

Item 19, Pages 110-127

101 Milton Street, Maidstone, Kent, ME16 8LD

PLANNING APPLICATION: 22/503535/FULL

An additional comment was received on 17/04/2023 from a neighbouring property.

Neighbour comment “Reference is made to existing access door, from my neighbour and I's experience of the part of the property in question, internally there is no access door. It has been plastered/wall papered over, confirming it has not been in use for a significant period of time. Therefore the access cannot be considered "existing".”

Officer response

- It has been acknowledged that the access is not currently in use.
- It is highlighted that the external access staircase is existing.
- Planning permission would not be required to 're-establish' this access to the existing four bedroom dwelling.
- The staircase and access if re established would provide direct access from the four bedroom dwelling to the car parking space to the rear of the building.

Neighbour comment “Whilst a high boundary may be maintained, the alignment of the external staircase and my back bedroom window ensure that my privacy will be lost to people walking up the stairs.”

Officer response

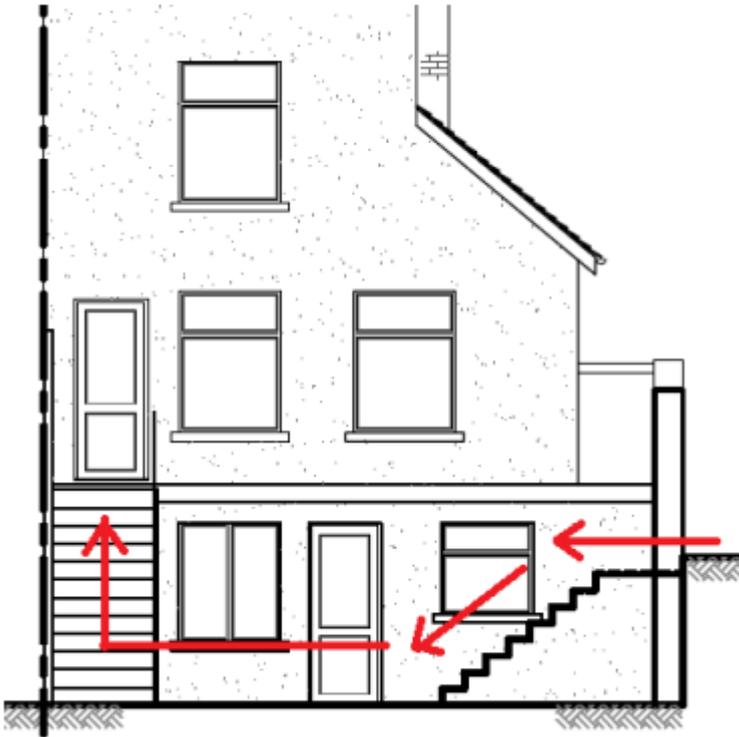
- Were the applicant to re-establish the access to the rear this would be a 'secondary' access to a four-bedroom dwelling.
- The current proposal uses the access as the primary access point to a two bedroom dwelling.
- It is accepted that there will be activity at the rear, but this activity would not be grounds to refuse planning permission.
- A planning condition is recommended that ensures that at any given point the boundary is at a height of 1.8 metres.
- If members consider it necessary this boundary height can be increased to a height of 2 metres. In this context the alignment of the staircase is not a valid consideration.

Neighbour comment “This seems to gloss over the increase in noise and disturbance caused by accessing the Flat by this entry point, the current level being no noise and disturbance from the external staircase, changing to significant numbers of entrance/egress actions on a daily basis. The background noise experienced at the top of the stairs landing is irrelevant to myself and the matter in question.”

Officer response

- The rear access, including use of the existing external staircase for the existing four bedroom dwelling, can be lawfully re-established without a need for planning permission. This is the starting position for the assessment of the current application.
- Existing background noise is relevant as it is the baseline for the assessment of future impact.

- The top of the staircase and landing are at a similar height as the nearby pavement (see drawing extract below) and this relationship with the street is also relevant in terms of assessing future impact.
- The recommended planning condition requiring a 1.8 metres high boundary treatment, in addition to protecting privacy, would also screen the neighbouring property from any noise from the use of the staircase.



- The officer recommendation to approve the development remains unchanged, it is not assessed that the proposal would cause such a significantly harmful level of disturbance or loss of amenity that a refusal is warranted.