

REPORT SUMMARY

REFERENCE NO: - 22/505414/FULL		
APPLICATION PROPOSAL: Erection of an attached two-bedroom dwelling.		
ADDRESS: 2 Charlton Street Maidstone Kent ME16 8LA		
RECOMMENDATION: GRANT PLANNING PERMISSION Subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION: <ul style="list-style-type: none"> • The proposals would provide accommodation that meets the Nationally Described Space Standards and provide sufficient amenity space. • The proposed dwelling comprises similar massing and elevational treatments to other properties within the terrace. • The proposed dwelling will not have an adverse impact upon the amenity of neighbouring properties or harm the character and appearance of the street scene. • The proposed development will not result in any adverse impact upon the highways and parking within the street to a severity that would warrant a refusal. 		
REASON FOR REFERRAL TO COMMITTEE: Decision deferred at the committee meeting on the 16 February 2023		
WARD: Fant	PARISH/TOWN COUNCIL: N/A	APPLICANT: Mr. Terry Brown AGENT: Peter Court Associates
CASE OFFICER: Jake Farmer	VALIDATION DATE: 17/11/22	DECISION DUE DATE: 28/04/23 (EOT)
ADVERTISED AS A DEPARTURE: No		

1. BACKGROUND

- 1.01 This application was first considered by members at the planning committee meeting on the 16 February 2023. The committee report to this meeting is provided as an appendix to this report.
- 1.02 The committee resolved to defer a decision on the application for the following reasons:
- (a) Seek further information from Kent County Council about the highways, parking, and sustainability issues, including cycle parking.
 - (b) Seek further details of the arrangements for storage, screening, and collection of refuse bins.

2. PROPOSAL

- 2.01 The application proposes a semi-detached 2-bedroom dwelling that will form an end of terrace property. The application proposes the removal of an existing shed and a single tree.
- 2.02 The proposed new dwelling will be two storeys in height, with the roof ridge and eaves lines stepped down from the existing dwelling at No. 2 Charlton Street. The

proposed dwelling would be constructed using traditional brickwork and feature a ground floor bay window

- 2.03 The proposal includes the subdivision of the existing garden land at No. 2 Charlton Street (circa 9.2 metre wide) to provide private amenity space for occupants of the proposed house (circa 5 metres wide) and the retained house (circa 4.2 metres wide).

3. APPRAISAL

- 3.01 This report seeks to address the following two points as set out in the committee minutes from the meeting on the 16 February 2023:
- (a) Seek further information from Kent County Council about the highways, parking, and sustainability issues, including cycle parking.
 - (b) Seek further details of the arrangements for storage, screening, and collection of refuse bins.
- 3.02 These two points in the minutes are considered in turn below.

(a) Seek further information from Kent County Council about the highways, parking, and sustainability issues, including cycle parking.

- 3.03 KCC Highways do not provide comments to Maidstone Council on planning applications involving 5 or less dwellings (threshold not applied cumulatively). This arrangement is a protocol between KCC Highways and local authorities across Kent.
- 3.04 The assessment of potential highways impact for planning applications of 5 or less dwellings is carried out by Maidstone Council, not KCC Highways.
- 3.05 The 5 dwelling threshold is set for several reasons including the following:
- low level of potential highway impact from applications of this size, and
 - high threshold of 'harm' required to refuse planning permission on highway grounds (NPPF para 111 - 'severe' impact).

Off street car parking standards

- 3.06 Off street parking standards for new dwellings are provided in the adopted Maidstone Local Plan (Appendix B). The standards are based on the number of proposed bedrooms and the nature of the location (town centre, edge of centre, suburban or village/rural).
- 3.07 2 Charlton Street is in an '*edge of centre*' location (existing high on street parking demand – on street one way traffic controls).
- 3.08 In '*edge of centre*' locations, adopted local plan off street parking standards are set as a 'maximum' (i.e not '*minimum*' standards as in other areas).
- 3.09 Maximum off street parking standards:
- optimise the density of development in existing sustainable locations well served by public transport (as advised at NPPF paragraph 108 and Chapter 11).
 - reduce the negative visual impact of off street parking on the street scene and building setting caused by large areas of hardstanding.
 - reduce the negative impact on residential amenity with front gardens separating car parking from ground floor living rooms and bedrooms.
 - Retain the on street car parking space lost in providing access to off street car parking space.

- 3.10 It is highlighted that the supporting text to the car parking standards (Footnote 3) also encourages flexibility in 'edge of centre' locations advising: "*Reduced or even nil provision acceptable for rented properties, subject to effective tendency controls*". In the 2021 Census 18.4% of households in local area did not own a car, compared to 18.5% in the Tovil area and 14.6% in Maidstone Borough as a whole.
- 3.11 The proposal for the construction of a two bedroom end of terrace house on land adjacent to 2 Charlton Street compiles with adopted off street car parking standards. These standards require a maximum of one off street space and 0.2 visitor spaces (no off street space parking provided as part of the application).

View along Charlton Street towards the site which is on the right hand side

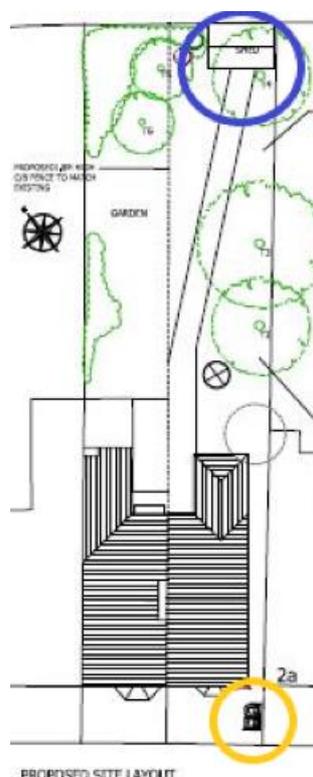


Impact on highway network and on local amenity, character, and appearance

- 3.12 Notwithstanding compliance with off street parking standards, other potential related impacts relate to the impact of additional on street parking on the highway network and on local amenity, character, and appearance.
- 3.13 The baseline for all highway impact assessment is the existing lawful use operating at full capacity. Any additional highway impact above that baseline is then relevant.
- Off street space for existing house will be displaced on to the street but an extra on street space gained by the removal of the existing 5 metre wide crossover (standard car parking space is 4.8 metres long – with works to raise the kerb secured by planning condition). So nil impact from loss of existing off street space.
 - The on street demand from the proposed house is one off street space and 0.2 visitor space.
 - Additional on street demand generated of 1 car parking space and 0.2 visitor spaces (rounded up to 2 off street spaces).

- 3.14 The application site is on Charlton Street which has pavement parking on both sides of the road due to the narrow width of the existing carriageway. This parking situation provides a poor environment, including for pedestrian access (especially the elderly, infirm and parents with young children) and in terms of visual impact.
- 3.15 Notwithstanding, these conclusions, the additional impact from the current planning application will be insignificant when compared to the scale of the wider issues in the area. It is suggested that the current planning application is not the correct or most effective route to address these wider issues.
- 3.16 In the planning balance, the cost of the additional on street parking demand is substantially less than the benefit of the proposed new dwelling in a sustainable location providing a good standard of accommodation with a design and scale that is in keeping with the surroundings.

Cycle storage (blue circle) and refuse storage (yellow circle)



- 3.17 On street parking can have a visual impact on the character and appearance of an area and on access along pavements. In this instance officers are seeking the reinstatement of the crossover in Charlton Street and the provision of a front garden to the property. It is concluded that the positive visual impact of these changes will counteract the negative impact of the additional one on street car parking space.
- 3.18 NPPF advice on assessing highway impact states "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*" (NPPF paragraph 111).
- 3.19 Existing local on street parking demand is acknowledged, however the proposal will generate relatively low need for 1 additional on street car parking space within walking distance of 2 Charlton Street. This additional on street demand will not meet the NPPF threshold of causing 'severe' harm and this level of 'severe' harm is required to refuse planning permission.

Cycle parking

- 3.20 Cycle parking standards are set out in the KCC Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards. These standards require one cycle parking space for each proposed flat.
- 3.21 The submitted proposal includes an external access to the rear garden along the side boundary of the new house and a shed in the rear garden for cycle storage. A condition attached to the recommendation seeks to secure this cycle parking. This arrangement will provide simple, practical and accessible cycle storage and is acceptable.

(b) Seek further details of the arrangements for storage, screening, and collection of refuse bins.

- 3.22 MBC Waste services have confirmed that the new houses requires "...1 x black refuse bin (180l), 1 x green recycling bin (240l) and 1 x black/orange food waste bin (23l)".
- 3.23 The proposed refuse storage area is shown on the submitted planning application plans at the front of the site. This is sufficient space for the bins outlined above. There is space available for the refuse bins to be located at the front boundary for collection without blocking the pavement.

CONCLUSION

- 3.24 Overall, for the reasons outlined in this report, the proposed development would accord with the policies of the Local Plan (2017) and, as such the recommendation is to grant planning permission subject to conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION Subject to conditions

with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of the 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 and documents:
 - Drawing No. 2225-PL01 (Existing Plans & Elevations)
 - Drawing No. 2225-PL02 (Proposed Plans and Section)
 - Drawing No. 2225-PL03 (Proposed Elevations)
 - Drawing No. 2225-PL04 (Site Plans)
 - GRS/TS/TCP/AIP/AIA/TPP/90/22 (Arboricultural Report)
 - Design & Access Statement (Dated May 2022)Reason: To ensure that the development is undertaken in accordance with the approved drawings and documents
- 3) The development hereby approved shall not commence above slab level until details (manufacturer name, product name, and photographs) of the external facing materials to be used for the building hereby permitted have been submitted to and approved in writing by the local planning authority and the development

shall be constructed using the approved materials and maintained as such thereafter.

Reason: To ensure a satisfactory appearance to the development.

- 4) No development including site clearance shall take place until tree protection is in place for all trees both within the red line application site boundary, and within falling distance of the red line application site boundary. The tree protection shall be in accordance with BS 5837 and maintained until all equipment, machinery and any surplus materials have been removed from the site. All trees to be retained must be protected by barriers and/or ground protection. No equipment, plant, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the local planning authority. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- 5) Prior to first occupation of the approved dwelling the biodiversity enhancement shown on 2225-PL4 site plan Planning drawings (May 2022) shall be in place in accordance with the drawing with the measures maintained thereafter.

Reason: To protect and enhance the ecology and biodiversity on the site in the future.

- 6) Prior to first occupation of the dwelling hereby approved the existing vehicular crossover (dropped kerb) in Charlton Street shall be removed with full height pavement reinstated in this location.

Reason: In the interests of visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- 7) Prior to the first occupation of the dwelling hereby approved, facilities for (a) the storage and screening of refuse bins, and (b) the collection of refuse bins, and (c) secure bicycle storage shall be in place that are in accordance with details that have previously been submitted to and approved by the Local Planning Authority. These details will be maintained as such thereafter.

Reason: In the interests of amenity, to promote sustainable travel choices and the reduction of CO2 emissions.

- 8) Prior to the first occupation of the dwelling hereby approved, landscaping shall be in place that shall be in full accordance with a landscape scheme that has previously been submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall be designed in accordance with the principles of the Council's landscape character guidance and include details of a planting schedule (including location, planting species, quantities and size) of the front garden and front boundary treatment.

Reason: In the interests of amenity

- 9) Any planting in the approved landscape scheme which fails to establish or any trees or plants which, within five years from the first occupation, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

- 10) Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be in accordance with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2011 (and any subsequent revisions) and follow the recommendations within Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting', and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter.

Reason: In the interests of residential amenity

Informatives:

- (1) You are advised that as of 1st October 2018, the Maidstone Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date. Thus, any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website Community Infrastructure Levy - Maidstone Borough Council.