

MC/23/2401

Date Received: 30 October 2023
Location: 34 Thorndale Close, Horsted, Chatham Medway
Proposal: Construction of a detached dwelling with associated parking, bin and cycle store - demolition of existing side projection.
Applicant Mrs Weston
Agent L Brown Associates Ltd
Mr Leslie Brown
34 Fallowfield
ME5 0DX
Chatham
ME5 0DX
Ward: Fort Horsted
Case Officer: Jacky Olsen
Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 17th January 2024.

Recommendation - Refusal

1. The proposal, by virtue of its narrow width and lower ridge height than the existing dwelling, would result in a cramped, contrived and alien form of development, that would not relate well to the existing street scene of large width dwellings or the existing spatial pattern of development within the locality and would therefore be harmful to the character and appearance of the area. The proposal is therefore contrary to Policies BNE1 and H4 of the Local Plan and paragraphs 71, 126 and 130 of the NPPF.

For the reasons for this recommendation of refusal please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This application seeks planning permission for the subdivision of the plot and demolition of the existing attached garage to allow for the construction of a detached 2-bedroom dwelling.

The proposed dwelling would be two storeys in height and in line with the front elevation of the existing property at 34 Thorndale Close and would project 1.25m beyond the rear elevation of the existing property. The dwelling would measure approx. 5m in height (to the ridge), 6.25m in width and 8.7m in depth and would be arranged internally as open plan kitchen/dining room and living room at ground floor together with two bedrooms and family bathroom at first floor. The dwelling would have

two parking spaces to the front of the property and garden space to the rear which would be accessed via a gate to the side of the property.

The development would retain the existing hard standing to serve the proposed property and change part of the remaining front garden to hardstanding to provide 2 off street parking spaces for the existing property.

Relevant Planning History

MC/23/0394

Construction of a two storey extension to the side with canopy to the front.

Decision: Approval with conditions

Decided: 18 April 2023

Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties.

Nine letters of support have been received commenting that the proposal:

- Provides affordable housing.
- Provides housing with amenity space.
- Helps increase housing stock in Medway to meet government targets.
- Makes use of the generous plot size.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework (December) 2023 (NPPF) and are considered to conform.

Planning Appraisal

Background

This application follows a planning application for a two-storey side extension in the that was given permission in April, 2023. The current proposal is for a dwelling on the same site.

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Policy H4 of the Local Plan states that residential development in the form of redevelopment of existing residential areas is acceptable providing that a clear

improvement in the local environment will result. Paragraph 11 of the NPPF states that decisions should also apply a presumption in favour of sustainable development. The site is located within the urban area as defined on the proposal maps to the Local Plan and in a predominantly residential area characterised by mainly single, family dwellings.

In the context of the policy above no objections would therefore be raised in principle to a new dwelling in this location, however the impact of the dwelling in terms of design, its character and appearance of the street scene as well as its impact on residential amenity needs to be considered further.

Design

Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area. Paragraphs 131 and 135 of the NPPF emphasise the importance of good design and Paragraph 72 discourages inappropriate development of residential gardens.

The street scene is quite mixed overall but can be separated into character areas. The first part of the street comprises single storey predominantly semi-detached bungalows of fairly uniform design with a 2m gap between semi's and approx. 5m open plan front gardens laid to lawn, with driveways up to integral garages. This character extends up to a hammer head at 32 Thorndale Close. After that point, the close has been extended more recently and there are initially 2 link detached bungalows on the east side of the close and 2 large detached houses on the west side (including the application property). The application property and the neighbour at 36 are 2 storey set comfortably in large grounds with attached single storey double garage to the side. After that the close splits into 2 and both comprise detached 2-storey dwellings set within a landscaped setting albeit slightly closer to each other than numbers 34 and 36. The transition from the bungalow at 32 to the house at 34 is assisted by the fact that the existing double garage to the side of 34 is of the same height as the bungalow. To the rear, properties support relatively large gardens measuring approx. 20m wide and 19m deep. The orientation of the dwellings vary, with 34 and 36 facing Thorndale Close, 38 and 40 being set back from the roadway and 42 lying on the curve of the road. This layout allows a spacious character to this part of the street where dwellings do not encroach upon adjoining properties.

The proposal would demolish the existing double garage of 34 Thorndale Close and infill the side garden area with a detached 2 storey dwelling. The dwelling would have a hipped roof design in similar materials as the existing house, but due to the smaller footprint of the proposed dwelling, the ridge height would be lower than the existing ridge height of number 34 Thorndale Close. While it is accepted that permission has recently been granted for a 2 storey extension to the dwelling with a similar distance and height relationship with the neighbouring bungalow, that extension would be viewed as part of the existing large detached property. Whereas the proposal that will remove the garages will replace them with a separate detached 2 storey property which will appear squeezed in between the existing house and the neighbouring bungalow and in doing so will be discordant in the street scene and not in character with the surrounding built form.

Overall, it is considered that the proposed dwelling, due to its narrow width and lower ridge height when taking into account, the scale and width of existing dwellings within the vicinity, would result in a cramped, contrived and alien form of development, that would not relate well to the street scene and the existing spatial pattern of development within the locality and in that respect represents poor design. The proposal is therefore contrary to Policies BNE1 and H4 of the Local Plan and paragraphs 72, 131 and 135 of the NPPF.

Amenity

Paragraph 135f of the NPPF states that achieving well-designed places should include creating a high standard of amenity for existing and future users. Policy BNE2 of the Local Plan expects all development to secure the amenities of its future occupants and protect those amenities enjoyed by neighbouring properties. The design of the development should have regard to privacy, daylight and sunlight, noise, vibration, light, heat, smell and airborne emissions and activity levels and traffic generation.

There are two main amenity considerations, firstly the impact of the proposed dwelling on neighbours and secondly the living conditions which would be created for potential occupants of the development itself. Policy BNE2 of the Local Plan and Paragraph 135f of the NPPF relates to the protection of these amenities.

Neighbouring Residential Amenity

The proposed new dwelling would be sited in line with the front elevation of the existing property and would extend out beyond the rear elevation by 1.25m. The dwelling would be sited tight to the new boundary with the existing property and only about 0.5m from the existing dwelling itself and 1m from the northern boundary and 2.7m from the adjacent dwelling at 32 Thorndale Close.

There are two windows on the side elevation to 32 Thorndale Close which could be affected by the proposal in terms of the loss of daylight and sunlight. One of these windows serves a bathroom and one serves a bedroom that has alternative outlook. The proposed dwelling would have some impact on these windows in terms of loss of daylight, however, given that one is a non-habitable room and the other window that serves a habitable room has an alternative window that would provide daylight, it is not considered that the development would have an unacceptable impact on this neighbour in terms of loss of daylight or sunlight.

The proposal would potentially result in additional noise from residents of the dwelling, however, this is not considered to be beyond what would normally be expected within a residential area.

Overall, it is not considered that the proposed dwelling would have a detrimental impact on neighbouring amenity in terms of loss of daylight, outlook, sunlight and loss of privacy and therefore no objection is raised in terms of amenity under Policy BNE2 of the Local Plan and Paragraph 135f of the NPPF.

Future Occupants

The proposed dwelling has been considered against DLUHC's Technical Housing Standard - Nationally Described Space Standard, March 2015 which specifies a minimum Gross Internal Floor Area (GIA) for different sized dwellings.

The plans submitted with the application show two double bedrooms, however, one of the bedrooms would not meet the requirements of the space standards for a double bedroom and therefore has been classed as a single bedroom, making the dwelling a two storey 2B3P dwelling. A two storey, 2B3P dwelling, would require a GIA of 70m² to meet the requirements of the standards. The dwelling would have a GIA of 79m² and would therefore exceed the space standard requirements. A double bedroom should be 11.5m² and have a width of 2.75m wide and a single bedroom should be 7.5m² with a minimum width of 2.15m². Both of the bedrooms would meet these requirements. All habitable rooms would be provided with sufficient natural sunlight, daylight and outlook.

The requirements as set out in the guidance in Medway Housing Standards (interim) November 2011 (MHDS), states that rear gardens should measure 10m in depth and on constrained sites 7m in depth. The proposal would meet this requirement and therefore, future occupants would be provided with sufficient private amenity space.

Therefore, the proposal would comply with the DLUHC's Technical Housing Standard for a two-bedroom, 3 person dwelling and would therefore have a positive impact upon the amenity of future occupants of the dwelling. Therefore, having regard to the above considerations, the proposal would be in accordance in regards to future occupant amenity under Policy BNE2 of the Local Plan and Paragraph 135f of the NPPF.

Highways

The Medway Council Residential Parking Standards state that a two-bedroom dwelling would require a minimum of 1.5 car parking spaces. The existing three-bedroom dwelling would require a minimum of 2 car parking spaces. The proposal would accommodate 4 car parking spaces, 2 for each property, which would therefore comply with the parking standards.

Policy T4 of the Local Plan states that secure cycle parking facilities will be sought in new developments. The applicant has submitted a drawing showing a proposed cycle shed that would house two bicycles which would meet Council standards. The proposed location of the cycle shed would be in the rear garden although this has not been shown on any plans. If the application was to be approved, a condition is recommended to secure the cycle storage.

An EV Charging point would be included as part of the proposal, although this is not shown on any plans. If the application was to be approved, a condition is recommended to secure at least one EV charging point is provided.

Consequently, it is not considered the proposal would result in any unacceptable impact to highway safety or highway function and, therefore, is acceptable in terms of Policies T1 and T13 of the Local Plan and paragraph 115 of the NPPF.

Climate Change and Energy Efficiency

A climate change statement has been submitted with the application. The statement outlines the measures that would be put in place for the new dwelling to address climate change and energy efficiency and which includes the following:

- Built to and exceed Building Regulations Part L.
- High performance insulation will be specified and thickness will be increased
- Highly rated windows.
- U-values for the thermal elements of the building will exceed the Building Regulations Part L standards.
- All lighting will be low energy LED fittings throughout with efficacy greater than 80 Lumens/circuit Watt.
- Photo-voltaic solar panels will be provided on the south elevation.
- High efficiency condensing boilers with heat recovery will be installed.
- Air source heat pump maybe installed.
- Built to fulfil water efficiency flow rates and capacities and will be in accordance with Building Regulations maximum of 125 litres/person/day.
- Existing garage masonry walls will be broken up and reused on site to form hardcore for new ground floor areas and footpath.

If approved a condition is recommended for an energy efficiency and climate change verification report to be submitted.

No objections would therefore be raised regarding paragraph 159 of the NPPF.

Bird Mitigation

As the application site is not within 6km of the North Kent Marshes SPA/Ramsar Sites, the SAMM's tariff is not required.

Planning Balance

The Council acknowledges that at the present time it is unable to demonstrate a five-year supply of deliverable housing land. Although minor, the proposal would contribute one additional dwelling to this supply, with some associated social and economic benefits. However, for the reasons as outlined above, it is considered that the harm, in terms of the cramped and contrived (and thereby poor quality) design of the dwelling and the impact it would have on the character and appearance of the area, would significantly and demonstrably outweigh the benefits of the dwelling when assessed against the NPPF as a whole.

Conclusions and Reasons for Refusal

Overall, it is considered that the proposed dwelling, due to its narrow width and lower ridge height than the existing dwelling, when taking into account, the scale and width of existing dwellings within the vicinity, would result in a cramped, contrived and alien form of development, that would not relate well to the street scene and the existing spatial pattern of development within the locality and would harm the character and appearance of the area and in that respect represents poor quality design. The proposal is therefore contrary to Policies BNE1 and H4 of the Local Plan and paragraphs 72, 130 and 135 of the NPPF.

The application is being referred to Committee for a determination following the receipt of nine letters of support against a recommendation for refusal at officer level.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>