

REPORT SUMMARY

REFERENCE NO: - 23/501390/FULL		
APPLICATION PROPOSAL: Change of use of existing residential annex to office space for applicant's financial services business (Use Class E (c) (i)) including removal of glazed lobby on west elevation and installation of an internal raised floor.		
ADDRESS: Hillside Cottage Sutton Valence Hill Sutton Valence Kent ME17 3AR		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION: The development is acceptable regarding the relevant provisions of the Development Plan, Neighbourhood Plan, the NPPF and all other material considerations such as are relevant.		
REASON FOR REFERRAL TO COMMITTEE: Call in from Sutton Valence Parish Council for the reasons in section 4 (Local Representations) of this report.		
WARD: Sutton Valence And Langley	PARISH/TOWN COUNCIL: Sutton Valence	APPLICANT: Mr & Mrs Adam & Vanessa Letts AGENT: JN Atelier Design Ltd
CASE OFFICER: William Fletcher	VALIDATION DATE: 20/03/23	DECISION DUE DATE: 30/06/23
ADVERTISED AS A DEPARTURE: No		

Relevant Planning History

23/501571/LBC

Listed Building Consent for conversion of existing residential annex to office space for applicant's financial services business including removal of glazed lobby on west elevation and installation of an internal raised floor. Approved 22.05.2023

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 Hillside House is a substantial Grade II listed four bedroom, brick and tile hung dwelling of circa 17th century house set in approximately 1.25 acres of grounds and within Sutton Valence Conservation Area. Hillside House is located on the junction of the A247 Headcorn Road and the Village High Street.
- 1.02 The current application relates to Hillside Cottage. Hillside Cottage is a curtilage listed detached one-bedroom, self-contained annex in the rear garden of Hillside House. The garden of Hillside House also includes a large barn which provides parking for two cars, a concrete parking area, landscaped amenity area and a second access to the A247 Headcorn Rd at the southern of the site.

Application Site



2. PROPOSAL

- 2.01 The application seeks to convert a separate residential annexe into an office space for applicant's financial services business (Use Class E)
- 2.02 The support statement includes the following: "The applicants run a small financial services business, currently located in an office development complex on the outskirts of Maidstone. They both work full time in the business. There are a small number of other staff (4-6) typically part time (full days but not full weeks) and some who predominantly work remotely and from home. It is predominantly staff that will visit the office as the nature of the business means that clients/visitors to the office are extremely rare."
- 2.03 The application also seeks the removal of a glazed lobby on the West elevation and the installation of an internal raised floor. This has been subject to the approved Listed Building Consent has been approved for this work as detailed earlier in this report.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan (2011-2031):

- SP11 – Larger Villages
- SP15 – Sutton Valence Larger Village
- SP18 – Historic environment
- SP21 – Economic development
- DM1 – Principles of good design
- DM4 – Development affecting designated and non-designated heritage assets
- DM9 – extensions, conversions and redevelopment within the built-up area.
- DM21 – Assessing the transport impacts of new development.

Maidstone Borough Council – Local Plan Review

The Regulation 22 draft is a material consideration however weight is currently limited, as it is the subject of an examination in public that commenced on the 6 September 2022 (Stage 2 concluded on the 9 June 2023). The relevant policies in the draft plan are as follows:

LPRS7 - Larger villages

LPRSP11 - Economic development
LPRSP11(A) - Safeguarding existing employment sites and premises
LPRSP11(B) - Creating new employment opportunities
LPRSP12 - Sustainable transport
LPRSP14 - Environment
LPRSP14(A) - Natural environment
LPRSP14(B) - Historic environment
LPRSP14(C) - Climate change
LPRSP15 - Principles of good design
LPRSS1 - Spatial strategy
LPRTRA2 - Assessing transport impacts
LPRTRA4 - Parking
LPRENV1 - Historic environment
LPRQ&D1 - Sustainable design
LPRQ&D2 - External lighting

The National Planning Policy Framework (NPPF):
National Planning Practice Guidance (NPPG):

4. LOCAL REPRESENTATIONS

Local Residents: No representations were received from neighbouring properties.

Sutton Valence Parish Council

Objection, the proposal is contrary to Local Plan policy DM 21 (Assessing the transport impacts of development) in that development proposals must:

- i) "Demonstrate that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent severe residual impacts, including where necessary an exploration of delivering mitigation measures ahead of the development being occupied".
- ii) "Provide a satisfactory Transport Assessment for proposals that reach the required threshold and a satisfactory Travel Plan in accordance with the threshold levels set by Kent County Councils Guidance on Transport Assessments and Travel Plans and in Highways England guidance".
- iii) "Demonstrate that development complies with the requirements of policy DM6 for air quality".

5. CONSULTATIONS

KCC Highways

- 5.01 No objection. This development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

6. APPRAISAL

The key issues are:

- Site location
- Heritage and visual impact
- Residential amenity
- Highways

Site Location

- 6.01 The application site is located within the settlement boundary of Sutton Valence which is designated as a 'Larger Village' which is the third most accessible location category in the settlement hierarchy after the urban area and rural service centres.

- 6.02 Policy SP11 states that the Council will focus new development within the settlements when it is minor development such as infilling. Policy SP21 states that

the Council will improve the economy of the borough by "Supporting proposals that encourage highly skilled residents to work in the borough to reduce out-commuting".

- 6.03 The proposal which seeks the to establish a financial services business within an existing building within Sutton Valence is assessed as being in accordance with policies SP11 and SP21. The assessment below will consider potential visual impact, and on amenity and on the highway network.

Heritage and Visual Impact

- 6.04 Policy SP18 of the Local Plan relates to the historic environment and requires that, inter-alia, the characteristics of heritage assets are protected, and design is sensitive to heritage assets and their settings. Policy DM4 of the Local Plan also relates to development affecting designated heritage assets and requires applicants to ensure that new development affecting heritage assets conserve, and where possible enhance, the significance of the heritage asset.
- 6.05 The NPPF (paragraphs 201 and 202) requires the impact on the significance of a designated heritage asset to be assessed as either "substantial harm" or "less than substantial harm" with NPPG guidance setting out that "substantial harm" has a high threshold "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".
- 6.06 NPPF guidance (paragraphs 199 and 200) states that when assessing the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm to significance amounts to substantial harm, total loss or less than substantial harm.

Hillside House itself has the following listing description. "House. C17 or earlier. Timber framed. Ground floor red brick. First floor tile-hung with banded plain and fishscale tiles. Plain tile roof. North elevation: 2 storeys, with semi-basement to rear. Roof hipped to right, returning with lower ridge. Central brick stack parallel to ridge. Irregular fenestration of two 4-light casements. Right return wing jettied to Headcorn Road on moulded bressumer, partly underbuilt. Hipped roof. Projecting rear stack. Ribbed door in C20 porch up 5 steps towards centre of Headcorn Road elevation. Interior: not inspected, but said to have C17 panelling and cartouche."

- 6.07 With regards to the 'physical' works to the building the Listed Building Consent assessed that the works were of a minor scale which the conservation officer did not object to. The LBC application assessed the porch which the development seeks to remove as being a poor-quality addition which detracts from the simple, functional character of the buildings and that its removal loss would be an enhancement.
- 6.08 In terms of the visual impact of the proposal the only alteration would be the removal of a 'modern' glazed porch attached to the annex, it is not assessed that this causes any visual impact on the wider area or the listed building.
- 6.09 The listed building consent application has already been permitted, it can be assessed that the proposal causes "less than substantial harm" to the listed building any harm impact caused would be outweighed by the economic benefits of the proposed use.

Residential Amenity

- 6.10 The closest neighbouring property to the application building is approximately 30m to the north east of the application building (Red Heugh House). Due to the distance and when considering the application building is sited lower than this property, it is not assessed that the activities taking place on site would cause harm.
- 6.11 The Old Forge is located approximately 40m to the north west of the application building, due to the distance, boundary treatment and the siting of the building no impact on this property would occur from activities.
- 6.12 Other properties in the area are such a distance that no harmful impact would occur.
- 6.13 It is common to have business office space provided in residential properties and in most cases if the primary residential use does not change, these uses generally do not require planning permission. It is also common to have larger non-residential uses present in residential areas such as doctors and dentists and assessment is carried out on the potential impact on amenity from these uses. With the low level of activity on the site and conditions that restrict the hours of operation, it is concluded that the proposal is acceptable in relation to residential amenity.

Highways

Access, servicing, and trip generation

- 6.14 Local Plan policy DM 1 states that proposals will be permitted, where they can safely accommodate the associated vehicular and pedestrian movement on the local highway network and through the site access. Policy DM 21 states that development proposals must "Demonstrate that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent severe residual impacts, including where necessary an exploration of delivering mitigation measures ahead of the development being occupied".
- 6.15 In relation to trip generation, the applicant has advised:
- "The applicants each currently drive (individually) to their office in Maidstone daily, frequently coming back to the house during the day to attend to children and animals. This proposal will enable them to work from the annex/office and their vehicle movements in and out of the site will be significantly reduced"
 - "The annex, in residential use, can accommodate two people, requiring two cars and potentially similar daily movements in and out of the site as the main dwelling, with the potential for visitors in addition".
 - "Use of the annex for E)c)i) use (financial services) instead of residential will not require any vehicle movements at weekends. The limited number of on-site staff each day, in addition to the applicants, will typically be between two & four (typically total of between four and six people present on site)"
- 6.16 Policy DM 21 states that development proposals must "Provide a satisfactory Transport Assessment for proposals that reach the required threshold and a satisfactory Travel Plan in accordance with the threshold levels set by Kent County Councils Guidance on Transport Assessments and Travel Plans and in Highways England guidance". Formal Transport Assessment are normally required for non-residential development providing more than 1,000 square metres. The current application is significantly below this threshold relating to floor area of 74m² (following the removal of the porch).
- 6.17 The development utilises two existing access points. The speed restriction at both vehicular access points is 30mph. At the northern vehicular access the 30mph

restriction starts approximately 235m to the south and over a mile to the north. The southern vehicular access point is approximately 116m south of the north access point and approximately 118m inside the 30mph speed restriction.

- 6.18 The existing access points have been assessed in relation to its anticipated level of use, its width, driver sight lines and the future servicing of the accommodation and are considered suitable.

Car and cycle parking

- 6.19 Local Plan policy DM1 sets out that new development should provide adequate vehicular and cycle parking to meet adopted council standards, encouraging good access routes. Local Plan policy DM 23 states that the car parking for non-residential uses will consider the following:
- i) The accessibility of the development and availability of public transport.
 - ii) The type, mix and use of the development proposed, and
 - iii) Whether development proposals exacerbate on street car parking to an unacceptable degree.
- 6.20 Addressing these points the applicants supporting statement includes the following "Parking provision on site is generous with at least seven spaces in the yard/parking area adjacent to the annexe building and further onsite parking to the south of the site and in the village. There is a regular and frequent bus service on the A247 and metaled footpath to the north and south."

Application site, facing south, March 2023 (Annexe building on left, parking garage on right.).



- 6.21 The plans submitted indicate that the property has access to 2 covered vehicle parking spaces as well as 5 uncovered spaces, albeit in somewhat of a tandem formation. The plans do not 'allocate' parking spaces for the dwelling and the annexe use. Accepting this will require some management on behalf of the applicant it would be possible to accommodate vehicles associated with the use. Site photos submitted do show that the applicant is using the parking garage, which appears substantial.

Parking Garage



- 6.22 Car parking standards for non-residential uses are set out in Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards July 2006. In terms of the converted floorspace, the guidance states that a maximum (not minimum) of up to three additional car parking spaces should be provided.
- 6.23 The building (following physical works) has an internal floor space of 75m². The vehicle parking standard for financial services (previously Class A2, now Class E) is a 'Maximum' of 1 space per 20m² which covers both spaces for staff and visitor/customer spaces. Rounding up this would be a 'maximum' of 4 parking spaces which the proposal is in excess of.
- 6.24 In terms of deliveries to the site, it is accepted these could take place, if the dwelling and annexe were fully occupied it is possible there could be a number of deliveries from online shopping etc during the day, it is not assessed that the Class E use would necessarily be so great over the existing use that a 'severe' impact would occur.
- 6.25 Cycle parking standards indicate a minimum of 2 spaces should be provided, plans indicate a cycle storage along with refuse and 2 motorbike parking spaces, there would be more than enough room to store any cycles within the parking area.
- 6.26 The applicant has referred to on-street parking and whilst it seems unlikely that the use would have to rely on this, it is available within the village. When doing site visits in Sutton Valence this provision does not appear to be oversubscribed during the day.
- 6.27 The NPPF 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 (Paragraph 111)*". It is concluded that the impact of the application on highway safety will be acceptable and the impact on the road network will not be 'severe'.

- 6.28 The impact of the proposal is found to be acceptable for the following reasons:
- i) This change of use application involves a modest area of floorspace with this floorspace currently generating vehicle trips.
 - ii) The vehicle trips associated with the proposed commercial floorspace can be safely accommodated on the highway network.
 - iii) The proposal is acceptable in relation to parking standards are set as maximum and there is no available space on the site for additional parking.
 - iv) The application has been assessed by the highways authority and they raise no objection.
 - v) The proposal is in line with paragraph 82 of the NPPF which states "be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.
- 6.29 Policy DM 21 states that development proposals must "Demonstrate that development complies with the requirements of policy DM6 for air quality". When considering the existing use of the building it is not assessed that the proposal is likely to generate such a significant number of visitors over the existing use that an air quality assessments is required.

PUBLIC SECTOR EQUALITY DUTY

- 6.30 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7. CONCLUSION

- 7.01 The development does not cause any visual harm to the locality, nor does it cause any harm to the fabric of the Grade II listed building Hillside Cottage.
- 7.02 The development does not cause any harm to the amenity of neighbouring occupiers.
- 7.03 The development which utilises an existing access would not cause harm to the highway network.
- 7.04 It is assessed that the development is compliant with local and national planning policies and is recommended for approval.

8. 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 shall be carried out in accordance with the following approved plans and documents:
Application for planning permission
511-1 Existing Block and Site Location Plans
511-2A Existing and Proposed Site Plans
511-3 Rev A Existing and Proposed Site Plans
511-4 Rev A Existing and Proposed Plans and Elevations
Reason: To clarify the approved plans and to ensure the development is carried out to an acceptable visual standard.

- 3) Prior to the commencement of the approved use measures taken for the on site enhancement of biodiversity shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the enhancement of biodiversity by means within the site curtilage of measures such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgerow corridors. All features shall be maintained permanently thereafter. Reason: To enhance ecology and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development.
- 4) No external work shall take place on the building 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.
- 5) 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. These details shall include, inter alia, measures to shield and direct light from the light sources so as to prevent light pollution and illuminance contour plots covering sensitive neighbouring receptors and the sensitive landscape location. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter. Reason: In the interest of amenity and wildlife.
- 6) No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and/or re-enacting that Order, with or without modification) or not, shall be carried out on the areas shown as parking spaces or service vehicle turning space 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/vehicle turning inconvenient to other road users and in the interests of road safety.
- 7) The class E use hereby permitted shall be restricted to the hours of 08:00 to 18:00 hours Monday to Friday, no Class E use shall take place in the premises on Saturday, Sundays or Bank Holidays.

Reason: In the interests of safeguarding neighbouring amenity.
- 8) The use hereby permitted shall not commence until an acoustic report has been submitted for approval in writing by the local planning authority to ensure that any background noise from the proposed use shall be low as can be possible. In general this is expected to be 5dB below the existing measured background noise level LA90, T during the day time period. In exceptional circumstances, such as areas with a very low background or where assessment penalties total above 5 the applicant's consultant should contact the Environmental Protection Team to agree a site specific target level. Any mitigation measures approved through this condition shall be implemented prior to first use of the plant and equipment and retained at all times thereafter.

Reason: In the interests of aural amenity.

