

Snodland
Snodland West And
Holborough Lakes

5 February 2016

TM/16/00360/FL

Proposal: Proposed new house and garage in the rear garden to No 36 St Katherines Lane and replacement garage to existing house of No 36

Location: 36 St Katherines Lane Snodland Kent ME6 5EN

Applicant: Mrs Daphne Hopkins

1. Description:

- 1.1 Planning permission is proposed for the erection of a new dwelling in the rear garden of 36 St Katherines Lane. The scheme includes the erection of two detached garages to serve the existing and new dwellings, and the creation of a new vehicular access onto Orchard Way.
- 1.2 The proposed dwelling has been designed with three pitched roof dormer windows to the front elevation and a single pitched roof dormer to the rear elevation. The intention is to use brick for the ground floor with weatherboarding to the first floor side elevations.

2. Reason for reporting to Committee:

- 2.1 At the request of Councillor Brown owing to considerable public interest.

3. The Site:

- 3.1 The site lies within the urban confines of Snodland. 36 St Katherines Lane is a detached 'chalet style' house which faces onto St Katherines Lane. The rear garden extends to the north running parallel with Orchard Way.
- 3.2 This part of St Katherines Lane comprises bungalows whilst the dwellings on Orchard Way are predominantly two storey semi-detached buildings. St Katherines School lies to the south of the site.

4. Planning History (relevant):

TM/54/10324/OLD grant with conditions 13 December 1954

Bungalow, with Pedestrian Access.

TM/59/10378/OLD grant with conditions 27 August 1959

Erection of Garage.

TM/66/10529/OLD grant with conditions 14 September 1966

Conservatory and outhouse.

5. Consultees:

5.1 TC: Concerns that this new proposal is not in character with the existing houses in Orchard Way. Concerns over backfill development.

5.2 Private Reps: 8/0X/17R/0S. Objections are raised on the following grounds;

- Out of character with the area, adverse visual impact;
- Loss of privacy, restricted sunlight and overbearing impact on neighbouring houses and gardens;
- Highway safety, loss of on road parking, the area is already congested and parents of school children parking dangerously, limited visibility at the new access;
- The plot size is too small, lack of amenity space for future occupiers;
- Concern over proximity of development to boundary, possible encroachment and future additional windows;
- Lack of consultation;
- Loss of views and loss of property values;
- Disruption during construction, particularly the parking of builders lorries.

6. Determining Issues:

6.1 The application comprises the erection of a new detached dwelling in the garden of an existing dwelling, within the urban confines. Policy CP11 of the TMBCS seeks to ensure that development is concentrated within the confines of the urban areas. The application site lies within the urban confines of Snodland and is therefore, in principle, acceptable.

6.2 Policy CP24 of the TMBCS seeks to ensure that all development is well designed and respects the site and its surroundings. This aim is echoed in paragraph 58 of the NPPF which seeks to ensure that development will function well, create attractive, safe places in which to live and work, optimise the potential of the site, respond to the local character of the surroundings and be visually attractive.

- 6.3 Policy SQ1 of the MDEDPD requires development to reflect the local distinctiveness, condition and sensitivity to change of the local character areas as defined in the Character Area Appraisals Supplementary Planning Documents.
- 6.4 With regard to these national and local planning requirements the proposal must be assessed in terms of its potential impact on the character and built form of the area. The Snodland Character Area Appraisal 2011 describes the area as being *“a mix of architectural styles, periods and materials with St Katherines Lane having such a variety that there is no unifying feature or characteristic to create cohesion.”*
- 6.5 The original scheme was designed to mirror the dwellings on Orchard Way. However, following officer negotiation, the amended scheme has been designed to complement the existing bungalow at 36 St Katherines Lane. I note the comments made by the TC and local residents regarding the impact of the dwelling on the existing built form. However the proposed dwelling would benefit from a street frontage in the same manner as the existing dwellings on the opposite (west) side of Orchard Way. The new dwelling has been designed with reference to the style of the dwellings to the south and would therefore integrate into the existing mixed character of the wider residential area.
- 6.6 The proposal includes adequate space for parking, garden and bin storage, whilst retaining sufficient garden space for the host dwelling. Whilst there is no policy standard for the size of amenity space the application is nevertheless acceptable in this regard.
- 6.7 With these aspects in mind, I consider that the proposed development is visually acceptable and accords with adopted policy in this regard.
- 6.8 Turning to matters of residential amenity of the existing dwellings, I consider the proposed dwelling has been designed to minimise any loss of privacy to the surrounding dwellings. The primary first floor windows are located on the front elevation facing onto Orchard Way, no first floor windows are proposed to the side elevations and the dormer window to the rear elevation has been designed with obscure glazing. This will ensure no unacceptable loss of privacy to any surrounding dwellings and a planning condition can be imposed which prevents the creation of any additional window openings without formal planning permission being sought.
- 6.9 The location of the proposed dwelling to the north of the existing dwellings on St Katherines Lane will ensure no loss of sunlight. The siting of the proposed dwelling and the separation distances involved would also ensure that it would not appear overbearing or dominant when viewed from any of the neighbouring properties in more general terms. I am aware that the immediate neighbour is concerned about the potential impact of the proposed garages. However, the proposed eaves height is 2.3m at the closest point to the eastern site boundary and any resulting impact would not cause demonstrable harm to amenities. It must also be noted

that the erection of single storey outbuildings/garages within this existing residential curtilage could be undertaken using permitted development rights.

- 6.10 Policy SQ8 of the MDE DPD states that development should only be permitted where it would not significantly harm highway safety. Paragraph 32 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts of the development are severe. I appreciate that on-street parking is at a premium and that the proximity of St Katherines school leads to congestion at times. However the application provides on-site parking. IGN3: Residential Parking (2008) requires a single on-site parking space for a three bedroom dwelling in an urban area. The proposal allows for two off-street vehicle parking spaces, one for the new dwelling and one to serve the existing dwelling and this meets the requirements of IGN3. The garages proposed as part of the scheme of development have not been counted for the purposes of applying IGN3 but the adopted standard is met regardless.
- 6.11 The original scheme proposed two new accesses onto Orchard Way. However the amended scheme proposes a single vehicle access point to be shared by both the existing and proposed dwellings. The removal of the additional access to the north, adjacent to the bend in the road, is welcomed. The proposed new access is considered safe in highway terms and a single additional dwelling would not have any detrimental impact on the existing levels of congestion. On-street parking will be lost in order to provide the new vehicle access to the site but this is not grounds to resist the development.
- 6.12 Issues relating to loss of view, property values and impacts arising as a result of construction works are not material planning considerations.
- 6.13 In light of the above assessment, the application accords with the relevant national and local planning requirements and I therefore recommend it be approved subject to the following planning conditions.

7. Recommendation:

- 7.1 **Grant Planning Permission** in accordance with the following submitted details: Design and Access Statement dated 03.02.2016, Proposed Plans and Elevations 2016/4(34)-01 & location plan dated 04.03.2016.

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2. No development shall take place until details and samples of materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the visual amenity of the locality.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Classes A, B, C, D and E of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: Further development of the site could potentially be harmful to adjacent residential amenity and the character of the wider area.

4. Any gates must open away from the highway and be set back a minimum of 5m from the edge of the carriageway.

Reason: To ensure vehicles waiting to access the site do not create congestion and thereby cause harm to the wider highway network.

5. The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: To ensure no adverse impact on highway safety resulting from hazardous on-street parking.

6. No development shall take place until details of slab levels have been submitted to and agreed in writing by the Local Planning Authority and the works shall be carried out in strict accordance with those details.

Reason: To ensure the scale of the development is compatible with the character of the site and its surroundings.

7. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, hard landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the

Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 8 The dormer window on the first floor of the east (rear) elevation serving the bathroom shall be fitted with obscure glass and, apart from any top-hung light shall be non-opening. This work shall be effected before the room is occupied and shall be retained thereafter.

Reason: In the interests of the residential amenity and privacy of adjoining property.

Informatives

1. Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council, Highways and Transportation 03000 418181 in order to obtain the necessary Application Pack.
2. In the interests of good neighbourliness the hours of construction, including deliveries, should be restricted to Monday to Friday 07.30 - 18.30 hours, Saturday 08.00 - 13.00 with no work undertaken on Sundays or Public/Bank Holidays.
3. The application includes the demolition of a domestic garage. If the garage/property was built before or refurbished before 2000 there is the possibility of asbestos containing materials being present in the structure. Before commencing any works, the applicant is advised to seek further advice to ensure the necessary precautions are implemented for the duration of the demolition. More information can be found <http://www.hse.gov.uk/asbestos/> and <http://www.hse.gov.uk/asbestos/faq.htm#domestic-properties>
4. In the interests of good neighbourliness all vehicles and machinery associated with construction must be parked within the site and not on the public highway in such a manner as to create an obstruction.
5. The proposed hard landscaping scheme to be submitted in accordance with planning condition 7 shall include details of a bound surface for the first 5m of the access from the edge of the highway and details of the proposed surface water disposal for all hardstanding to ensure no run-off onto land outside the site.
6. The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate postal address(es) to the new property/ies. To discuss the arrangements, you are invited to write to Street Naming & Numbering, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or to e-mail to

addresses@tmbc.gov.uk. To avoid difficulties for first occupiers, you are advised to do this as soon as possible and, in any event, not less than one month before the new properties are ready for occupation.

Contact: Maria Brown