



Delegated Report

Householder Planning Application

Planning Application No: 20230403

Location: 18 Marks Square Northfleet Gravesend Kent

Description: Application for the approval of conditions (5) External Materials and Surface Treatments, (6) Boundary Treatment, (14) Soft Landscaping and (16) Refuse Storage attached to planning permission reference number 20220175.

Applicant: Mr Lewis Brown

Site Visit Date: 08 June 2023

Submitted Documents/Plans

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

Procedural issues

Condition 6 of planning permission 20220175 requires the submission of details of the new boundary treatments to the site for both the existing dwelling and the new dwelling. However, this application does not include full details of the boundary treatments for the existing dwelling. It is noted that application 20230166 (a previous application to discharge condition 6) did cover both dwellings.

Planning application 20230562 (for the approval of condition 5 attached to planning permission 20220590 relating to the details of the new boundary treatments) covers the southern side boundary that is also included in this application. The details submitted for 20230562 show a 1.8 metre high, close boarded fence instead of the 1.8 metre high, brick wall proposed here.

The above issues have not undermined the determination of this application.

Relevant Planning History

Reference	Description	Decision	Decision Date
20230562	Application for the approval of condition 5 attached to planning permission 20220590 relating to the details of the new boundary treatments to the site including any remaining structures.	Pending	
20230167	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	Refused	13.04.2023

20230166	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	Refused	13.04.2023
20220590	Erection of a two storey side extension.	Permitted	26.07.2022
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

This is a site with multiple applications and demands a complete a review of the situation and my comments.

The site is located close to a bend on Marks Square which requires a greater consideration of the sight lines for drivers exiting the property to ensure there is adequate distance to ensure a vehicle can safely exit the property.

Manual for Streets is the current guidance for design in residential streets and has been incorporated within the Kent Design Guide in terms of visibility requirements. It is accepted that a revised Manual for Streets is due for publication, but no details are currently available on when it will be issued and it is some 15 months late, having been expected to be published in spring 2022.

When considering sight lines there are two ways this can be done, one is based on actual measured speed over several days (speed must be measured under free flow conditions and the longer the sample from an automatic survey the greater the likelihood it will be representative of the situation) and the other is by the speed limit. As no speed data has been submitted in support of the application, the default is to use the speed limit of 30mph. The requirements for vehicular sight lines are 43m x 2.4m x 43m, although it may be possible to reduce the 2.4 metres to 2 metres on lightly trafficked roads, although it has to be accepted under such conditions, longer bonneted vehicles may encroach on to the carriageway to obtain the necessary visibility.

The applicant needs to demonstrate that suitable sight lines can be achieved and maintained in perpetuity by submitting a vehicular sight line drawing demonstrating that 2.4m along the centre line of the drive and back from the edge of carriageway x 43m along the nearside kerb face can be achieved and this he has not done. Alternatively, a speed survey carried out by an independent survey company with the appropriate sight lines needs to be submitted. In all cases the applicant needs to demonstrate the sight lines shown can be protected and maintained. Given the drivers eye height is generally taken as 1.05 metres, there should be nothing over 1 metre within the sight line and preferably 850mm.

The applicant has shown appropriate pedestrian visibility splays, although I still have concerns regarding the proximity of the street tree, which may require the relocation of the driveway, which would alter the position of the pedestrian visibility splays.

Finally, the applicant should note to comply with the requirements of the Building Regulations and avoid conflict with the Highway Authority the driveway should be constructed from a bound porous material.

GBC Waste & Recycling Manager

I have reviewed the attached planning application and I am happy with the refuse provision and storage.

The only consideration is that there is enough space when the bins are in the side alley of the property to manoeuvre around.

GBC Horticulture

I have reviewed the plans for the landscaping to the development (18 Marks Square) and identified that they have included a variety of wild hedgerows (Band 1 – 3) that will provide privacy and security to the rear aspect of the boundary. Providing they are kept under control this shouldn't have an adverse effect on the boundary fence line. It is worth noting also that includes flower and fruiting species, which are ideal for birdlife.

The front garden and choice of planting are generic and suitable for relative low-maintenance perennial season growth. It also has a good variety of flowering species that are appropriate for pollinators i.e. Periwinkle, Lavender and St John's Wort

I would suggest they make amendments to reflect access into the rear of the property and the significance of the staggered pathway to the south of the plans as it seems open accessibility from both sides.

I would also like to highlight the issue that might be created in the application for the drop curb to access the driveway with the surface water drains and tree roots.



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.

It should be noted that a previous application to discharge these conditions (20230166) was refused in April 2023 on the following grounds;

1. The details submitted pursuant to condition 6 of planning permission 20220175 would result in the proposed development being detrimental to visual amenity, being out of character with the surroundings, being detrimental to highway safety and being contrary to Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (2014) and to the Householder Extensions/Alterations Design Guide (2021). Furthermore, insufficient information has been submitted in relation to the proposed boundary treatment that would adjoin the back edge of the footpath.
2. The details submitted pursuant to condition 14 of planning permission 20220175 lack 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, they would be contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014) and to the Householder Extensions/Alterations Design Guide (2021).
3. The details submitted pursuant to condition 16 of planning permission 20220175 would result in bin storage that would be poorly located and insufficient in capacity and be detrimental to visual and residential amenity. As such, they would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

It should also 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 20230562) and a

previous application to discharge that condition was refused in April 2023 (20230167). Application 20230562 includes a proposed boundary treatment which is inconsistent with that submitted here.

The wording of the relevant conditions and a summary of the submitted details follows;

Condition 5

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 southern side of the dwelling and charcoal coloured concrete block paving for the parking and pathway on the site frontage. No details of the proposed surfacing for the pedestrian visibility splays have been provided.

Condition 6

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); a 1.8 metre high, red brick wall at the side and rear of the new dwelling at the application site (adjoining the boundaries of nos. 16 and 20 St Marks Square); and a 0.4 metre high, brick wall along the site frontage.

The details do not illustrate the exact extent of each boundary treatment, do not include the boundary treatments at the side of the property (on either side of the dwelling by the side accesses) and do not include the proposed brick specification for the walls. In addition, the details do not show any of the proposed boundary treatments for the existing dwelling.

Condition 14

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 three hedging bands located on the boundaries of the rear garden and three planting bands located on the boundaries of the front garden. With the remainder of the gardens laid to grass. The hedging and planting areas would contain a mixture of species. No details of the proposed planting/surfacing for the pedestrian visibility splays have been provided and there are some spelling errors and some incorrect labelling on the proposed landscaping plan.

Condition 16

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 in the northern side garden to be used for refuse storage.

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 high, timber post and rail 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, 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 and 0.4 metre high, brick walls would match with the surroundings and be acceptable (provided that brick specifications are subject to approval).

The application site originally contained a significant amount of mature planting, including hedging and low level shrubs. As shown in the following images;



Therefore, the proposed landscaping would be appropriate to the application site and would also soften the impact of the built development. The GBC Service Manager (Housing Operations) has raised no objection to the proposed landscaping and the proposed hedge and planting mix would comprise of appropriate species. As such, the proposed landscaping would be considered acceptable in principle.

It should be noted that the proposed hedge on the southern side of the rear garden would block the side access for the dwelling and the northern hedge would be in close proximity to the northern side access. Therefore, the hedges should be amended to overcome these issues. In addition, details of any proposed planting in the areas of the pedestrian visibility splays should be provided and ensure that the planting does not adversely affect visibility (i.e. be lower than 600mm).

The proposed bin storage area would be located on the northern side of the property and would not be widely visible. As such, it would not be detrimental to the appearance of the surrounding street scene.

Overall, it is considered that the proposed development, by virtue of the proposed wooden, post and rail boundary treatment, would be detrimental to visual amenity, be out of character with the surroundings and would 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 to allow conditions 5 (surfacing) and 6 (boundary treatments) to be discharged.

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 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 the following bins;

- 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 0.5 (length) by 1.4 metres (width) and would be located in a narrow side accessway, where accessibility to and around the bin store would be restricted. Therefore, it would be preferable for the bin storage to be amended in both size and location. However, as the GBC Waste & Recycling Manager has raised no objection to the proposed refuse storage and because unhindered access to the rear garden could be made available on the opposite side of the dwelling (if a proposed hedge is altered) then a refusal would not be justified in this instance.

Therefore, it is considered that the proposal would not be detrimental to the residential amenity of 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 surrounding dwellings.

The proposed landscaping 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 and will provide sight lines for drivers exiting the driveway of the new dwelling.

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 the proposed post and rail fence is liable to be in line with the eye height of a driver using the driveway and so would obstruct visibility. He advises that the proposed boundary treatments should not be higher than 850mm where they affect sightlines.

The applicant has shown appropriate pedestrian visibility splays but the lack of information regarding their proposed surfacing or the landscaping for these areas undermines this proposal. For example, if they have an impermeable surface or involve tall growing plant species, then adverse highway impacts could occur. In addition, the proximity of an existing tree on the highway may hinder the provision of a dropped kerb for the proposed access.

Overall, 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). Furthermore, it is considered that insufficient information has been submitted to allow conditions 5 (surfacing) and 6 (boundary treatments) to be discharged

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. As works are ongoing at the site, then these details should be submitted as soon as possible.

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.

Lastly, the applicant should address the surface water drains and tree roots issues raised by the GBC Service Manager (Housing Operations) in relation to the provision of a dropped kerb for the proposed access.

Conclusion & Recommendation

The proposed external facing materials and surface treatments would be acceptable. However, in the absence of details for the proposed surfacing for the proposed visibility splays, condition 5 of planning permission 20220175 cannot be discharged.

The submitted details would result in a boundary treatment 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. As such, condition 6 of planning permission 20220175 cannot be discharged.

The submitted details would result in a landscaping scheme which is generally appropriate except that the proposed hedges in the rear garden would obstruct the side accessways and there are no details of the proposed planting in the areas of the proposed visibility splays. As such, the landscaping scheme should be amended and condition 14 of planning permission 20220175 should not be discharged.

The submitted details would result in bin storage that would not be detrimental to residential amenity but would benefit from amendment to make it larger and more accessible. As such, condition 16 of planning permission 20220175 should not be discharged.

Overall, the application should be refused.

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

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	14th June 2023	Dated:	14 June 2023