



Delegated Report

Discharge of conditions

Planning Application No: 20230166

Location: 18 Marks Square Northfleet Gravesend Kent

Description: Application for approval of condition 5, 6, 14 and 16 attached to planning permission reference number 20220175 relating to external facing materials and finishes including brick and roof tiles of the proposed dwelling and surface treatments and finishes to the vehicle parking areas, pedestrian accesses, steps and stairs and other amenity areas, full details of the new boundary treatments to the site for both the existing dwelling and new dwelling as hereby permitted including any retaining structures, full details of soft landscaping and full details of the refuse storage areas

Applicant: Mr Lewis Brown

Site Visit Date: 12 April 2023

Submitted Documents/Plans

Approval of details application form;
Drawing no. 006 Rev. B Details of boundary treatments;
Drawing no. 001 Rev. C landscaping plan; and
Schedule of Proposed Materials.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220175	<u>_REVISED DESCRIPTION_</u> Erection of a two-bed detached two-storey house within the curtilage of 18 Marks Square with associated amenity space and formation of vehicle access and one parking space at front.	Permitted	30.05.2022

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.

GBC Waste & Recycling Manager

No response received.

GBC Service Manager (Housing Operations)

No response received.

Officer's Analysis

Planning permission reference 20220175 was granted for the erection of a detached, two bedroom, two-storey dwelling within the curtilage of 18 Marks Square, with associated amenity space and the formation of a vehicle access and one parking space. This application seeks to discharge conditions 5, 6, 14 and 16 of that permission.

Condition 5 reads as follows;

5. Notwithstanding the details and annotations shown in the approved plans and particulars the following additional details shall be submitted for the approval of the Local Planning Authority within one month of the commencement of the development hereby permitted:
 - (i) External facing materials and finishes including brick and roof tiles of the proposed dwelling
 - (ii) Surface treatments and finishes to the vehicle parking areas, pedestrian accesses, steps and stairs and other amenity areas

The development shall thereafter be carried out in full accordance with the approved details before the dwelling hereby permitted is 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 the National Planning Policy Framework (NPPF).

The submitted details show London Brick Company Heather Red bricks and Marley Mendip red concrete roof tiles as external facing materials and earth white porcelain paving slabs to be located along the northern side of the dwelling and charcoal coloured concrete block paving for the parking and pathway on the site frontage.

Condition 6 reads as follows;

6. Notwithstanding the details and annotations shown in the approved plans and particulars, full details of the new boundary treatments to the site for both the existing dwelling and new dwelling as hereby permitted 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 the National Planning Policy Framework (NPPF).

For the new dwelling, the submitted details show 1.2 metre high, post and rail timber fencing on the boundaries with no. 16 St Marks Square and the existing dwelling at no. 18 Marks Square (the fencing located 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 new dwelling at the application site (adjoining the boundaries of nos. 16 and 20 St Marks Square). No detail has been provided of the boundary treatment that would adjoin the back edge of the footpath.

For the existing dwelling, 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. No detail has been provided of the boundary treatment that would adjoin the back edge of the footpath.

Condition 14 reads as follows;

14. Prior to the first occupation of the development hereby permitted and unless otherwise agreed in writing by the Local Planning Authority, full details of soft landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following the first occupation of the development. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a species of a similar size and type during the next available planting season.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

The submitted details show four hedging bands located on the boundaries of the rear garden and the northern boundary of the front garden. The hedging would contain a mixture of Buckthorn, Hawthorn and Dog Rose. No details of the proposed planting for the remainder of the garden areas, the proposed

planting/surfacing for the pedestrian visibility splays or the proposed aftercare for the landscaping scheme have been provided.

Condition 16 reads as follows;

16. Notwithstanding the details and annotations shown in the approved plans full details of the refuse storage areas for the new dwelling as hereby permitted shall be submitted for the approval of the Local Planning Authority and the approved scheme shall then be fully implemented prior to the development hereby permitted being first occupied and shall thereafter be fully retained as such.

Reason: In order to ensure that the proposed refuse storage arrangements comply with the Council's requirements in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

The submitted details show an area within the front garden to be used for refuse storage.

It should be noted that planning permission has recently been granted for a two storey side extension at no. 18 Marks Square (reference 20220590). The extension is currently under construction and is located to the south of the proposed dwelling at the application site. An application to discharge condition 5 (boundary treatments) attached to 20220590 is currently being determined (reference 20230167). That application includes proposed boundary treatments which are consistent with those under consideration here.

Design, Character and Appearance

The proposed external facing materials and surface treatments would match with the existing dwelling and those in the surrounding area and as such, would be acceptable in terms of visual amenity.

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. Opposite the application site, there is close boarded timber fencing which delineates the edge of a new housing development.

The proposed 1.2 metre timber fencing on the side/front boundaries of the new dwelling 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.

The proposed 1.8 metre timber fencing would be acceptable at the rear of the dwellings but where it would be visible in the street scene (mainly where it projects in front of the new dwelling), it would look out of place and be out of character with the existing and surrounding dwellings. 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.

For the existing dwelling, 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 no. 18 St Marks Square, particularly if it was to be accompanied by planting to soften its appearance.

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.

The application site also originally contained a significant amount of mature planting, including hedging and low level shrubs;



Therefore, the proposed landscaping (hedging) would be appropriate to the application site and would soften the impact of the built development. The proposed hedge mix would comprise of species that are native to the United Kingdom and as such, would be considered acceptable. As the hedge species could grow to significant heights, details of the proposed aftercare would be important to ensure that they are maintained appropriately once they become established.

It would appear that the rest of the land at the application site would be laid to grass (although this is not specified in the submission). In terms of biodiversity and visual amenity, maintained grassland is not especially beneficial and therefore it would be preferable for other planting to be undertaken in the front and rear gardens (using low level native shrubs in front garden to protect sight lines and visibility splays). In particular, planting should be used to soften the appearance of boundary treatments.

The proposed bin storage area would be located on the site frontage and despite the proposed hedging, it would be visible from, and detrimental to the appearance of, the surrounding street scene. In terms of visual amenity, it would be preferable for the bins to be stored at the rear of the dwelling, out of sight. However, if they are to be sited on the frontage, a bin enclosure would be required to screen the bins from view.

Overall, it is considered that the proposed development would be detrimental to visual amenity, be out of character with the surroundings, would not sufficiently enhance biodiversity and be contrary to Policies CS12 and 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 surrounding occupiers. Therefore, it would provide a good standard of living for future occupiers.

The proposed landscaping (provided that it is appropriately maintained) would improve the appearance of the application site and would be beneficial to the residential amenity of future occupiers.

According to the Planning Guidance on Waste Collection Requirements (2022), sufficient space should be allocated for the storage and presentation of;

- Refuse - 1 x 180ltr bin grey body and lid
- Recycling - 1 x 240ltr bin grey body and green lid
- Food Waste - 1 x 23ltr bin black body and orange lid with an individual 5ltr caddy per property

The dimensions of the refuse containers are;

Capacity	180ltr Refuse Bin	240ltr Recycling Bin	23ltr Food Caddy
Length	540mm	585mm	380mm
Width	650mm	740mm	290mm
Height	1,060mm	1,100mm	405mm

The proposed bin storage area would have dimensions of 0.7 (length) by 1 metre (width). Therefore, insufficient space would be provided and the proposal would be detrimental to the residential amenity of future occupiers and contrary to 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 surrounding dwellings.

The proposed landscaping (provided that it is appropriately maintained) and the proposed bin storage would not have any adverse impacts to neighbouring occupiers.

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 the roadway.

The proposed landscaping and bin storage would not have any adverse impacts to highway safety as they would be located outside of the pedestrian visibility splays and would not undermine any sight lines.

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 Planning Considerations

The applicant should note that condition 15 of planning permission 20220175 must be discharged within three months of the commencement of development at the application site. This condition relates to the submission of a biodiversity enhancement scheme. As it would be preferable to diversify the proposed planting within the current landscaping scheme, it would be beneficial to submit the biodiversity details alongside any future application to discharge condition 14 (landscaping).

The applicant is reminded that condition 12 of planning permission 20220175 must be discharged prior to the first occupation of the dwelling. This condition relates to the submission of secure and weatherproof cycle parking facilities.

The applicant is also reminded that condition 13 of planning permission 20220175 must be discharged prior to the first occupation of the dwelling. This condition requires the provision of an electric vehicle charging point for the front garden parking space.

Conclusion & Recommendation

The proposed external facing materials and surface treatments would be acceptable and as such, condition 5 of planning permission 20220175 can be discharged.

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 6 of planning permission 20220175 cannot be discharged.

The submitted details would result in a landscaping scheme which lacks detail and variety in terms of the proposed planting and aftercare, leading to a development that would be detrimental to visual amenity and would not sufficiently enhance biodiversity. As such, condition 14 of planning permission 20220175 cannot be discharged.

The submitted details would result in bin storage that would be poorly located and insufficient in capacity and detrimental to visual and residential amenity. As such, condition 16 of planning permission 20220175 cannot be discharged.

Overall, as the application must be determined as a whole, 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:	<i>K Joyce</i>	Signed:	<i>R Hart</i>
Dated:	13th April 2023	Dated:	13th April 2023