

# AGENDA

## PLANNING COMMITTEE MEETING ADJOURNED FROM 19 MARCH 2015



Date: Monday 23 March 2015  
Time: 6.00 p.m.  
Venue: Town Hall, High Street,  
Maidstone

Membership:

Councillors Ash, Collins, Cox, English (Chairman),  
Greer, Harwood, Hogg, Moriarty,  
Paine, Paterson, Mrs Robertson and  
J.A. Wilson

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Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Items withdrawn from the Agenda
5. Any business the Chairman regards as urgent including the urgent update report as it relates to matters to be considered at the meeting

**Continued Over/:**

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**Issued on 20 March 2015**

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEBBIE SNOOK on 01622 602030**. To find out more about the work of the Committee, please visit [www.maidstone.gov.uk](http://www.maidstone.gov.uk)

*Alison Broom*

**Alison Broom, Chief Executive, Maidstone Borough Council,  
Maidstone House, King Street, Maidstone, Kent ME15 6JQ**

6. Disclosures by Members and Officers
7. Disclosures of lobbying
8. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
9. 14/502595 - Harrietsham House, Burdock Court, Maidstone, Kent 1 - 9
10. 14/502766 - Whispering Waters, High Banks, Loose, Kent 10 - 14
11. 14/504649 - Klh House, High Street, Staplehurst, Kent 15 - 21
12. 14/504931 - Medway Cottage, Forstal Road, Sandling, Kent 22 - 32
13. 14/505200 - The Masters Tower, College Road, Maidstone, Kent 33 - 37
14. 14/506681 - Masters Tower, The Old College, College Road, Maidstone, Kent 38 - 43
15. 14/506715 - Integra, Bircholt Road, Maidstone, Kent 44 - 48
16. Appeal Decisions 49 - 50
17. Update on Matters Referred to Cabinet Members
18. Chairman's Announcements

**PLEASE NOTE**

**The order in which items are taken at the meeting may be subject to change.**

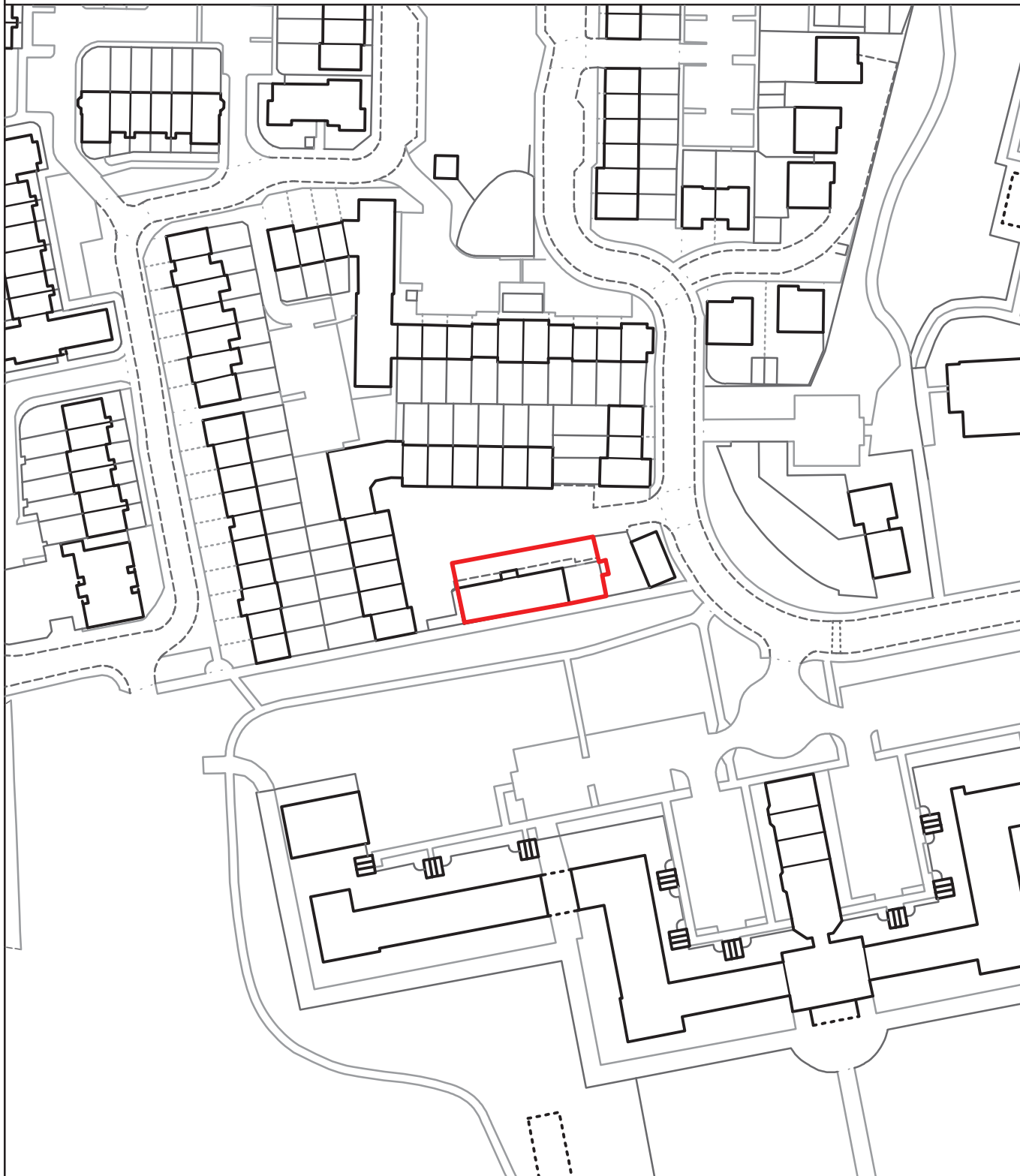
**The public proceedings of the meeting will be broadcast live and recorded for playback on the Maidstone Borough Council website.**

**BACKGROUND DOCUMENTS: The background documents for the items on the agenda are to be found on the respective planning files for each application and on the files for those applications referred to in the history section of each report. Background documents are available for inspection during normal office hours at the Maidstone Borough Council Gateway Reception, King Street, Maidstone, Kent, ME15 6JQ.**

# THE MAIDSTONE BOROUGH COUNCIL

Harrietsham House  
Burdock Court  
Maidstone, Kent  
ME16 0GN

MBC Ref: 14/502595



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**Rob Jarman**  
Head of Planning

**REPORT SUMMARY**

<b>REFERENCE NO - 14/502595/FULL</b>		
<b>APPLICATION PROPOSAL</b> Creation of 2(no) self contained flats including insertion of dormer windows and associated works and creation of 2 additional parking spaces and re-siting of bin store as shown on drawing nos. 14/14/A and 14/14/1/A received 31/07/14 and site location plan and drawing no. 04/14/6 received 11/02/15.		
<b>ADDRESS</b> Harrietsham House Burdock Court Maidstone Kent ME16 0GN		
<b>RECOMMENDATION - Permit</b>		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The proposed development is considered to comply with the policies of the Maidstone Borough-Wide Local Plan 2000 and the National Planning Policy Framework, and there are no overriding material considerations to indicate a refusal of planning consent.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Councillor Vizzard has requested the application be reported to Planning Committee.		
<b>WARD</b> Heath Ward	<b>PARISH COUNCIL</b> N/A	<b>APPLICANT</b> Mr Douglas Marr <b>AGENT</b> Mr Jim Guest
<b>DECISION DUE DATE</b>	<b>PUBLICITY EXPIRY DATE</b> 17 <sup>th</sup> March	<b>OFFICER SITE VISIT DATE</b> 24/09/14
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>		

MA/14/0483 – Creation of 2 self-contained flats including insertion of dormer windows and associated works – Refused

MA/06/0780 - Alterations to loft area to form 2 additional flats – Approved with conditions

MA/05/2215 - Loft conversion to form 2 flats, involving installation of 1 window and 4 dormer windows to south elevation, and heightening of gables and installation of 2 windows and 4 rooflights to north elevation – Refused

Detling House, Burdock Court

14/502593 - Creation of 2 self-contained flats with creation of parking – Under consideration

**1.0 Relevant policy**

- Development Plan:
- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Draft Local Plan: SP2

**2.0 Consultation responses**

2.01 Councillor Vizzard called the application into Planning Committee given local resident interest.

2.02 **KCC Highways:** Raise no objection.

**3.0 Neighbour representations**

3.01 Several representations have been made by 18 interested parties for both 14/502595 and 14/502593 raising concerns over parking provision and

traffic generation and highway safety; visual amenity; loss of privacy; loss of amenity space; ownership; access to bin store; and disturbance during construction works. A petition (34 signatures) has also been received.

#### **4.0 Site description**

4.01 'Harrietsham House' is a three storey stand-alone apartment block located on the southern side of Burdock Court, accessed from Tarragon Road. St Andrew's Park is to the south of the site. The application site does fall within the defined urban area as shown by the Maidstone Borough-Wide Local Plan 2000 (MBWLP).

#### **5.0 Proposal**

5.01 The proposal is for the creation of 2 self-contained flats. To facilitate this, 4 flat roofed dormer windows would be inserted into the south facing roof space, and 4 rooflights would be inserted to the north facing roof slope. Additionally, the front and rear gable ends would also be extended and altered. The ridge height of the main roof would not be altered. The proposal would provide 2 parking spaces to the front of the building, at the eastern-end of the existing parking on the other side of the existing bin store. The bin store would not be moved as part of this application; and the new parking spaces would be on land that is already block paved. Pedestrian access to a small amenity area on the eastern flank of the building would be unaffected.

5.02 The applicant is not the sole owner of the proposal site, as outlined on the site location plan, and has served suitable notice on the relevant parties.

#### **6.0 Background information**

6.01 Planning application MA/14/0483 was refused for the following reason:

*"The number, location, scale and proportion of the proposed dormer windows would fail to respect the architectural integrity of the building, detracting from its appearance and overall design and the character and appearance of the surrounding area as a whole."*

6.02 This proposal was for the insertion of 7 individually hipped dormer windows (3 north facing and 4 south facing).

6.03 Please note that planning permission was granted in 2006 under MA/06/0780, for a development similar to what is now proposed under this current application. The main difference between the two applications would be the location of the 2 additional parking spaces.

#### **7.0 Principle of development**

7.01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

7.02 The application site is within of the defined settlement boundary of Maidstone, and whilst there is no specific saved policy relating to this type of development, the Development Plan does encourage new housing in

sustainable urban locations as an alternative to residential development in more remote countryside situations. The National Planning Policy Framework (NPPF) also states that, "...housing applications should be considered in the context of the presumption in favour of sustainable development".

- 7.03 For the above reasons I consider the policy principle of residential development at the site to be acceptable. From this, the key issues to consider are visual impact, residential amenity and highway safety.

## **8.0 Visual impact**

- 8.01 This building was designed as part of a comprehensive approach to this part of the site, and whilst it is a stand-alone building, it clearly forms part of an integrated design. The number of dormer windows has now been reduced and the scale of those proposed has been noticeably reduced from what was refused under MA/14/0483. The extension of the 2 existing bay window elements to the front would also be in keeping with the overall style and proportion of the building.

- 8.02 The proposed works would no longer appear excessive or over dominant in appearance, and I am therefore satisfied that the development would not appear out of character with the building or the surrounding area. Moreover, the proposal site also adjoins important open space forming the setting for the principal listed buildings to the south, and in my view this proposal would now relate sympathetically with the general architecture of this building and the surrounding housing development. I am therefore satisfied that this proposal has overcome the previous reason for refusal (under MA/14/0483), and raise no objection on visual amenity grounds. The proposal is also now very much in keeping with the residential development previously approved under MA/06/0780.

- 8.03 I am also satisfied that the creation of the 2 parking spaces (on an existing area of hardstanding) would not have an adverse impact on the character and appearance of the surrounding area, as there would be no further operational development here and it would be seen in context with the existing car parking provision within Burdock Court.

## **9.0 Residential amenity**

- 9.01 The south facing windows would directly overlook an open amenity space, with the nearest properties to the south being more than 40m away. Given the nature and angle of the proposed rooflights, there would be limited overlooking into properties in Burdock Court which I do not consider to cause further significant harm to the occupants of these properties given the existing level of overlooking caused by the first and second floor flats of 'Harrietsham House'. I am also satisfied, given the existing level of overlooking caused by the upper floors of 'Harrietsham House' and the properties separation distances, that no property in Tarragon Road or any other street would be significantly overlooked because of the development. In addition, the creation of 2 parking spaces at the end of an existing row of parking, in my view, would have

no further adverse harm on the amenity of local residents in terms of general noise and disturbance.

9.02 I am therefore satisfied that this proposal, because of its scale, design, nature and location, would not appear overwhelming, or have a significant detrimental impact upon the residential amenity of any neighbour, in terms of general noise and disturbance and loss of privacy, outlook, and light.

## **10.0 Highway safety and parking implications**

10.01 The proposal includes the provision of 2 parking spaces for the new flats located at the eastern-end of the existing row of parking spaces in front of 'Harrietsham House'.

10.02 It needs to be considered whether the proposal would give rise to any highway safety matters, whilst bearing in mind the Government objectives to reduce the reliance and use of the private car. I am satisfied that this parking provision is acceptable in this sustainable location, where there is less reliance on the private motor vehicle; and raise no objection on highway safety grounds.

10.03 If future occupants do have more than one car, extra demand for parking spaces in an area does not necessarily mean that highway safety issues would occur. Whilst the possible increase in demand for parking spaces in the area could mean that future or existing users may not be able to park close to their properties, such inconvenience is not grounds for objection. It should also be noted that the Council has not adopted any minimum or maximum parking standards for development like this to adhere to; and I am satisfied that the level of traffic movement to and from the site would be of no more detriment to the amenity of local residents than the current situation. I am also satisfied that the proposal would not have a detrimental impact on the capacity of the local road network. Bearing in mind Government advice to reduce car usage, the sustainable location of the site, and that there would be no significant highway safety issues arising from the development, I consider that an objection on the grounds of parking provision could not be sustained.

10.04 It is apparent that the proposed parking spaces are already used by other properties in Tarragon Road. Whilst this reallocation of parking spaces may result in inconvenience and additional cars parking on the street, to my mind, as outlined above, this does not result in a highway safety issue and is not a reason to refuse this application.

## **11.0 Other considerations**

11.01 Given the scale and nature of the proposal, I am satisfied that there is unlikely to be potential harm caused to protected species and their habitats and therefore consider it unreasonable to request further details in this respect.

- 11.02 As the proposal is to extend an existing building, the applicant is not expected to achieve a minimum of code level 4 in terms of the Code for Sustainable Homes.
- 11.03 I am satisfied, given the proposal's scale, nature and location that no further details are required regarding noise, land contamination, air quality, flood risk or drainage, landscaping and biodiversity.

## **12.0 Conclusion**

- 12.01 The main objections raised by the neighbours have been dealt with in the main body of the report. However, I would like to add that potential disturbance during construction is not a material planning consideration; access to the bin store would remain possible; and the proposal would not result in the significant loss of quality outdoor amenity space.
- 12.02 I am of the view that the proposal would represent appropriate development that would not be visually harmful to the character and appearance of the building or the surrounding area; and would not cause unacceptable harm to residential amenity, or highway safety. It is therefore considered that the proposal is in accordance with the relevant provisions of the Development Plan and the National Planning Policy Framework, and I therefore recommend approval of the application on this basis.

### **RECOMMENDATION** – GRANT Subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The materials to be used in the construction of the external surfaces of the building hereby permitted shall match those used in the existing building, unless otherwise agreed in writing by the local planning authority;

Reason: To ensure a satisfactory appearance to the development.

- (3) The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;



## Planning Committee Report

Reason: Development without adequate parking provision is likely to lead to parking inconvenient to other road users.

- (4) The development hereby permitted shall be carried out in accordance with the following approved plans: 14/14/A and 14/14/1/A received 31/07/14 and 04/14/6 received 11/02/15;

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

INFORMATIVES - None

Case Officer: Kathryn Altieri

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website. The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

**Reference number: 14/502595**

6 additional neighbour representations have been received raising concerns over:

- Visual harm
- Over development of site
- Parking provision/traffic generation/highway safety
- Reallocation of existing parking spaces
- Overshadowing and loss of privacy

These issues have been fully assessed in the committee report.

**My recommendation is unchanged**

**Reference number: 14/502595**

1 additional representation has been received raising concerns over:

- Parking provision
- Reallocation of existing parking spaces

These issues have been fully assessed in the committee report.

**My recommendation is unchanged**

A photograph of a residential street scene. The street is paved with asphalt and has white dashed lines. On the left, there is a brick building with a white bay window. In the center, a dark car is parked on the side of the road. In the background, there is a long, two-story brick building with a grey roof and several windows. The sky is blue with some light clouds. The number '10' is overlaid on the left side of the image.

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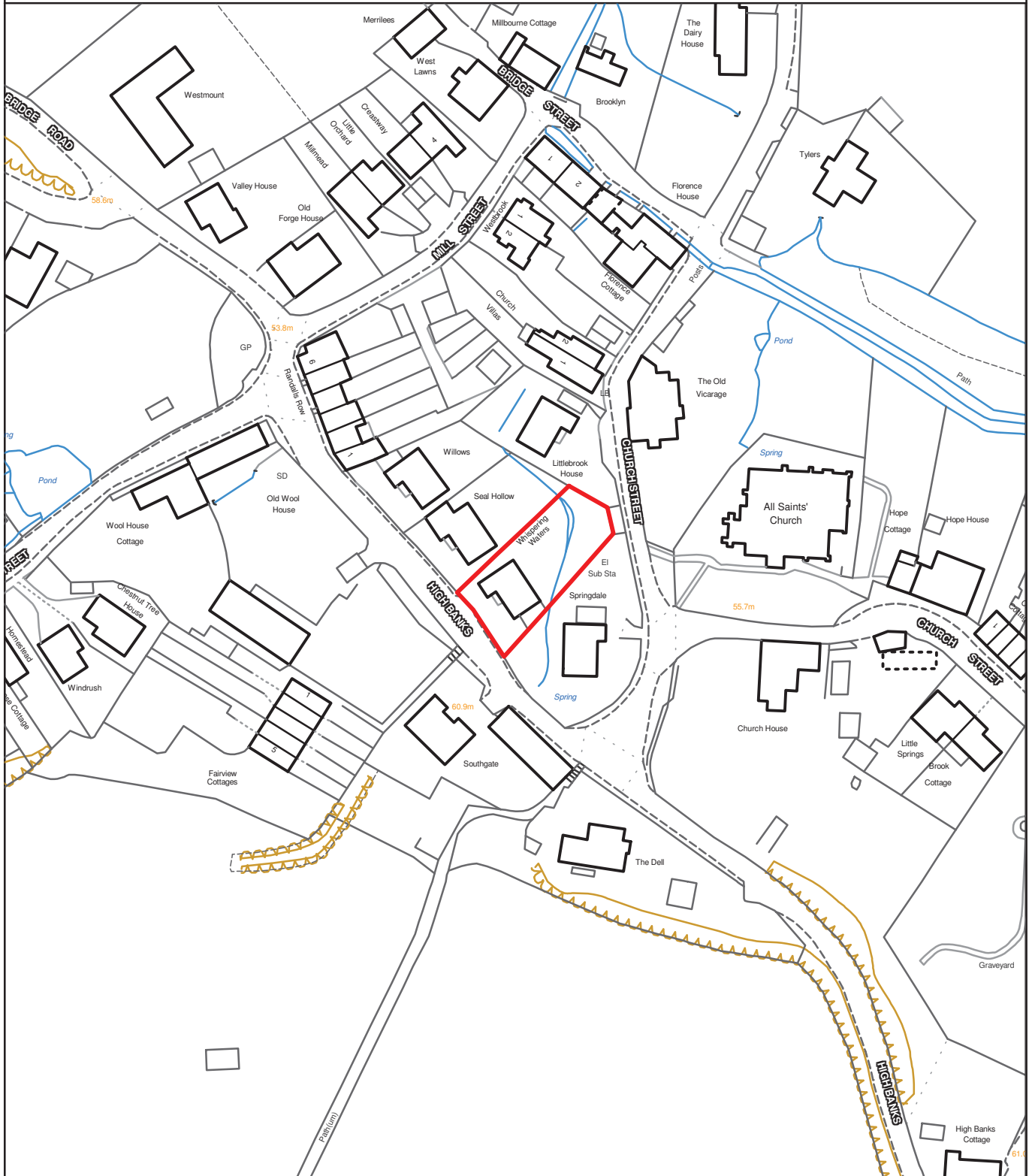


# Agenda Item 10

## THE MAIDSTONE BOROUGH COUNCIL

Whispering Waters  
High Banks  
Loose, Kent  
ME15 0EG

MBC Ref: 14/502766



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**Rob Jarman**  
Head of Planning



**REPORT SUMMARY**

<b>REFERENCE NO - 14/502766/FULL</b>		
<b>APPLICATION PROPOSAL</b> Replace existing wooden windows and doors with double glazed UPVC windows and doors.		
<b>ADDRESS</b> Whispering Waters High Banks Loose Kent ME15 0EG		
<b>RECOMMENDATION - GRANT SUBJECT TO CONDITIONS</b>		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The proposal is considered to preserve the character and appearance of the Conservation Area and to comply with the Development Plan. There are no overriding material considerations to indicate a refusal.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> The recommendation is contrary to the views of the Parish Council, who have requested Committee consideration.		
<b>WARD</b> Loose	<b>PARISH/TOWN COUNCIL</b> Loose	<b>APPLICANT</b> Mr Paul Highsted <b>AGENT</b>
<b>DECISION DUE DATE</b> 17/12/14	<b>PUBLICITY EXPIRY DATE</b> 17/12/14	<b>OFFICER SITE VISIT DATE</b> 21/11/14
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): None specific.</b>		

**MAIN REPORT**

**1.0 DESCRIPTION OF SITE**

- 1.01 This application relates to a detached, mid-twentieth century dwelling, which is located within the village settlement boundary of Loose. It also falls within Loose Conservation Area.
- 1.02 In general, Loose Conservation Area maintains a high degree of historical sensitivity, however, this particular building is seen in the context of surrounding buildings of a similar date to the host dwelling and the streetscene does not have high importance to the character and appearance of the Conservation Area it is considered.

**2.0 PROPOSAL**

- 2.01 Planning Permission is sought for the replacement of existing wooden windows and doors with upvc units. Planning Permission is required due to an Article 4 direction, which removes permitted development rights.

**3.0 PLANNING CONSTRAINTS**

*Within village settlement boundary  
Loose Conservation Area (-statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)  
Area of Local Landscape Importance*

#### **4.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Maidstone Borough Wide Local Plan 2000: H18  
Supplementary Planning Guidance 'Residential Extensions'

#### **5.0 LOCAL REPRESENTATIONS**

None received to date.

#### **6.0 CONSULTATIONS**

##### **6.01 Loose Parish Council: Initial comments:**

"The Loose Parish Council wish to oppose this application on the grounds that the property lies within the Loose Conservation area, and article four area of Loose Village, and as such we would not wish to see the installation of UPVC windows & doors. To our knowledge Maidstone Borough Council has not allowed this kind of application in the past within the conservation area. The Loose Parish Council would certainly not endorse this, and request it is referred to the MBC Planning Committee".

Subsequent comments, on receipt of Conservation Officer comments: "...still wish this application to be referred to the MBC Planning Committee. It is considered that this is a very important issue.

We feel disappointed by the lack of support from MBC Conservation Officer which we felt would be forthcoming. We remain of an opinion, that the stance taken by the LPC in the past should still be applied to any replacement of wooden windows with UPVC, within, not only a conservation area, but also within article four".

##### **6.02 Conservation Officer: No objection.**

"Whispering Waters is one of a group of similar houses erected in 1961. Whilst not particularly detracting from the character of the Conservation Area, this group of houses does not make a positive contribution to that character. In my view replacement of the windows in the manner proposed would not result in any harm to the significance of the Conservation Area.

#### **7.0 APPRAISAL**

##### **Visual Impact**

##### **7.01 The host dwelling is a 1960s dwelling and whilst it is not considered to have a detrimental impact upon the Conservation Area, in my view, it has a neutral impact. It**

makes no positive contribution to the Conservation Area and indeed, is seen in a context of surrounding 1960s dwellings, not unlike that which could be seen on an estate elsewhere outside of an historic village setting.

- 7.02 In this context, therefore, the use of u.p.v.c. is not considered to be visually harmful and indeed, the Conservation Officer does not object to the proposal.
- 7.03 As the Parish Council rightly point out, there is an Article 4 direction, removing “permitted development” rights, which is the reason why this development requires Planning Permission. However, the purpose of the Article 4 direction is to ensure that the carrying out of development comes under the control of the Local Planning Authority; not to preclude development altogether. The planning application process is then the procedure in which to assess the suitability or otherwise of development then falling within the Local Planning Authority’s control.
- 7.04 As stated, this 1960s building is considered to have a neutral impact upon the Conservation Area and in the context of surrounding contemporary houses, it is contended that the proposal would result in no significant harm. The windows proposed are what one would expect to see upon such a building and the building is not in a position to adversely affect historic or important views of Loose Conservation Area or the Area of Local Landscape Importance.
- 7.05 It is concluded that the development would preserve the character and appearance of the Conservation Area and the visual amenity of the streetscene.

#### **Other Matters**

- 7.06 There are no significant residential amenity, ecological or parking issues, due to the nature and position of the proposals.

#### **8.0 CONCLUSION**

- 8.01 The proposal is considered to preserve the character and appearance of the Conservation Area and to comply with the Development Plan. There are no overriding material considerations to indicate a refusal. Approval is therefore recommended.

#### **9.0 RECOMMENDATION – GRANT** Subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Window schedule, section and elevations received on 22/10/14

Reason: To ensure the quality of the development is maintained.

## Planning Committee Report

Case Officer: Louise Welsford

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.  
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

Whispering  
Waters



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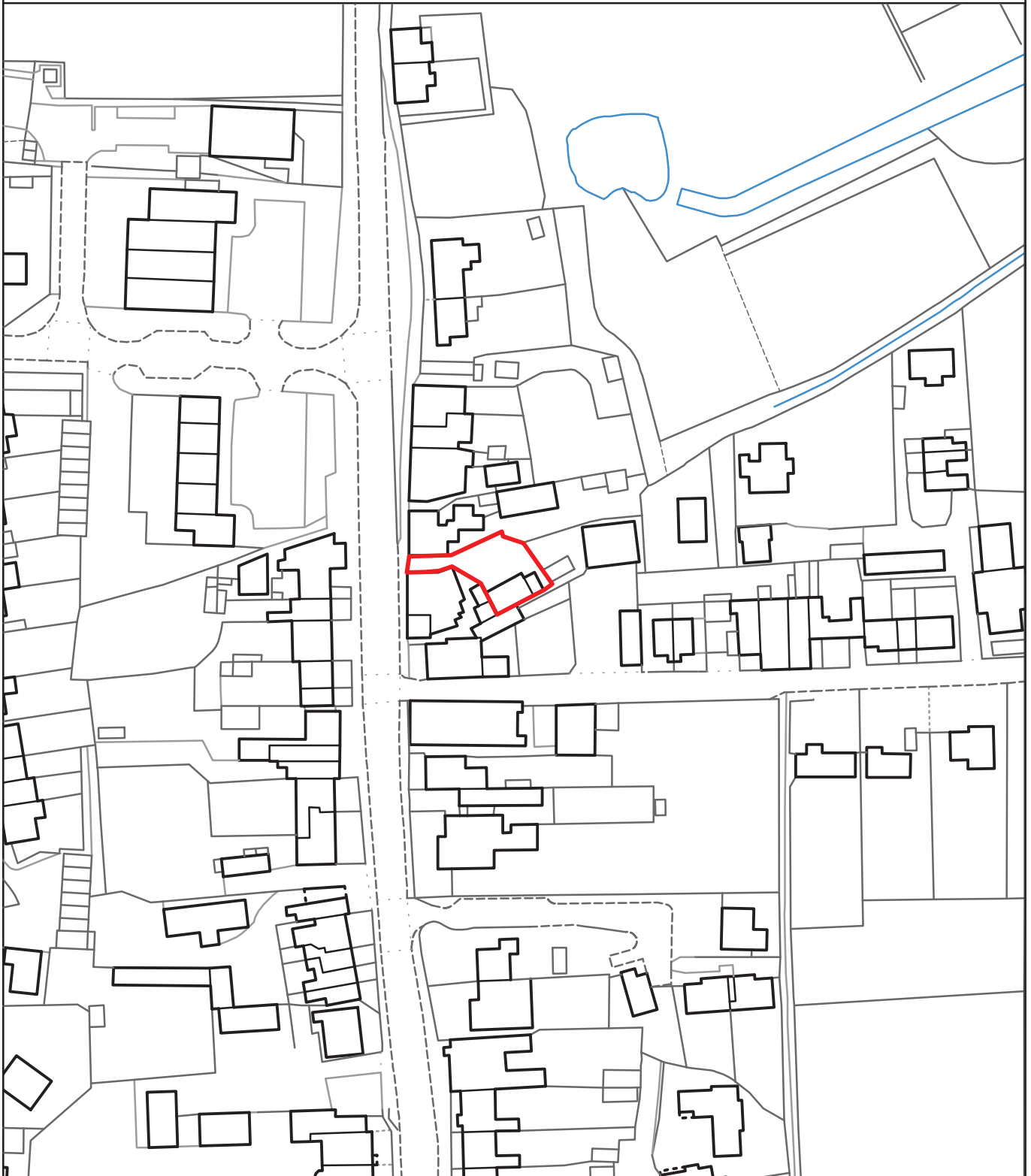


# Agenda Item 11

## THE MAIDSTONE BOROUGH COUNCIL

Klh House  
High Street  
Staplehurst  
Kent  
TN12 0AH

MBC Ref: 14/504649



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**Rob Jarman**  
Head of Planning



## REPORT SUMMARY

<b>REFERENCE NO - 14/504649/FULL</b>		
<b>APPLICATION PROPOSAL</b> Proposed change of use and conversion from office use (Use Class B1) to form 3 domestic dwellings as shown on drawing nos. 2620/L, 2620/1, 2620/2A, 2620/4 received on 15/10/14.		
<b>ADDRESS</b> Klh House High Street Staplehurst Kent TN12 0AH		
<b>RECOMMENDATION:</b> Permit		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> This is a sustainable location for new dwellings and the building works proposed would represent an improvement to the appearance of the conservation area.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> The Parish Council objects and requests committee consideration.		
<b>WARD</b> Staplehurst Ward	<b>PARISH/TOWN COUNCIL</b> Staplehurst	<b>APPLICANT</b> Mr Jason Wright <b>AGENT</b> Mr Lloyd Dennis
<b>DECISION DUE DATE</b> 10/12/14	<b>PUBLICITY EXPIRY DATE</b> 10/12/14	<b>OFFICER SITE VISIT DATE</b> 2/3/15 (and previously)
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>  MA/07/0143 – Office block over 3 floors (incl. roof void) – refused and appeal dismissed. Enforcement Notice ENF/6944 served.  MA/01/1790 – Demolition of garage, erection of two storey building and change of use of part of site for IT storage, together with provision of car parking spaces – permitted.  MA/01/1789 – An application for conservation area consent for the demolition of garage building – permitted.		

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

1.01 The application site is located in the centre of the village, off the east side of the High Street and within the Staplehurst Conservation Area. A private access road leads off eastwards, passing commercial premises that front the High Street and widening out into an informal 'yard' which is bordered by various small scale structures, including a garage block at the eastern end; and Justcroft House and KLH House (the latter being the subject of this application) on the southern boundary.

1.02 KLH House is a two storey office block with additional accommodation in the roofspace, of brick under a plain concrete tile roof. The building has no dedicated parking space available to it, although there is some space in front of the building for deliveries.

1.03 The building is bordered to the west by commercial premises fronting the High Street with residential above. Various outbuildings serving as garaging and storage are to the north

across the yard and the residential flats in Justcroft House are to the east. To the south there is land being redeveloped for residential purposes.

## **2.0 PROPOSAL**

2.01 The background to this application is important. Planning permission was granted for the erection of a two storey building for IT storage on a similar footprint to KLH House under reference MA/01/1790 but the building subsequently constructed differs from what was approved in terms of scale, detailing and materials. Application MA/07/0143 to regularise the new building was refused and the subsequent appeal dismissed in March 2008. The Inspector found that the building was harmful to the character of the conservation area. She also concluded that there was insufficient parking and turning space for an office use and that the intensification in the use of the access to the High Street would be harmful to highway safety. Although an enforcement notice was served the building remains on site in essentially the same condition.

2.02 This application seeks to retain the building with significant alterations in an attempt to improve its impact on the conservation area. It seeks a change of use of the building to create a short terrace of 3 two-bedroomed houses with the roofspace acting as the second bedroom.

2.03 The physical changes involve 'hipping back' the roof and re-covering it in clay tiles. The 3 existing rooflights on the rear would be altered to 'conservation-style' rooflights, whilst the 3 rooflights to the front would be changed to 3 small pitched roof dormers. On the front of the building the existing garage doors and large porch would be replaced by 3 canopied entrance doors; whilst on the rear elevation a new bathroom window is needed at first floor level (this to be obscure glazed and fixed shut). On the eastern elevation the upper level window would be removed, as would the door/balcony arrangement and window at first floor level and the ground level entrance door and ground floor window. New windows would be constructed at ground and first floor level. The air-conditioning units would be removed. On the west elevation the attic level window would be removed. Both existing and new doors and windows around the building would have timber joinery.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Development Plan: R10, T13

## **4.0 LOCAL REPRESENTATIONS**

4.01 Two letters of objection have been received and the following points are made:

- a) The development would have no on-site parking space which is not acceptable and will lead to vehicles being parked on neighbouring streets causing inconvenience and highway danger. Local 'public' parking sites can not be relied upon.
- b) The development represents a loss of employment land.
- c) The houses would have no amenity space and no space for children to play.
- d) The development should not be allowed through 'lack of action'. A development of flats retaining the ground floor garage may have been more acceptable.

## **5.0 CONSULTATIONS**

5.01 STAPLEHURST PARISH COUNCIL states:

“Councillors noted that the applicants appeal against refusal of site application MA/07/0143 had been dismissed by the Inspector in March 2008; they expressed disappointment that the sites planning status had remained irregular since then and questioned why no enforcement action had been taken. They expressed concern that the current proposal offered no parking provision and poor access which they felt would cause traffic problems. For these reasons Councillors recommend REFUSAL and wish that the application is reported to MBC Planning Committee. They made an advisory comment, without commitment, that they would be prepared to reconsider a proposal offering suitable parking provision.”

5.02 KCC Highways and Transportation has no objection stating:

“Thank you for inviting me to comment on this application, which proposes a change of use from B1 offices to C3 dwellings. This change of use is likely to generate less traffic movements. There is no parking proposed with this plan, this is the same as the existing use and is acceptable under KMPG: SPG 4. Furthermore there are a number of local car parks which could be used by residents. The site is located in a sustainable location, with access to public transport, therefore reducing demand on the car. For the reasons outlined above, I raise no objection on behalf of the local highway authority.”

5.03 The MBC Conservation Officer has no objection stating:

“The proposed change of use is acceptable in its impact on the conservation area and the proposed alterations to the building will improve its design. Overall, therefore, the proposal would result in an enhancement to the conservation area.”

## 6.0 APPRAISAL

### Principle of Development

6.01 The application proposes the creation of 3 residential units in a highly sustainable location in the centre of Staplehurst. The general principle of that is clearly acceptable. Added weight must also be given to the fact that the Council can not currently demonstrate a 5 year housing land supply and this is a significant factor which can mean that negative aspects of a scheme can be set aside.

### Visual Impact

6.02 The building affects the conservation area and it is regrettable, both that it was not built in accordance with planning permission MA/01/1790 and that effective remedial action has not been taken since then. In its current form the Inspector on MA/07/0143 found that it detracted significantly from the character and appearance of the conservation area. However, this application, as part of the conversion, proposes significant amendments to its appearance, most notably the ‘hipping’ of the roof; the removal of garage doors and balcony features; and the changes to materials including re-roofing in clay tiles and the change from UPVC windows to timber. I agree with the Conservation Officer that these changes improve design and enhance the conservation area. I regard the application acceptable therefore in terms of its visual impact.

### Residential Amenity

6.03 The scale and design of the building is such that it would have no adverse impact on the residential amenities of local residents as a result of loss of light, privacy, excessive noise, etc. No objections have been received on that basis.

6.04 The objectors are correct in that the building has no private amenity space available for the prospective occupiers. This is a negative aspect of the proposals. However, it is often the case that small units of accommodation (like flats) in densely developed locations often do not have the benefit of gardens and private space.

### **Highways**

6.05 The Inspector regarded the office building to be unacceptable in highways terms due to the unsuitability of the access to the High Street and the inadequacy of parking and turning space for that office use. However, an office use is not proposed here and new dwellings in sustainable locations often do not have on-site parking. In my view, some off-street parking and turning space would be desirable here but I do not find that the lack of that is critical here in a sustainable location. With the lack of such space use of the access is likely to be limited and I consider it acceptable for the use proposed. The High Street in this location is subject to parking restrictions including double yellow lines, white zig zag lines associated with the adjacent Pelican crossing, and a small number of restricted use parking bays. Nonetheless, there is on street parking available within reasonably close proximity to the site on side roads, and whilst parking on these streets may give rise to inconvenience, this is not a matter of highway safety. I note there is no objection from the Highways Officer.

### **Landscaping**

6.06 This is built environment and there are no landscape or ecology-related issues in this case.

### **Other Matters**

6.07 The issue of a loss of employment land is raised by objectors but the existing use as an office building is not lawful. There is no loss of retail floorspace here so there is no conflict with saved Policy R10 which seeks to retain retail uses in village centres.

## **7.0 CONCLUSION**

7.01 The application proposes residential units in a highly sustainable location in the centre of Staplehurst. The general principle of that is clearly acceptable. Added weight must also be given to the fact that the Council can not currently demonstrate a 5 year housing land supply. Significant improvements are proposed to the building. Whilst I have some reservations as to lack of parking and amenity space, on balance I recommend that permission should be granted.

## **8.0 RECOMMENDATION – GRANT** Subject to the following conditions:

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

## Planning Committee Report

(2) The development hereby permitted shall be carried out in accordance with the following approved plans:  
drawing nos. 14-001/02, 11, 20 received 5/6/14; and drawing nos. 14-001A and 10/A received 10/11/14;

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

(3) The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

(4) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 (as amended), no further development falling within Schedule 2, Part 1 of that Order shall take place on the site without the prior written consent of the Local Planning Authority;

Reason: To ensure the character of the site is maintained.

(5) The development shall not commence until full details of the proposed external joinery have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed in accordance with the approved details;

Reason: To ensure a satisfactory appearance to the development.

(6) The proposed first floor bathroom window on the southern elevation shall be fitted with obscured glazing and fixed shut before the first occupation of the dwellings hereby permitted and the window shall be subsequently retained in that condition;

Reason: In order to avoid a loss of privacy.

### Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Offering a pre-application advice and duty desk service.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was provided with formal pre-application advice.

## Planning Committee Report

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Case Officer: Geoff Brown

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.  
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.



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gsfords  
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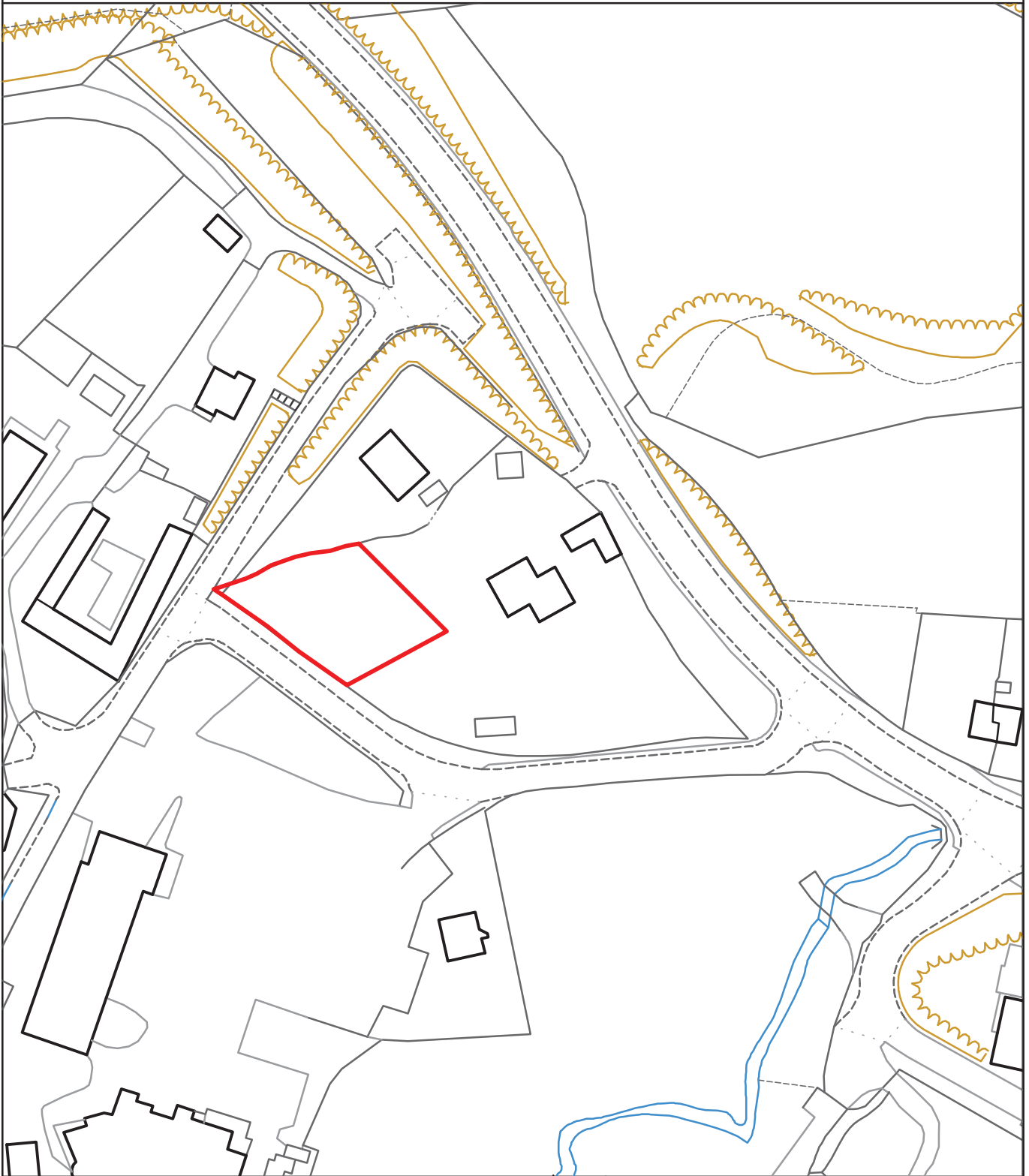


# Agenda Item 12

## THE MAIDSTONE BOROUGH COUNCIL

Medway Cottage  
Forstal Road  
Sandling, Kent  
ME14 3AR

MBC Ref: 14/504931



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**Rob Jarman**  
Head of Planning

## REPORT SUMMARY

<b>REFERENCE NO -</b> 14/504931/OUT		
<b>APPLICATION PROPOSAL</b> Outline application (all matters reserved) for the erection of one 4 bedroom dwelling as shown on Design and Access Statement received 23/10/14, drawing no. DHA/10372/04 received 10/11/14 and drawing nos. DHA/10372/01, 02 and 03 received 17/12/14.		
<b>ADDRESS</b> Medway Cottage Forstal Road Sandling Kent ME14 3AR		
<b>RECOMMENDATION –</b> Approve with conditions		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The proposed development is not in accordance with Development Plan policy. However, in the context of a lack of 5 year housing supply, it is considered that the low adverse impacts would not significantly and demonstrably outweigh the benefits of this proposal. For the reasons set out, the proposal is considered to accord with the National Planning Policy Framework and represent circumstances that can outweigh the existing Development Plan policies and there are no overriding material considerations to indicate a refusal of planning consent.		
<b>REASON FOR REFERRAL TO COMMITTEE -</b> It is a departure from the Development Plan.		
<b>WARD</b> Boxley	<b>PARISH COUNCIL</b> Boxley	<b>APPLICANT</b> Mr McFarlan <b>AGENT</b> Mr Collins
<b>DECISION DUE DATE</b>	<b>PUBLICITY EXPIRY DATE</b> 11/01/15	<b>OFFICER SITE VISIT DATE</b> 05/12/14
<b>RELEVANT PLANNING:</b>		

None.

### 1.0 Relevant policy

Development Plan: ENV6, ENV28, ENV31, ENV34, T13  
National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Draft Local Plan: SP5, H1, DM2, DM4, DM5, DM30

### 2.0 Consultation responses

- 2.01 **Boxley Parish Council:** Does not wish to object.
- 2.02 **KCC Highways Officer:** Raises no objection.
- 2.03 **Environmental Health Officer:** Raises no objection.
- 2.04 **Landscape Officer:** Raises no objection.

### 3.0 Neighbour representations

- 3.01 1 representation received raising concerns over land ownership (which has been dealt with), and loss of privacy.

### 4.0 Site description

- 4.01 The proposal site is a parcel of land that is currently garden land associated to 'Medway Cottage'. The land is to the west of this property,

with its south-western boundary adjacent to Lock Lane. To the north is neighbouring property 'Willow Lodge'; to the west is the Kent Museum of Kent Life; and to the north are a hotel with car park, and the Malta Inn public house.

- 4.02 For the purposes of the Maidstone Development Plan, the application site is within the designated countryside that falls within the North Downs Special Landscape Area and Strategic Gap as shown by the Maidstone Borough-Wide Local Plan 2000 (MBWLP).

## **5.0 Proposal**

- 5.01 This proposal is an outline application for the erection of a single dwelling with all matters reserved for future consideration. Indicatively, the proposal shows a 4-bed detached chalet-style bungalow sited to the west of 'Medway Cottage', with a new vehicle access and parking/turning area.

## **6.0 Principle of development**

- 6.01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

- 6.02 The application site is outside of the defined settlement boundary of Maidstone. It is therefore upon land defined in the Local Plan as countryside.

- 6.03 The starting point for consideration is saved policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 which states as follows:-

*"In the countryside planning permission will not be given for development which harms the character and appearance of the area or the amenities of surrounding occupiers, and development will be confined to:*

- (1) That which is reasonably necessary for the purposes of agriculture and forestry; or*
- (2) The winning of minerals; or*
- (3) Open air recreation and ancillary buildings providing operational uses only; or*
- (4) The provision of public or institutional uses for which a rural location is justified; or*
- (5) Such other exceptions as indicated by policies elsewhere in this plan.*

*Proposals should include measures for habitat restoration and creation to ensure that there is no net loss of wildlife resources."*

- 6.04 The proposed development does not fit into any of the exceptions set out in policy ENV28, which is why it has been advertised as a departure from the Development Plan. The proposal site is also within a Strategic Gap, and policy ENV31 seeks to resist development which significantly extends the built up extent of any settlement or development.

- 6.05 It is necessary therefore to consider two main issues in relation to the proposals. Firstly, whether there are any material considerations that

would indicate that a decision not in accordance with the Development Plan is justified, and secondly whether the development would cause unacceptable harm. Detailed issues of harm will be discussed later in the report.

- 6.06 In terms of other material considerations, the National Planning Policy Framework (NPPF) is a key consideration, particularly with regard to housing land supply. Paragraph 47 of the NPPF states that Councils should;

*"Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;"*

- 6.07 The Council has undertaken a Strategic Housing Market Assessment (SHMA) which was completed in January 2014. This work was commissioned jointly with Ashford and Tonbridge and Malling Borough Councils. A key purpose of the SHMA is to quantify how many new homes are needed in the borough for the 20 year period of the emerging Local Plan (2011 -31). The SHMA (January 2014) found that there is the "objectively assessed need for some 19, 600 additional new homes over this period which was agreed by Cabinet in January 2014. Following the publication of updated population projections by the Office of National Statistics in May 2014, the three authorities commissioned an addendum to the SHMA. The outcome of this focused update, dated August 2014, is a refined objectively assessed need figure of 18,600 dwellings. This revised figure was agreed by Cabinet in September 2014.

- 6.08 Most recently calculated (April 2014), the Council had a 2.1 year supply of housing assessed against the objectively assessed housing need of 18,600 dwellings. The Council is unable to demonstrate a 5 year supply of housing land.

- 6.09 This lack of a five year supply is a significant factor and at paragraph 49 of the NPPF it states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing (such as ENV28 which seeks to restrict housing outside of settlements) should not be considered up-to-date if a five year supply cannot be demonstrated. The presumption in favour of sustainable development in this situation means that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits of the application, when assessed against the policies of the NPPF as a whole.

- 6.10 Whilst it is acknowledged that the proposal site is within 300m of a bus stop on either side of Forstal Road that are served by regular bus services between Maidstone and Chatham, I am of the view that it is not in a

particularly sustainable location, however it is not so unsustainable to warrant refusal given the current policy climate and the lack of a five year land supply. I would also add that putting it into context this proposal is for a single dwelling only which would not generate significant numbers of vehicle movements to and from the site.

- 6.11 For the above reasons, I consider the policy principle of residential development at the site to be acceptable. The key issue is whether any adverse impacts of the development would significantly and demonstrably outweigh the benefits of the application, when assessed against the policies of the NPPF as a whole. I will now go on to consider the key planning issues.

## 7.0 **Visual impact**

- 7.01 In terms of the proposal's impact on the wider area, the proposal site is bordered by road to the south and west, and immediately beyond this are various buildings and areas of hardstanding and car parking (randomly dispersed) associated to the Kent Museum of Life, the hotel and the public house. In addition, the site's northern and eastern edges are bounded by the remaining garden area of 'Medway Cottage' and the front garden of 'Willow Lodge'; and beyond this is Forstal Road and the M20. With this considered, the proposal is not seen as a significant development that would prejudice the character and independence of Maidstone as a settlement. Moreover, views of the site would only be from short distance, what with it being well screened from Forstal Road and beyond; and given the site's location I cannot argue that a development of this nature here would erode the countryside hereabouts or have a significant impact on the character and appearance of the countryside that falls within a Special Landscape Area and Strategic Gap. The proposal site cannot be considered as 'isolated' in terms of the NPPF, and given the extent and variation of built development around the site I am satisfied that the indicative layout shown here would not be at odds with the prevailing pattern and grain of development in the area.
- 7.02 Indicatively, in terms of scale the proposal is for 1 detached dwelling that is 1.5 storey, measuring approximately 6.5m in height, and some 9m by 13m (117m<sup>2</sup>) in its footprint. The proposal site is relatively flat, and in my view a chalet-style bungalow design, with its low eaves height; the potential set back of 15m or more of the property from the road; the appropriate boundary treatments; and the retention and enhancement of the established landscaping, would minimise the visual impact of the proposed development on the wider area. Given the likely harm a dwelling taller than a chalet-style bungalow could have on the amenity of the area and the living conditions of the neighbours, I do consider it reasonable to ensure its scale by way of condition. With everything considered, I therefore raise no objection to there being a dwelling of this scale on this site.
- 7.03 Indicatively, in terms of layout the proposal shows a single detached property located close to the eastern boundary of the site, with a driveway and parking/turning area to the front; and its main garden area would be



to the south of the property. In my opinion the layout shown could be further improved by way of reducing the width of the driveway and the level of hardstanding shown; and by softening the scheme through appropriate native planting throughout the site. This said, the layout shown is indicative only and I am satisfied that it demonstrates that a proposal for a dwelling here is possible without the development appearing dominant, cramped, over engineered, or awkward in terms of layout. This said, I do consider it reasonable to control the siting of the dwelling, and in my view a minimum of a 10m set back from the proposal site's south-western boundary would ensure the visual amenity of the surrounding area, whilst also reflecting the generous set back of both 'Medway Cottage' and 'Willow Lodge'.

7.04 In terms of appearance, the applicant has not specifically shown what palette of external materials would be used (except for tile hanging elements and use of ragstone), both in terms of the building and the areas of hardstanding. However, I am satisfied that the the external built form of the development, in terms of its architecture, materials and surrounding finishes can be sufficiently dealt with by way of condition to ensure a satisfactory appearance to the development.

## 8.0 Access

8.01 The applicant has indicatively shown an access (both vehicle and pedestrian) into the site from the south-western boundary. On other highway matters I am of the view that adequate parking and turning facilities would be possible within the site; and the local road network would be able to cope with the addition of 1 new dwelling in this location. The KCC Highways Officer also raises no objection on these issues. The KCC Highways Officer also raises no objection to the proposal in terms of access and highway safety and I consider the details for this matter to be acceptable.

## 9.0 Landscaping

9.01 In terms of landscaping, the applicant has indicatively shown the existing south-western boundary to be enhanced with additional planting, although no other details have been provided.

9.02 There are no protected trees on or adjacent to the site, and the Landscape Officer raises no objection to the application on arboricultural grounds. As layout is not for consideration at this stage, I am satisfied that any potential impact on existing trees can be dealt with at the reserved matters stage. It is also important to ensure appropriate native planting on the site boundaries, and so a relevant landscaping condition will be duly added. Details for all boundary treatments would be secured by way of condition to ensure a satisfactory appearance to the development.

## 10.0 Other considerations

10.01 The application is in outline with all matters reserved, and so it is not known at this stage the position, design and scale of the dwelling.

However, I am of the view that a chalet-style bungalow could be sited here without causing unacceptable harm to the living conditions of the existing neighbouring properties; and without having an adverse impact on the residential amenity of future occupants. I therefore raise no concerns on this issue at this stage.

- 10.02 Given the scale, nature and location of the site, I am satisfied that there is unlikely to be potential harm caused to protected species and their habitats and therefore consider it unreasonable to request further details in this respect at this stage. However, in the interest of ecological enhancements, a condition will be imposed to ensure that when the reserved matters are submitted, the appearance of the building will include details of bat and/or bird boxes and swift bricks.
- 10.03 The applicant has confirmed that the proposal would achieve a minimum of code level 4 in terms of the Code for Sustainable Homes and this will be conditioned accordingly.
- 10.04 The Council's Environmental Health Officer raised no objections to the proposal and I am satisfied, given the proposal's location that no further details are required regarding noise, land contamination and air quality.
- 10.05 The site is within Flood Zone 1, as designated by the Environment Agency and the proposed dwelling would make use of a soakaway. With this considered, I am of the view that the proposal would not be prejudicial to flood flow, storage capacity and drainage within the area.

## **11.0 Conclusion**

- 11.01 The issues raised by the 1 neighbour have been dealt with in the main body of this report.
- 11.02 The proposed development is contrary to policy ENV28 in that it represents housing development outside a settlement boundary in the Local Plan. However, in the absence of a five year supply of housing the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and policies such as ENV28 cannot form grounds to object in principle.
- 11.03 The proposal site is not considered to be so unsustainable as to warrant refusal given the current land supply issue; and the visual impact of the proposal would be localised and would not result in any protrusion into open countryside. There are also no residential amenity, highway, landscape/arboricultural and ecological objections. Considering the low level of harm caused by the development, in the context of a lack of 5 year housing supply, I consider that the low adverse impacts would not significantly and demonstrably outweigh the benefits of this proposal. On balance, I consider that compliance with policy within the NPPF is sufficient grounds to depart from the adopted Local Plan. I therefore recommend approval subject to the appropriate conditions.

**RECOMMENDATION** – THE HEAD OF PLANNING BE GIVEN DELEGATED POWERS TO GRANT PLANNING PERMISSION SUBJECT TO THE EXPIRY OF THE NEWSPAPER ADVERT AND NO NEW ISSUES RAISED:

(1) The development shall not commence until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

a. Layout b. Appearance c. Landscaping d. Scale e. Access

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

(2) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved;

Reason: No such details have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

(3) The details of scale submitted pursuant to condition 1 above shall not have a dwelling exceeding 1.5 storey in height;

Reason: In the interests of visual amenity and to protect the amenities of the neighbouring occupiers.

(4) The details of layout submitted pursuant to condition 1 above shall have the dwelling set back a minimum of 10 metres from the south-western boundary of the site;

Reason: In the interests of visual amenity.

(5) The details of landscaping submitted pursuant to condition 1 shall provide for the following:

(i) Retention and strengthening of native planting along the south-western and south-eastern boundaries of the site.

Reason: To ensure a satisfactory appearance and setting to the development.

(6) The details of landscaping submitted pursuant to condition 1 above shall include a scheme of landscaping using indigenous species which shall be in accordance with BS:5837 (2012) 'Trees in relation to design, demolition and construction - Recommendations' with indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: To ensure a satisfactory setting and external appearance to the development.

(7) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development.

(8) The details of appearance of the building submitted pursuant to condition 1 above shall include details of bird and/or bat boxes/tubes/bricks and swift bricks;

Reason: In the interest of ecological enhancement.

(9) The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of any buildings and hard surfaces have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

(10) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of the locations, heights, designs, materials and types of all boundary treatments to be erected on site. The boundary treatments shall be completed in strict accordance with the approved details before the dwellings hereby approved are occupied.

Reason: In the interests of visual amenity, privacy and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings.

(11) The dwelling shall achieve at least Level 4 of the Code for Sustainable Homes. The dwelling shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.

Reason: to ensure a sustainable and energy efficient form of development.

## INFORMATIVES

(1) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

(2) Attention is drawn to Sections 60 & 61 of the COPA 1974 and to the Associated British Standard COP BS 5228: 2009 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the Environmental Health Team regarding noise control requirements.

(3) Clearance and burning of existing woodland or rubbish must be carried without nuisance from smoke etc. to nearby residential properties.

(4) Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

(5) Vehicles may only arrive, depart, be loaded or unloaded within the general site between the hours of 0800 hours and 1900 Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.

(6) Adequate and suitable provision in the form of water sprays should be used to reduce dust from the site.

Case Officer: Kathryn Altieri

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website. The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

**Item 22, Page 159**

**MEDWAY COTTAGE, FORSTAL ROAD,  
SANDLING, KENT, ME14 3AR**

**Reference number: 14/504931**

The Case Officer's recommendation should be amended to read;

THE HEAD OF PLANNING BE GIVEN DELEGATED POWERS TO GRANT PLANNING PERMISSION SUBJECT TO THE EXPIRY OF THE NEWSPAPER ADVERT AND NO **MATERIAL** NEW ISSUES RAISED:

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05.12.2014

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05.12.2014



A paved road with a concrete curb on the left and a grassy area with a fence. The road is lined with trees, some with yellow autumn foliage. The number 47 is written vertically on the left side of the image.

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05.12.2014

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05.12.2014

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05.12.2014

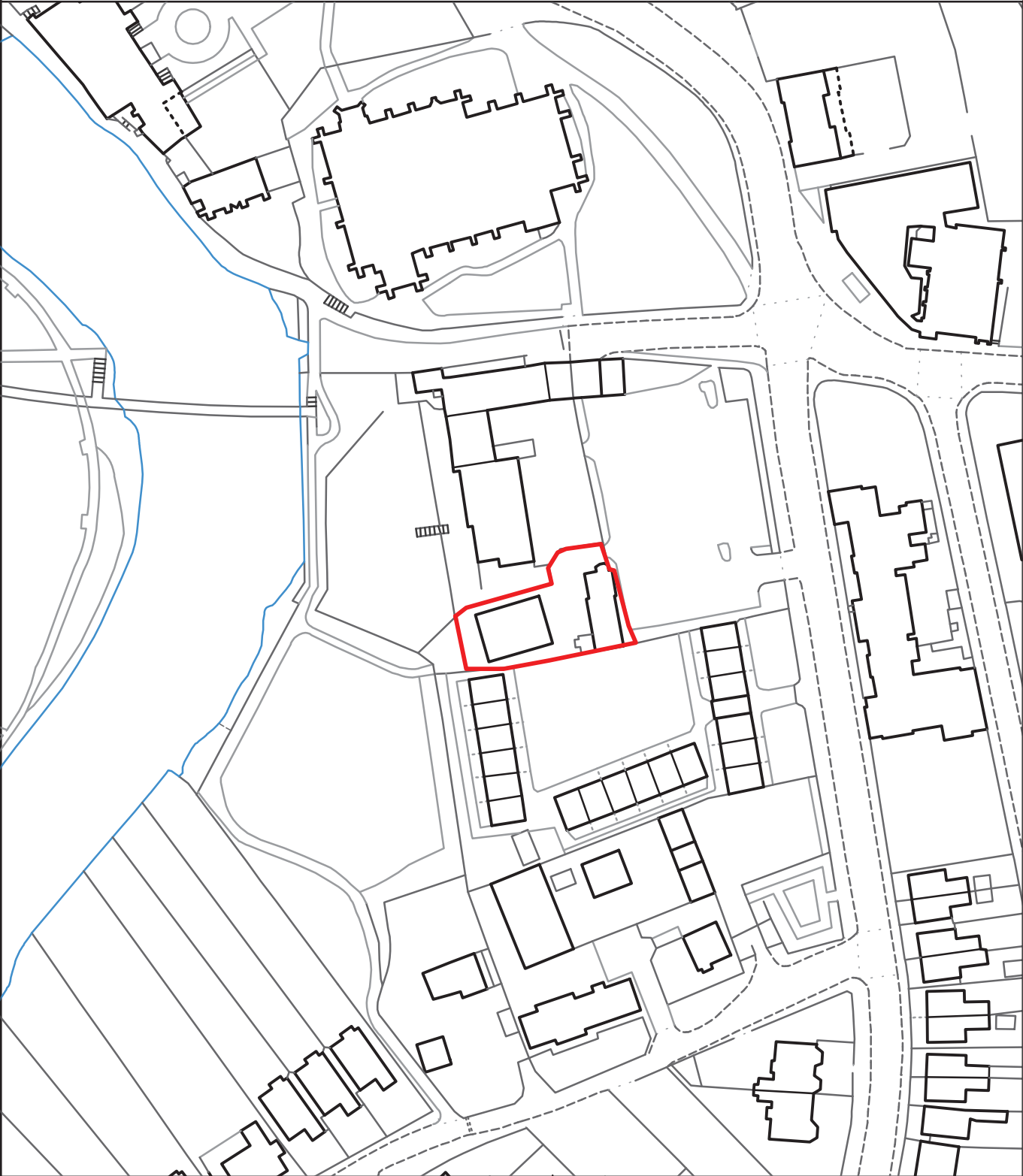
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05.12.2014

# THE MAIDSTONE BOROUGH COUNCIL

The Masters Tower  
College Road  
Maidstone  
Kent  
ME15 6YF

MBC Ref: 14/505200



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**Rob Jarman**  
Head of Planning

**REPORT SUMMARY**

<b>REFERENCE NO - 14/505200/LBC</b>			
<b>APPLICATION PROPOSAL</b> Listed building consent for widening of existing gated opening including demolition of an existing section of wall.			
<b>ADDRESS</b> The Master's Tower, College Road, Maidstone, Kent ME15 6YF			
<b>RECOMMENDATION – Approve</b>			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> There would be minimal loss of historical fabric involved in the proposed alterations and therefore the proposed development is considered acceptable in heritage terms.			
<b>REASON FOR REFERRAL TO COMMITTEE</b> The applicant is Maidstone Borough Council			
<b>WARD</b> High Street Ward	<b>PARISH/TOWN COUNCIL</b>	<b>APPLICANT</b> Mr Tom Hayes <b>AGENT</b>	
<b>DECISION DUE DATE</b> 20/01/15	<b>PUBLICITY EXPIRY DATE</b> 20/01/15	<b>OFFICER SITE VISIT DATE</b> 12/12/2014	
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
14/506681/FULL	The proposal is to widen the existing gated opening to provide vehicular access.	Recommending Approval	
MA/01/1417 & MA/01/1418	'Old College' - An application for listed building consent and planning permission for the installation of a new metal vertical bar railing fence on the existing brick wall and gate across central stairs, at the rear of the property.	Approved	18.01.2002
MA/05/2438	An application for listed building consent for the removal of softwood gates and section of ragstone wall at The Masters House	Approved	13.04.2006
MA/07/2323	Construction of new railings and gates at The Masters House	Approved	11.02.2008

**MAIN REPORT**

**1.0 DESCRIPTION OF SITE**

- 1.01 The application site is located within the town centre as outlined on the Maidstone Borough Wide Local Plan Proposals Map, adopted December 2002. The Masters Tower is Grade II listed, and is located within the All Saints Church Conservation Area, and the College of All Saints is a Scheduled Ancient Monument. The immediate area of the site has a collection of historical buildings including the Archbishops Palace.
- 1.02 A public car park is located between the site and College Road, and there is a further private car park located between the boundary of the site and the nearby The Masters House.

- 1.03 The Master's Tower is a two storey building made from Kentish ragstone, with a pyramidal tiled roof, which was originally used as the main entrance gateway to the College from the river.
- 1.04 The application refers an alteration to existing gated opening on the east elevation of the building which is currently used by The Sea Cadets to gain access to the River Medway. The existing gate is visible from the east and west elevations of the site, and from the public car park off College Road.

## **2.0 PROPOSAL**

- 2.01 The applicant is seeking to gain listed building consent for alterations to an existing gated opening adjacent to The Master's Towers.
- 2.02 This will include demolition of a small section of Kentish ragstone wall to accommodate the proposal for the widening the existing gate. A 1m section of the wall will be removed to accommodate the widened gate. This will leave a 1.1m gap along the existing wall before the edge of The Master's Towers.
- 2.03 The gates will be in the same style as the existing gate, made from iron, in black with a decorative design. They will cover a width of 3.1m rather than 2.1m as existing.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Development Plan: N/A

## **4.0 LOCAL REPRESENTATIONS**

- 4.01 The site notice was displayed on a lamp post along College Road, next to the car park adjacent to the site. No comments have been made by members of the public.

## **5.0 CONSULTATIONS**

- 5.01 English Heritage, 30.12.14

*"We do not have specific comments to make regarding the Listed Building Consent in relation to the widening of the gateway, however we note that the ground underneath the gate and wall are part of the scheduled monument known as The College of All Saints (National Heritage List no 1011029). It is not clear from the plans submitted with the application whether any groundwork's will be required, for example for insertion of a new gatepost or wall foundation, but if groundwork's are required, then the applicant will also need to obtain Scheduled Monument Consent (SMC) for this modification."*

- 5.02 Conservation, 23.12.14

*"This access has been altered a number of times since the 1950s and the section of wall now proposed for removal seems largely to consist of modern work which blocked a pedestrian gate which existed in 1955. There would therefore appear to be minimal loss of any historic fabric involved in these proposed alterations."*

*RAISES NO OBJECTION to this application on heritage grounds subject to a condition requiring the submission of large scale drawings to show the design of the proposed gates and details of their fixing to the wall."*

## **6.0 APPRAISAL**

### **6.01 Impact on Heritage Asset**

As this is a Listed Building Application, only the impact on the character of the listed building can be assessed and not other planning issues.

The proposal would result in a 1m section of the existing wall being demolished, and replaced with a widened gate. This point of access has been altered a number of times since the 1950's and this section of wall largely consists of modern work which blocked a pedestrian gate which existed in 1955. Therefore the loss of this section of wall would result in a minimal loss of historic fabric.

A 1m gap between the widened gate and The Masters Tower will remain, and the proposed gate is proposed to match the existing gate, I would not consider that the proposals cause significant harm to the heritage of The Master's Towers, other nearby listed buildings or to the character of the conservation area.

The proposals do not show detailed designs of the gates or their fixtures to the walls, this will be addressed via a condition. No groundwork's appear to be required as the gate appears to be fixed to the wall, therefore Scheduled Monument Consent would not be necessary, however this information has been included as an informative.

English Heritage and MBC's Conservation Officer made no objections to this proposal, there would be no significant harm caused to either the listed building or character of the conservation area, therefore I am recommending approval subject to conditions.

## **7.0 RECOMMENDATION – Approve subject to the following conditions**

CONDITIONS to include

1. The works to which this consent relates must be begun before the expiration of three years from the date of this consent;

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of the development, submission of large scale drawings showing the design of the proposed gates and their fixing to the wall must be submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure the appearance and the character of the listed building and conservation area is maintained.



INFORMATIVES

(1) The ground underneath the gate and wall are part of the scheduled monument known as The College of All Saints. If any groundwork's are required (e.g. the insertion of a new gatepost or wall foundation) then Scheduled Monument Consent will need to be obtained before works begin.

Case Officer: Corinna Griffiths

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.  
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

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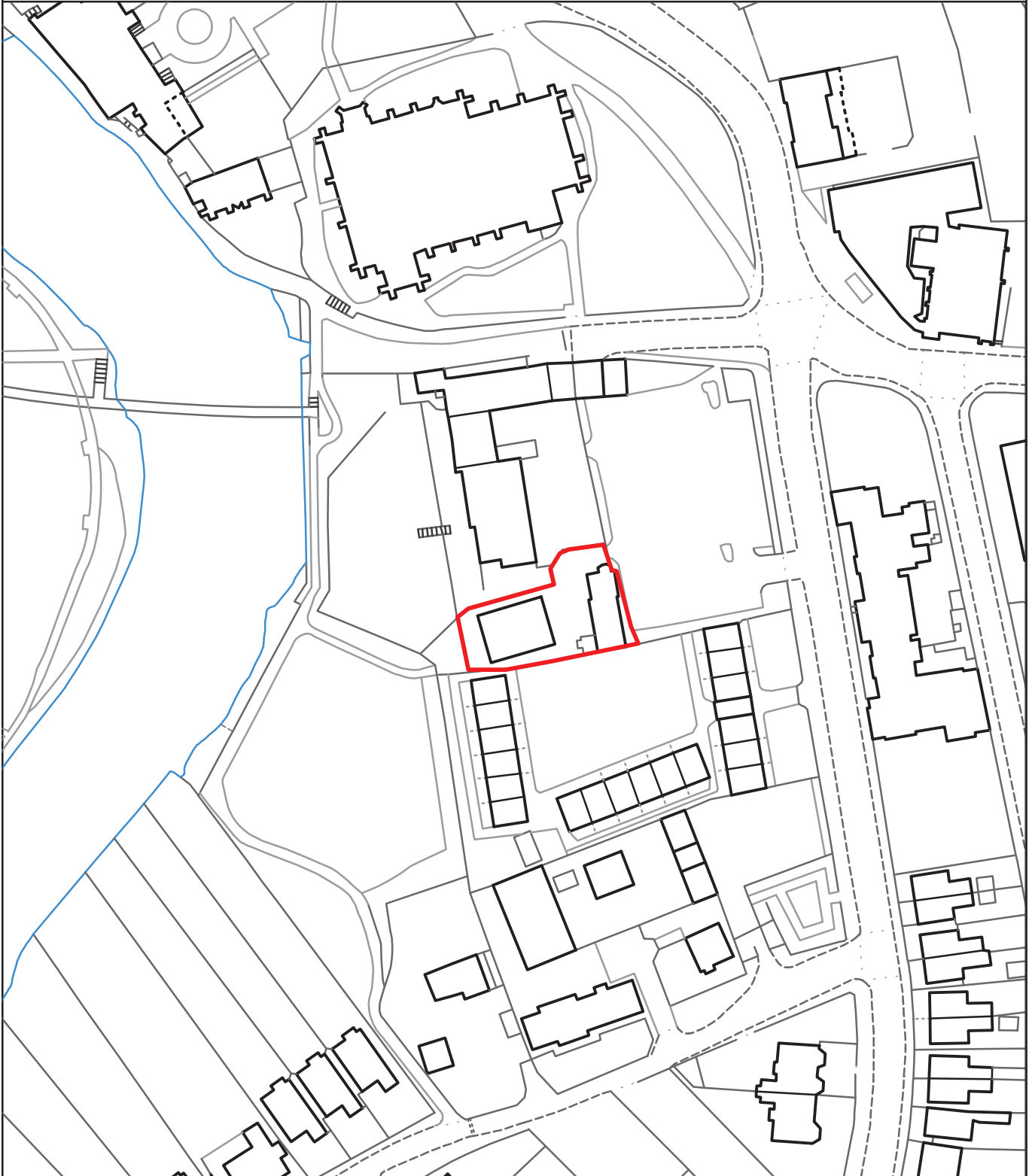


# Agenda Item 14

## THE MAIDSTONE BOROUGH COUNCIL

Masters Tower  
The Old College  
College Road  
Maidstone, Kent  
ME15 9YQ

MBC Ref: 14/506681



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**Rob Jarman**  
Head of Planning

**REPORT SUMMARY**

<b>REFERENCE NO - 14/506681/FULL</b>			
<b>APPLICATION PROPOSAL</b> The proposal is to widen the existing gated opening to provide vehicular access.			
<b>ADDRESS</b> Masters Tower The Old College College Road Maidstone Kent ME15 9YQ			
<b>RECOMMENDATION Approve</b>			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The proposals would result in a minimal loss of historic fabric, and would not cause harm to visual impact, residential amenity, highways and landscaping, and therefore the development is considered acceptable.			
<b>REASON FOR REFERRAL TO COMMITTEE</b> The applicant is Maidstone Borough Council			
<b>WARD</b> High Street Ward	<b>PARISH/TOWN COUNCIL</b>	<b>APPLICANT</b> Mr Tom Hayes <b>AGENT</b>	
<b>DECISION DUE DATE</b> 13/04/15	<b>PUBLICITY EXPIRY DATE</b> 13/04/15	<b>OFFICER SITE VISIT DATE</b> 25/02/2015	
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
14/505200/LBC	Listed building consent for widening of existing gated opening including demolition of an existing section of wall.	Approve (Recommended)	TBC
MA/01/1417 & MA/01/1418	'Old College' - An application for listed building consent and planning permission for the installation of a new metal vertical bar railing fence on the existing brick wall and gate across central stairs, at the rear of the property.	Approved	18.01.2002
MA/05/2438	An application for listed building consent for the removal of softwood gates and section of ragstone wall at The Masters House	Approved	13.04.2006
MA/07/2323	Construction of new railings and gates at The Masters House	Approved	11.02.2008

**MAIN REPORT**

**1.0 DESCRIPTION OF SITE**

1.01 The application site is located within the town centre as outlined on the Maidstone Borough Wide Local Plan Proposals Map, adopted December 2002. The Masters Tower is Grade II listed, and is located within the All Saints Church Conservation Area, and the College of All Saints is a Scheduled Ancient Monument. The immediate area of the site has a collection of historical buildings including the Archbishops Palace.

- 1.02 A public car park is located between the site and College Road, and there is a further private car park located between the boundary of the site and the nearby The Masters House.
- 1.03 The Master's Tower is a two storey building made from Kentish ragstone, with a pyramidal tiled roof, which was originally used as the main entrance gateway to the College from the river.
- 1.04 The application refers an alteration to existing gated opening on the east elevation of the building which is currently used by The Sea Cadets to gain access to the River Medway. The existing gate is visible from the east and west elevations of the site, and from the public car park off College Road.

## **2.0 PROPOSAL**

- 2.01 The applicant is seeking planning permission for alterations to an existing gated opening adjacent to The Master's Towers.
- 2.02 This will include demolition of a small section of Kentish ragstone wall to accommodate the proposal for the widening the existing gate. A 1m section of the wall will be removed to accommodate the widened gate. This will leave a 1.1m gap along the existing wall before the edge of The Master's Towers.
- 2.03 The gates will be in the same style as the existing gate, made from iron, in black with a decorative design. They will cover a width of 3.1m rather than 2.1m as existing.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF): Paragraphs 126 – 141  
National Planning Practice Guidance (NPPG)  
Development Plan: N/A

## **4.0 LOCAL REPRESENTATIONS**

- 4.01 The site notice was displayed on a lamp post along College Road, next to the car park adjacent to the site. No comments have been made by members of the public.

## **5.0 CONSULTATIONS**

- 5.01 English Heritage, 30.12.14

*"We do not have specific comments to make regarding the Listed Building Consent in relation to the widening of the gateway, however we note that the ground underneath the gate and wall are part of the scheduled monument known as The College of All Saints (National Heritage List no 1011029). It is not clear from the plans submitted with the application whether any groundwork's will be required, for example for insertion of a new gatepost or wall foundation, but if groundwork's are required, then the applicant will also need to obtain Scheduled Monument Consent (SMC) for this modification."*

- 5.02 Conservation, 23.12.14

*"This access has been altered a number of times since the 1950s and the section of wall now proposed for removal seems largely to consist of modern work which blocked a*



*pedestrian gate which existed in 1955. There would therefore appear to be minimal loss of any historic fabric involved in these proposed alterations.*

*RAISES NO OBJECTION to this application on heritage grounds subject to a condition requiring the submission of large scale drawings to show the design of the proposed gates and details of their fixing to the wall.”*

## **6.0 APPRAISAL**

### **Principle of Development**

- 6.01 There are no specific policies in the Maidstone Borough Wide Local Plan which refer to the demolition of wall affecting a listed building. Chapter 12 of the NPPF ‘Conserving and enhancing the historic environment’ outlines the importance of heritage assets and how planning applications should be determined. The applicant has applied for listed building consent (ref 14/505200/LBC) which is recommended for approval as the impact on the heritage assets would be minimal.

The principle of development for the widening of the gate is considered acceptable.

### **Visual Impact**

- 6.02 The proposals will widen the existing gated opening at The Masters Tower, involving the demolition of a 1m section of ragstone wall. The gates will be replaced with gates of the same design or a black decorative design iron gate. The change in visual impact would be minimal, not causing significant harm to any users of this area, nor would it harm the character or setting of the Grade II listed building or conservation area. In terms of visual impact the proposal is acceptable.

### **Residential Amenity**

- 6.03 The proposals would have no impact on residential amenity.

### **Highways and Access**

- 6.04 The proposals alter an existing gate within the site, used to access the River Medway by the Sea Cadets to improve the ease of access for their boat. It would have a negligible impact upon the buildings users, or public car park users. It would no impact on the public transport network or highways.

### **Landscaping**

- 6.05 The proposals will have no impact on landscaping of the site.

### **6.06 Impact on Heritage Asset**

This point of access has been altered a number of times since the 1950’s and this section of wall largely consists of modern work which blocked a pedestrian gate which existed in 1955. Therefore the loss of this section of wall would result in a minimal loss of historic fabric.

A 1m gap between the widened gate and The Masters Tower will remain, and the proposed gate is proposed to match the existing gate, I would not consider that the

proposals cause significant harm to the heritage of The Master's Towers, other nearby listed buildings or to the character of the conservation area.

## **7.0 CONCLUSION**

7.01 For the above reasons it is recommended that planning permission is granted.

## **8.0 RECOMMENDATION – GRANT** Subject to the following conditions

CONDITIONS to include

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of the development, submission of large scale drawings showing the design of the proposed gates and their fixing to the wall must be submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure the appearance and the character of the listed building and conservation area is maintained.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Elevations, Proposed Plan View both received 22<sup>nd</sup> December 2014.

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

## INFORMATIVES

Case Officer: Corinna Griffiths

- NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.  
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

Additional Comments & Condition

The Principal Conservation Officer has submitted additional comments on 10/03/2015 to those outlined on the committee report.

*“Listed Building Consent is also required for these works.*

*The ragstone wall in which the existing gate sits is difficult to date and is not all of the same build. It is likely that the original structure is of late 18<sup>th</sup> or early 19<sup>th</sup> Century date; however, it has been much altered in the late 20<sup>th</sup> Century. Plans submitted in 1955 in relation to the creation of the adjacent public car park show the wall to have two pedestrian-sized openings either side of a central section of wall. The extreme northern end of the section of wall now proposed for removal is formed of squared blocks of ragstone as opposed to the random rubble of the rest of the wall to the south and appears to represent the last remaining section of the central part of the wall as it existed in 1955; the rest of the wall now proposed for removal appears to be infill of one of the pedestrian gates which were there in 1955.*

*Plans submitted in 1959 for the use of the building by the sea cadets show the kerb line curving in as it currently remains but do not show the arrangement of openings in the wall. The southern half of the existing double gate appears to occupy area which was wall in 1955. There is no record of planning permission ever having been sought for these various alterations to the wall but I consider it likely that the existing arrangement dates from circa 1959-60 when the sea cadets moved in*

*Given the alterations which have taken place to this wall since 1955 and the minimal amount of historic fabric which would need to be removed to facilitate the wider gate I do not consider that the proposals will cause any harm to significance. The design of the wider gate matches the existing and I consider it to be acceptable.*

*I **RAISE NO OBJECTION** to this application on heritage grounds subject to a condition requiring the salvage and re-use of the existing squared ragstone blocks to form the new termination of the wall.”*

In light of the additional comments provided by the Conservation Officer an additional condition is recommended regarding the re-use of the existing ragstone blocks;

Condition 4

The existing squared ragstone blocks on the section of wall to be demolished shall be salvaged and re-used to form the new termination of the wall.

Reason: To ensure the appearance and the character of the listed building and conservation

**The recommendation remains unchanged**



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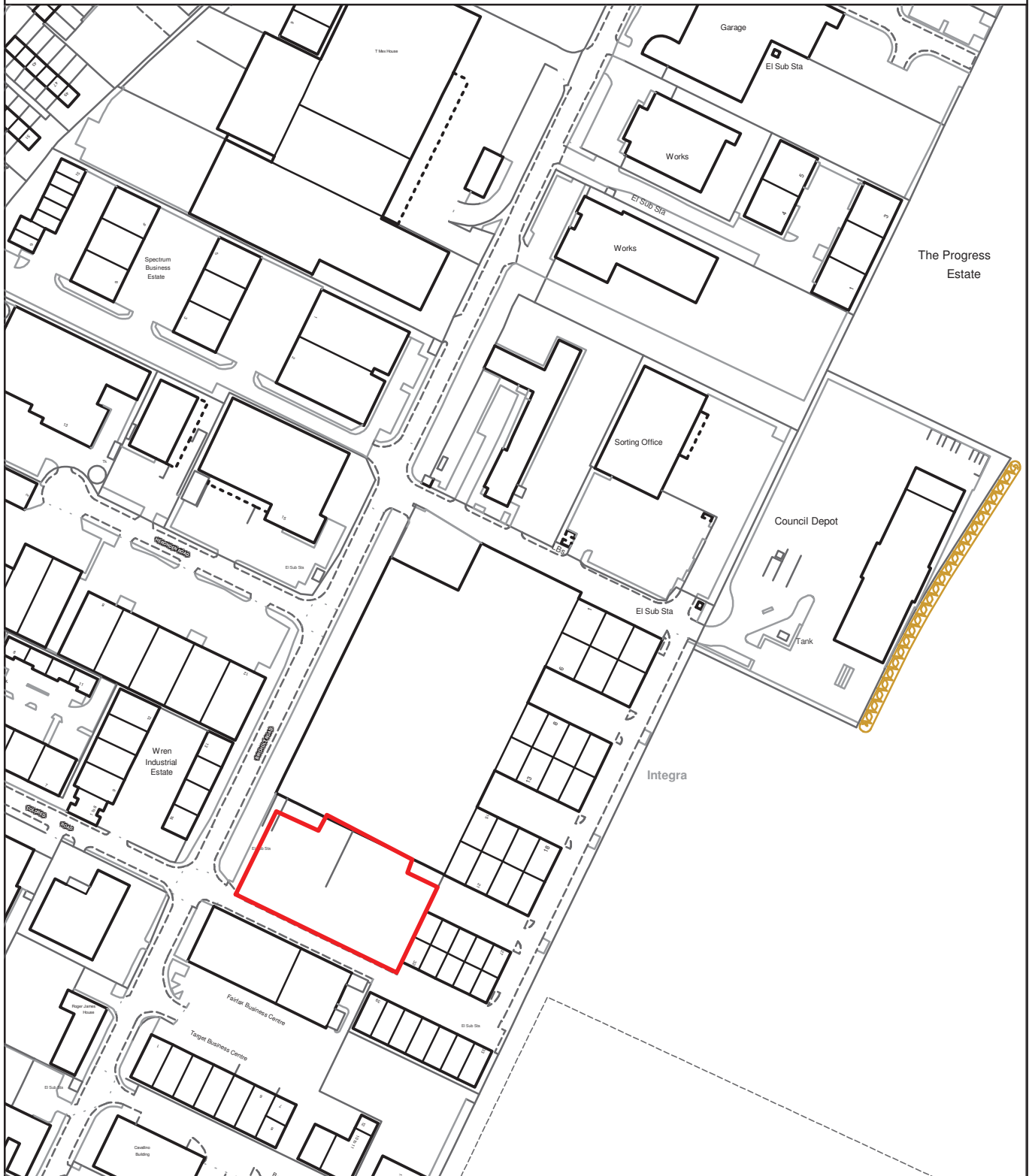


# Agenda Item 15

## THE MAIDSTONE BOROUGH COUNCIL

Integra  
Bircholt Road  
Maidstone  
Kent  
ME15 9GQ

MBC Ref: 14/506715



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**Rob Jarman**  
Head of Planning



**REPORT SUMMARY**

<b>REFERENCE NO - 14/506715/FULL</b>		
<b>APPLICATION PROPOSAL</b> Installation of mezzanine floors to be used as B8 (Storage and Distribution) use, and the installation of two new windows as shown on drawing numbers DMWR/A1/3006/PL-10005; dated 19/12/14, DMWR/A1/3006/PL-10111 REV A; dated 08/12/2014, DMWR/A1/3006/PL-10302; dated 09/12/14, Transport Statement by Vectos; dated January 2014 and Transport Technical Note by DW Transportation; dated December 2014		
<b>ADDRESS</b> Integra Bircholt Road Maidstone Kent ME15 9GQ		
<b>RECOMMENDATION:</b> Approve with conditions		
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL</b>  The proposal site is located within a designated employment site and is in accordance with policy ED2 of the MBWLP and the National Planning Policy Framework (NPPF) which seeks to promote sustainable economic growth.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Maidstone Borough Council owns the land		
<b>WARD</b> Park Wood Ward	<b>PARISH/TOWN COUNCIL</b> Boughton Monchelsea	<b>APPLICANT</b> Mr Howard Moss <b>AGENT</b> Mr Shawn Cullen
<b>DECISION DUE DATE</b> 05/03/15	<b>PUBLICITY EXPIRY DATE</b> 05/03/15	<b>OFFICER SITE VISIT DATE</b> 19/01/15

**POLICIES**

Maidstone Borough-Wide Local Plan 2000: R18(iii), ED2(iv), T13  
 Government Policy: National Planning Policy Framework  
 Planning for Growth Ministerial Statement (March 2011)  
 National Planning Practice Guidance  
 Draft Local Plan Policy: SP2, DM17

**RELEVANT HISTORY**

14/0555 – Installation of mezzanine floor for additional office space – approved with conditions

14/0145 – Application for full planning permission for the erection of 7 units for a mixture of B1, B2 and B8 uses, including the renovation of the existing – Approved with conditions

12/1524 - Variation of condition 6 of permission MA/07/1094 (Erection of 40 Commercial units for a mixture of B1, B2 and B8 use and renovation of existing building) to allow the creation of a mezzanine floor for storage purposes only within Unit 3 'Intregrame' - Approved with conditions

MA/09/1869 - Variation to condition 6 of MA/07/1094 – Approved with Conditions

MA/09/1292 - Provision of mezzanine floor to provide storage and office space, tea station, and service cupboard – Approved with conditions

MA/09/0072 - Provision of mezzanine floor to create two offices, a store room and goods store area – Approved with conditions

07/1094 - Erection of 40 Commercial units for a mixture of B1, B2 and B8 use and renovation of existing building – Approved with conditions

MA/06/1211 - Erection of 41 Industrial Units comprising a mixture of B1, B2 and B8 use and renovation of existing building – Approved with conditions

### **CONSULTATIONS**

**Boughton Monchelsea Parish Council:** Gave no response.

**KCC Highways Officer:** Raises no objection.

**Environmental Health Officer:** Raises no objections.

### **REPRESENTATIONS**

No representations received.

### **DESCRIPTION OF SITE**

The application site relates to Block H at Integra Business Park, Bircholt Road which is occupied by five units with B1, B2 and B8 uses. Block H has allocated parking for 54 cars within the site around the perimeter of the building. .

The application site is within the defined urban area and is a designated employment/car showroom area as shown by the Maidstone Borough-Wide Local Plan 2000 (MBWLP).

### **PROPOSAL**

The proposal is for the installation of a mezzanine floor in block H located at the front of the site. Mezzanine floor is proposed in five units and would be utilised for additional B8 use. The total floor space created would measure some 535m<sup>2</sup>, four of the units would increase by some 97m<sup>2</sup> while a fifth unit would increase by some 147 m<sup>2</sup>. Two new windows are proposed in the northeast elevation in Unit H3. The existing floor space measures 1514 m<sup>2</sup> and the proposal would increase this to 2049m<sup>2</sup> – a 30% increase.

### **Principle of development**

The proposal site is located within a designated employment site under policy ED2 of the MBWLP, as well as within an area where vehicle showrooms are permitted under policy R18 of the MBWLP. Given the existing use of the site and the ancillary nature and use of the proposal, I am satisfied that the development under consideration here would be in accordance with these policies.

The proposal is also in line with the National Planning Policy Framework (NPPF) which seeks to promote sustainable economic growth. Indeed, a key reason for the proposal here is to maximise the site's economic potential.

The principle use of the Block H has been established as being a mix of B1, B2 and B8 under MA/07/1094. The issue to consider here is the impact of the proposed mezzanine floor, and whether there is sufficient parking for the floorspace proposed.

### **Highway safety implications**

The reason for restricting the level of floor space to each unit is to ensure that the car parking provided continues to meet the needs of the building approved in the interests of highway safety.

The proposed mezzanine floor would increase the overall floor area of Block H by 535m<sup>2</sup>. Block H has the benefit of 54 parking spaces at present. There are currently no locally adopted parking standards, but as guidance only the Kent County Council Supplementary Planning Guidance (SPG 4) – ‘Kent Vehicle Parking Standards’ is of use. These standards indicate that Block H should provide 60 parking spaces if it increased by 535m<sup>2</sup>, six more spaces than at present. Given the shortfall in spaces the applicant has submitted a Transport Statement to assess the level of parking provision and trip generation.

The Transport Statement has been reviewed by KCC Highways who raise no objections to the shortfall of 6 parking spaces in this instance.

Given the relatively minor shortfall in parking provision I am satisfied that the parking provision available is acceptable and therefore raise no objection on highway safety grounds.

The proposal site lies within an established business area and it does make use of the existing access; and I would not expect the proposal to lead to a significant increase in traffic movements to and from the site as confirmed by the Transport Statement.

#### **Design, siting and appearance**

The proposed mezzanine floors are internal alteration and the addition of two new windows in the northeast elevation would have a limited impact on the external appearance of the building. I am therefore of the view that the proposal would not appear visually harmful to the character of the building and the surrounding area.

#### **Residential amenity**

There are no residential properties within a significant distance of this proposal which is for internal alterations only. I am therefore satisfied that the proposed works would not have an adverse impact on the amenity of any residential occupant.

#### **Other considerations**

There is no ecological, drainage or arboricultural issues to consider as part of this planning application.

#### **CONCLUSION**

Boughton Monchelsea Parish Council gave no response and so it is therefore assumed that they raise no objection.

I therefore consider that this proposal is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant and recommend conditional approval of the application on this basis.

#### **11.0 RECOMMENDATION – GRANT Subject to the following conditions**

CONDITIONS to include

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Nos. as shown on drawing numbers DMWR/A1/3006/PL-10005; dated 19/12/14, DMWR/A1/3006/PL-10111 REV A; dated 08/12/2014, DMWR/A1/3006/PL-10302; dated 09/12/14, Transport Statement by Vectos; dated January 2014 and Transport Technical Note by DW Transportation; dated December 2014

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

## INFORMATIVES

to Applicant: APPROVAL

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

Case Officer: Andrew Jolly

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.



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NO ENTRY



# Agenda Item 16

## **THE MAIDSTONE BOROUGH COUNCIL** **PLANNING COMMITTEE – 19<sup>th</sup> March 2015**

### **APPEAL DECISIONS:**

- 1. MA/13/2215** Use of land for the stationing of a mobile home, a touring caravan and a dayroom for one gypsy/traveller family

**APPEAL:** Allowed with Conditions

Land Rear of The Meadows, Lenham Road,  
Headcorn, TN27 9LG

(Committee Decision)

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- 2. MA/14/0651** Change of use of existing outbuilding for use as a separate dwelling

**APPEAL:** Allowed

1 Bockingford Mill Cottages, Bockingford Lane,  
Maidstone, ME15 6DP

(Delegated Decision)

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- 3. MA/14/0606** Detached garden room/playroom in rear garden (Amended proposal following previous refusal MA/13/1219).

**APPEAL:** Dismissed

25 Marion Crescent, Maidstone, ME15 7DZ

(Delegated Decision)

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- 4. MA/14/501365** Detached Garden Room and Playroom to the rear garden.

**APPEAL:** Dismissed

27 Marion Crescent, Maidstone, ME15 7DZ

(Delegated Decision)

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- 5. MA/13/2182** Application for the removal of condition 2 of permission MA/12/1699 (Extension and conversion of stable to



form two holiday lets) so that the building can be used as two dwellings

**APPEAL:** Dismissed

27 Broomfields, Hogbarn Lane, Harrietsham,  
ME17 1NZ

(Delegated Decision)

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