

## REPORT SUMMARY

<b>REFERENCE NO - 16/505808/FULL</b>		
<b>APPLICATION PROPOSAL</b> Subdivision of dwelling to create 2 separate dwellings (Part retrospective).		
<b>ADDRESS</b> 12 West Street Harrietsham Kent ME17 1JD		
<b>RECOMMENDATION – Permit with conditions</b>		
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL</b> The proposed development is considered to comply with the policies of the Maidstone Borough-Wide Local Plan 2000, the Submission Version of the Maidstone Borough Local Plan, and the National Planning Policy Framework and there are no overriding material considerations to indicate a refusal of planning consent.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> - It is contrary to the views of Harrietsham Parish Council.		
<b>WARD</b> Harrietsham/Lenham	<b>PARISH COUNCIL</b> Harrietsham	<b>APPLICANT</b> Mr Ross McCall <b>AGENT</b> Judd Architecture Ltd
<b>DECISION DUE DATE</b> 21/09/16	<b>PUBLICITY EXPIRY DATE</b> 26/08/16	<b>OFFICER SITE VISIT DATE</b> 05/08/16
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>		

No relevant planning history.

## MAIN REPORT

### 1.0 Site description

- 1.01 The detached building is located on the northern side of West Street, some 30m to the west of the junction with Forge Meadow. Works started on its subdivision in April 2016 and the properties will be known as 12 and 14 West Street. The property is 2 storey with a shallow pitched roof; it has tile-hanging at first floor level and painted stone at ground floor level; there is an existing single storey rear extension of facing brick; and a detached single garage to the rear, accessed from the eastern side of the building.
- 1.02 West Street does vary in terms of the character and size of the residential properties found; there is on-street parking available; and there are GII listed buildings to the immediate west and south-west of the site. For the purposes of the adopted Local Plan, the application site is within the defined village boundary of Harrietsham.

### 2.0 Proposal

- 2.01 This is a part retrospective development that is for the subdivision of the existing (3-bed) house into 2 separate (2-bed) residential units. The only external changes are minor fenestration alterations at ground floor level and the front elevation is to be unaltered. One of the units will retain the existing single garage to the rear of the site; and the other unit will have no off-road parking provision.

### 3.0 Policies and other considerations

- Maidstone Borough-Wide Local Plan 2000: H28
- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- Maidstone Local Plan (Submission version): SP6, DM1, DM2, DM27
- Harrietsham Neighbourhood Plan Area Application was approved 29/10/12

#### **4.0 Consultee responses**

- 4.01 **Harrietsham Parish Council:** Wish to see the application refused and reported to Planning Committee for the following reasons;

*“Public Safety*

*West Street is a narrow road (7 meters in places) which is on a bus route and heavily used as access to the nearby commercial estate, it is also the route taken by local children walking to Harrietsham Primary School. Whilst West Street may not have parking restrictions imposed, it does have significant on-road parking problems and can become completely blocked by large vehicles trying to weave in and out of parked vehicles. Harrietsham Parish Council is concerned that access for the emergency services could be severely impeded by the current on-road parking and that any new development likely brings additional vehicles, which will make this situation worse. Harrietsham Parish Council note that, in an application for the adjacent property (10 West Street 13/1117 dated Sep 2014), the Maidstone Borough Planning department imposed a condition (condition 7) requiring off-road parking to be created and maintained stating that, development without adequate parking/turning provision is likely to lead to parking detrimental to road safety. Harrietsham Parish Council would wish to see a similar condition imposed on this development.*

*Public Health*

*Harrietsham Parish Council understands that concerns about the alleged disposal of dangerous materials (asbestos) in the grounds of the adjacent property (10 West Street) have been reported to Michael Swoffer at Maidstone Borough Council and that a Ground Contamination Survey has been requested, we request that any material impact arising from the findings of this survey should also be taken into account when considering this application.*

*Stop Notice*

*Harrietsham Parish council is aware that a stop notice was served on this development due to breach of planning regulations and considering the potential impact on public safety and public health previously outlined would request that this notice remains in place until these matters have been fully addressed.”*

- 4.02 **KCC Highways:** Raise no objection.
- 4.03 **Conservation Officer:** Raises no objection on heritage grounds.

#### **5.0 Neighbour responses:**

- 5.01 4 representations have been made raising concerns over parking provision and highway safety.

#### **6.0 Principle of development**

- 6.01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 6.02 Saved policy H28 of the adopted Development Plan allows for minor housing development in this area; and central Government guidance within the National Planning Policy Framework (NPPF) does encourage new housing in sustainable locations as an alternative to residential development in more remote countryside situations. I consider the site to be in a sustainable location, within the village boundary of Harrietsham.
- 6.03 The submitted version of the Development plan went to the Secretary of State for examination on the 20 May 2016 and examination is expected to follow in October/November of this year. This Plan is considered to hold significant weight;

and there is policy support for this type of development in this location, subject to its details which the report will go on to assess.

## **7.0 Visual impact and design**

- 7.01 The development will return the building to its original use as two dwellings; and the only external changes are minor ground floor fenestration alterations towards the rear of the building and the general refurbishment of the external walls were necessary. The Conservation Officer raises no objections in this respect and I am satisfied that the external works would not have an adverse impact upon the character and appearance of the building, the surrounding area, or upon the setting of any near-by listed building.

## **8.0 Residential amenity**

- 8.01 The subdivision of this property does not significantly impact upon the living conditions of any local resident given the existing use and layout of the property; the minor fenestration alterations; and the separation distances of properties to the rear of the site. In addition, the level of traffic movements resulting from the proposed development, which would make use of the existing garage to then rear of the site, would be of no more detriment to the amenity of local residents than the current situation. The development would also provide adequate internal and external living space for future occupants. I am therefore satisfied that this proposal would not cause adverse harm to the residential amenity of existing and future occupants.

## **9.0 Highway safety implications**

- 9.01 The development would see 1 unit retain the existing garage space and there would be no off-road parking provision for the other unit. For reference, the single property benefited from the single garage space.

- 9.02 The proposal has the potential to generate a marginal increase in car parking demand from an additional 2-bed house. Whilst this may represent at times some local inconvenience it is not considered that this represents a discernible or tangible detriment to road safety, or in the context of the NPPF a severe or significant impact. Neighbours have also made reference to the KCC SPG 'Kent Vehicle Parking Standards' (2006) and the 'Kent Design Guide Review: Interim Guidance Note 3 (2008) – Residential Parking', which recommends 1.5 spaces per 2-bed house in a village setting. However, this is only interim guidance and it does state that:

*"This Guidance Note relates primarily to development proposals involving new streets and places. The Guidance Table can be applied to minor (often infill) developments, but regard needs to be had for the severity of concerns about safety and/or amenity before recommendations of refusal are made in respect of numerically "inadequate" parking. Unless demonstrable harm is likely to be caused, it may be inappropriate to make such recommendations."*

- 9.03 The Highways Officer has confirmed that a highway safety objection to this application could not be sustained and confirms that no objection to this application is raised.

- 9.04 Furthermore, reference is made to MA/13/1117 that was for a new dwelling which was able to provide its own off-street parking. A condition refers to retaining this parking provision, but this does not mean that any other housing application in the village should be refused because there is no off-street parking provided. 10 West Street is a different application and every application must be considered on its own merits.

- 9.05 Bearing in mind Government advice to reduce car usage, the sustainable location of the site, and that there would be no significant highway safety issues arising from the development, I consider that an objection on the grounds of parking provision and highway safety could not be sustained and raise no objection in this respect.

#### **10.0 Other considerations**

- 10.01 Given the nature, scale and location of the proposal, I consider it unnecessary and unreasonable to raise objection or request further information in terms of landscaping and arboricultural issues; biodiversity; flood risk; air quality; noise; and land contamination. Foul sewage and surface water are to be discharged through the mains sewer.
- 10.02 The main issues raised by Harrietsham Parish Council and local residents have been addressed in the main body of this report. However, I would add that the issue of the illegal disposing of dangerous materials is not a material planning consideration, and these matters relate to 10 West Street. No ground excavation work is to be undertaken for the proposal, however an appropriate asbestos informative will be added.

#### **11.0 Conclusion**

- 11.01 The scheme is acceptable in terms of its design; its impact on adjacent residents; and the local highway network. As such, it is considered overall that the proposal is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant. I therefore recommend approval of the application on this basis.

#### **12.0 RECOMMENDATION – APPROVE with conditions:**

##### **CONDITIONS**

- (1) The development hereby permitted shall be carried out in accordance with the following approved plans: PR01.PR02, PR03, PR04, PR05, PR06 received 12/07/16 and 02A received 20/07/16;

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.

##### **INFORMATIVES**

- (1) The applicant is advised that no demolition/construction activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday.
- (2) Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed. Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.

Case Officer: Kathryn AltieriNB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website. The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.