

Minutes**Address and Description:****MA/10/0943****East Court, The Street, Detling
Demolition of pre-fabricated garages and erection
of three dwellings (one semi-detached pair and
one detached) with associated garages, parking,
landscaping, new entrance and access****Background**

This application was reported to the last Planning Committee (14 October 2010) where Members resolved to refuse the application on the following ground:-

"The proposal would result in harm to the character and appearance of the Kent Downs AONB by reason of the inappropriate design, in particular the layout and scale, contrary to the provisions of policy ENV33 of the Maidstone Borough-Wide Local Plan 2000 and central government planning policy and guidance in PPS1 Delivering Sustainable Development and PPS7 Sustainable Development in Rural Areas."

In addition, Members asked for consideration to be given to whether an additional reason for refusal on the grounds of air quality can be added to the decision because of the site's close proximity to the A249.

Officer Comment

The Planning Officer has undertaken further consultation with the Environmental Health Manager on this particular matter and the following further comments have been received:-

"This application was presented to Planning Committee on 14th October 2010 and permission was refused. However members asked whether a further ground for refusal could be included concerning air quality. This was not considered in previous applications, as there was no evidence at that time to warrant air quality as an issue at this locality. However, as part of the Council's Local Air Quality Management some monitoring has taken place since 2009 at a locality on the other side of the A249 on the corner of Pilgrims Way and Detling Hill. Initial results have shown no exceedence of the Governments Air Quality Strategy guidelines for Nitrogen Dioxide at this locality. Extrapolating these results to this application site would indicate that at a position some 30 metres away from the carriageway, nitrogen dioxide levels would be significantly lower than that found so far at Pilgrims Way. There is also shielding afforded by trees, which should also have a beneficial effect in lowering air pollution levels. Consequently air quality is less of a concern compared to noise at this locality."

Recommendation

On this basis there is no evidence to show that air pollution levels from traffic on the nearby A249 are adversely affecting this site, secondly, I would remind Members that air pollution was not an issue at the recent appeal. Therefore I would recommend that this is not used as an additional reason for refusal.