

REPORT SUMMARY

APPLICATION PROPOSAL		Ref No 16/506989/FULL
Conversion of office into 4 self-contained flats with changes to fenestration and doors and internal alterations.		
ADDRESS 1 Queen Anne Road Maidstone Kent ME14 6QA		
RECOMMENDATION - PERMIT		
SUMMARY OF REASONS FOR RECOMMENDATION		
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.		
REASON FOR REFERRAL TO COMMITTEE		
- Maidstone Borough Council owns the site and is the applicant.		
WARD High Street	PARISH COUNCIL N/A	APPLICANT Mr David Guest AGENT
DECISION DUE DATE 02/12/16	PUBLICITY EXPIRY DATE 02/12/16	OFFICER SITE VISIT DATE 19/10/16
RELEVANT PLANNING HISTORY (including relevant history on adjoining site):		

- 15/506019 - Prior notification for change of use of office to 6 flats – Prior approval not required
- MA/02/1761 – Replacement of existing timber windows to new UPVC windows – Approved
- MA/98/0171 – Change of use and associated minor alterations from offices to 2 flats (ground floor only) - Refused
- MA/97/1579 - Change of use of first floor from residential to offices - Approved
- MA/96/0584 - Erection of a first floor extension - Approved
- MA/86/0012 - Change of use to light industrial – Approved
- MA/75/0501 - Change of use from light industrial to offices - Refused

MAIN REPORT

1.0 Site description

- 1.01 1 Queen Anne Road is a 2-storey vacant office building that is located on the western side of the road opposite the junction with Brooks Place. The surrounding area is a mixture of residential and commercial uses; and the site is within the Holy Trinity Conservation Area. For the purposes of the adopted Local Plan, the site is within the defined urban area and does not fall within any town centre or economic designation.

2.0 Proposal

- 2.01 Planning permission is sought for the conversion of the building into 4 self-contained flats (2 1-bed & 2 2-bed) and alterations to the fenestration, including the replacement of the 2 doors on the northern elevation of the building. 2 off-street parking spaces will also be provided on the forecourt to the north of the building.
- 2.02 Although the conversion to 4 flats has been included in this application, this change of use is possible under permitted development rights subject to considerations to highway impacts; land contamination; flood risk and noise. It should also be noted

that there is an extant prior notification to convert the building into 6 flats; and this is a strong fall-back position and a material planning consideration.

3.0 Policies and other considerations

- Maidstone Borough-Wide Local Plan 2000: N/A
- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- Submitted version of Maidstone Local Plan: SP1, DM1, DM3, DM27

4.0 Consultee responses

4.01 **KCC Highways:** Wishes to make no comment.

4.02 **Conservation Officer:** Raises no objection on heritage grounds.

4.03 **Environmental Health Officer:** Raises no objection.

5.0 Neighbour responses: No representations received.

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 There is no specific Maidstone Borough-Wide Local Plan 2000 policy that concerns the change of use of office buildings to self-contained flats. However, general advice within the National Planning Policy Framework (NPPF) is that development should be sustainable and protect existing communities. The application site is in a sustainable area in terms of location and there is no saved policy that restricts residential development in such a location. The principle for residential use in this location is therefore considered acceptable.

6.03 Paragraph 7 of the NPPF states that there are three dimensions to sustainable development, including a social role that should create a high quality built environment; and paragraph 9 of the NPPF seeks positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to), improving the conditions in which people live, work, travel and take leisure. One of the core principles in paragraph 17 also states that planning should;

"...always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings."

6.04 Paragraphs 129, 131 and 132 of the NPPF are important in setting out the desirability of sustaining and enhancing the significance and setting of heritage assets and putting them to viable uses consistent with their conservation.

6.05 The submitted version of the Development plan went to the Secretary of State for examination on the 20th May 2016 and is currently under examination which is expected to finish in December of this year. The emerging 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 only external changes are minor fenestration alterations. This building dates from around the mid-19th Century and it has been extended and altered. The Conservation Officer considers the building to make a neutral contribution to the character of the conservation area; and this proposal is considered acceptable in terms of its impact upon the setting of the conservation area and near-by listed buildings, as the alterations are minor and would constitute an improvement to its appearance. I raise no objection to the development in this respect.

8.0 Residential amenity

8.01 The planning history suggests that the first floor has been in use as a flat since 1998; and the fall-back position here is an extant prior notification to convert the building into 6 flats.

8.02 I am satisfied that the proposal would not have a detrimental impact upon the amenity of neighbouring properties; and future occupants would benefit from acceptable living conditions in terms of privacy, outlook and light.

8.03 It is noted under MA/98/0171 that the change of use of the ground floor into 2 flats was refused by the local planning authority because future occupants would be subject to an unacceptable level of noise from the adjacent car repairs garage; and this garage is still in operation. However, the planning history suggests the first floor has lawful residential use and the fall-back position can see this building converted to 6 flats. With these factors considered, and bearing in mind the Environmental Health Team do not wish to object and recommended condition to minimise noise impact, I raise no objection to this proposal in this respect.

8.04 I am therefore satisfied that this proposal would not cause adverse harm to the amenity of existing and future occupants and raise no objection in this respect.

9.0 Highway safety implications

9.01 The proposal would benefit from 2 off-road car parking spaces; and the site is in a sustainable location, close to Maidstone town centre. It should also be noted that this provision in accordance with emerging policy DM27 of the submitted Local Plan, where even nil provision is encouraged in town centres. I do not consider it reasonable therefore to raise objection to the proposal on the grounds of parking provision or highway safety.

10.0 Other considerations

10.01 The Environmental Health Officer raises no objection in terms of air quality given the scale of the proposal and its distance from an air quality hot spot; and whilst the site has been identified as having a risk rating of low in terms of land contamination, no groundworks are to be included as part of the development and so again no objection is raised. Foul sewage and surface water will be disposed of via the mains sewer, and the Environmental Health Officer also raises no objection in this respect.

10.02 The loss of office accommodation is considered acceptable as the site does not fall within a specially designated economic area and the floor area here is modest and of poor quality.

11.0 Conclusion

11.01 The proposal would not cause visual harm; the living conditions of existing and future residents will be acceptable; and there is no objection the loss of this office building or in terms of highway safety. The proposal is therefore considered acceptable with regard to the relevant provisions of the adopted and emerging Development Plans, the NPPF and all other material considerations such as are relevant; and conditional approval is recommended on this basis.

12.0 RECOMMENDATION – APPROVE with conditions:

CONDITIONS to include:

- (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 first occupation of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units will conform to the standard identified by BS 8233 2014, Sound Insulation and Noise Reduction for Buildings - Code of Practice, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: To safeguard the amenity of future occupants.

- (3) The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

- (4) The development hereby permitted shall be carried out in accordance with the following approved plans: 1783/002 A & 004 received 07/10/16;

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

Case Officer: Kathryn Altieri

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.