

Delegated Report

Householder Planning Application

Planning Application No: 20240737

Location: Newlyn House Norwood Lane Meopham Gravesend

Description: Retention and relocation of three air conditioning units to the exterior walls of the house.

Applicant: Mr Mark Hickford

Site Visit Date: 25th November 2024

Submitted Documents/Plans

- Application Form
- Existing Site Plan
- Proposed Site Plan
- Site Location Map
- Drawing No: MAD-449-04 (Existing/Proposed Plans and Elevations)

Supplementary Information

- Acoustics Report
- Newlyn House Acoustic Memo
- Newlyn House Acoustic Memo

Relevant Planning History

Reference	Description	Outcome	Decision Date
20040730	Erection of single storey front extension to form an enlarged lounge.	Permitted	28.09.2004
20040392	Erection of two storey side/rear extension and single storey front extension incorporating the continuation of the roof over the existing front porch, to provide garage, enlarged kitchen and dining room with study, bedroom and en-suite bathroom at first floor level.	Permitted	14.06.2004

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

Paragraph 33 of the NPPF (2023) sets out those 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 The review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2023), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2023)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving Well-Designed and Beautiful Places

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Local Ward Councillors

No comments received.

Meopham Parish Council

No comments received.

Environmental Protection Team

“The submitted Acoustic Memo by JG Acoustics dated 28th May 2024 has been reviewed. Whilst a BS4142 assessment has been undertaken, which is the appropriate British standard to use and results given in Tables 2 and 3, no workings have been shown. The report advises that:

“Considerations are made for ground terrain, absorption, reflections, structures, and walls in the model, as existing or as identified in the client’s drawings. Corrections were evaluated for subjective acoustic features and % on time, as determined for a reasonable worst-case scenario. The modelling assumes favourable conditions for propagation (downwind) additionally as a worst-case scenario.”

These details need to be provided in full so that distances to receptors and what corrections have been applied etc can be checked. In addition, it’s noted that only a 50% on time has been used for the nighttime period with the explanation that ‘...such units are typically only switched back on during sunrise’. This is not agreed with – in warmer weather domestic A/C units are often on all night for comfort and sleeping. During warmer weather nearby residents are likely to have their own windows fully open for ventilation and cooling so will be more exposed to any noise. I would like to see the BS4142 calculation redone with 100% on time for comparison.

Bearing in mind the proximity of the neighbouring properties, it is important that we are satisfied that the noise from the A/C units will not cause any noise problems or complaints at a later date when mitigation measures will potentially be more complicated to put in place.

For information for the applicant/noise consultant, our standard criteria for all new plant and equipment being installed is that the rating noise from fixed building services/mechanical plant/equipment shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014. If this cannot be demonstrated, then mitigation measures will be required to ensure that this level is achieved."

Neighbouring properties

The application was advertised by way of letters to 5 surrounding properties. The consultation period expired on 20.11.2024 and one representation was received.

The below comments were made in relation to the proposal.

The location of the air conditioning unit which on the side elevation of Newlyn adversely effects the amenity of the occupants of our house.

The unit is located within 400mm of the side wall of our house. It has been positioned at the front end of a passageway between our two houses which is a maximum of 860mm wide and a minimum of 585mm wide.

The unit is located within 1.5m of the opening casement of a bedroom.

The unit is far too close to a bedroom & will inevitably result in noise disturbance during hot summer evenings when we would wish to keep our windows open for natural ventilation. This will inevitably give grounds for complaints to Environmental Health.

We note that a noise report has been submitted in support of the planning application however this report is based on a number of assumptions for example "50% on time for night was considered reasonable as such units are typically only switched back on during sunrise", we respectfully point out that this is an assertion without any substantiation and is no guarantee whatsoever that the units will not be used in a different way which will render the findings of the acoustic report meaningless.

The report goes on to say that "AC units generally operate at lower levels with a 'night' or 'silent' mode, by reducing the fan speed, and it is recommended this feature be switched on for all units". Once again this is only a very general comment with no way of preventing excessive night-time noise if the operator chooses to operate the units differently.

Finally, we would note that no allowance has been made for the fact that air conditioning units have a well earned reputation for getting noisier as they get older and as bearings and fans begin to wear.

The unit is clearly visible from Norwood Lane, is very utilitarian in appearance and visually inappropriate for this prominent location.

The adverse impact on the view from Norwood Lane is made even worse by the substantial and unsightly services which have been installed as part of placing the unit in this unsuitable location. These services include electrical services and condensate pipework in prominent black shrouding.

These services are located well in front of our house and are an inappropriate addition to the street scene. These services combined with the existing satellite dish and extract vent make this part of the building cluttered & more like a plant area than a prominent part of the area in front of our houses. Although the unit has been placed approximately 2m above ground level its location will hinder the use and enjoyment of the side passage in the event that we need to move large or bulky objects from the front to the back of the house. This has been the case in recent years when trees from next door have been felled. Please note that the passageway is only 585mm wide at its narrowest point.

We object due to the impact this will have on carbon emissions and climate change and if these units are allowed to proliferate without any effective control this will be making dwellings far less energy efficient.

Finally, we note that the drawings submitted with the planning application are not correct and are not consistent. For example, the boundary line between Newlyn and Joydens shown on the site location plan & both block plans is totally different to that shown on the plans & elevations as existing and as proposed drawing no MAD-449-04. The MAD drawing is wrong and does not match site dimensions, in reality the houses are at a slight angle to one another.

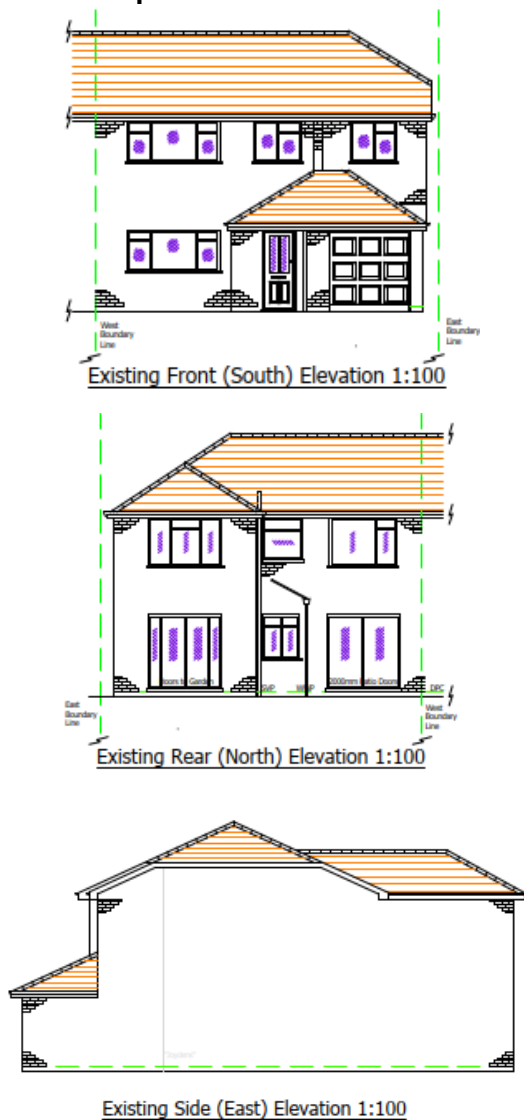
If the plant is plotted on a drawing which is correctly drawn it will be found that the plant is overhanging the boundary and part of it is therefore located on our land.

Analysis

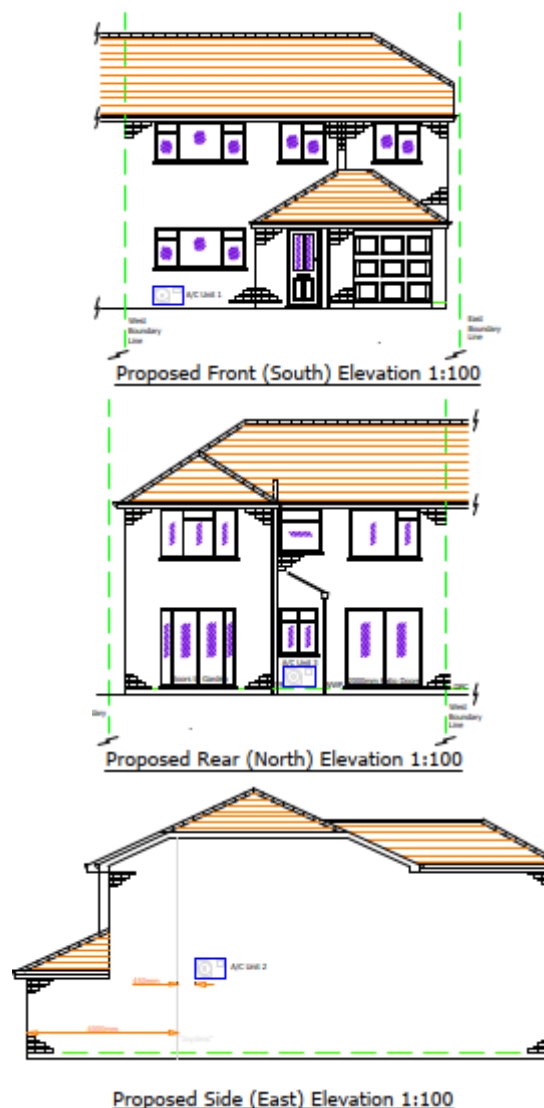
Proposal

The proposal seeks to retain three air conditioning units on the front, side and rear elevations of the dwelling.

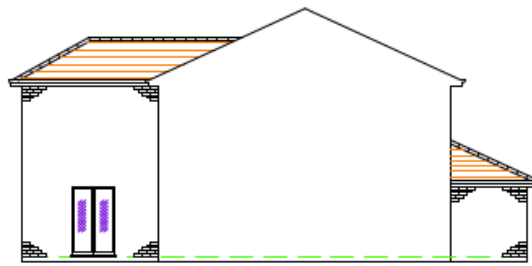
Prior to Development



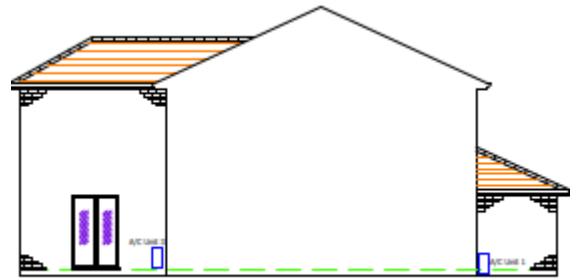
Current Dwelling



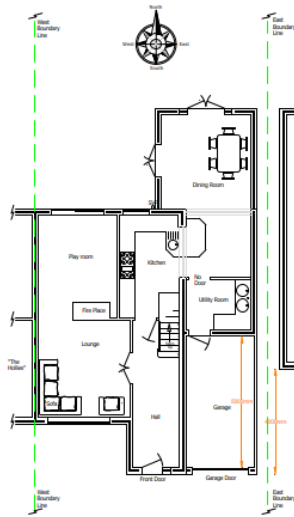
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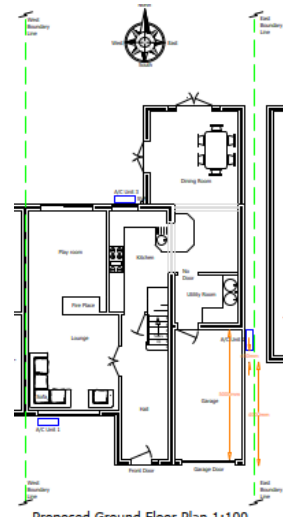
Existing Side (West) Elevation 1:100



Proposed Side (West) Elevation 1:100



Existing Ground Floor Plan 1:100



Proposed Ground Floor Plan 1:100

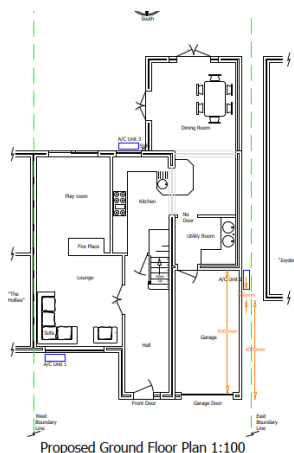
Background

The application site has been previously extended to include a two storey side and rear extension which has brought the flank wall of the property closer to the neighbouring home known as Joyden.

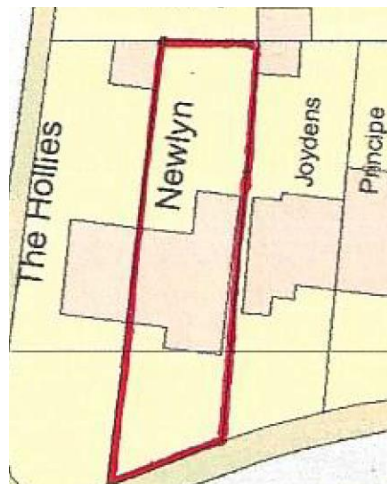
Procedural Matters

It has been noted from the objection and the submitted plans that the orientation of the dwelling in comparison to the neighbouring property known as Joyden is not shown correctly on the floor plans.

As can be seen from the block plan, the application property tapers in towards to boundary towards the rear of the dwelling. Should permission be forthcoming then the plans will require amendment.



Proposed Ground Floor Plan 1:100



Character and Appearance

The application site is a two storey semi detached house situated within a rural settlement which is inset from the greenbelt within the parish of Meopham.

There are no permitted development allowances which allow for the installation of air conditioning units and so planning permission is required for such installations.

In terms of design and appearance the air conditioning units are not considered to have a detrimental impact on the wider streetscene. The air conditioning unit on the front elevation has been located close to the ground level and is therefore not overly prominent. The unit positioned on the flank elevation is not highly visible from the wider streetscene and is also not considered to result in any meaningful harm which warrants a refusal.



With regards to the unit overhanging the common boundary this is considered to be a civil matter which would not form a material planning consideration. During an officer site visit it was not possible to determine exactly where the common boundary was and if it is the case there is an overhang it would be minimal.



Whilst it is acknowledged that the installation of air conditioning units can increase carbon emissions, in this

instance a refusal based on the minimal contribution of these units is not a balanced approach.

The proposed air conditioning units are not considered to have a detrimental impact on the character or appearance of the area, and is in accordance with Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2023).

Amenity of Future and Neighbouring Occupiers

There are air conditioning units located on the front, side and rear elevations of the application site. The unit situated on the flank elevation is in close proximity to a bedroom window located at the property known as Joyden.



It is noted that an BS4142:2014+A1:2019 assessment has been undertaken, however as noted by the Environmental Protection Team's comments the results given in Tables 2 and 3 are not sufficient as no workings have been shown to corroborate the given answers

Given the close proximity of the unit on the flank elevation to a bedroom window at the neighbouring property it is important that the Council is able to assess any potential disturbances arising from the use of the units. Further more the unit on the front elevation could also be considered to cause nuisance to the attached property known as The Hollies.

Due to insufficient details being provided to support the BS4142:2014+A1:2019 assessment it is not possible to determine whether the air conditioning units will result in unacceptable noise levels to future occupiers but more notably, the neighbouring occupants of The Hollies and Joyden. The proposal therefore fails to safeguard neighbouring amenity and is contrary to the requirements of Policy CS19 (LPCS) 2014 and Section 12 NPPF (2023).

Parking and Highways

The proposed development will not impact existing parking arrangements.

Any Other Material Planning Considerations

Impact on the landscape - In addition to being inset from the Green Belt, the application site is located within the Meopham Downs Character Area, as set out in the Council's Landscape Character Assessment document.

Policy CS12 of the Gravesham's Local Plan Core Strategy LPCS (2014) seeks to protect the Green infrastructure within the Borough and states at 5.7.26 that the overall landscape character and valued landscapes will be conserved, restored and enhanced.

It is considered that this development would not be detrimental to the Meopham Downs Character Area, as

the property is located in a small settlement and development would not impact on the wider rural landscape.

Conclusion & Recommendation

The proposal is recommended for refusal owing to the below ground:

Due to insufficient details being provided to support the BS4142:2014+A1:2019 assessment it is not possible to determine whether the air conditioning units will result in unacceptable noise levels to future occupiers but more notably, the occupants of The Hollies and Joyden. The proposal therefore fails to safeguard neighbouring amenity and is contrary to the requirements of Policy CS19 (LPCS) 2014 and Section 12 NPPF (2023).

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

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	26/11/2024	Dated:	27th November 2024