

APPLICATION: MA/11/0513 Date: 7 March 2011 Received: 1 April 2011
APPLICANT: Messrs. R & S Yadave
LOCATION: PINE LODGE, SOMERFIELD ROAD, MAIDSTONE, KENT, ME16 8JJ
PARISH: Maidstone
PROPOSAL: Conversion of the building to 6 self-contained flats as shown on drawing nos. 10/636/01, 02 (existing), 02 (proposed), 03, 04, 05, 06, 07, 08, 09, 10, 11 received on 01/04/11.
AGENDA DATE: 29th March 2012
CASE OFFICER: Geoff Brown

The recommendation for this application is being reported to Committee for decision because:

- Councillor Ross has requested it be reported for the reason set out in the report

BACKGROUND

This application has effectively been in abeyance for a considerable time to allow for the resolution of planning issues concerned with the erection of the garage/store in front the house (see history). These issues, concerning the unauthorised patio and non-compliance with the landscaping scheme, have now been successfully resolved and therefore this application can now be determined.

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: ENV6, H21
- South East Plan 2009: CC1, CC6, BE1
- Village Design Statement: N/A
- Government Policy: PPS1, PPS3, PPG13

2. HISTORY

I consider the relevant planning history to be:

MA/12/0111 - A retrospective application for the installation of a patio area - Permitted

MA/09/1905 – Erection of a double garage with store and workshop in roof space (Resubmission of MA/09/0146) – Permitted

MA/09/0146 - Erection of double garage with store and workshop in roof space – Permitted

MA/94/1093 – Two storey side extension - Permitted

3. CONSULTATIONS

KENT HIGHWAY SERVICES has no objection subject to conditions to increase the size of the parking spaces and to provide space for cycle parking.

4. REPRESENTATIONS

COUNCILLOR ROSS has requested committee consideration. He says: "I have concerns that the proposed development is at odds with the character and appearance of the area."

NINE LETTERS OF OBJECTION HAVE BEEN RECEIVED FROM LOCAL RESIDENTS. The summarised points of objection are:

- a) The development would lead to increased traffic which will add to problems on the road for vehicles and pedestrians (including schoolchildren). There would be increased wear and tear on this private road (the upkeep of which is contributed to by local residents).
- b) There would be insufficient parking space on site which would make parking problems in the area worse, to the detriment of safety and the inconvenience of local residents.
- c) The scheme would be out of character and harm the appearance of the area. Flats are not characteristic of this locality.
- d) There would be a loss of light and increased noise to local residents.
- e) Various developments have been carried out by the applicants without permission including a garage, a wall and an extension. The garden wall that has been erected encroaches onto the width of the road and is an eyesore.

5. CONSIDERATIONS

5.1 Site Description

- 5.1.1 The application site is located within the urban area off the south side of Somerfield Road (a private road) that joins London Road at a traffic light-controlled junction approx. 100m away from the site. The site accommodates a large, thirteen- bedroomed dwelling towards the rear of the site, of two main floors with additional accommodation in the roof space. The property has a rear garden divided in two by a wall and a large front garden with trees that are protected by TPO 15/1972 and extensive driveways and parking space. A garage/store building has been erected within the front garden area under permission MA/09/1905.
- 5.1.2 This is a residential area with large residential properties in generous plots, although land to the east and south of the site is characterised by the institutional uses that front Bower Mount Road.

5.2 Proposal

- 5.2.1 This application involves the change of use of the premises from a large single dwellinghouse to six self-contained flats. The application proposes no changes to the exterior of the building and no new building works.
- 5.2.2 A large four-bedroomed flat would be created at the eastern end of the building and this would have its own private rear garden and the benefit of the aforementioned garage with its two parking spaces. Elsewhere within the building the accommodation would involve one three-bedroomed, one two-bedroomed and three one-bedroomed flats and these flats would share the open air parking available on and around the drive and enjoy a communal garden.

5.3 Principle of Development

- 5.3.1 In my view the site constitutes 'previously-developed land' as defined by the Central Government Guidance embodied in PPS3 'Housing'. The site involves the re-use of an existing large dwelling rather than the development of private residential garden land that has not been previously developed. The site is clearly in a sustainable location with excellent access to basic services and public transport. Such areas should be given a priority in terms of the provision of new housing and encouragement is given to high density schemes and the achievement of a mix of housing. I consider that this proposed scheme achieves a higher density of accommodation in a sustainable location and is fully in tune with that guidance. However the detail of any scheme is important and 'saved'

Local Plan Policy H21 is relevant in governing the change of use of dwellings to self-contained flats.

5.4 Visual Impact

5.4.1 No physical changes are proposed here to the building or the site generally. Consequently it can only be the intensification of the residential use that could be problematic. Whilst there would be an increase in human activity, with a greater incidence of parked vehicles and vehicles negotiating the road this, in my opinion, would not be such as to create a significant change in the character of the area or be visually damaging.

5.5 Residential Amenity

5.5.1 The existing use is residential as would be the proposed use (albeit in a different form). Without a change in the exterior of the building there can be no significant loss of light, outlook or privacy here as the relationship to adjacent dwellings would not change. As stated previously, the intensity of use of the site would increase but I do not consider that any additional noise and disturbance from the use of the site, including the maneuvering of vehicles, would be so pronounced as to warrant a refusal of permission.

5.5.2 Given the size of the house and its grounds I see no reason as to why the prospective occupants of the flats should not enjoy a reasonable standard of living.

5.6 Highways

5.6.1 Kent Highway Services has raised no objection. I consider that, noting that the Somerfield Road/London Road junction is traffic light-controlled, the local highway network is capable of satisfactorily accommodating the traffic from the proposed development without significantly increasing danger and inconvenience.

5.6.2 In terms of on-site parking, six 'open air' spaces are marked on the submitted drawings but it seems to me that more cars could be parked on and around the drive if necessary. There are also two spaces marked within the garage building. I consider this level of provision to be sufficient for this sustainable location. I note the comments of local residents on this issue but this is clearly a sustainable location well related to public transport and basic services. Central Government Advice in PPS3 and PPG13 is such that, in such a location, it is not appropriate to refuse applications on the basis of insufficient on-site parking provision. I consider that it would be unreasonable to refuse this application on the basis of a lack of on-site parking space.

5.7 Landscaping

5.7.1 No trees would be affected by the proposals. There is no need for additional landscaping on such a scheme where no new building works are proposed.

5.8 Other Matters

5.8.1 Issues over the impact of additional traffic on the physical condition of a private road are not planning issues. Various breaches of planning control have occurred on this site but they have been resolved and, in any event, they should not colour the Council's judgement of this application. Having assessed the Highways Officer's comments I see no need to require the demarcation of vehicle and cycle parking spaces given the space available on site for such provision.

6. CONCLUSION

6.1 I consider the scheme to be fully in tune with the advice in PPS3 that directs local authorities to look favourably on higher density housing development on 'brownfield' sites. I recommend that planning permission be granted.

7. 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 nos. 10/636/01, 02 (existing), 02 (proposed), 03, 04, 05, 06, 07, 08, 09, 10, 11 received on 01/04/11;

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers in accordance with the advice in PPS1 and PPS3.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.