

Householder Planning Statement

82 Cross Lane East, Gravesend, Kent,
DA12 5HB

Erection of raised decking in rear garden
and additional wooden privacy screen
attached to existing boundary wall and
fence (partially retrospective application)



RTPI

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1 Introduction

- 1.1 This Householder Planning Statement has been submitted in support of an application for the following development at 82 Cross Lane East, Gravesend, Kent, DA12 5HB (hereafter referred to as 'the Site'):

Erection of raised decking in rear garden and additional wooden privacy screen attached to existing boundary wall and fence (partially retrospective application)

- 1.2 The proposed development affects the following Land Registry title(s):

Title Number	Description	Owner
K342712	82 CROSS LANE EAST, GRAVESEND DA12 5HB	The Applicant

- 1.3 The application is accompanied by the following plans and documents:

- **Householder Planning Statement**
- **4428 – 01 Site Location Plan**
- **4428 – 02 Existing Block Plan**
- **4428 – 03 Existing Raised Decking Plan and Elevations**
- **4428 – 04 Pre-Existing Block Plan**
- **4428 – 05 Pre-Existing Plan and Elevations**
- **4428 – 06 Proposed Block Plan**
- **4428 – 07 Proposed Plan and Elevations**

2 Site Context

- 2.1 This Site comprises a two storey semi-detached dwellinghouse located on the southern side of the highway. The property benefits from a vehicular crossover from Cross Lane East plus hardstanding with hedging to the front enabling a degree off-street parking within the front garden.
- 2.2 The property has previously been extended by virtue of a single storey addition to the rear. There is also a detached outbuilding that sits on the boundary shared with No.84 to the east. The land levels at the application site slope downwards in a north to south direction and as such the land levels to the rear garden fall downwards away from the rear elevation.

- 2.3 This Site is located within the built up area of Gravesend. There are no heritage assets located nearby. The Site is located within Flood Zone 1 and is therefore at low risk of flooding from rivers and the sea.

3 Relevant History

- 3.1 The following records are understood to be relevant to the Site:

- [Retrospective application for retention of existing wooden privacy screen attached to existing boundary wall and fence.](#)

Ref. No: 20241078 | Status: Application Permitted

- [Erection of a conservatory at the rear.](#)

Ref. No: 20070004 | Status: Application Permitted

- 3.2 A pre-application was submitted in connection with the decking (GBC reference: PRE20240133). The response, dated 17th June 2024, advised that planning permission was likely to be forthcoming having taken account of the design, character and appearance, as well as living conditions in relation to the decking.

4 Proposed Development

- 4.1 The application entails the following elements:

- Retention of raised decking covering an area of 13 sqm, the equivalent of 5.7% of the total rear garden (228 sqm)
- Retention of steps leading from garden to top of decking covering an additional area of 1.8 sqm
- Depth of 5m off back of property
- Average width of 2.8m, adjoining the detached outbuilding to east and set 4.7m from adjoining property at No.80 to the west
- Decking sits a maximum of 1.3m above the ground level
- Proposed additional wooden privacy screen attached to existing boundary wall and fence, measuring 2m deep and 0.85m to attach to the rear of the property on the boundary with No.80 to the west

5 Planning Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Court of Appeal has clarified that for a decision maker this means establishing whether a proposal is in accordance with the development plan as a whole. The question of compliance with one policy should not dictate the outcome of a proposal in the absence of considering compliance with all other relevant policies. Decision makers are therefore tasked with identifying and understanding all relevant policies and material considerations in order to reach a properly informed planning judgment on a proposal, and to avoid an irrational or vulnerable decision that may be subject to criticism in a public law challenge.
- 5.2 Paragraph 2 of the National Planning Policy Framework ('the Framework') reiterates what is said in Section 38(6), whilst paragraph 12 of the Framework is clear that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 5.3 Paragraph 39 of the Framework encourages local planning authorities to approach decisions on proposed development in a positive and creative way. It also encourages working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, adding that decision-makers should seek to approve applications for sustainable development where possible.
- 5.4 Annex 1 of the Framework confirms that for the purposes of decision-taking, the policies in the plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. It adds that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, with greater weight being given to those policies that are closer to the policies in the Framework.

Development Plan

- 5.5 It is understood that the Development Plan for the area within which the Site is located comprises the following documents:

- Gravesham Local Plan Core Strategy (2014) (CS)
- Gravesham Local Plan: First Review (1994) (saved policies)

5.6 In the CS, the following policies are considered most relevant in the determination of this application:

- CS01 – Sustainable development
- CS02 – Scale and Distribution of Development
- CS19 – Development and Design Principles

Other Material Considerations

The Framework

5.7 In summary, the following paragraphs are considered most relevant as additional material considerations in the determination of this application:

- 124 (effective use of land and living conditions)
- 131, 135 and 139 (design and amenity)

5.8 The following documents are also considered to be relevant:

- SPG2 – Residential Layout Guidelines (2020)
- Householder Extensions/Alterations Design Guide (2021)

6 Planning Assessment

Key Issues

6.1 The proposed householder development has been assessed by Graham Simpkin Planning against the following key matters:

Matter	Policy	Comment	Position
Design	CS19	The development is not visible from any public areas. The proposed materials – composite posts and deck boards – are not uncommon for decking serving residential properties. It would not result in a disproportionate addition to the dwelling given that that it entails a raised	Compliant

		platform and occupies around 5% of the entire rear garden	
Daylight	CS19	The level of the decking matches the ground level of the host property, adjacent driveway and the adjacent outbuilding. It is therefore not of a scale or height that would cause any loss of daylight to the existing or neighbouring dwellings	Compliant
Outlook	CS19	Given the level and extent of the decking it is not considered that it has materially affected the outlook for any neighbouring residents. The fencing is a minor addition to an existing fence and is only 2.5m above the level of the ground of the subject pair of semi-detached houses so is equally not going to disrupt the quality of the outlook from any neighbouring dwellings	Compliant
Overbearing	CS19	The level of the decking matches the ground level of the host property, adjacent driveway and the adjacent outbuilding. It is therefore not of a scale or height that would result in an overbearing impact affecting the amenity of neighbouring residents	Compliant
Overlooking	CS19	The Site is unusual in the sense that the land slopes down from the rear of the dwelling. No.80 does likewise. With the decking already in situ it is possible to be sure of any overlooking. The Applicant is of the view that a combination of the decking being in excess of 4.7m from the adjoining boundary with No.80, its depth, as well as both the existing and proposed screening on the boundary all help to ensure that there is no material overlooking into this property. This additional 'privacy screen' also ensures compliance with paragraph 9.6 of the Householder Extensions and Alterations Design Guide	Compliant
CONCLUSION			Compliant

7 Conclusions

- 7.1 In consideration of all relevant development plan policies and material considerations, this application should be viewed positively by the authority and it is respectfully requested that this submission is approved.