

REPORT SUMMARY

REFERENCE NO: - 22/501405/FULL		
APPLICATION PROPOSAL: Change of use from 4 blocks of residential nurses accommodation to 3 blocks comprising of 18 five bedroom House in Multiple Occupation units and 1 block comprising of 8 three bedroom residential units.		
ADDRESS: Springwood Road Nurses Accommodation, Springwood Road, Barming, ME16 9NX		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions		
SUMMARY OF REASONS FOR RECOMMENDATION FOR APPROVAL: <ul style="list-style-type: none"> • The site is located where the principle of development is supported by the Local Plan. • The development proposes the redevelopment of previously developed land, improving the existing mix of residential accommodation. • The proposal is of an appropriate design, scale, and layout with no parking or transport issues. • The proposal includes the provision of private external amenity space for future residents 		
REASON FOR REFERRAL TO COMMITTEE: Call in from Cllr Peter Homes due to concerns over the private HMO aspect of the proposal.		
WARD: Heath	PARISH: N/A	APPLICANT Jedi Developments Ltd AGENT: DHA Planning Ltd
CASE OFFICER: Tony Ryan	VALIDATION DATE: 14/04/22	DECISION DUE DATE: 28/10/2222
ADVERTISED AS A DEPARTURE: No		

Relevant planning history

- 19/503871/FULL – Demolition of existing development and erection of two staff accommodation blocks, comprising 160 units, together with associated parking, drainage and landscaping. Granted 14 October 2019.

This permission has been implemented and relates to the site immediately to the north of the current application site.

- 15/502970/OUT – Outline application for the redevelopment of the site and the provision of 57 mixed dwelling types for private/affordable residential units with all matters reserved. Granted 28 September 2018

This planning permission (15/502970/OUT) relates to both the land that is the subject of the current planning application (0.95ha) and in addition the land to the

north of the current application site (19/503871/FULL as shown above 0.54ha.). This outline permission has not been implemented.

1.0 DESCRIPTION OF SITE

- 1.01 The site is within the Maidstone Urban Area and in an existing suburban area that is east of Hermitage Lane. The surrounding residential area is typically made up of two storey terraced and semi-detached dwellings arranged in cul de sacs.
- 1.02 The site is located at the corner of Oakapple Road (north east) and Springwood Road (south east) with Springwood Close to the south west. The former Oakwood Cemetery is to the north west. The cemetery is now a public open space and includes a chapel building close to the northwest boundary of the application site.
- 1.03 The current application site originally formed part of a larger site that consisted of six residential blocks. The six blocks were originally occupied on a room by room basis providing NHS accommodation for nurses employed at Maidstone Hospital
- 1.04 The six blocks were as follows (with size and capacity given in brackets):
Rowan House [3 storeys and 24 occupiers],
Birch House [2 storeys and 30 occupiers],
Hawthorn House [2 storeys and 30 occupiers],
Chestnut House [2 storeys and 30 occupiers],
Almond House [3 storeys 18 occupiers] and
Willow House [3 storeys 12 occupiers].
- 1.05 Application reference 19/503871/FULL approved the demolition of the two most northern blocks on the larger site, Almond House and Willow House (total of 30 occupiers). In place of the two demolished blocks application 19/503871/FULL approved the construction of two new three storey buildings providing 160 rooms for nursing staff. These blocks were completed at the start of June 2022.
- 1.06 The current application site involves the retention and reuse of the four remaining blocks which are Rowan House, Birch House, Hawthorn House, Chestnut House from the original six blocks on the larger site.

2.0 PROPOSAL

- 2.01 The layout of the buildings and the changes to tenure of the four buildings are set out as follows:
 - Rowan House (3 storey)
The application seeks the change of use of this block from 8 HMOs (originally occupied by staff employed at Maidstone Hospital) to 8 'open market' three bedroom family flats. The office and communal laundry on the ground floor will be retained. Three of these clusters are located on each floor of this 2-storey building so 30 rooms in total.
 - Birch House (2 storey)
This retained accommodation is laid out in self-contained HMO clusters of 5 bedrooms. Each of these clusters has a shared kitchen, bathroom, lounge, toilet and two storage cupboards. Three of these clusters are located on each floor of this 2-storey building, so 30 rooms in total.

The tenure in this block will change from NHS, HMO accommodation to 'open market' HMO accommodation. There is no change to internal layout and no net

change in the quantity of accommodation. There does not appear to be any planning condition restricting occupation of this block to nurses.

- Hawthorn House (2 storey)

This retained accommodation is laid out in self-contained HMO clusters of 5 bedrooms. Each of these clusters has a shared kitchen, bathroom, lounge, toilet and two storage cupboards. Three of these clusters are located on each floor of this 2-storey building, so 30 rooms in total.

The tenure in this block will change from NHS, HMO accommodation to 'open market' HMO accommodation. There is no change to internal layout and no net change in the quantity of accommodation. There does not appear to be any planning condition restricting occupation of this block to nurses.

- Chestnut House (2 storey)

This retained accommodation is laid out in self-contained HMO clusters of 5 bedrooms. Each of these clusters has a shared kitchen, bathroom, lounge, toilet and two storage cupboards. Three of these clusters are located on each floor of this 2-storey building, so 30 rooms in total.

The tenure in this block will change from NHS, HMO accommodation to 'open market' HMO accommodation. There is no change to internal layout and no net change in the quantity of accommodation. There does not appear to be any planning condition restricting occupation of this block to nurses.

3.0 POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough Local Plan policies SS1, SP1, SP19, SP20, DM1, DM3, DM6, DM8, DM9, DM11, DM21, DM23.
- Supplementary Planning Guidance: Affordable housing
- The National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Maidstone Borough Council – Local Plan Review, draft plan for submission (Regulation 22) dated October 2021. - The Regulation 22 draft is a material consideration however weight is currently limited, as it is the subject of an examination in public that commenced on the 6 September 2022 (hearings currently adjourned). The relevant policies in the draft plan are as follows:

LPRSP10:Housing

LPRSP10(A):Housing mix

LPRSP12:Sustainable transport

LPRSP14:The environment

LPRSS1:Maidstone borough spatial strategy

LPRSP9:Development in the countryside

LPRSP14A:Natural environment

LPRSP14(C):Climate change

LPRSP15:Principles of good design

LPRTA2:Assessing the transport impacts of development

PRTRA4:Parking

LPRQ&D 1:Sustainable design

LPRQ&D 2:External lighting

LPRQ&D 6:Technical standards

4.0 LOCAL REPRESENTATIONS

4.01 One response has been received objecting to the application for the following reasons:

- Whilst there are good transport links residents will still have cars
- The use of the grassed areas should be considered for parking.

Cllr Peter Homes

4.02 The application is called in for committee determination due to concerns over the private HMO aspect of the proposal.

Cllr Paul Harper

Following the call in from Cllr Homes, fully support the need for this to go to committee as this seems a strange place for HMO except as accommodation in conjunction with the hospital.

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 when considered necessary)

KCC Highways

5.01 No objections, recommend standard infomatives.

MBC HMO Licencing Team

No objection, the room sizes and the number of rooms sharing a set of facilities are acceptable. The laundry area and the onsite management office are also highlighted as positives.

Kent Police

5.02 No objection. Whilst no external changes are proposed, the applicant is advised to review general security arrangements, including access control, alarms, CCTV coverage and lighting, door sets, windows and mail delivery.

KCC Local Lead Flood Authority.

5.03 No objection as proposal considered low risk.

MBC Environmental Health

5.04 No objection subject to conditions on bin screening and EV charging.

KCC Minerals Team

5.05 No objection

6.0 APPRAISAL

6.01 The key issues are:

- Site location
- Proposed residential accommodation
- Residential amenity – neighbours
- Access, parking, and servicing
- Trees and landscaping and biodiversity.

Site location

6.02 The application site is in a sustainable location in the designated Maidstone Urban Area.

Standard of proposed residential accommodation

- 6.03 Local Plan policy DM1 advises that proposals will be permitted where they "...provide adequate residential amenities for future occupiers of the development...". The policy seeks to ensure that occupiers are not "...exposed to, excessive noise..., overlooking or visual intrusion...". The NPPF (para 130) advises of the importance of good design, creating well designed accommodation with a high standard of amenity for future residents.
- 6.04 The Council do not currently have any adopted minimum internal space standards. The national space standards are included as part of the Local Plan Review (policy LPRQ&D 6). The Council do not currently have any policy on private residential amenity space, however policy LPRQ&D 7 of the Local Plan Review states that external amenity space should be located adjacent to the dwelling, external access should be provided and where balconies are not possible, quality private communal space must be provided.
- 6.05 Houses in Multiple Occupation (HMO's) aid the provision of accommodation for smaller households and contribute towards achieving a mix and choice of homes. # HMO developments need also to provide attractive, high quality places to live that respond positively to the local area. The applicant has stated that the HMO accommodation meets the size standards in the 'The Licensing of Houses in Multiple Occupation Mandatory Conditions of Licences) (England) Regulations 2018'. An assessment of the three blocks retaining HMO accommodation against the minimum floorspace standards is provided below.
- 6.06 In accordance with Local Plan policy DM9 (albeit this policy relates to the conversion of houses), the current application with the provision of family accommodation will provide a less intensive than the current lawful use.

Rowan House (3 storey)

- 6.07 The current proposal involves the use of the existing residential accommodation in Rowan House (8 self-contained HMO clusters of 3 bedrooms, shared kitchen, bathroom, lounge, toilet and storage cupboard) as 8, three bedroom flats. There are no internal changes proposed.
- Internal layout
- 6.08 The gross internal area for each of the 8, three bedroom flats is 78m². This floor area is 4m² above the minimum floor area of 74m² for a three bedroom 4 person flat set out in the national internal space standards (and whilst the subject of the examination in public Local Plan Review policy LPRQ&D 6).
- 6.09 The three bedroom units will provide an adequate standard of amenity including in terms of natural light, privacy, outlook and access arrangements. The accommodation is also supported by a ground floor laundry room.
- External amenity space
- 6.10 With the retained ground floor ground floor laundry room and office, there are 2, three bedroom flats proposed on the ground floor of Rowan House.
- 6.11 These two ground floor flats will be provided with direct access to private external space enclosed by new hedges. (Flat 1 area of 323 m² and Flat 2 301 m²). The accommodation at first and second floors will have shared private external space of 215 m². The amenity of ground floor occupiers adjacent to the shared external space will be protected by new low hedging outside windows.

Comparison: minimum standards and accommodation in Birch House

BIRCH HOUSE AREA COMPARISON					
	Room	Area	HMO Area	Difference	Notes
FLAT 01	Kitchen	14.3	7	7.3	1-5 Persons
	Living Room	18.4	11.5	6.9	1-5 Persons
	Room 01	13.9	9	4.9	1 person
	Room 02	10.3	9	1.3	1 person
	Room 03	10.4	9	1.4	1 person
	Room 04	10.6	9	1.6	1 person
FLAT 02	Kitchen	13.8	7	6.8	1-5 Persons
	Living Room	18.4	11.5	6.9	1-5 Persons
	Room 01	13.9	9	4.9	1 person
	Room 02	10.3	9	1.3	1 person
	Room 03	10.4	9	1.4	1 person
	Room 04	10.6	9	1.6	1 person
FLAT 03	Kitchen	13.8	7	6.8	1-5 Persons
	Living Room	18.4	11.5	6.9	1-5 Persons
	Room 01	13.9	9	4.9	1 person
	Room 02	10.3	9	1.3	1 person
	Room 03	10.4	9	1.4	1 person
	Room 04	10.4	9	1.4	1 person
FLAT 04	Kitchen	13.8	7	6.8	1-5 Persons
	Living Room	18.4	11.5	6.9	1-5 Persons
	Room 01	13.9	9	4.9	1 person
	Room 02	10.3	9	1.3	1 person
	Room 03	10.4	9	1.4	1 person
	Room 04	10.6	9	1.6	1 person
FLAT 05	Kitchen	13.8	7	6.8	1-5 Persons
	Living Room	18.4	11.5	6.9	1-5 Persons
	Room 01	13.9	9	4.9	1 person
	Room 02	10.3	9	1.3	1 person
	Room 03	10.4	9	1.4	1 person
	Room 04	10.6	9	1.6	1 person
FLAT 06	Kitchen	13.8	7	6.8	1-5 Persons
	Living Room	18.4	11.5	6.9	1-5 Persons
	Room 01	13.9	9	4.9	1 person
	Room 02	10.3	9	1.3	1 person
	Room 03	10.4	9	1.4	1 person
	Room 04	10.4	9	1.4	1 person

Birch House (2 storey)

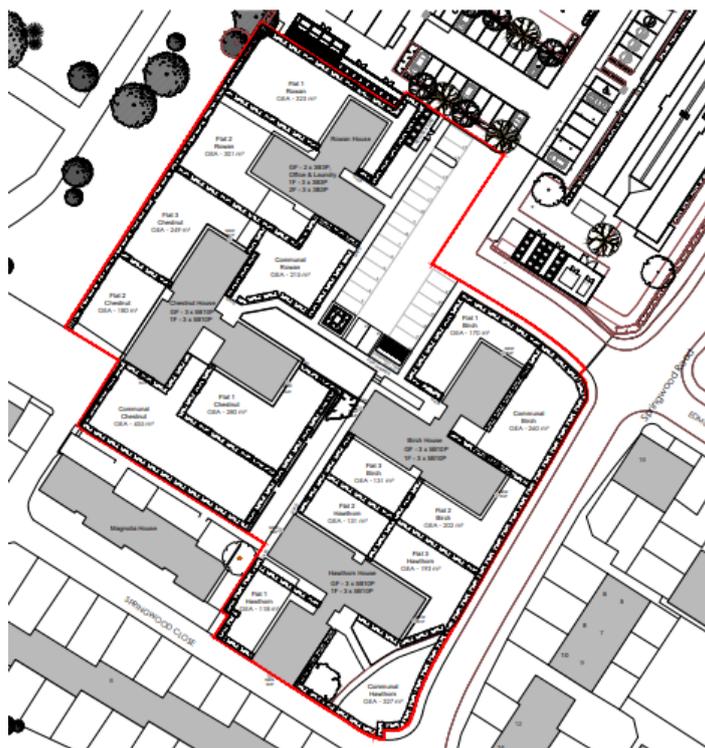
- 6.12 The retained HMO accommodation in this building is laid out in self-contained HMO clusters of 5 bedrooms. Each of these clusters has a shared kitchen, bathroom, lounge, toilet and two storage cupboards.
- 6.13 Three of these clusters are located on each floor of this 2-storey building so 6 clusters in Birch House providing 30 rooms in total. The tenure in this block will change from NHS, HMO accommodation to 'open market' HMO accommodation.
- Internal layout
- 6.14 The table above provides a comparison between minimum HMO floorspace standards ('The Licensing of Houses in Multiple Occupation Mandatory Conditions of Licences) (England) Regulations 2018') and the accommodation that is retained on site. The table showing that in all cases the accommodation is above minimum HMO standards from between 1.3 m² to 7.3 m².

6.15 The accommodation will provide an adequate standard of amenity including in terms of natural light, privacy, outlook and access arrangements. The accommodation is also supported by a ground floor laundry room.

- External amenity space

6.16 The occupiers of the 3 ground floor clusters will have direct access to external enclosed private amenity space (170m², 202m² and 131m²). The occupiers of the first floor accommodation will have access to 260 m² of shared space. The amenity of ground floor occupiers adjacent to the shared external space will be protected by new low hedging outside windows.

Proposed site layout plan



Hawthorn House (2 storey)

6.17 The retained HMO accommodation is laid out in self-contained HMO clusters of 5 bedrooms. Each of these clusters has a shared kitchen, bathroom, lounge, toilet and two storage cupboards. Three of these clusters are located on each floor of this 2-storey building so 30 rooms in total. The tenure in this block will change from NHS, HMO accommodation to open market HMO accommodation.

- Internal layout

6.18 The table below provides a comparison between minimum HMO floorspace standards and the accommodation that is provided. The table showing that in all cases the accommodation is above minimum HMO standards from between 1.3 m² to 4.9 m².

- External amenity space

6.19 The occupiers of the 3 ground floor clusters will have direct access to external enclosed private amenity space (118m², 131m² and 193m²). The accommodation at first and second floors will have shared private external space of 327m². The amenity of ground floor occupiers adjacent to the shared external space will be protected by new low hedging outside windows.

Comparison: minimum standards for accommodation in Hawthorn and Chestnut

HAWTHORN HOUSE AREA COMPARISON						CHESTNUT HOUSE AREA COMPARISON					
	Room	Area	HMO Area	Difference	Notes		Room	Area	HMO Area	Difference	Notes
FLAT 01	Kitchen	10.9	7	3.9	1-5 Persons	FLAT 01	Kitchen	13.9	7	6.9	1-5 Persons
	Living Room	14.1	11.5	2.6	1-5 Persons		Living Room	17.6	11.5	6.1	1-5 Persons
	Room 01	13.9	9	4.9	1 person		Room 01	13.9	9	4.9	1 person
	Room 02	10.3	9	1.3	1 person		Room 02	10.4	9	1.4	1 person
	Room 03	10.4	9	1.4	1 person		Room 03	10.4	9	1.4	1 person
	Room 04	10.6	9	1.6	1 person		Room 04	10.5	9	1.5	1 person
FLAT 02	Room 05	10.5	9	1.5	1 person	Room 05	10.5	9	1.5	1 person	
	Kitchen	10.9	7	3.9	1-5 Persons	FLAT 02	Kitchen	13.8	7	6.8	1-5 Persons
	Living Room	13.9	11.5	2.4	1-5 Persons		Living Room	17.6	11.5	6.1	1-5 Persons
	Room 01	13.9	9	4.9	1 person		Room 01	13.9	9	4.9	1 person
	Room 02	10.3	9	1.3	1 person		Room 02	10.4	9	1.4	1 person
	Room 03	10.4	9	1.4	1 person		Room 03	10.4	9	1.4	1 person
Room 04	10.5	9	1.5	1 person	Room 04		10.5	9	1.5	1 person	
FLAT 03	Room 05	10.5	9	1.5	1 person	Room 05	10.5	9	1.5	1 person	
	Kitchen	10.9	7	3.9	1-5 Persons	FLAT 03	Kitchen	13.8	7	6.8	1-5 Persons
	Living Room	13.9	11.5	2.4	1-5 Persons		Living Room	17.6	11.5	6.1	1-5 Persons
	Room 01	13.9	9	4.9	1 person		Room 01	13.9	9	4.9	1 person
	Room 02	10.4	9	1.4	1 person		Room 02	10.3	9	1.3	1 person
	Room 03	10.4	9	1.4	1 person		Room 03	10.4	9	1.4	1 person
Room 04	10.4	9	1.4	1 person	Room 04		10.5	9	1.5	1 person	
FLAT 04	Room 05	10.5	9	1.5	1 person	Room 05	0.5	9	-8.5	1 person	
	Kitchen	10.9	7	3.9	1-5 Persons	FLAT 04	Kitchen	13.9	7	6.9	1-5 Persons
	Living Room	14.1	11.5	2.6	1-5 Persons		Living Room	17.6	11.5	6.1	1-5 Persons
	Room 01	13.9	9	4.9	1 person		Room 01	13.9	9	4.9	1 person
	Room 02	10.3	9	1.3	1 person		Room 02	10.4	9	1.4	1 person
	Room 03	10.4	9	1.4	1 person		Room 03	10.4	9	1.4	1 person
Room 04	10.6	9	1.6	1 person	Room 04		10.5	9	1.5	1 person	
FLAT 05	Room 05	10.5	9	1.5	1 person	Room 05	10.5	9	1.5	1 person	
	Kitchen	10.9	7	3.9	1-5 Persons	FLAT 05	Kitchen	13.8	7	6.8	1-5 Persons
	Living Room	13.9	11.5	2.4	1-5 Persons		Living Room	17.6	11.5	6.1	1-5 Persons
	Room 01	13.9	9	4.9	1 person		Room 01	13.9	9	4.9	1 person
	Room 02	10.3	9	1.3	1 person		Room 02	10.4	9	1.4	1 person
	Room 03	10.4	9	1.4	1 person		Room 03	10.4	9	1.4	1 person
Room 04	10.5	9	1.5	1 person	Room 04		10.5	9	1.5	1 person	
FLAT 06	Room 05	10.5	9	1.5	1 person	Room 05	10.5	9	1.5	1 person	
	Kitchen	10.9	7	3.9	1-5 Persons	FLAT 06	Kitchen	13.8	7	6.8	1-5 Persons
	Living Room	13.9	11.5	2.4	1-5 Persons		Living Room	17.6	11.5	6.1	1-5 Persons
	Room 01	13.9	9	4.9	1 person		Room 01	13.9	9	4.9	1 person
	Room 02	10.4	9	1.4	1 person		Room 02	10.3	9	1.3	1 person
	Room 03	10.4	9	1.4	1 person		Room 03	10.4	9	1.4	1 person
Room 04	10.4	9	1.4	1 person	Room 04		10.5	9	1.5	1 person	
Room 05	10.5	9	1.5	1 person	Room 05	0.5	9	-8.5	1 person		

(NB: the floorspace for Chestnut House Flat 3: Room 5 and Flat 6: Room 5 is 10.5 m² and not 0.5 m² as given by the agent in the above table)

Residential amenity – neighbours

Chestnut House (2 storey)

6.20 The retained HMO accommodation is laid out in self-contained HMO clusters of 5 bedrooms. Each of these clusters has a shared kitchen, bathroom, lounge, toilet and two storage cupboards. Three of these clusters are located on each floor of this 2-storey building so 30 rooms in total. The tenure in this block will change from NHS, HMO accommodation to 'open market' HMO accommodation.

- Internal layout

6.21 The table below provides a comparison between minimum HMO floorspace standards and the accommodation that is provided. The table shows that in all cases the accommodation is above minimum standards from between 1.3 m² and 6.9 m². (NB: the floorspace for Chestnut House Flat 3: Room 5 and Flat 6: Room 5 is 10.5 m² and not 0.5 m² as given by the agent in the table above)

- External amenity space

6.22 The occupiers of the 3 ground floor clusters will have direct access to external enclosed private amenity space (280m², 180m² and 249m²). The accommodation at first and second floors will have shared private external space of 455m². The

amenity of ground floor occupiers adjacent to the shared external space will be protected by new low hedging outside windows

Summary

- 6.23 In summary, the proposal does not involve any internal changes to the 4 existing and retained residential buildings on the application site.
- 6.24 Only two tenure changes are proposed. Firstly, the HMO accommodation is to be made available on the open market in three of the four blocks (with no restriction on the original approval it appears that this change would not require planning permission).
- 6.25 Secondly, the accommodation in the fourth block (Rowan) is to be used as three bedroom flats. The change in the tenure on this site is in accordance with Local Plan policy SP19 which seeks a sustainable range of house types, types and tenures to meet need.
- 6.26 The proposed accommodation has been assessed against and found to be in compliance with adopted Local Plan policies DM1 and DM9, the NPPF (para 130) and whilst not adopted with Local Plan review policies LP and RQ&D 6 LPRQ&D 7.
- 6.27 The proposal will provide a good standard of accommodation and amenity with the changes made to the site improving the standard of the retained accommodation with enclosed private external space for all future occupiers. The HMO accommodation was additionally found to be in excess of the standards set out in 'The Licensing of Houses in Multiple Occupation Mandatory Conditions of Licences) (England) Regulations 2018'.
- 6.28 The proposed external changes will not harm the appearance of the building or the character and amenity of the surrounding area and will provide a less intensive use than the current lawful use.
- 6.29 Policy DM1 states that proposals will be permitted where they "respect the amenities of occupiers of neighbouring properties...by ensuring that development is not exposed to, excessive noise, activity, 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".
- 6.30 The nearest neighbours to the site are to the south east on the opposite side of Springwood Road and to the south west on the opposite side of Springwood Close. The proposal does not involve new residential buildings or new windows change and the change in tenure is acceptable in terms of the impact on neighbour amenity, including privacy, overlooking, noise and disturbance.
- 6.31 The ground floor of Rowan House includes a management office. Whilst there have been no noise and disturbance related objections from neighbouring residents, a planning condition is recommended to seek the submission of plan for the 'future' management of the accommodation. This management plan would cover a range of matters from the future maintenance and upkeep of the site, through to a complaints procedure and a named contact.

Access, parking, and servicing

- 6.32 Adopted policies seek to ensure that new development does not harm highway safety and that there is adequate site access, servicing arrangements, off street car parking, cycle parking and electric vehicle charging. Local Plan policy DM1 sets out that new development should provide adequate vehicular and cycle parking,

and policy DM23 encourages good access routes through the site with electric charging points incorporated into proposals.

- 6.33 The site is within a sustainable location in the Maidstone Urban Area. The site is well located in terms of access to public transport. Local bus stops are within 250m, providing access to regular bus services serving a number of destinations. The closest railway station is Barming which is approximately 1.8km away. The site is within easy walking distance of a range of everyday services and facilities
- 6.34 The assessment of traffic impact is based on the existing lawful site use operating at full capacity. The lawful use of the application site is HMO accommodation for 114 adult occupiers (1 block of 24 and 3 blocks of 30 rooms).
- 6.35 The current proposal introducing family accommodation would reduce the percentage of adult occupation on the site. With the reduction in adult occupation the potential impact on car parking demand and traffic generation will also fall as every bedroom in the proposed 3 bedroom flats will not be occupied by an adult and not all of the rooms in the flats will continue to be occupied as a bedroom.
- 6.36 There are 21 existing off street car parking spaces on the site and these will be retained and a further two spaces are proposed as part of the current application. A planning condition is recommended to seek the submission of a car parking management plan that will cover the allocation of the car parking spaces. A further planning condition is recommended seeking the provision of 4 electric charging points (one charging point for every 5 spaces).
- 6.37 The existing access arrangements to the site from Springwood Road will not be altered as part of the current application. These access arrangements are considered acceptable. A planning condition is also recommended seeking further details of cycle storage for future occupants, in addition to bin storage and bin collection arrangements on the site.
- 6.38 NPPF paragraph 111 states "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*". It is found that there would not be any severe impact on the highway or local parking demand as a result of this proposal.
- 6.39 KCC Highways has been consulted and have *no objection to the development or the parking arrangements. KCC highways note "Springwood Road is a non through road residential street that serves a limited number of dwellings. The status of Springwood Road as a non through road significantly limits the extent to which any overspill parking could result in any unacceptable impacts in highway safety or capacity terms"*.
- 6.40 KCC Highways go on to say "*...whilst KCC Highways acknowledge that it does not benefit from the presence of any existing parking restrictions, many of the existing properties benefit from their own dedicated off-street parking provision*". "*KCC Highways consider the contention that the decision to own a car is not solely dependent upon a person's occupation to be reasonable, as residents travel for a range of reasons including leisure and recreational purpose, and not just to access employment*".

Trees, landscaping, biodiversity and energy efficiency

- 6.41 Policy DM1 sets out that proposed development should respond to the location of the site and sensitively incorporate natural features such as trees, hedges worthy of retention within the site.
- 6.42 The NPPF (para 174) states that planning decisions should contribute to and enhance the natural and local environment providing net gains for biodiversity, and (para 180) opportunities to improve biodiversity in and around developments should be integrated as part of their design.
- 6.43 The open areas of the site provide access paths and hardstanding within large managed grassed areas that provide the setting of the buildings and the outlook for occupiers but with limited wildlife habitat. A planning condition is recommended seeking biodiversity enhancements as part of the development.
- 6.44 There is sufficient space on the site to accommodate landscaping and structural tree planting to soften the appearance of the development and improve amenity for ground floor occupiers. A planning condition is recommended seeking details of landscaping, such as new hedge planting.
- 6.45 Policy DM2 of the Local Plan states that all new home will be expected to meet the strengthened on site energy performance standards of building regulations in Part L. Whilst not currently adopted LPRP14(C) of the Local Plan Review states that the Council supports the provision of renewable energy infrastructure within new development.
- 6.46 The applicant has stated that it is not feasible to provide on site renewable energy generation due to the nature of the accommodation. The applicant has stated (letter dated 23.09.2022) that whilst Part L of the Building Regulations is not generally applicable (as no extensions are proposed only applicable to the new patio doors) the following energy efficiency measures are proposed:
1. LED lighting to be provided throughout the buildings including externally.
 2. 400mm loft insulation to be installed inside all roofs.
 3. Individual thermostatic controls to the buildings heating to be installed.
 4. The provision of all electric 'A' rated appliances / white goods to the units.
 5. The fitting of flow restrictors on all showers & taps to limit the use of hot water and thus the energy required for its generation.
 6. Water harvesting (water butt), recycling rain water for external maintenance.
 7. 4 x EV charging points.
- 6.47 The development providing this range of measures is in accordance with DM2 and the general policy aims of improving energy efficiency and tackling climate change.

Other issues

- 6.48 The Council's Affordable and Local Needs Housing Supplementary Planning Document (para 12.2) confirms that the affordable housing requirements of Policy SP20 only apply to development within planning use class C3 (single family dwellings).
- 6.49 The HMO accommodation is Sui Generis and not within planning use class C3. The proposed includes provision of 8 three bedroom flats, this provision is under the NPPF threshold for affordable housing which is 10 or more dwellings.

Public Sector Equality Duty

- 6.50 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7 CONCLUSION

- 7.01 The site is located in a sustainable location where the principle of development is supported by the Local Plan and the NPPF. The development proposes the reuse of a sustainably located site in the urban area improving the mix of accommodation on the site. The proposal is of an appropriate design, scale, and layout. Additional landscaping can be secured by way of condition.

8 RECOMMENDATION

GRANT planning permission subject to the following conditions

with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

- 1) Commencement: 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) Plans: The development hereby approved shall be carried out in accordance with the following approved plans and documents:
 - Site Plan Existing drawing 21.208-01
 - Rowan House existing 21.208-10
 - Birch House existing 21.208-11
 - Chestnut House existing 21.208-12
 - Hawthorn House existing 21.208-13

 - Site Plan Proposed drawing 21.208-001 T5 (received 06.10.2022)
 - Rowan House proposed Floor Plans 21.208-200 P2 (received 06.10.2022)
 - Birch House proposed Floor Plans 21.208-201 P2 (received 06.10.2022)
 - Chestnut House proposed Floor Plans 21.208-202 P2 (received 06.10.2022)
 - Hawthorn House proposed Floor Plans 21.208-203 P2 (received 06.10.2022)
 - Rowan House proposed Elevations 21.208-300 (received 06.10.2022)
 - Birch House proposed Elevations 21.208-301 (received 06.10.2022)
 - Chestnut House proposed Elevations 21.208-302 (received 06.10.2022)
 - Hawthorn House proposed Elevations 21.208-303 (received 06.10.2022)
 - Rowan House Area Comparison
 - Birch House Area Comparison
 - Chestnut House Area Comparison
 - Hawthorn House Area Comparison
 - Vehicle Swept Path Analysis 11.4 Refuse 16675-T-01-P1

 - DHA Letter dated 23.09.2022
 - DHA Covering letter and Design and Access StatementReason: For the avoidance of doubt and in the interests of proper planning.
- 3) Biodiversity: Prior to first occupation of the development hereby approved details of a scheme for the enhancement of biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall consist

of the enhancement of biodiversity through means such as swift bricks, bat tubes or bee bricks, and through provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgehog corridors. The development shall be implemented in accordance with the approved details prior to first occupation of the development hereby approved and all features shall be maintained thereafter. Reason: To enhance the ecology and biodiversity on the site.

- 4) Energy Efficiency: Prior to first occupation of the development hereby approved the energy efficiency measures set out in the DHA letter dated 23 September 2022 shall be in place and all features shall be maintained thereafter. Reason: To ensure an energy efficient form of development.
- 5) Landscaping details: Prior to first occupation of the development hereby approved a soft landscaping scheme (designed using the principle's established in the Council's adopted Landscape Character Assessment 2012) shall be submitted to and approved in writing by the local planning authority. The soft landscaping scheme shall include the following:
 - a) Indications of all existing hedgerows on the land, and confirmation of those to be retained,
 - b) A planting schedule using indigenous species (including location, planting species, spacing, maturity and size). Only non-plastic guards shall be used for the new trees and hedgerows.
 - c) A programme for the approved scheme's implementation and long term management, including long term design objectives, management responsibilities and a maintenance schedule for the landscaped areas.Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development
- 6) Landscaping implementation: All planting, seeding and turfing specified in the approved landscape scheme shall be completed by the end of the first planting season (October to February) following first occupation of the dwelling hereby approved. The approved long term management details shall be carried out with the approved details and any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme. Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development
- 7) Boundary treatment: Prior to first occupation of the development hereby approved details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority (to include gaps at ground level in the boundaries to allow the passage of wildlife) and the development shall be carried out in accordance with the approved details before the first occupation of the buildings and maintained as such thereafter. Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers and for the passage of wildlife.
- 8) Provision of garden areas Prior to first occupation of the development hereby approved the hedging shown on drawing 21.202-001 T5 shall be provided (including hedging to protect the ground floor windows) and shall be maintained for the lifetime of the development. Reason: In the interests of landscape and amenity.

- 9) EV charging: Prior to first occupation of the development hereby approved a minimum of four operational electric vehicle charging points for low-emission plug-in vehicles shall be installed and ready for the use of the new occupant with the electric vehicle charging point thereafter retained and maintained operational as such for that purpose. Reason: To promote to promote sustainable travel choices and the reduction of CO2 emissions through use of low emissions vehicles.
- 10) Bin and cycle storage: Prior to the first occupation of the dwelling hereby approved, facilities for
 - (a) the storage and screening of refuse bins,
 - (b) the collection of refuse bins, and
 - (c) secure bicycle storageshall be in place that are in accordance with details that have previously been submitted to and approved by the Local Planning Authority. These details will be maintained as such thereafter. Reason: To ensure a satisfactory appearance to the development
- 11) Parking, turning and access: Prior to the first occupation of the dwelling hereby approved the approved parking, turning and access details shall be completed and shall thereafter be retained. 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 their operation. Reason: Development without adequate parking, turning and access provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.
- 12) External lighting: Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. These details shall include, inter alia, measures to shield and direct light from the light sources so as to prevent light pollution and illuminance contour plots covering sensitive neighbouring receptors. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter. Reason: In the interests of amenity.
- 13) Removal of permitted development: Notwithstanding the provisions of the Town and Country Planning General Permitted Development (Amendment) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development within Schedule 2, Part 1, Classes A, B, C, D, E and F; and Schedule 2, Part 2, Class A, to that Order shall be carried out. Reason: To ensure a satisfactory appearance to the development.
- 14) Site Management Plan: Prior to the first occupation of the dwelling hereby approved a site management plan shall be submitted to and approved in writing by the local planning authority. The plan should include arrangements for the upkeep and maintenance of the open areas of the site and details of a complaints procedure and management contact. Reason: In the interests of amenity.
- 15) Car Parking Management Plan Prior to the first occupation of the dwelling hereby approved a car parking management plan shall be submitted to and approved in writing by the local planning authority. The plan should include arrangements for the management of the car parking area, the electric vehicle charging points and the allocation of spaces. Reason: In the interests of amenity and highway safety.