

Delegated Report

Householder Planning Application

Planning Application No: 20211311

Location: Land At Market Square And Horn Yard Car Parks New Swan Yard
Gravesend DA12 2EN

Description: Application for approval of condition 28 attached to planning permission reference number 20200343 relating to details of balconies and balustrades.

Applicant: Reef Group

Submitted Documents/Plans

Application form;
Covering Letter – dated 15th October 2021
3732-LJA-ZZ-XX-DR-A-21200 - Balcony Type 01 Component;
3732-LJA-ZZ-XX-DR-A-21201 - Balcony Type 02 Component Drawing;
3732-LJA-ZZ-XX-DR-A-21202 - Balcony Type 03 Component Drawing;
3732-LJA-ZZ-XX-DR-A-21203 - Balcony Type 04 Component Drawing;
3732-LJA-ZZ-XX-DR-A-21210 - Sitewide Typical Balcony Cross Section;
3732-LJA-ZZ-XX-DR-A-21215 - Sitewide Typical Balustrade Component ;
3732-LJA-ZZ-XX-DR-A-21402 - Sitewide Brickwork Section Details 03 of 06;
3732-LJA-ZZ-XX-DR-A-21435 - Sitewide Aluminium Framed Sliding Door to Balcony Threshold; and
3732-LJA-E01-XX-DR-A-21216 - 01 Juliet Balustrade Component Drawing.

Relevant Planning History

20200343 - Erection of 242no. residential units for Build to Rent (C3 Use Class), within three blocks ranging from 3 to 10 storeys, together with multi-storey car park as well as access, pedestrian links, landscaping, highway and other associated works. **Permitted 21.12.2020**

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Paragraph 33 of the NPPF (2021) 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 (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places
- 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;

Consultations, Publicity and Representations

Consultees

GBC – Conservation officer

No comment received

Neighbouring properties

135 surrounding properties were consulted and no comments received with a closing date of 11th December 2021.

Officer's Analysis

Condition 28

Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of the balconies and balustrades for the development shall be submitted to and approved in writing by the Local Planning Authority. The details of the balcony shall include information on how future occupiers will have sufficient privacy when using the balconies and to protect the privacy of surrounding properties. The approved details shall be provided prior to first occupation of the development and thereafter be retained for such purposes at all times.

The following information has been submitted to discharged condition 28:

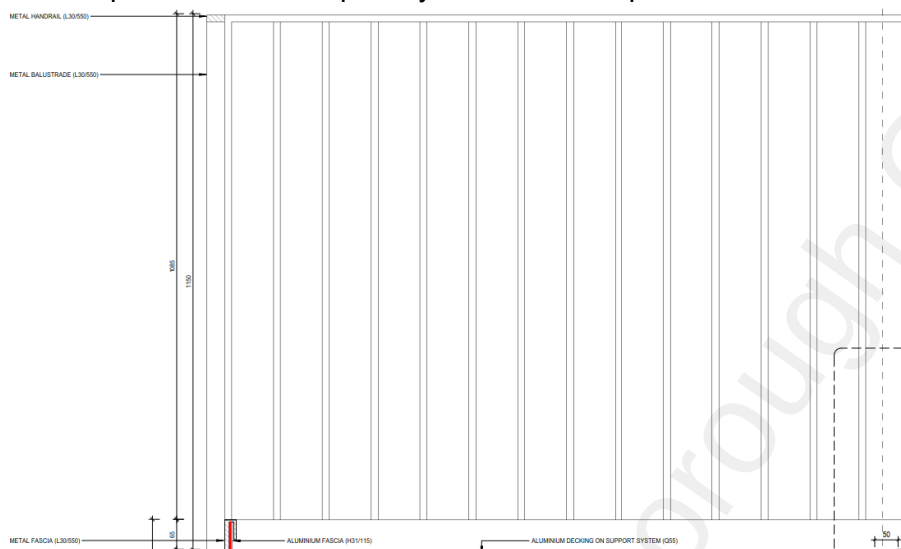
- Application form;
- Covering Letter – dated 15th October 2021
- 3732-LJA-ZZ-XX-DR-A-21200 - Balcony Type 01 Component;
- 3732-LJA-ZZ-XX-DR-A-21201 - Balcony Type 02 Component Drawing;
- 3732-LJA-ZZ-XX-DR-A-21202 - Balcony Type 03 Component Drawing;
- 3732-LJA-ZZ-XX-DR-A-21203 - Balcony Type 04 Component Drawing;
- 3732-LJA-ZZ-XX-DR-A-21210 - Sitewide Typical Balcony Cross Section;
- 3732-LJA-ZZ-XX-DR-A-21215 - Sitewide Typical Balustrade Component ;
- 3732-LJA-ZZ-XX-DR-A-21402 - Sitewide Brickwork Section Details 03 of 06;
- 3732-LJA-ZZ-XX-DR-A-21435 - Sitewide Aluminium Framed Sliding Door to Balcony Threshold; and
- 3732-LJA-E01-XX-DR-A-21216 - 01 Juliet Balustrade Component Drawing.

The applicant in their covering letter dated 15th October 2021 address the issues of privacy for the balconies:

To confirm, the privacy of tenants and surrounding neighbours will be safeguarded. All balconies have been designed to avoid overlooking onto each other. Whilst balconies on the northern elevation of Block E01 and southern elevation of Block E02 face one another, the distance in-between each set of balconies is 14550mm, thus maintaining privacy.

The balconies have been designed to include vertical balusters to provide sufficient privacy and to reduce the visual impact from neighbouring properties. Balconies have also solid floors, meaning there can be no overlooking onto neighbouring properties below.

As the plans show the balconies are 1.15m high with a distance on of 0.09m between each vertical railing which will provide a level of privacy for future occupiers. Below is an extract showing typical balcony details.



On 10th November 2021 the case officer stated to the agent:

I have concern with the balconies as proposed would not provide privacy for future occupiers. A way in which this could be addressed is through glazing with which is obscured for the balconies. I look forward to your thoughts on this.

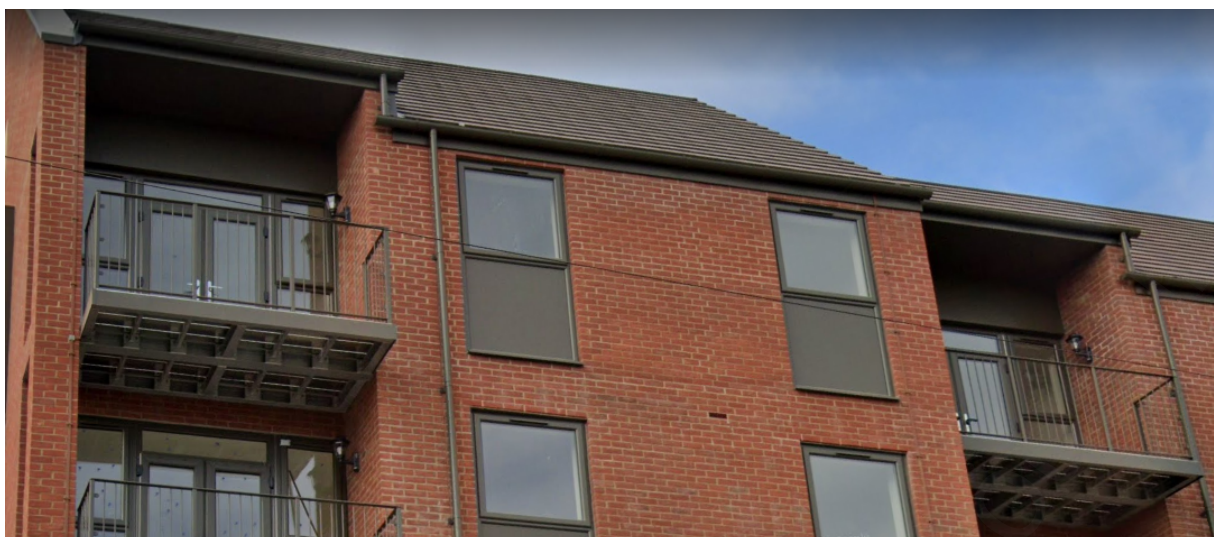
The agent responded on 17th November 2021 stating:

They appreciate your concerns, but need to respond to the market in terms of balcony design.

Reef propose to control “balcony screening” through the residential management system (e.g. tenant handbooks and close monitoring) to ensure tenants don’t install bamboo or other random screening.

It is considered that as the planning approval specifically included vertical railings on the balconies and the space between each rail is 0.01m sufficient privacy is provided for future occupiers.

Furthermore, the balconies proposed are the same as recently approved for the development of 20171385 (Former Community Hall Site, Whitehall Lane) which is shown below as completed in 2021.



In summary it is considered that the balcony design with solid floor and railings will provide acceptable privacy for future occupiers and complies with Policy CS19 (LPCS). In regards to ensuring the balconies are kept free from inappropriate clutter and to reinforce what the applicant has suggested with an appropriately worded informative.

Conclusion & Recommendation

Discharge Condition 28.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mr Richard Hart	Team Leader:	Miss Faye Hobbs
Signed:	<i>R Hart</i>	Signed:	
Dated:	7th December 2021	Dated:	07 December 2021