

REFERENCE NO: 18/505214/FULL		
APPLICATION PROPOSAL: Change of use from residential to a house of multiple occupancy of 8 households		
ADDRESS: 27 Milton Street Maidstone Kent ME16 8JT		
RECOMMENDATION: APPROVE		
SUMMARY OF REASONS FOR RECOMMENDATION: The proposal is considered acceptable with regard to the relevant provisions of the Development Plan, the National Planning Policy Framework, and all other material considerations such as are relevant.		
REASON FOR REFERRAL TO COMMITTEE: - Councillor Adkinson has requested the application to be reported to Planning Committee		
WARD: Fant	PARISH COUNCIL: N/A	APPLICANT Mr Kamrul Hoque
TARGET DECISION DATE: 10/01/19	PUBLICITY EXPIRY DATE: 12/12/18	

There is no relevant planning history.

MAIN REPORT

1. SITE DESCRIPTION

1.01 27 Milton Street is an end of terrace property that sits on the corner of Milton Street and Whitmore Street. The dwelling is 2-storey with living accommodation in the roof space and beyond the rear garden is an off-street parking area. For the purposes of the Local Plan the proposal site is within the defined urban area.

2. PROPOSAL

2.01 This proposal is for the change of use of a dwelling to a House in Multiple Occupation (HMO) for 8 households. The proposal shows 9 bedrooms but as access to the 9th bedroom on the second floor is only through another bedroom, this top floor will only be occupied by one household

3. POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough Local Plan (2017): SS1, SP1, DM1, DM9
- National Planning Policy Framework (2018)
- National Planning Practice Guidance

4. LOCAL REPRESENTATIONS

4.01 3 representations have been received from local residents raising the following (summarised) issues:

- *Impact upon parking*
- *Not in keeping with the original character of the street*
- *Harmful upon amenity of local residents in terms of noise*
- *Overcrowding*

5. CONSULTATIONS

5.01 **Councillor Adkinson:** Has requested the application be reported to Committee on the grounds of potential over-development.

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

5.03 **Environmental Protection Team:** Raise no objection.

6. APPRAISAL

Main issues

- 6.01 In accordance with the Local Plan, the principal focus for new residential development is the urban area, which is considered to be the most sustainable location in the borough. The Local Plan also states that the conversion of larger residential properties to HMOs aids the provision of accommodation for smaller households and contributes towards a mix and choice of homes, as advocated by the revised NPPF. This is provided such developments are attractive, high quality places to live, which respond positively to the local area. In accordance with Local Plan policy DM9, the main issues for consideration here are whether the intensified use of the building and its curtilage would significantly harm the appearance of the building or the character and amenity of the surrounding area.

Residential amenity

- 6.02 Given the existing levels of comings and goings associated with the high density of residential properties in the vicinity; the fact that the off-street parking area to 27 Milton Street is existing; and that ultimately the use of the building is still residential, it is not considered that the proposal would result in an unacceptable impact upon the amenity of any local resident in terms of general noise and disturbance (including future vehicle movements to and from the site). The Environmental Protection Team has also raised no objection from their perspective. It is therefore considered that the proposal would not have an unacceptable impact upon the amenity of any local resident.
- 6.03 The Council's Housing & Community Services Team also have their own legislative requirements under the Housing Act 2004. Any HMO licence would carry its own conditions to ensure the wellbeing of the occupants of the building including in relation to fire safety. In this instance, the Housing & Community Services Team have confirmed that the layout as shown under this planning application would obtain a HMO licence for 8 people in 8 households. If another internal toilet was provided then the licence would be for 9 people in 8 households. Whether it be 8 or 9 people living here, 8 households as applied for is acceptable in terms of licencing. To further ensure the acceptable living conditions for future occupants of the building, a condition will be imposed to restrict the HMO to 8 households only.

Highway safety

- 6.04 The proposal site benefits from an off-street parking area; on-street (non-permit) parking is widely available in the surrounding streets; and the site is in a sustainable location, close to public transport links and Maidstone town centre. The Highways Authority has commented that the parking area to the rear of the site is not big enough to rely upon 4 cars being able to park here, and that it should be assumed that 2 off-road car parking spaces are available. Notwithstanding this, they have confirmed that it is not considered that the proposal constitutes a severe impact, and no objection has been raised in terms of highway safety.

Other considerations

- 6.05 Given that there are no external alterations to consider, no objection is raised in terms of the proposal's impact upon the character and appearance of the building itself or the surrounding area.

7. CONCLUSION

- 7.01 The proposal is acceptable with regard to the relevant provisions of the Development Plan, the National Planning Policy Framework, and all other material

considerations such as are relevant. I therefore recommend conditional approval of the application on this basis.

8. RECOMMENDATION

8.01 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 approved shall have no more than 8 separate households occupying the building at any one time;

Reason: To protect the amenity of future occupants.

- (3) The development hereby permitted shall be carried out in accordance with the following approved plans: 100; 101; 102; 103; and 01 received 05/10/18;

Reason: To ensure a satisfactory appearance and in the interests of residential amenity.

Case Officer: Kathryn Altieri