

PLANNING COMMITTEE MEETING

Date: Thursday 10 January 2019
Time: 6.00 p.m.
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Adkinson, Bartlett, Boughton, English (Chairman), Harwood, Kimmance, Munford, Parfitt-Reid, Perry, Round (Vice-Chairman), Spooner, Vizzard and Wilby

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

AGENDA

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Items withdrawn from the Agenda
5. Date of Adjourned Meeting - 17 January 2019
6. Any business the Chairman regards as urgent including the urgent update report as it relates to matters to be considered at the meeting
7. Disclosures by Members and Officers
8. Disclosures of lobbying
9. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
10. Minutes of the meeting held on 13 December 2018 1 - 5
11. Presentation of Petitions (if any)
12. Deferred Item 6
13. 18/503410 - 130 Upper Fant Road, Maidstone, Kent 7 - 16
14. 18/505243 - 99 Sutton Road, Maidstone, Kent 17 - 24

Issued on Wednesday 2 January 2019

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

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.

For full details of all papers relevant to the applications on the agenda, please refer to the public access pages on the Maidstone Borough Council website. Background documents are available for inspection by appointment during normal office hours at the Maidstone Borough Council Reception, King Street, Maidstone, Kent ME15 6JQ.

PUBLIC SPEAKING AND ALTERNATIVE FORMATS

If you require this information in an alternative format please contact us, call **01622 602899** or email committee@maidstone.gov.uk.

In order to speak at this meeting, please contact Democratic Services using the contact details above, by 4 p.m. on the working day before the meeting. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated for each application on a first come, first served basis.

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MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 13 DECEMBER 2018

Present: Councillor English (Chairman) and Councillors Adkinson, Bartlett, Mrs Gooch, Harwood, Kimmance, Parfitt-Reid, Perry, Round, Spooner, Vizzard and Wilby

Also Present: Councillors McLoughlin and Powell

218. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Boughton and Munford.

219. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Mrs Gooch was substituting for Councillor Munford.

220. NOTIFICATION OF VISITING MEMBERS

Councillor McLoughlin indicated his wish to speak on the report of the Head of Planning and Development relating to application 18/505509/FULL (Marden Primary School, Goudhurst Road, Marden, Kent).

Councillor Powell attended the meeting as an observer.

221. ITEMS WITHDRAWN FROM THE AGENDA

18/505289/FULL - DEMOLITION OF EXISTING DWELLING (LOXLEY HOUSE) AND ERECTION OF A REPLACEMENT DWELLING WITH AMENITY SPACE, PARKING, LANDSCAPING AND ACCESS (RESUBMISSION OF 18/503087/FULL) - LOXLEY HOUSE, GRAVELLY BOTTOM ROAD, KINGSWOOD, MAIDSTONE, KENT

The Committee was informed that this application had been withdrawn by the applicant following publication of the agenda.

222. URGENT ITEMS

The Chairman stated that, in his opinion, the update reports of the Head of Planning and Development should be taken as urgent items as they contained further information relating to the applications to be considered at the meeting.

223. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the report of the Head of Planning and Development relating to application 18/505509/FULL (Marden Primary School, Goudhurst Road, Marden, Kent), Councillor Mrs Gooch stated that her daughter was a teacher at the School. However, this connection did not affect in any way her view of the application.

224. DISCLOSURES OF LOBBYING

All Members stated that they had been lobbied on the report of the Head of Planning and Development relating to application 17/505255/FULL (La Rochelle, Church Lane, Harrietsham, Maidstone, Kent).

Councillor Harwood stated that he had been lobbied on the report of the Head of Planning and Development relating to application 18/505509/FULL (Marden Primary School, Goudhurst Road, Marden, Kent).

225. EXEMPT ITEMS

RESOLVED: That the exempt Appendix to the report of the Head of Planning and Development relating to application 18/505491/FULL (High Winds, Gallants Lane, East Farleigh, Maidstone, Kent) be considered in public, but the information contained therein should remain private. However, if Members wish to receive further representations from the applicant or to discuss the information contained in the exempt Appendix, it will be necessary to exclude the public from the meeting because of the likely disclosure of exempt information pursuant to paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 (Information relating to an Individual), having applied the Public Interest Test.

226. MINUTES OF THE MEETING HELD ON 29 NOVEMBER 2018

RESOLVED: That the Minutes of the meeting held on 29 November 2018 be approved as a correct record and signed.

227. PRESENTATION OF PETITIONS

There were no petitions.

228. DEFERRED ITEM

18/503763/FULL - ERECTION OF TWO NEW DWELLINGS - LAND TO THE REAR OF 244 - 250 UPPER FANT ROAD, MAIDSTONE, KENT

The Development Manager said that he had nothing further to report in respect of this application at present.

229. 18/505491/FULL - VARIATION OF CONDITION 1 OF APPLICATION 15/507478/FULL (VARIATION OF CONDITION 1 OF MA/12/119) TO ALLOW THE MOBILE HOME TO BE RETAINED AT THE SITE AS THE

OCCUPIER STILL RESIDES THERE - HIGH WINDS, GALLANTS LANE, EAST FARLEIGH, MAIDSTONE, KENT

The Committee considered the report of the Head of Planning and Development.

RESOLVED: That subject to no new matters being raised as a result of the application being advertised as a departure from the Development Plan, the Head of Planning and Development be given delegated powers to grant permission subject to the condition set out in the report.

Voting: 12 – For 0 – Against 0 – Abstentions

230. 18/505509/FULL - CREATION OF A MINI PITCH INCLUDING INSTALLATION OF ASSOCIATED PERIMETER BALL STOP BARRIER AND FENCING, ACOUSTIC BARRIER AND SITE-WIDE SECURITY FENCING, FLOODLIGHTS, HARD STANDING AREAS AND PREFABRICATED TOILET UNIT AND SOFT LANDSCAPING (RESUBMISSION OF 18/502804/FULL) - MARDEN PRIMARY SCHOOL, GOUDHURST ROAD, MARDEN, KENT

The Committee considered the report and the urgent update report of the Head of Planning and Development.

Mrs Tarry, an objector, Councillor Mannington of Marden Parish Council, Mr Weir, for the applicant, and Councillor McLoughlin (Visiting Member) addressed the meeting.

RESOLVED: That

1. The Head of Planning and Development be given delegated powers to grant permission subject to:
 - (a) Negotiations to secure the inclusion of a planted bund in the gap between the new pitch and the residential area to mitigate against noise;
 - (b) The conditions and informative set out in the report; and
 - (c) Any additional/amended conditions that may be necessary as a consequence of the negotiations pursuant to (a) above.
2. If the Head of Planning and Development is unable to secure the inclusion of the planted bund, the application is to be reported back to the Committee.

Voting: 7 – For 4 – Against 1 – Abstention

231. 18/505079/FULL - REDEVELOPMENT OF SITE TO ACCOMMODATE 2 DETACHED (4-BED) HOUSES WITH ASSOCIATED PARKING AND LANDSCAPING - GLEBE COTTAGE, DUNN STREET ROAD, BREDHURST, GILLINGHAM, KENT

The Committee considered the report of the Head of Planning and Development.

The Chairman drew the Committee's attention to an email which he had received from Councillor B Hinder apologising for not being able to attend the meeting and expressing concern about the proposed removal of four protected trees, the modern design approach to the roof construction which would be out of keeping and incongruous in this location and the presence of a well where the proposed houses would be situated.

Ms Clay, an objector, Councillor Jones of Bredhurst Parish Council, and Mr Sahota, for the applicant, addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, Members felt that the proposed development by reasons of its form, build and relationship to the site and inability to replace the important and highly visible stand of TPO trees in the centre of the site, within a landscape setting, would be harmful to the overall character of the site and this part of the Kent Downs Area of Outstanding Natural Beauty and result in over development contrary to policies DM1, DM3, DM30 and SP17 of the Maidstone Borough Local Plan 2017.

RESOLVED: That permission be refused for the following summarised reason and that the Head of Planning and Development be given delegated powers to finalise the precise wording:

The proposed development by reasons of its form, build and relationship to the site and inability to replace the important and highly visible stand of TPO trees in the centre of the site, within a landscape setting, would be harmful to the overall character of the site and this part of the Kent Downs Area of Outstanding Natural Beauty and result in over development contrary to policies DM1, DM3, DM30 and SP17 of the Maidstone Borough Local Plan 2017.

Voting: 10 – For 1 – Against 1 – Abstention

232. 17/505255/FULL - DEMOLITION OF EXISTING DETACHED DWELLING AND ERECTION OF SIX DWELLINGS, EXTENSION TO NEW VEHICULAR ACCESS VIA CHURCH LANE AND PROVISION OF ACCESS DRIVE, LANDSCAPING AND OTHER ANCILLARY WORKS - LA ROCHELLE, CHURCH LANE, HARRIETSHAM, MAIDSTONE, KENT

The Committee considered the report and the urgent update report of the Head of Planning and Development.

Councillor Moore of Harrietsham Parish Council and Mr Chapman, for the applicant, addressed the meeting.

During the discussion reference was made to the nearby Kingswood woodland complex which was considered to be a suitable wildlife receptor site.

RESOLVED: That

1. Subject to a suitable wildlife receptor site being secured within the Borough of Maidstone, the Head of Planning and Development be given delegated powers to grant permission subject to the conditions and informatives set out in the report as amended by the urgent update report together with any other conditions that may be required by the Head of Planning and Development to secure, without limitation, the delivery of the wildlife receptor site.
2. The Head of Legal Partnership be given delegated powers to secure any legal agreement that may be necessary in connection with the delivery of the wildlife receptor site.
3. If an appropriate wildlife receptor site cannot be secured, the application must be reported back to the Committee for re-consideration.

Voting: 11 – For 0 – Against 0 – Abstentions

Note: Councillor Parfitt-Reid left the meeting prior to consideration of this application (8.00 p.m.).

233. 18/505289/FULL - DEMOLITION OF EXISTING DWELLING (LOXLEY HOUSE) AND ERECTION OF A REPLACEMENT DWELLING WITH AMENITY SPACE, PARKING, LANDSCAPING AND ACCESS (RESUBMISSION OF 18/503087/FULL) - LOXLEY HOUSE, GRAVELLY BOTTOM ROAD, KINGSWOOD, MAIDSTONE, KENT

See Minute 221 above

234. APPEAL DECISION

The Committee considered the report of the Head of Planning and Development setting out details of an appeal decision received since the last meeting.

RESOLVED: That the report be noted.

235. DURATION OF MEETING

6.00 p.m. to 8.30 p.m.

Agenda Item 12

MAIDSTONE BOROUGH COUNCIL

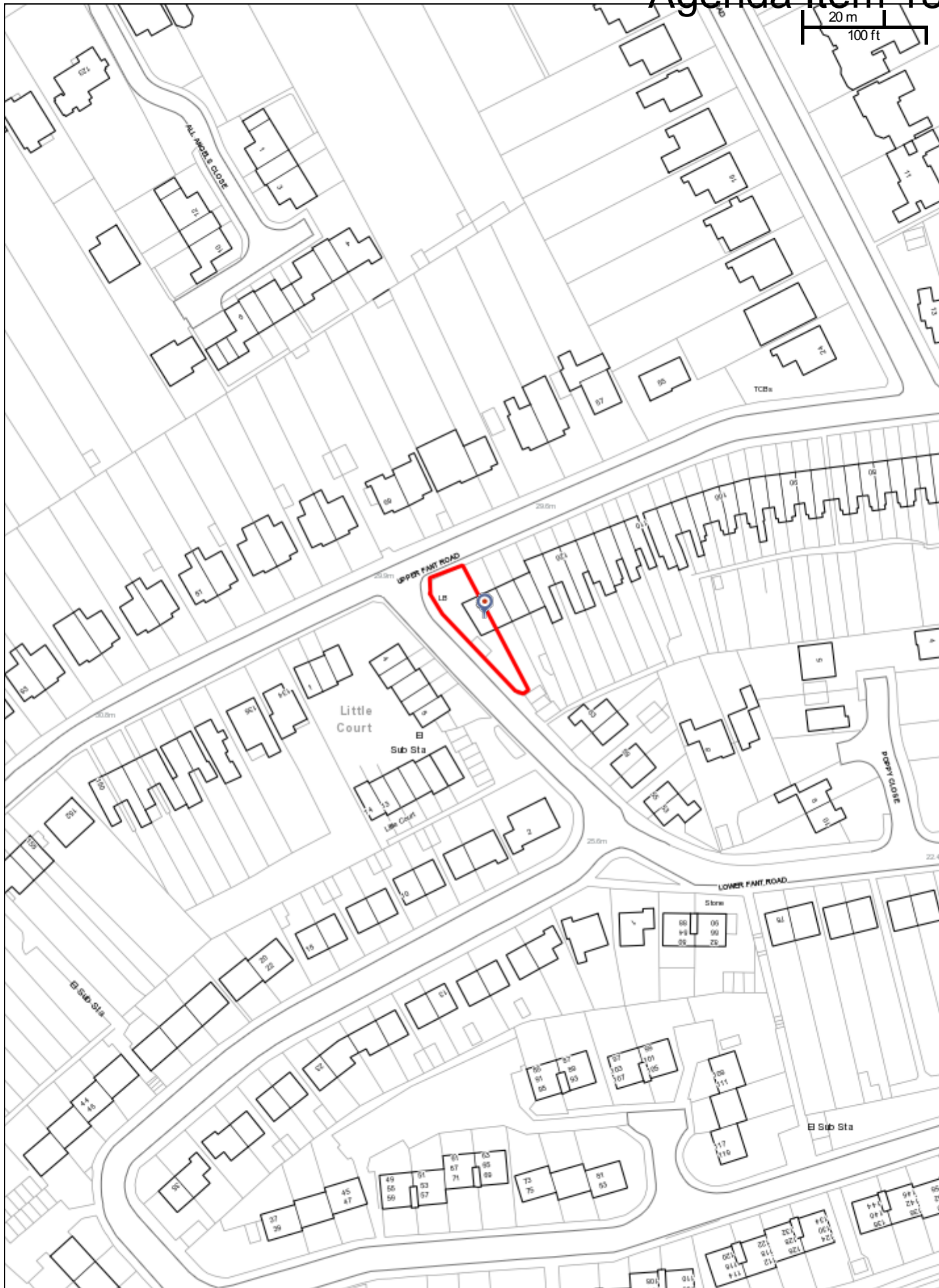
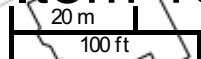
PLANNING COMMITTEE

10 JANUARY 2019

REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT

DEFERRED ITEM

APPLICATION	DATE DEFERRED
<p><u>18/503763/FULL - ERECTION OF TWO NEW DWELLINGS - LAND TO THE REAR OF 244 - 250 UPPER FANT ROAD, MAIDSTONE, KENT</u></p> <p>Deferred to:</p> <ul style="list-style-type: none">• Seek the submission of a reptile survey;• Negotiate the incorporation of renewable energy measures such as decentralised energy generation within the development and integrated niches for wildlife (bat tubes or bird bricks);• Negotiate the retention of a percentage of the cordwood on the site to provide habitat for wildlife; and• Seek details of a vehicle tracking programme.	29 November 2018



18/503410 130 Upper Fant Road

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REFERENCE NO - 18/503410/FULL		
APPLICATION PROPOSAL Demolition of existing garage and erection of a 4 bedroom four storey attached house. Internal alterations to main house.		
ADDRESS 130 Upper Fant Road Maidstone Kent ME16 8BU		
SUMMARY OF REASONS FOR RECOMMENDATION		
<ul style="list-style-type: none"> • The application site represents a sustainable location with good access to facilities and services, including public transport, within the wider Maidstone urban area. The broad principle of the infill development of the site is therefore acceptable. • The additional dwelling would reflect the existing built form in terms of its appearance and would be absorbed into the existing character, pattern and layout of the built environment. Given its harmonious appearance in relation to the existing terrace of houses, the proposal would appear as a congruous addition to the streetscene. The amenity impact of the proposal would be acceptable and accord with Policy DM1 of the local Plan. • The parking provision and highway impact of the proposal would be acceptable. 		
REASON FOR REFERRAL TO COMMITTEE		
The local Member – Cllr Harper, has called the item to committee as he considers that the proposal represents over development in an already contested area, there is no recognition to the existing street scene in Lower Fant road, and also the proposed lack of parking will have a detrimental impact on neighbours.		
WARD Fant	PARISH/TOWN COUNCIL	APPLICANT Mr Tarek-Ali Al-Ayoubi AGENT
TARGET DECISION DATE 07/09/18		PUBLICITY EXPIRY DATE 08/08/18

Relevant Planning History

03/1065

Replacement of existing flat roof to garage with a tiled pitched roof, as shown on two unnumbered drawings showing elevations and floor plans received on 14.05.03.

Approved Decision Date: 18.07.2003

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site sits to the side of a terraced house, on the corner of Upper Fant Road and Lower Fant Road. It currently houses a side garage for the use of the host dwelling. This is set to the rear side of the house. The garden has a large side and front area which is currently used for parking. Access is available from both the front and side of the house.
- 1.02 The site tapers from a wide frontage to a more narrow rear garden. It is set over 4 floors with the basement set within a lightwell area at the front and the ground level dropping away so that the basement is fully exposed at the rear.
- 1.03 The site is within the Maidstone urban area and is characterised by closely spaced high density housing. The application site is at the end of an existing terrace of houses. On the opposite side of the road sit larger semi detached houses.
- 1.04 The opposite corner, across from the junction with Lower Fant Road is, for the area, uncharacteristically open in character with a significant gap before the next house to the West on Upper Fant Road. As detailed below, permission has recently been granted for a new dwelling on this site. A row of terraced 3 storey houses sit on Lower Fant Road with their frontages facing the side boundary of

the application site. The front building lines of these houses are set approx. 13.5-14.5m from the boundary with the application site.

- 1.05 Permission has recently been granted under application reference number 18/500882/FULL for an additional dwelling on the end of the terrace on Lower Fant Road facing towards the side boundary of the application site. This sits further back from the front building line of the other terraced dwellings.
- 1.06 The site backs an area of parking and a single storey garage after which the side boundary of 63 Lower Fant Road sits approx. 34m to the South.

2.0 PROPOSAL

- 2.01 Permission is sought for a 4 storey dwelling to be attached to the existing end of terrace house. The new dwelling would sit in line with the front and rear building line of the host dwelling and is shown, where it presents to the streetscene, of a height and design to match it and the other buildings in the terrace.
- 2.02 The front door of the existing dwelling is shown as being moved to the front elevation of the dwelling to match the other houses in the terrace.
- 2.03 The dwelling would sit approx. 0.7m from the side boundary of the site where it adjoins Lower Fant Road. Parking for 1 vehicle is shown in front garden of both the existing and the proposed dwelling. This would replicate the arrangement in the rest of the terrace.
- 2.04 The front elevation of the proposed dwelling is shown to replicate the rest of the terrace in all regards, including scale, design and use of materials. However the building is shown as splaying inwards towards its rear so that the rear elevation is narrower than the rest of the terrace.
- 2.05 In response to concern about the detailed appearance of the dwelling, revised plans have been submitted which show the materials and detail of each elevation to match the existing.

3.0 POLICY AND OTHER CONSIDERATIONS

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Borough Local Plan 2017 SS1, SP1, H2, DM1, DM2, DM11, DM23

4.0 LOCAL REPRESENTATIONS

Local Residents:

- 4.01 10 representations received from local residents raising the following issues:
 - The proposal will result in increased parking pressure on the locality.
 - Negative impact on highway safety
 - The junction where Lower Fant road meets Upper Fant road, has limited visibility and the proposal will impact on highway safety
 - Noise and disturbance resulting from additional occupants
 - Density of building in the local area which is not in keeping with its original use

- The cumulative impact of the development when considered alongside other development will have an adverse impact on the area.
- Out of keeping with the character of the area – will appear cramped
- Impact on view of the wildlife area.
- No neighbour notifications or site notice

A letter has been received from the applicant advising the following:

- There would be no subtracting of any car parking spaces because where the dropped curb currently is on Lower Fant Road would be raised and a curb installed which would create more room for someone to park on the road. The current dropped curb is redundant as a car doesn't fit onto that part of the driveway plus the angle to turn into the garage makes the garage impossible to use for a vehicle.
- There is currently room on the driveway for 2 vehicles comfortably, not 4-5 vehicles. Vehicles are unable to exit from the property onto Lower Fant Road.
- A vehicle did not crash into the front boundary wall. In fact, the applicant hit the wall himself while trying to turn around on the road with a trailer being towed attached onto the back of his car.
- Comments regarding an 8 bedroom house or its use for 8 occupants are untrue.

5.0 CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

Kent Highways

- 5.01 Kent Highways note that the access has a good personal injury collision record. The parking provision is in keeping with the guidance in the Kent Design Guide, Interim Guidance Note 3 (IGN3). IGN3 advises that 4 bedroom houses in an edge of centre location should be provided with a maximum of 1.5 spaces per unit. Having reviewed the area in the immediate proximity of the site they state that there are a range of existing parking restrictions, including double and single yellow lines. The on-street parking controls already in place enable them to conclude that the proposed development will not result in on street parking behaviour that could cause hazards to other road users
- 5.02 The dropped kerbs that are situated west of the garage and that will become redundant as a result of the proposals will require raising to accord with the revised access arrangements. In addition, the applicant should be required to submit a construction management plan as part of their planning conditions/obligations, given the constrained nature of the site.
- 5.03 Confirm no objection to the proposals on behalf of the local highway authority.

6.0 APPRAISAL

Main Issues

- 6.01 The key issues for consideration relate to:
- Principle of development
 - Character and appearance

- Residential amenity
- Parking and highways

Principle of development

- 6.02 Government guidance in the NPPF and Local Plan policy are generally supportive of new housing in sustainable urban locations as an alternative to residential development in more remote countryside locations. The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The application site is considered to represent a sustainable location with good access to facilities and services, including public transport, within the wider Maidstone urban area. The principle of infill residential development in such locations is considered acceptable as demonstrated at the neighbouring site as approved under application 18/500882/FULL.
- 6.03 Local Plan policy SP1 states that within the Maidstone Urban Area, appropriate urban sites should be redeveloped and infilled in a manner that contributes positively to the locality's distinctive character.
- 6.04 Local plan policy DM11 seeks to allow development where it can be absorbed into the existing character, pattern and layout of the built environment without detriment to visual amenity. It states that the development of domestic garden land to create new dwelling will be permitted where it meets a set of criterion including that the proposal will not result in in significant harm to the character and appearance of the area, there is no significant loss of privacy, light or outlook for adjoining properties and / or their curtilages, access can be provided to a suitable standard, and there would be no significant impact from traffic gaining access to the development.
- 6.05 The broad principle of the development of the site within the urban area therefore accords with local and national policy.

Character and appearance

- 6.06 Paragraphs 56 and 57 of the NPPF states that the Government attaches great importance to the design of the built environment. Planning policies and decisions should not attempt to impose architectural styles or particular tastes, however, it is proper to seek to promote or reinforce local distinctiveness.
- 6.07 Local Plan Policy DM1 seeks to achieve high quality design in all development proposals, and to achieve this, the Council expects proposals to positively respond to, and where appropriate enhance the character of their surroundings. The key aspects of a development proposal are its scale, height, materials, detailing, mass, bulk and site coverage. To achieve this, the Council expects proposals to positively respond to, and where appropriate enhance the character of their surroundings
- 6.08 Local plan policy DM11 seeks to only allow development where it can be absorbed into the existing character, pattern and layout of the built environment without detriment to visual amenity. It states that the development of domestic garden land to create new dwellings will be permitted where it meets a set of criterion including that the proposal will not result in in significant harm to the character and appearance of the area.
- 6.09 The proposed new dwelling is shown as located on the end of an existing row of terraced houses all of matching design, height and scale. The proposal would match the terrace to the front elevation in terms of size, proportion and detailed appearance. However the proposed house is shown to splay inwards to the rear

and as such, the rear elevation would appear narrower than the other houses in the terrace.

- 6.10 In response to concern about the detailed appearance of the side and rear elevation, amended plans have been submitted which show additional detailing to the side and rear elevation. The side elevation would be finished to match the existing with yellow facing brickwork and red brick band and quoins, matching door and fenestration. The rear elevation, although of a differing width to the existing would continue the pattern of lower rendering with upper ragstone panels and red brick quoins.
- 6.11 The area is one of a dense urban grain, and the current space is not of sufficient enough value within this context to require its preservation. The additional dwelling would generally reflect existing built form in terms of both appearance and proportions. However, its splayed footprint towards the rear of the site would not accord with the general surrounding built form, and has the potential to appear as an alien feature within the streetscene from Lower Fant Road.
- 6.12 On balance, this splay, although clear on plan, would not be as obvious from the pedestrian view of the site. The narrower rear elevation is a secondary elevation and would only be read when viewing the site in the context of rear gardens from further down Lower Fant Road where the contrast would be with the 1960's houses opposite at Little Court. As such, it is considered that the existing view is not of a sufficiently high value to justify refusal of the scheme on the basis of the appearance of the secondary rear elevation, or the proposed splay.
- 6.13 Generally, and particularly from the primary street frontage, the proposal would be absorbed into the existing character, pattern and layout of the built environment. There are numerous examples along Upper Fant Road of corner properties sitting tight to the boundary of the plot. Although the proposal would reduce the space at the end of a terrace, and have an impact on the streetscene in this regard, on balance it is considered that as this space is not characteristic of the area, its loss would not be of significant detriment to visual amenity.
- 6.14 The infilling of the existing gap would also have an impact on the appearance of the streetscene of Lower Fant Road, but given the prevalent character of the area and the dense urban grain in the locality, on balance this would not be significant enough of an impact to justify refusal of the scheme.
- 6.15 Taking into account impact of the proposed splay, the narrower rear elevation and the reduction in space at the end of the terrace, and weighing this against the replicated detailing of the existing dwelling and the grain and character of the locality, on balance it is considered that the proposal would not result in significant harm to the character and appearance of the area and would appear as a congruous addition to the streetscene.
- 6.16 As such, the proposal would accord with the requirements of Local Plan policies DM1, DM11 and the NPPF.

Residential amenity

- 6.17 The NPPF states that proposals should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 6.18 Policy DM1 of the local plan states that proposals should respect the amenities of occupiers of neighbouring properties and uses and provide adequate residential amenities for future occupiers of the development by ensuring that development

does not result in, or is exposed to excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties.

- 6.19 Owing to the location of the dwelling, on the end of an existing terrace, in line with the front and rear building lines, and on the corner of Upper and Lower Fant Road, the proposal would not have a detrimental impact on the amenity of occupiers to either side of the application site. There would be no overshadowing of adjacent dwellings, and no increase in overlooking or loss of privacy.
- 6.20 The proposed dwelling would back onto an area of parking and a single storey garage after which the side boundary of 63 Lower Fant Road sits approx. 34m to the South. This is significant enough a gap to ensure that there would be no impact on the amenity of this neighbouring dwelling, especially when considered in the context of the rest of the terrace.
- 6.21 The flank elevation of the proposal would sit closer to the facing dwellings on Lower Fant Road – 4 and 5 Little Court. However a road sits between the buildings, and the front elevations of 4 and 5 Little Court are set back from their front boundaries by approx. 5m. As such, the proposal would not result in a loss of daylight, sunlight or privacy, and would not have an overbearing impact on these dwellings.
- 6.22 The amenity impact of the proposal would therefore be acceptable and accord with Policy DM1 of the local Plan.

Parking and highways

- 6.23 Policy DM1 of the local plan states that proposals should safely accommodate the vehicular and pedestrian movement generated by the proposal on the local highway network and through the site access, and provide adequate vehicular and cycle parking to meet adopted council standards. Local plan policy DM23 states that, as set out in Appendix B of the Plan, car parking standards for residential development will:
- i. Take into account the type, size and mix of dwellings and the need for visitor parking; and
 - ii. Secure an efficient and attractive layout of development whilst ensuring that appropriate provision for vehicle parking is integrated within it.
- 6.24 The proposal would result in the loss of an existing garage and parking area to the side of the host dwelling. However the current dropped curb is redundant as a car doesn't fit onto that part of the driveway plus the angle to turn into the garage makes the garage impossible to use for a vehicle. The proposal shows that the redundant dropped curb on Lower Fant Road would be raised and a curb installed which would create additional space for on street parking. There is room on the existing driveway for 2 vehicles.
- 6.25 The proposal shows provision for 1 car parking space for each dwelling in the front garden. This replicates the arrangement for the other houses in the dwelling.
- 6.26 The application site is located within/on the edge of the town centre. The policy requirement for parking provision in such a location for a 4 bedroom house is 1/1.5 spaces. Given the central location of the site, and its proximity to walking and bus routes, and Maidstone West station, the provision is acceptable.

- 6.27 In response to the proposal, Kent Highways have raised no objection to the proposal and have suggested that due to the limited space at the site, submission of a construction method statement would be required through condition.
- 6.28 Given the proposed parking provision including the gain of an off street parking space, and the comments by Kent Highways, the parking provision and highway impact of the proposal would accord with policies DM1 and DM23, and the parking standards (Appendix B) within the local plan, and is therefore considered acceptable.

Other matters

- 6.29 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.
- 6.30 Neighbour comments indicate that a site notice had not been put up to advertise the application. A site notice was put up on 18th July 2018 on the nearby lamppost and neighbour notification letters were sent out on 16th July to a number of local occupiers.
- 6.31 Neighbours have made comment on the use of the house as a House in Multiple Occupation. In fact, the house is proposed as a single family dwelling.
- 6.32 One neighbour has made comment about a car collision into the wall of the application site. The applicant has advised that the bump was caused by him turning a trailer within his own garden, not on the public highway.
- 6.33 Neighbour comments have been made regarding the visual impact of the proposal on views of a local wildlife area. This area is located a significant distance away from the application site, behind the houses on the opposite side of the road. The proposal would therefore not have an impact on the appearance of this area.

7.0 CONCLUSION

- 7.01 In accordance with Government guidance in the NPPF and Local Plan policy, the application site represents a sustainable location with good access to facilities and services, including public transport, within the wider Maidstone urban area. The broad principle of the infill development of the site is therefore acceptable.
- 7.02 On balance, although the proposal would fail to enhance the secondary rear elevation of the terrace of dwellings, it would generally reflect existing built form in terms of both appearance and proportions, particularly from the primary streetscene view, and would be absorbed into the existing character, pattern and grain of the built environment.
- 7.03 Given the harmonious appearance of the front elevation, which would be viewed from the streetscene, in relation to the existing terrace of houses, the proposal would appear as a congruous addition to the streetscene of Upper Fant Road. The impact of the proposal upon Lower Fant Road would not be substantial enough, particularly when considered in the context of the adjacent buildings and its sympathetic detailing, to justify its refusal

- 7.04 As such, the proposal would accord with the requirements of Local Plan policies DM1, DM11 and the NPPF.
- 7.05 The amenity impact of the proposal would be acceptable and accord with Policy DM1 of the local Plan.
- 7.06 Given the sustainable location of the site, the parking provision and highway impact of the proposal would accord with policies DM1 and DM23, and the parking standards within the local plan, and is therefore considered acceptable.

RECOMMENDATION

GRANT planning permission 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 shall be only be carried out in accordance with the following approved plans: AR.TPA.GA.201, 202, 203, 204, 205, 206A, 207A, 208A, 209

Reason: To clarify which plans have been approved.

(3) Upon completion, no further development, whether permitted by Classes A, B, C or D of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out.

Reason: In the interests of the amenities of the area.

(4) The development hereby approved shall not commence above slab level until, written details and samples of the materials to be used in the construction of the external surfaces of the building and the hard landscaping 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.

(5) The development hereby approved shall not commence until a method statement for the demolition and/or construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved method statement. The method statement shall also include details of the timings of deliveries and construction works on site.

Reason: To ensure the construction of development does not result in harm to highway safety or neighbouring amenity.

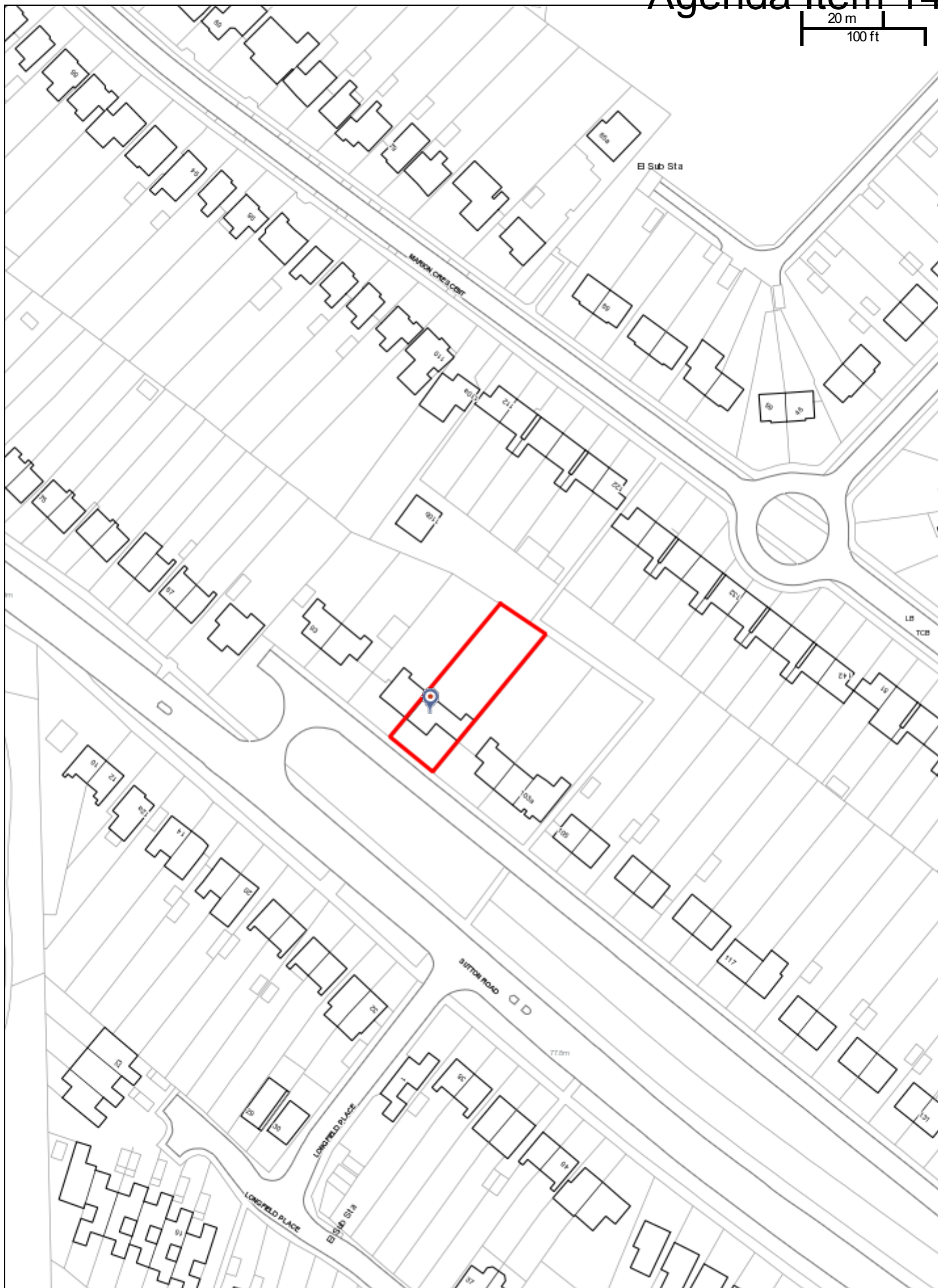
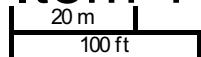
(6) The approved details of the parking areas shall be completed before the commencement of the use of the dwelling hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (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;

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

INFORMATIVES

(1) The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25th October 2017 and began charging on all CIL liable applications approved on and from 1st October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.



18/505243 99 Sutton Road, Maidstone

Scale: 1:1250

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REFERENCE NO - 18/505243/FULL		
APPLICATION PROPOSAL Demolition of an existing garage and the erection of a new four bedroom dwelling.		
ADDRESS 99 Sutton Road Maidstone Kent ME15 9AD		
RECOMMENDATION Application Permitted		
SUMMARY OF REASONS FOR RECOMMENDATION The proposal is acceptable in terms of design and no material harm will be caused to the character, appearance or layout of the vicinity of the site. The proposal does not result in any material harm to the outlook or amenity of neighbouring occupiers or any significant highways safety concerns. It accords with relevant policies of the development plan and the NPPF and will make a valuable windfall contribution towards the provision of housing units within the Borough.		
REASON FOR REFERRAL TO COMMITTEE The applicant's wife is an employee of Maidstone Borough Council.		
WARD Shepway North	PARISH/TOWN COUNCIL N/A	APPLICANT Mr M Cox AGENT Richardson Architectural Designs
TARGET DECISION DATE 17/01/19		PUBLICITY EXPIRY DATE 20/12/18

Relevant Planning History

17/503975/FULL

Demolition of an existing garage and the erection of a new three bedroom dwelling
Approved Decision Date: 12.10.2017

18/500469/FULL

Demolition of an existing garage and the erection of a new three bedroom dwelling.
Approved Decision Date: 01.05.2018

18/505243/FULL

Demolition of an existing garage and the erection of a new four bedroom dwelling.
Pending Decision Decision Date:

18/505244/SUB

Submission of Details to discharge Condition 2 - Approved plans , Condition 3 Written details and samples of the external materials, Condition 6 electric vehicle charging point, Condition 7 renewable energy source and Condition 9 landscape scheme subject to 18/500469/FULL.
Pending Consideration Decision Date:

Enforcement History:

N/A

Appeal History:

N/A

MAIN REPORT

(Officers Note: The proposed application is identical to the previous application permitted at committee other than the addition of a rear dormer, as such the text in the following report will be broadly taken from the previous committee report)

1. DESCRIPTION OF SITE

- 1.01 The application site is a broadly rectangular shaped plot of land currently occupied by a two-storey semi-detached dwelling, with a large attached single storey side garage. The site lies on the north eastern side of an access road off the main carriageway of Sutton Road. The site form part of the settlement of Shepway which is located within the urban area of Maidstone.
- 1.02 The streetscene is defined by semi-detached dwellings mostly of similar scale, design and age which have been built to a uniform pattern. There are gaps between the properties, especially at first floor level, which vary in scale and maintain a visual break between the properties. Some of these gaps have been eroded over time with the erection of side extensions and an infill detached dwelling at no.103A Sutton Road.

2. PROPOSAL

- 2.01 The proposal involves demolishing of the existing garage and the erection of a new four bedroom dwelling attached to the south eastern flank of the existing semi-detached property. The proposal will result in the formation of a three block terrace, and will include a separate curtilage and off street parking.
- 2.02 The new dwelling would have a width of 6.5 metres and a depth of just under 13.5 metres, incorporating a part two-storey part single storey rear element. Unlike the previously approved proposal, this application seeks to install a rear dormer onto the roof slope of the dwelling. The dormer would project 3.8 metres from the roof slope, have a height of 2.5 metres with a width of 6.7 metres, almost encompassing the full width of the roof slope. This would create a volume of 32m². The development would have a total roof ridge height of 8 metres above ground level with the roof eaves at a height of just under 5 metres. The rear projection would have a depth of 3.5 metres and would be set away from the newly formed common boundary with the existing dwelling at the site by 2 metres. The single storey element would have a flat roof incorporating a roof lantern. The two storey element of the rear extension would have a pitched roof set down by approximately 1.5 metres from the ridge of the main dwelling.
- 2.03 The proposed new dwelling would retain a 1 metre gap to the common boundary with the neighbouring dwelling to the south east of the site (no. 101 Sutton Road). The gap with this dwelling at first floor level would be 2.9 metres flank to flank. The application indicates a separate garden for the new dwelling, which extends from the rear of the development to the rear boundary of the site. The existing retained dwelling and the proposed new dwelling would have open frontages, with the provision of two off street car parking spaces provided for each dwelling. A 'toy canopy' is proposed above the front door, with the proposed fenestration details similar to those on the existing dwelling.
- 2.04 The ground floor would provide a hall, lounge, kitchen, family room and a downstairs toilet. There would be three bedrooms on the first floor with a separate family bathroom and ensuite bathroom for the master bedroom. The dormer roof enlargement would provide an additional bedroom in the roof space which would be served by an ensuite. Materials proposed for the dwelling include facing brickwork and plain roof tiles which reflects those used on the main dwelling and surrounding properties. This application indicates that two Velux windows would be added into the front elevation as well as solar panels installed onto the front elevation.

3. POLICY AND OTHER CONSIDERATIONS

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Borough Local Plan 2017 SS1 Maidstone borough spatial strategy, DM1 Principles of good design, DM11 Residential Garden land, DM12 Density of housing development and DM23 Parking standards
Supplementary Planning Documents SPG4 KCC Parking Standards

4. LOCAL REPRESENTATIONS

Local Residents:

4.01 No representations were received from local residents.

5. CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

Environmental Protection Team

5.01 There is no indication of any significant chance of high radon concentrations .There is no indication of land contamination based on information from the contaminated land database & historic maps databases. Demolition/construction activities may have an impact on local residents and so the usual conditions/informative should apply in this respect. Before demolition, building should be checked for the presence of asbestos and any found should only be removed by a licensed contractor.

KCC Highways

5.02 Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

6. APPRAISAL

Main Issues

6.01 The key issues for consideration relate to:

- Principle of development
- Visual impact
- Amenity impact.
- Parking and highway impact.

Principle of development

6.02 The application site is currently amenity land located to the side and rear of the two storey semi-detached dwelling at 99 Sutton Road. The site extends from the south eastern elevation of the existing dwelling to the common boundary with the neighbouring dwelling to the south east of the site (no. 101 Sutton Road).

6.03 Policy SS1 of the adopted local plan sets out the sustainability strategy for Maidstone Borough. The Maidstone urban area is the most sustainable location in the hierarchy where new development is firstly directed followed by the rural

service centres and the larger villages as defined on the proposals map to the Maidstone Borough Local Plan (2017).

- 6.04 The application site is located within the urban area of Maidstone where new residential development is permissible subject to the requirements set out in policies DM1, DM11, DM12 and DM23 of the adopted Maidstone Borough Local Plan 2017. These policies seek to ensure that all new housing development provides an acceptable residential environment and respects the amenities of neighbouring residents.
- 6.05 The current application is a resubmission of a previously approved development (reference 18/500469/FULL) which was itself a resubmission of a previously approved development (reference 17/503975/FULL). As stated above, in this instance the application seeks to install a rear dormer onto the rear roof slope to add a fourth bedroom to the proposed dwelling. This would also involve the addition of two Velux windows into the front roof slope as well as solar panelling onto the front roof slope.
- 6.06 Taking into account the above, the principle of the development is considered to be acceptable.

Visual Impact

- 6.07 Policy DM1 of the Maidstone Borough Local Plan requires proposals to positively respond to, and where appropriate enhance the character of their surroundings. The proposed dwelling, attached to the existing semi-detached dwelling, would result in a three property terrace. The proposed dwelling is located in the space between the original dwellings at 99 and 101 Sutton Road. The property at 101 Sutton Road has an existing two storey side extension and the application property has an existing single storey side extension.
- 6.08 As indicated above, whilst the street scene is broadly uniform with gaps between the buildings, there is no consistency in the pattern of these gaps. Although the proposed development would result in the erosion of the existing gap between the application property and the neighbouring dwelling at first floor level, the 2.9 metre gap retained would be sufficient to ensure there is no significant harm to the character and appearance of the street scene.
- 6.09 The height and eaves of the proposed new dwelling would be similar to the existing property at the application site, and other dwellings within the street. The development would not appear of excessive bulk or massing, and seen as a sensitive addition to the existing property. Overall, the new dwelling would not appear over dominant or visually harmful within the streetscene of Sutton Road.
- 6.10 In terms of the alterations proposed by this new application, they are not alterations that are uncommon on residential properties. It is not considered that they would have a detrimental impact upon the character and appearance of the host dwelling or the wider area generally. They would accord with the appearance of the dwelling and that of the wider area.

Residential Amenity

- 6.11 The adopted local plan requires proposed development to be assessed in terms of amenity for future occupants and the occupiers of neighbouring residential properties. The internal space within the new dwelling is consistent with national space standards and would provide acceptable living accommodation for future occupants.
- 6.12 The rear element of the proposed building would project 3.5 metres from the rear elevation of the existing dwelling and would be 2 metres from the newly formed common boundary with the main dwelling.. This rear element would not extend

beyond the building line of the rear part of the two storey rear extension on the neighbouring dwelling to the south east of the application site (no.101 Sutton Road). Although, there would be a reduction in the gap between the application property and this neighbour. There would be no harm to the residential amenities of the occupiers of this property.

- 6.13 The development incorporates ground and first floor window openings on the west facing front elevation and first floor rear, north east facing window openings. These openings do not raise any significant amenity concerns. The elevation facing to the neighbouring property on the south east of the site (no.101 Sutton Road) would be blank.
- 6.14 The projection from the rear elevation of the proposed dwelling would be 3.5 metres. Whilst this is slightly above the 3 metre limit set out in the SPD for Residential Extensions document, it would not breach the 45 degree light test and is considered acceptable in relation to loss of light to the rear windows of the main dwelling and the rear gardens of the immediate neighbouring properties. There would be no impact on outlook that would represent an objection to this proposal. Overall, the proposals are appropriate in scale and design and would not have any significant detrimental impacts on the amenities of any neighbouring dwelling.

Parking and Highway Safety

- 6.15 The application proposes two off street parking spaces on the frontage of the proposed new dwelling. The existing dwelling at the site would retain two parking spaces on its frontage. The proposed new dwelling would generate a marginal increase in vehicular movement to and from the site. It is considered that the resulting increase can be adequately accommodated on the road network without detriment to highway safety or local amenity of the site.
- 6.16 Whilst guidelines within SPG4 state that a four bedroom property should be served by at least three parking spaces, given the extant permission for the dwelling, the sustainable location of the site and the availability, it is not considered that a refusal on these grounds would be appropriate in this instance.
- 6.17 With the sustainable location of the site, absence of highway safety issues, off street parking that complies with requirements of policy DM23 of the adopted Maidstone Borough Local Plan (2017), the proposal is considered acceptable in relation to parking, traffic and highway safety.

Other Matters

- 6.18 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

7. CONCLUSION

- 7.01 Overall, the proposed new dwelling is acceptable in terms of design and appearance, and there are no unacceptable impacts on the character, appearance and visual amenity of the locality generally. The proposals have been found to be acceptable in relation to parking and highway safety. The proposal is in line with the requirements of policy SS1, DM1, DM11, DM12 and DM23 of the adopted Maidstone Borough Local Plan (2017). I am satisfied that the proposed new dwelling is acceptable with respect to local and national planning policy and that no other material consideration would indicate a refusal of planning permission. In the circumstances, I recommend that this application is approved subject to conditions.

8. RECOMMENDATION

GRANT planning permission 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/drawing numbers;

Householder Planning Application
Existing Floor Plan and Elevations
Proposed Elevations
Proposed Plans
Site Location Plan
Existing Block Plan
Proposed Block Plan

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

- 3) No windows, doors, voids or other openings shall be inserted, placed or formed at any time in the south east (side) facing elevation of the building hereby permitted;

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of their occupiers.

- 4) The development shall not be occupied until the parking spaces shown on the approved plans have been provided. They shall be kept available for the parking of vehicles connected to the occupiers of the approved development at all times and permanently retained as such thereafter.

Reason: In the interest of highway safety and the free flow of traffic.

- 5) Prior to occupation of the proposed new dwelling a minimum of one electric vehicle charging point shall be installed and ready for use and in accordance with details that have previously been submitted to and approved in writing by the local planning authority with the details including a programme for installation, maintenance and management with the points retained thereafter and maintained in accordance with the approved details.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 35 of the NPPF.

- 6) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, no further development shall take place on the site without the prior written consent of the Local Planning Authority;

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

INFORMATIVES

- 1) The applicant is advised that in order to avoid nuisance to neighbours, thought should be given to restricting that use of plant and machinery used for demolition

and construction to 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. It is advised to restrict vehicles arriving, departing, loading or unloading 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.

- 2) The applicant is advised that in order to avoid nuisance to neighbours, thought should be given to the use of adequate and suitable provision in the form of water sprays should be used to reduce dust from the site. Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed.

Case Officer: William Fletcher

THE MAIDSTONE BOROUGH COUNCIL **PLANNING COMMITTEE – 10th January 2019**

APPEAL DECISIONS:

- 1. 16/508513** Demolition of existing lean to garage and erection of 2 no. detached dwellings with parking and landscaping.

APPEAL: Allowed

Lewis Court Cottage
Green Lane
Boughton Monchelsea
Kent
ME17 4LF

(Delegated)
