



Delegated Report

Discharge of condition

Planning Application No: 20230167

Location: 18 Marks Square Northfleet Gravesend Kent

Description: Application for approval of condition 5 attached to planning permission reference number 20220590 relating to full details of the new boundary treatments to the site including any retaining structures

Applicant: Mr Lewis Brown

Site Visit Date: 12 April 2023

Submitted Documents/Plans

Approval of details application form; and
Drawing no. 006 Rev. B Details of boundary treatments.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220590	Erection of a two storey side extension.	Permitted	26.07.2022

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network

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

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- SPG 4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)

Consultations, Publicity and Representations

GBC Highways Officer

Despite the open structure of a post and rail fence, I would object to anything over a metre and preferably less than that. The drivers eye height is usually taken as 1.05 metres, although modern SUV's it probably higher, so can just about see over a one metre obstruction. A 1.2m post and rail fence is liable to place a rail in line with the eye height of a driver and so obstruct visibility. A low wall is preferable.

Officer's Analysis

Planning permission reference 20220590 was granted for the erection of a two storey side extension at the application site. This application seeks to discharge condition 5 of that permission.

Condition 5 reads as follows;

5. Notwithstanding the details and annotations shown in the approved plans and particulars, full details of the new boundary treatments to the site including any retaining structures shall be submitted to and approved in writing by the Local Planning Authority within one month of the commencement of the development hereby permitted and the approved boundary treatment scheme shall then be fully implemented prior to the development hereby permitted being first occupied.

Reason: In the interests of visual amenity, the wider street scene and pursuant to Gravesham Local Plan Core Strategy Policies CS19: Development and Design Principles and the national planning guidance in Section 12: Achieving well-designed places of the National Planning Policy Framework (NPPF), 2021.

The submitted details show a 1.2 metre high, post and rail timber fence on the boundary with the new dwelling located to the north of the application site (for four metres perpendicularly from the back edge of the footpath) and a 1.8 metre high, close boarded timber fence at the side and rear of the dwelling at the application site. No detail has been provided of the boundary treatment that would adjoin the back edge of the footpath.

It should be noted that planning permission has recently been granted for a new dwelling within the curtilage of no. 18 Marks Square (reference 20220175). The new dwelling is currently under construction and is located to the north of the existing dwelling at the application site. An application to discharge various conditions attached to 20220175 is currently being determined (reference 20230166). That application includes proposed boundary treatments which are consistent with those under consideration here.

Design, Character and Appearance

In relation to front garden boundary treatments, the Householder Extensions/Alterations Design Guide (2021) sets out that proposals should respond to the design of the dwelling, be consistent with the height of other enclosures on the road, avoid introducing different styles, reinforce the dominant boundary type along the street, consider well maintained planting as an alternative and retain any hedgerow.

The application site is located in an urban, residential area, where front gardens predominantly have low walls. Indeed, the application property has an approximately 0.25 high front boundary wall, where it adjoins the back edge of the footpath. Opposite the application site, there is close boarded timber fencing which delineates the edge of a new housing development.

It is noted that originally, the application property had a brick wall on the boundary of the side/rear garden, which was screened by mature planting;



Therefore the proposed 1.8 metre timber fencing would replace a brick wall of a similar height. Visually a brick wall would be preferable and would be in keeping with the character of the application property, particularly if it was to be accompanied by planting to soften its appearance. Whilst it is noted that close boarded fencing forms part of the street scene, it is a relatively new feature which is detrimental to visual amenity and as such, should not be used as a justification for this proposal.

The proposed 1.2 metre timber fencing would introduce a new type of boundary treatment, which is more commonly found in rural locations and as such, it would look out of place in the surrounding street scene. In order to match with the surroundings, low brick walls would be preferable.

No information has been submitted relating to the proposed boundary treatment that would adjoin the back edge of the footpath. Originally, as the following images show, there was a low retaining wall, which was visually appropriate and secured the raised land behind it.



A lack of boundary treatment in this area would be detrimental to visual amenity and may result in the higher land becoming unstable. As such, it would be preferable for the original low wall to be reinstated.

Overall, it is considered that the proposed development would be detrimental to visual amenity, be out of character with the surroundings and be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and to the Householder Extensions/Alterations Design Guide (2021). Furthermore, it is considered that insufficient information has been submitted.

Amenity of Future Occupiers

The proposed boundary treatment would screen the private garden area of the application site from adverse overlooking impacts from passers by and the occupiers of the new dwelling located to the north.

Therefore, the proposed development would provide a good standard of living for future occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Neighbouring Amenity

The proposed boundary treatments would have no adverse overshadowing or overbearing impacts to the occupiers of the new dwelling located to the north. Therefore, the proposed development would not be detrimental to residential amenity and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Highways Issues

Marks Square is an unclassified road with a footway only on one side and with restricted forward visibility due bends in the road. The application site is located on a bend and the open front garden area provides visibility for drivers using St Marks Square.

In relation to front garden boundary treatments, the Householder Extensions/Alterations Design Guide (2021) sets out that proposals should incorporate visibility splays and sight lines for pedestrian and vehicular safety.

The GBC Highways Officer has advised that a 1.2 metre high, post and rail fence is liable to place a rail in line with the eye height of a driver and so obstruct visibility. Therefore, the proposed development would be detrimental to highway safety and contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and to the Householder Extensions/Alterations Design Guide (2021).

Any Other Material Considerations

The applicant should note that condition 7 of planning permission 20220590 must be discharged prior to the first occupation of the side extension at the application site. This condition relates to the submission of a soft landscaping scheme. As it would be preferable to utilise planting to screen any side/rear garden boundary treatment, it would be beneficial to submit the landscaping details alongside any future application to discharge condition 5.

Conclusion & Recommendation

The submitted details would result in boundary treatments that would be detrimental to visual amenity, be out of character with the surroundings and be detrimental to highway safety. Furthermore, insufficient information has been submitted in relation to the proposed boundary treatment that would adjoin the back edge of the footpath. As such, condition 5 of planning permission 20220590 cannot be discharged and the application should be refused.

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

Case Officer:	Mrs Kelly Joyce	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	13th April 2023	Dated:	13th April 2023