

REPORT SUMMARY

REFERENCE NO: 23/500617/FULL		
APPLICATION PROPOSAL: Conversion of dwelling house to 2no. two bedroom flats and conversion of gymnasium to no. one bedroom flat including changes to fenestration (retrospective).		
ADDRESS: Pinelodge Cottage Somerfield Road Maidstone Kent ME16 8JJ		
RECOMMENDATION: GRANT PLANNING PERMISSION- subject to the planning conditions set out in Section 8 of this report.		
SUMMARY OF REASONS FOR RECOMMENDATION: For the reasons set out below the application is acceptable and would not cause significant visual harm, the application provides an adequate standard of accommodation and would not harm neighbouring amenity or highway safety. The proposal is acceptable in terms of any other material planning considerations and is in accordance with current policy and guidance.		
REASON FOR REFERRAL TO COMMITTEE: Call in from Cllr Jeffrey		
WARD: Bridge	PARISH/TOWN COUNCIL: N/A (unparished)	APPLICANT: Mr S Yadave AGENT: MCIAT
CASE OFFICER: Tony Ryan	VALIDATION DATE: 13/02/2023	DECISION DUE DATE: 28/07/23
ADVERTISED AS A DEPARTURE: No		

Relevant planning history

The following applications in the planning history are most relevant to the current application.

Pine Lodge Cottage (current application site with two inter connected buildings)

Building 1: (1½ storey chalet building)

- 09/1905 - Erection of a double garage with store and workshop in roof space. Approved 22.03.2010
- 16/502943/full - Change of use and conversion of existing two storey garage outbuilding into a single dwellinghouse. Approved 24.10.2016
- 19/500902/FULL - Erection of first floor extension to form third bedroom and extension to garage to provide additional garage space. Approved 24.04.2019
- 21/506183/FULL Retrospective application for the erection of a side link extension to garage, conversion of garage to gymnasium and erection of a summer house approved (committee) approved 27.01.2022

Building 2: (Single storey building).

- 21/506183/FULL Retrospective application for the erection of a side link extension to garage, conversion of garage to gymnasium and erection of a summer house approved (committee) approved 27.01.2022

- 19/500902/FULL. Erection of first floor extension to form third bedroom and extension to garage to provide additional garage space. approved 29.04.2019

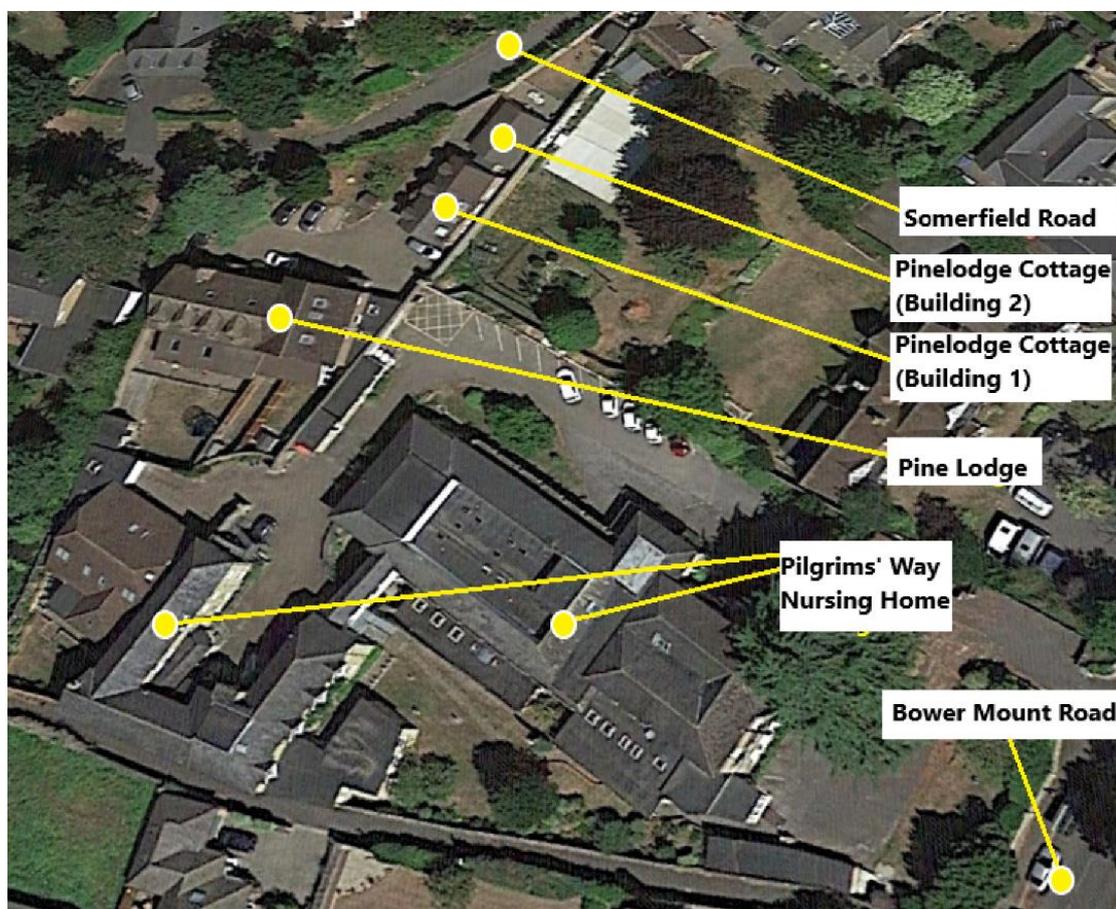
Pine Lodge (building to the south west of the current application site)

- 11/0513 - Conversion of the building to 6 self-contained flats (committee) approved 26.05.2011
- 13/1132 Amended scheme to that approved under reference MA/11/0513 (Conversion of the building to 6 self-contained flats) including extensions to Flats 1, 2 and 6.

Pilgrims Nursing Home (larger buildings to south entrance in Bower Mount Road)

- 94/0142 - Change of use of residential land to residential care home and erection of a two storey rear extension (Refused committee decision – appeal allowed).

Aerial image showing site context



MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site is in the Maidstone Urban Area as designated by the Local Plan. The application site is part of a larger group of buildings owned by the applicant located between Somerfield Road (private road) to the north and Bower Mount Road.

- 1.02 The two main buildings on the larger site (blue line) accessed from Bower Mount Road are Pilgrims Way Nursing Home (main purpose built building provides 64 beds and the second detached building the Coach House 16 beds).
- 1.03 Pine Lodge located in the middle of the wider site and accessed from Somerfield Road provides 6 flats (converted under application 13/1132 and 11/0513).
- 1.04 The access to the application site is on the south side of Somerfield Road, Somerfield Road is residential in character with vehicle access from London Road (A20) in the east. A gate across the road to the west of the application site restricts vehicle access from Somerfield Road to Greenwich Close, with Greenwich Close providing pedestrian and cycle access to from Somerfield Road to Queen's Road further to the west.
- 1.05 The buildings on the application site (red line) consist of:
- Building 1: a 1½ storey (chalet) building providing a three bedroom dwelling (approved under 72/0489 and 09/1905 and converted to a dwelling from a garage with upper floor workshop under 16/502943/FULL).
 - Building 2: a single storey building adjacent to building 1 (converted from garage to a gym under application 21/506183/FULL)
 - An extension linking buildings 1 and 2 (Pinelodge Cottage) approved under application 21/506183/FULL
 - A detached summer house on garden land to the north east corner of the site was approved under application 21/506183/FULL.
- 1.06 Pinelodge Cottage on the application site and the existing converted building Pine Lodge share vehicle access from Somerfield Road. The existing dwelling Pinelodge Cottage has three off street parking spaces and a private garden area at the north east corner of the site.
- 1.07 Open land to the Somerfield Road frontage includes some significant trees protected by a Tree Preservation Order (TPO 15/1972).

Existing front north west facing elevation

(NB: no changes proposed - building 1: right hand site, building 2: left hand side)



- 1.08 The application site is covered by the published Character Area Assessment for London Road, Bower Mount Road, and Buckland Hill Area SPG. The assessment states the following (Page 7: Section 8.6 Somerfield Road Character Area).
- *"The entrance from London Road is narrow and Somerfield Road has a rural character with no pavements for lengths of the road. Trees line the southern side of the road and the buildings are well back from the road and are barely*

visible behind the dense landscaping. The character is in stark contrast to the busy, heavily congested London Road”.

- *“On the southern side a 3 storey yellow brick addition to Somerfield House extends along the road behind a high wall”.*

2. PROPOSAL

- 2.01 Conversion of dwelling house (building 2) to 2, two bedroom flats and conversion of gymnasium (building 1) to a one bedroom flat including changes to fenestration (retrospective).
- 2.02 The area to the front of the application building (Pinelodge Cottage – current application for 3 flats) and the separate converted building Pine Lodge (6 self-contained flats) consists of a landscaped area, and 11 car parking spaces. These car parking are being retained. The current application includes a new landscaped area in front of ground floor windows

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan (2011-2031):

SS1 Maidstone borough spatial strategy

SP1 Maidstone urban area

DM1 Principles of good design

DM8 - External lighting

DM9 Residential extensions, conversions and redevelopment

DM21 - Assessing transport impacts

DM23 Parking standards

Character Area Assessment for London Road, Bower Mount Road, and Buckland Hill Area SPG

The National Planning Policy Framework (NPPF):

National Planning Practice Guidance (NPPG):

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 hearings concluded mid June 2023). The relevant policies in the draft plan are as follows:

LPRSP12 - Sustainable transport

LPRSP14 - Environment

LPRSP14(A) - Natural environment

LPRSP14(C) - Climate change

LPRSP15 – Principles of good design

LPRSS1 - Spatial strategy

LPRTRA2 - Assessing transport impacts

LPRTRA4 - Parking

LPRQ&D1 - Sustainable design

LPRQ&D2 - External lighting

The National Planning Policy Framework (NPPF):

National Planning Practice Guidance (NPPG):

4. LOCAL REPRESENTATIONS

Local residents

4.01 No neighbour comments received.

Councillor Jeffrey

4.02 Call in to Planning committee (no reasons provided).

5. CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

Mid Kent Environmental Health

5.01 No objection subject to conditions.

MBC Tree Officer

5.02 No objection subject to conditions that safeguard the protected trees on the site frontage in terms of possible disturbance and compaction to roots within the root protection areas (RPAs) from excavation or storing materials.

6. APPRAISAL

The key issues are:

- Site location
- Design, character, and appearance
- Standard of accommodation
- Neighbouring amenity
- Highways and parking
- Ecology and biodiversity

Site location

6.01 The site is located within the designated Maidstone urban area. Adopted Local Plan policy SS1 states "*...Maidstone urban area will be the principal focus for development in the borough. Best use will be made of available sites within the urban area*".

6.02 The site is 560 metres from the Maidstone town centre boundary (eastern end of Buckland Hill) and Maidstone Barracks Railway Station with the facilities, employment, leisure uses available in this area.

Design, character, and appearance

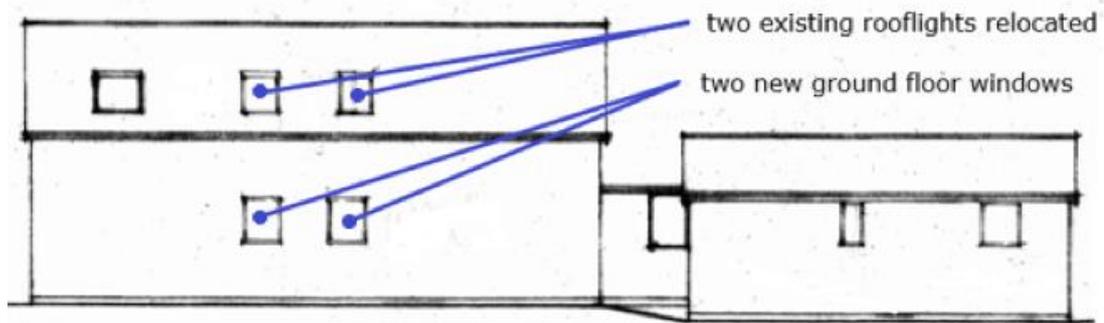
6.03 Local plan policy DM1 provides advice on general design. Policy DM1 states that development must respond positively to, and where possible enhance local character, highlighting matters of scale, height, materials, detailing, mass, bulk, articulation, and site coverage.

6.04 The published character area assessment talks about buildings screened from the road by boundary walls and dense landscaping.

6.05 The only external changes to the application building are to fenestration on the rear south east building elevation to the one and a half storey building (building 1).

6.06 These changes involve the relocation of two of the existing three roof lights and the insertion of two new windows at ground floor level. The proposed fenestration is in keeping with the general building character and acceptable in design terms.

Proposed south east elevation with changes highlighted.



Standard of accommodation

- 6.07 Local plan policy DM1 sets out the need to provide an appropriate level of amenity for future occupants including in terms of privacy, sunlight, daylight, and visual intrusion.
- 6.08 The proposal relates to the conversion of a residential building with an attached incidental building providing a gym. The converted ground floor of the main building provides a two bedroom flat with access from the link building. The first floor two bedroom flat is accessed from the door in the main front elevation of the building. The former gym provides a second one bedroom flat accessed from the end building elevation.
- 6.09 The ground floor two bedroom flat has a gross internal area (GIA) of 61m² and the first floor two bedroom flat a GIA of 68m². This floor area complies with the minimum floorspace standard of 61m² in the national standards. The one bedroom flat has a GIA of 41 m² that meets the national standard of 39m².
- 6.10 Policy Q&D 6 of the Local Plan Review states that new development "...will be expected to meet where possible..." the national floor space standards. The accommodation included with this application meets these published standards.
- 6.11 The flats have spacious internal living areas, with habitable rooms that are generally be well lit and have adequate access and circulation arrangements. The flats also benefit from an adjacent communal outdoor amenity area in the north east corner of the site that also contains a summerhouse.

Neighbouring amenity

- 6.12 Policies DM1 and DM11 detail the need for development to respect the amenity of neighbouring properties and to provide suitable private amenity for future occupants.
- 6.13 The application involves the relocation of existing roof lights to the rear elevation of the single storey building and insertion of windows at ground floor level. A brick boundary wall obscures views from the ground floor windows towards the rear of The Cedars (in Bower Mount Road). The application involves the relocation of existing rooflights.
- 6.14 The rooflights are separated from the rear of The Cedars by circa 48 metres and by their nature the rooflights restrict views into adjacent garden land. Based on this situation, it is concluded that the proposal is acceptable in terms of privacy and overlooking.
- 6.15 The submitted information shows the existing building has bedspaces for 5 people (3 bedroom 5 person dwelling). The conversion to three flats will accommodate

two additional bedspaces (1 x 2 bedroom 3 person flats, 1 x 2 bedroom 3 person flats, 1 x 1 bedroom 1 person flat).

- 6.16 This intensification of residential occupation on the application site is insufficient to justify the refusal of planning permission in terms of additional activity, noise, and disturbance. Based on this situation, it is concluded that the proposal is acceptable in terms of privacy and overlooking.

Car parking

- 6.17 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).
- 6.18 Local Plan policy DM23 states the parking standards in the urban area (town centre, and edge of centre locations) are set as maximum levels (i.e not 'minimum' standards as in other areas). In these circumstances new development does not necessarily need to provide any off-street parking.
- 6.19 Paragraph 6.99 of the supporting text to policy DM23 states "The council adopts a flexible approach to minimum and maximum parking standards to reflect local circumstances and the availability of alternative modes of transport to the private car".
- 6.20 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.
- 6.21 The maximum car standards for the converted building are 3 off street parking spaces (one space per dwelling) with 0.6 spaces for visitors. The submitted block plan shows that the accommodation meets these maximum standards. The area to the front of the building in addition to a soft landscaped area provides 11 off street car parking spaces that are shared with the six flats in the adjacent building.
- 6.22 The area to the front of the application building (Pinelodge Cottage – current application for 3 flats) and the separate converted building Pine Lodge (6 self-contained flats) consists of a landscaped area, and 11 car parking spaces. These car parking are being retained. The current application includes a new landscaped area in front of ground floor windows
- 6.23 The application site is in a sustainable location with a 10 minute walk to Maidstone Barracks Railway Station and the amenities such as employment opportunities, amenity and shopping facilities and public transport provision within Maidstone town centre. The site is located on Somerfield Road which is a private road.

Trip generation

- 6.24 Policy DM1 states that applications must ensure that development does not result in, amongst other things excessive activity or vehicle movements. 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).

- 6.25 The application involves conversion of a large residential building to three smaller units and the provision of two additional bedspaces. Any additional trip generation will not meet the NPPF threshold of causing ‘severe’ harm and this level of ‘severe’ harm is required to refuse planning permission.

Cycle parking

- 6.26 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.
- 6.27 There is ample space on the application site for the provision of cycle storage. A planning condition is recommended seeking details of the precise location of this storage on the site and again provision of this store and its retention.

Refuse storage

- 6.28 MBC Waste Services standards set out that in flatted developments of four or less units, each flat will be provided with their own set of bins (not provided as communal Eurobin). The requirements for flats are one 180 litre bin, one 240 litre bin for recycling and one 23 litre caddy for food waste.
- 6.29 The refuse storage for the flats is shown on the submitted planning application plans. The storage is of a sufficient size and located in a discrete and accessible location. A planning condition is recommended requiring the provision of this refuse store and retention thereafter.

Ecology and biodiversity

- 6.30 Given the application site is developed and managed land and located within a densely populated urban area it is found that the application site does not provide suitable habitats for any protected species. A planning condition is recommended to achieve biodiversity enhancement on the site. With the only building changes to the fenestration, these enhancements are not sought as integral enhancements.

PUBLIC SECTOR EQUALITY DUTY

- 6.31 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.

CIL

- 6.32 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

7. CONCLUSION

- 7.01 Local Plan policy DM 9 states that within the urban area, proposals for the conversion of a residential property will be permitted where several listed criteria are met. These criteria are set out below:

1.i. The scale, height, form, appearance and siting of the proposal would fit unobtrusively with the existing building where retained and the character of the street scene and/or its context.

7.02 The only physical changes to the buildings on the application site are minimal changes to fenestration on the rear of the building. The application complies with the above criteria.

1.ii. The traditional boundary treatment of an area would be retained and, where feasible, reinforced.

7.03 The boundary treatment consists of brick walls and hedging, and this boundary treatment is found to be acceptable in this location.

1.iii. The privacy, daylight, sunlight and maintenance of a pleasant outlook of adjoining residents would be safeguarded.

7.04 The larger one and a half storey building was previously in residential use and the current application seeks the subdivision of this building and conversion of the gym in the single storey building to a residential unit.

7.05 There are no issues found in relation to privacy, daylight, sunlight and outlook and the above criteria.

1.iv. Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of the street scene.

7.06 There are three off street car parking spaces and this provision complies with the adopted standards and the above criteria.

2. i. The intensified use of the building and its curtilage would not significantly harm the appearance of the building or the character and amenity of the surrounding area.

7.07 The intensified use of the land which will provide 3 flats and an additional 2 bedspaces would not the appearance of the building or local character or amenity. The site is located on a private road in a sustainable urban location. The site includes 9 flats with access to 11 off street car parking spaces. The accommodation has access to a communal external amenity area.

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
01 Site Location Plan
02 Existing Block Plan
03 Existing Plans
04 REV A Existing Elevations
05 REV A Proposed Block Plan

06 Proposed First Floor and Roof Plans

07 Rev A Proposed Elevations

Design and Access Statement

Reason: To clarify the approved plans and to ensure the development is carried out to an acceptable visual standard.

- 3) The conversion work shall be reversed, and the use restored to that which existing before the development took place within 6 weeks of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
- i) Within 6 weeks of the date of this decision a Site Development Scheme, hereafter referred to as the 'Scheme', shall have been submitted for the written approval of the Local Planning Authority. The Scheme shall include details of:
 - a) details of refuse bin storage enclosures,
 - b) details of cycle storage for the three flats
 - c) details of existing landscaping and details of soft landscape enhancements including planting strip in front of ground floor windows
 - d) details of the measures to enhance biodiversity at the site,
 - e) details of decentralised and renewable or low-carbon sources of energy, and
 - f) a timetable for implementation of the scheme including a) to e) with all details implemented in accordance with the agreed timetable and all details retained for the lifetime of the development.
 - ii) Within 11 months of the date of this decision the Scheme shall have been approved by the Local Planning Authority or, if the Local Planning Authority refuse to approve the Scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
 - iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted Scheme shall have been approved by the Secretary of State.
 - iv) The approved Scheme shall have been carried out and completed in accordance with the approved timetable and thereafter maintained and retained as approved.

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

- 4) The landscaping required by condition 3 shall be designed in accordance with the principles of the Council's Landscape Guidelines (Maidstone Landscape Character Assessment Supplement 2012). The scheme shall use
- (a) show all existing trees, hedges, and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed,
 - (b) provide details of on-site replacement planting in a planting specification including plant species, plant spacing, quantities, and maturity (non-plastic guards shall be used for the new trees and hedgerows, and no Sycamore trees shall be planted).
 - (c) provide landscape implementation details and timetable
 - (d) provide a [5] year landscape management plan

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

- 5) All landscaping approved under condition 3 shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years of planting 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 unless the local planning authority gives written consent to any variation.

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

- 6) The biodiversity enhancement required by condition 3 shall include integrated methods into the design and appearance of the building structure (where possible) by means such as swift bricks, bat tube or bricks and additionally through provision within the site curtilage of measures such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgerow corridors.
Reason: To protect and enhance the ecology and biodiversity on the site in the future.
- 7) The details of decentralised and renewable or low-carbon sources of energy required by condition 3 shall provide at least 10% of total annual energy requirements of the development.
Reason: To ensure an energy efficient form of development.