered to be acceptable. This is with consideration of the land levels of the site, and the staggered design of the privacy screen, as can be seen in the site photo below:



Overall, in terms of Design, Character and Appearance, the proposal is, on balance, considered to accord with Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2024).

Amenity of Future Occupiers

The rear garden is at a lower level than the house and is accessed via a set of steps (see above photo). Consequently, the property retains sufficient levels of light. In addition, the screen provides privacy for the occupants of the application property.

Therefore, the proposed development would safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

Neighbouring Amenity

As aforementioned above, one response was received as a result of the consultation carried out for this application.

Neighbouring amenity is assessed in terms of causing a sense of enclosure, loss of privacy, loss of outlook or loss of light. As previously mentioned, the raised deck does not form part of this assessment and would be subject to a separate assessment. As such, neighbouring amenity, only in terms of the altered boundary treatment is being considered here. In order to fully assess the impact on neighbouring amenity, a site visit to No. 80 was carried out. The privacy screen is visible over and above the existing boundary treatment. However, in situ, with consideration of the site layout, and land levels, it does not impact neighbouring amenity in respect of loss of light, loss of outlook, nor does it cause a sense of enclosure. Although it is a shame that the vegetation was removed, this would be a civil matter, and the removal of the vegetation and subsequent installation of the privacy screen ensures the privacy of the occupants of the application site itself and the privacy of the neighbouring occupants. The fact that the privacy screen is fixed to the existing boundary treatment would fall outside of the planning remit, and could be considered a party wall or civil matter.

Therefore, on balance, the development accords with Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024) in terms of neighbouring amenity.

Parking and Highways

There are no concerns in relation to highways and parking that arise as a result of this proposal.

Conclusion

The application has been fully considered and is in accordance with local and national planning policy.

The privacy screen has been constructed using acceptable external materials, would not detrimentally impact the character and appearance of the area and would not be visible from the street scene. Moreover, the development is not considered to detrimentally impact the amenity of future occupiers or neighbouring properties. As such, the development accords with Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2024).

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	1 st April 2025	Dated:	1st April 2025