

APPLICATION: MA/08/2462 Date: 12 January 2009 Received: 18 June 2009

APPLICANT: Mr P Gibbons

LOCATION: SCRIBA HOUSE, LOOSE ROAD, LOOSE, MAIDSTONE, KENT, ME15 0AA

PROPOSAL: Change of use from retail to residential and erection of a two storey extension together with alterations and refurbishment of existing building as shown on drawing numbers SV/1/1061/08 received on 17/12/09; TP/1/1061/A/08 received on 14/1/09; and TP/2/1061/08/A and TP/3/1061/08/A received on 7/5/09.

AGENDA DATE: 2nd July 2009

CASE OFFICER: Geoff Brown

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

- it is contrary to views expressed by the Parish Council.

### **POLICIES**

Maidstone Borough-Wide Local Plan 2000: ENV28, ENV32, ENV35  
Kent & Medway Structure Plan 2006: SP1, HP5, QL1, QL6, EN1  
The South East Plan 2009: CC1, CC4, H5, C4, BE6  
Village Design Statement: N/A  
Government Policy: PPS1, PPS3, PPS7, PPG15

### **HISTORY**

I do not consider there to be any planning applications of significant relevance to this case.

### **CONSULTATIONS**

LOOSE PARISH COUNCIL states:

"Following our recent Planning Committee meeting, and also a site visit, the Loose Parish Council wish to object to the above application.

We note that the development does lend itself to multiple occupancy, although we are happy with the application on the basis of it being a single dwelling.

Concerns were raised in respect of the windows in the east side of the dwelling, as there will be a lack of natural light to the middle rooms, and looking from the rear of the building, some windows will be looking out onto a brick wall of about 1.5 metres to the right of the property.

It is felt that the proposed replacement casement windows do not mirror those on the neighbouring properties. In order for them to be more in keeping with the area, we feel that the vertical main casement panes need to be three panels rather than four, and for the small panes of glass to be rectangular not square as is shown on the plans, also the top window to be a sash window with rectangular panes.

We do not agree that UPVC should be allowed to be used for windows, doors, etc in the conservation area of Loose, and therefore a UPVC conservatory would be unacceptable.

On the site visit we note that plastic on aluminium windows to the rear of Scriba House and the Post Office have already been installed, but we are not aware of any planning applications having been submitted.

The proposed two storey extension is considered to be an intrusive development in this area, which is already an over intensification of residential buildings within the rural conservation area of Loose.

The car parking as shown seems impossible as cars are already parked at the rear of the property, and also vehicles may have to reverse out onto what has already been identified by Kent Highways as a dangerous hill with poor visibility.

It is felt that plans for the new house, 'Loose Valley House', located to the rear of the property need to be checked to ensure that this parking will be feasible in such a confined area."

THE COUNCIL'S CONSERVATION OFFICER comments: "The proposal incorporates significant improvements to the appearance of the front elevation which will lead to an enhancement of the conservation area. A condition re external joinery details will be appropriate."

## **REPRESENTATIONS**

Objections have been received from two local residences raising the following points:

A) There would be insufficient parking space for the dwelling. There are already parking problems in this locality. Parking proposed at the rear could interfere with other property's rights to access and park. The parking area to the front of the site is not private and can be used by anyone.

B) The premises should be properly marketed as a shop before a retail use is contemplated. A shop or local business could benefit the village.

C) The proposals represent an overdevelopment of the site. The balcony is inappropriate to the conservation area.

D) The garage to Sunnyside is incorrectly shown on the submitted drawings as a living room, whilst questions are raised as to how the application site has been outlined. An orange site notice has not been posted to advise of amendments.

Letters of support have been received from a local residence and the nearby post office. Comments are made that the scheme would improve the appearance of the area.

## **CONSIDERATIONS**

### **Description of the Site**

The application site is located just to the south of the small green at the junction of Loose Road and Old Loose Hill. It is the easternmost premises of a short terrace: the western end being a post office and the middle one an estate agents. The site itself involves an antiques shop (now closed) with a residential flat over two stories above that. There is a yard area to the rear, accessed from Old Loose Hill, that serves a range of properties including the application site. To the front is a communal parking and turning area, with the aforementioned green beyond that. On the south side of the yard are the residential properties Sunnyside and the recently constructed Loose Valley House. To the east and south east are the residential properties that make up Honeysuckle Mews.

The site is outside of the defined limits of urban Maidstone and Loose village and is therefore in the rural area, as well as being within the Southern Anti-Coalescence Belt and the Loose Valley Area of Local Landscape Importance, although the built up nature of the locality and the busy Loose Road provide a somewhat urban character to this particular locality. The site is within the Loose Conservation Area.

### **The Proposal**

This application proposes the change of use of the premises to a single dwelling and alterations to the building. The main element of the alterations involves the construction of a balcony and small conservatory at the rear of the property above an existing single storey projection. The balcony would be formed of low rendered walls and timber balustrading and the conservatory would be of timber and glass under a monopitched white UPVC roof. Further to the rear, a single storey storage structure would be replaced by a timber pergola with a single parking space next to it. Access is shown via the yard onto Old Loose Hill. Elsewhere there would be a general reworking

of the building, particularly replacement doors and windows, to create a more traditional appearance within the conservation area: notably at the front where the shop window and doorway is shown to be reworked to reproduce a Victorian shopfront. Materials to be used in the development generally involve rendered walls under the existing slate roof.

### **Planning Considerations**

Whilst this site is defined as being outside the built up areas of Maidstone and Loose, it is clearly not open countryside and I consider that significant weight must be given to the quite dense pattern of development in this locality which gives it an urban, rather than rural, character. In terms of general principles, this application essentially involves an extension of the existing residence (into the vacant shop area) and, as a matter of principle, extensions to residential units are acceptable in policy terms.

Comments have been made expressing concern as to the loss of the shop; policies protect retail units in designated areas (the town centre, shopping parades, etc) and also seek to resist the loss of shops selling convenience goods (Local Plan Policy R11). However, this site is not in a designated retail area nor is it a shop selling such goods. In fact the last use of this shop (it has been disused for some time) was as an antiques shop. Against this background, the loss of the shop is not contrary to policy and I do not consider its loss would harm the amenities or functioning of the area.

The site is located in the conservation area and the impact on the character and appearance of the area is important here. As reported above, the Conservation Officer has no objection, commenting that there would be a significant improvement to the front elevation. I agree that the alterations are of a design and materials appropriate to the age and character of the building and the conservation area. Looking at the Parish Council's comments, the conservatory would be constructed of timber with only the roof glazing bars in UPVC which is acceptable to the Conservation Officer. The changes to the fenestration are acceptable, and represent a beneficial change to the current unsympathetic designs. I conclude that the development proposed would have positive benefits in terms of the character of the conservation area.

Turning to residential amenity, in my opinion the alterations have been designed in a manner so as to avoid any significant loss of light or outlook to neighbours. Balconies always raise concerns over potential loss to privacy. I see that the balcony and conservatory would look out over the yard area to the rear but there are no private garden areas in that vicinity that would be affected. There would be limited views towards the rear gardens of the Honeysuckle Mews properties to the south east, notably to the rear garden of the neighbouring detached property, but the angle of view is such that I do not consider any overlooking would be so significant as to lead to a refusal. I conclude that there would be no significant loss of privacy from any aspect of the development. I am satisfied that the occupants of the dwelling proposed here would enjoy a reasonable standard of amenity.

On highways and parking matters, the amount of traffic generated by a single residence is likely to be less than the shop/residential flat use. Similarly the parking demands are likely to be less. I can see that there may be difficulties in accessing the single parking space shown at the rear due to the configuration of the yard and conflicting uses therein (and local residents have commented on the complex land ownership and rights of access issues) but there is communal parking space available at the front of these properties and the site is clearly well served by public transport and basic services. The access from the yard onto Old Loose Hill is unlikely to be used more intensively as a result of this development. Given these factors there is no justifiable reason to refuse this application on highways or parking related grounds.

I consider these to be the significant planning issues. Looking at other comments made by third parties, issues concerning land ownership, rights of access, etc are not planning issues. The red-lined site area (as amended) adequately covers the land involved in the application. A site notice was put up to advertise the original scheme; it is not the Council's practice to put up a new site notice to cover amendments, although interested parties are notified by letter of such amendments.

I recommend that planning permission be granted.

## **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. Prior to the commencement of the development, written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development in accordance with Kent and Medway Structure Plan 2006 Policy QL6.

3. Prior to the commencement of the development, full details of the following matters must be submitted to and approved in writing by the Local Planning Authority:-
- a) Alterations to the timber frame, including specification of any replacement timbers.
  - b) New internal joinery in the form of large scale drawings.
  - c) New external joinery in the form of large scale drawings in accordance with Kent and Medway Structure Plan 2006 Policy QL6.

The development shall be carried out in accordance with the approved details;

Reason: To ensure the appearance and the character of the building are maintained.

#### **REASON FOR APPROVAL**

##### **Standard Full Plans, Outline, Reserved Matters Approval Reason:**

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 Kent and Medway Structure Plan 2006) and there are no overriding material considerations to indicate a refusal of planning consent.