

APPLICATION: MA/14/0116 Date: 22 January 2014 Received: 23 January 2014

APPLICANT: Mr Neil Coles Housing Services Manager, Housing & Community Services

LOCATION: AYLESBURY HOUSE, 56, LONDON ROAD, MAIDSTONE, KENT, ME16 8QL

PARISH: Maidstone

PROPOSAL: Change of use from hotel to a 12 room hostel for use as emergency temporary accommodation for households accommodated by the council

AGENDA DATE: 20th March 2014

CASE OFFICER: Louise Welsford

The recommendation for this application is being reported to Committee for decision because:

- the Council is the applicant

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: None specific
- Government Policy: National Planning Policy Framework, National Planning Practice Guidance

2. HISTORY

MA/10/0248	Extension and internal re-arrangement to provide staff accommodation and additional guest bedrooms – Approved 7 April 2006
MA/10/1547	Change of use from Guest House to two semi-detached dwellings – Approved 29 October 2010
MA/11/0674	Change of use from Guest House to two semi-detached dwellings – Approved 21 June 2011

3. CONSULTATIONS

3.1 Kent Highways Services: No objections.

3.2 Environmental Health Manager: No objections, recommends informatives.

4. REPRESENTATIONS

4.1 Representations have been received from 3 neighbouring properties, 2 objecting and 1 commenting upon the grounds of anti-social behaviour, management, loss of property value/income and emergency access and alarms ringing unattended.

Kent Police: Have stated that they would welcome a meeting with the applicant and they have provided a copy of guidelines from "Secured By Design".

5. CONSIDERATIONS

5.1 Site Description

5.1.1 This application relates to a vacant hotel premises within the urban area of Maidstone. Originally a pair of semi-detached dwellings, it was historically converted to a hotel with 8 guest bedrooms and associated staff living accommodation.

5.1.2 The site is located upon a main arterial route (London Road), a relatively short distance from Maidstone Town Centre. Surroundings are mainly residential.

5.2 Proposal

5.2.1 Planning permission is sought for the change of use of the site from a hotel (Class C1) to a 12 room hostel for use as emergency temporary accommodation for households accommodated by the Council (sui generis). This is in order to meet the Council's duties under housing legislation and could include (but not be limited to), for example, residents who are displaced from their homes due to emergencies such as flooding.

5.3 Principle of Development

5.3.1 The National Planning Policy Framework generally takes a positive approach to changes of use of buildings for residential purposes where there is an identified need for such accommodation and there are no strong economic reasons why the development would be inappropriate. It seeks that local authorities plan for a mix of housing and consider the needs of different groups in the community.

5.3.2 In this case, the use is required to meet the Council's needs to provide emergency accommodation on a temporary basis. The applicant has confirmed that the need for such accommodation cannot always be met within the Borough

and this can have a negative impact upon the health and well being of those households. This use would help to broaden the mix of uses in the Borough. It would, for example, help to meet the needs of those experiencing difficult times, such as coping with flooding.

- 5.3.3 I do not consider there to be any strong economic reason to resist the application, since planning permission has already been granted to convert the building to two dwellings under reference MA/11/0674 and that permission is still extant. Moreover, I am not aware of any shortage of guest accommodation in the locality. It is noted that there is a 100 bedroom hotel in fairly close proximity to the site. It is therefore concluded that the principle is acceptable.

5.4 Visual Impact

- 5.4.1 No material changes are proposed to the external appearance of the building.

5.5 Residential Amenity

- 5.5.1 No extensions are proposed which would affect light or outlook for adjoining properties. In terms of privacy, no new windows are shown to be proposed and side fenestration is shown to serve staircases and a shower room, rather than main habitable rooms. The boundary with the properties to the rear is around 40m from the rear of Aylesbury House.
- 5.5.2 In terms of noise and disturbance, the existing parking area and access to the front of the site are to be used. These are not in a position to cause significant noise issues, especially given the expected background noise upon the A20 main arterial route. Also, I understand that the applicant would appoint a management team to oversee the functioning of the use and issues of unreasonable levels of noise and disturbance would be issues to be dealt with under the management regime.
- 5.5.3 Furthermore, the lawful use of the building as a hotel could still be carried out without the need for Planning Permission. The proposed use is not considered to result in significant residential amenity issues over and above the level expected from the lawful use.

5.6 Highways

- 5.6.1 The existing access onto London Road would remain unaltered and the 7 existing car parking spaces would be retained. The Kent County Council Highways Engineer has been consulted and raises no objection to the proposal. He states that he expects low car ownership and no discernible impact upon the highway.

5.6.2 Given that this is a sustainable urban location, relatively close to the town centre, (where other modes of transport could be used) this is considered an acceptable conclusion.

5.7 Other Matters

5.7.1 Representations have raised the issue of anti-social behaviour. Kent Police have commented upon the application, but have not objected. They have stated that they would welcome a meeting with the applicant and they have provided a copy of guidelines from "Secured By Design".

5.7.2 As there is no operational development requiring planning permission, it is considered that the information supplied by Kent Police should be brought to the attention of the applicant by way of an informative.

5.7.3 It is also important to note that the applicant intends to implement this development themselves and has confirmed that they intend to procure a management service. This management service would therefore be responsible for ensuring that the use is carried out in an acceptable manner and dealing with any anti-social behavioural issues, should they arise. In consequence, it is not considered that there are any anti-social behaviour issues which would justify a refusal in this case.

5.7.4 The issue of alarms ringing is a management service issue.

6. CONCLUSION

6.1 The proposal constitutes sustainable development and complies with the National Planning Policy Framework. There are no significant highway issues and a management regime would be put in place to ensure that the use functions in an appropriate manner. Approval is therefore recommended.

7. 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 hereby permitted shall be carried out in accordance with the following approved plans: drawing no.s H1100 01a, H1100 12a, H1100 13a, H1100 14a, H1100 15a, H1100 16a, H1100 17a and H1100 18a received on 22/01/14;

Reason: To ensure the quality of the development is maintained and to preserve visual and residential amenity.

Informatives set out below

The applicant's attention is drawn to the advice concerning 'Secured by Design' in the representation from Kent Police dated 5 February 2014 and to the Kent Design Initiative (KDI) Design Out Crime Prevention document dated April 2013. The applicant is strongly recommended to seek advice upon the issue of crime prevention from Kent Police prior to implementing this consent.

Attention is drawn to the COPA 1974 sections 60 & 61. The Council will normally expect contractors to adhere to the Guidance Note for Contractors contained in the Associated British Standard COP BS 5228:2009 for noise control on construction sites which includes such matters as hours of noisy working, working practices and public relation with local residents. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the EHM regarding noise control requirements.

Asbestos:

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.

Dust Nuisance:

In order to minimise dust and dirt being blown about and potentially causing a nuisance to occupiers of nearby premises the following precautions should be taken.

- Reasonable and practicable steps should be used during any demolition or removal of existing structure and fixtures, to dampen down the general site area, using a suitable water or liquid spray system.
- Where practicable, all loose material on the site should be covered during the demolition process.

- During the construction, reconstruction, refurbishment or modification of the building and where practicable the exterior should be sheeted, enclosing openings etc. as necessary.

Noise and Vibration transmission between properties:

Attention is drawn to Approved Document E Building Regulations 2003 'Resistance to the Passage of Sound'. It is recommended that the applicant adheres to the standards set out in this document in order to reduce the transmission of excessive airborne and impact noise between the separate units in this development and other dwellings.

Clearance and burning of existing woodland or rubbish must be carried without nuisance from smoke etc. to nearby residential properties. Advice on minimising any potential nuisance is available from the EHM.

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

Vehicles may only arrive, depart, be loaded or unloaded within the general site between the hours of 0800 hours and 1900 Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.

Adequate and suitable provision in the form of water sprays should be used to reduce dust from the site.