

APPLICATION: MA/13/2140 Date: 10 December 2013 Received: 6 January 2014

APPLICANT: Mr Winston Terry

LOCATION: 3, COURTLANDS CLOSE, TESTON, MAIDSTONE, KENT, ME18 5AT

PARISH: Teston

PROPOSAL: Conversion of single garage to living accommodation as shown on proposed elevation and block plan received 12/12/2013 and site location plan received 06/01/2014.

AGENDA DATE: 10th April 2014

CASE OFFICER: Louise Welsford

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

- It is contrary to views expressed by Teston Parish Council

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: H18
- Government Policy: NPPF 2012, NPPG 2014

2. HISTORY

MK3/67/0068 for the construction of the estate: APPROVED

3. CONSULTATIONS

3.1 Teston Parish Council: Commented initially as follows:-

`The application is a little ambiguous - we note in fact that the hardstanding has already been put down. You confirmed in our recent telephone conversation that this would amount to permitted development provided sufficient measures were taken to accommodate adequate drainage within the boundary of the property. We would ask MBC officers to satisfy themselves that such measures are in place.

The application refers to an existing condition stemming from the original planning permission. You were unable to confirm details of that condition when we spoke.

The Parish Council takes the view that if the condition is relevant to this application and precludes the conversion of the garage to living accommodation then that condition should be positively asserted and upheld until such time as it is removed.

If the condition does not relate to conversion of the garage and you are minded to approve the application we would ask that building control is fully asserted in relation to heat and noise.'

- 3.2 A copy of the previous consent MK3/67/0068 was provided to the Parish Council and details regarding the status of the hardsurface. The Parish Council made further comments as follows:

'This is the restriction that relates to our comment on the application. We are assuming that it will be a prime consideration during processing of the application, as it was a factor raised within the timescales for comment. We would like to see the planning condition upheld.'

- 3.3 The officer recommendation was discussed with the Chairman of the Parish Council, including the reasons for the recommendation and the following comments were then received.

'We spoke yesterday and I believe our Chairman, Peter Coulling, later spoke with you. The Parish Council maintains its objections to the application and would wish the matter to go before the Planning Committee.'

4. REPRESENTATIONS

- 4.1 None received

5. CONSIDERATIONS

5.1 Site Description

- 5.1.1 This application relates to a detached bungalow, which is located within the village settlement boundary of Teston, in a cul-de-sac. The streetscene is characterised by bungalows, typically with at least 2 off-road parking spaces (and some with more). There are no on-street parking restrictions in the close.

5.2 Proposal

- 5.2.1 Planning permission is sought for the conversion of an existing single garage to living accommodation. Planning permission is required due to the existence of condition 1 on planning permission MK3/67/0068, for the erection of the bungalow this required that the parking area (which would include the garage) be kept available for the parking of vehicles. The reason for the imposition of

the condition was that it was considered to prevent inconvenient parking and for amenity reasons.

5.3 Highways

5.3.1 There is currently parking upon the driveway for at least 4 cars, the driveway having been extended in November 2009. The applicant has confirmed that it drains within the boundaries of their property and is permeable, so planning permission would not have been required for this.

5.3.2 Sufficient parking for this village location would remain upon the extended driveway, with a minimum of 4 spaces being available. In any case, there are no on-street parking restrictions and on-street parking is achievable. While Courtlands is narrow, Courtlands Close where the dwelling is located is not unusually narrow and there is ample off-road space available to park. Moreover, this is not an isolated, rural location, but is relatively well related to the main urban area, being only a short distance from the main arterial route, Tonbridge Road. I note that no neighbour objections have been received raising local parking issues. In conclusion, I am satisfied that there are no significant parking/highways issues and that it is no longer necessary to retain the condition, which was imposed approaching 50 years ago, for this particular property.

5.4 Visual Impact

5.4.1 Changes to the front elevation (the replacement of the garage door with a window) would be visually acceptable in the street-scene and would not adversely affect its character or appearance.

5.5 Residential Amenity

5.5.1 The nature and siting of the proposal are such that there are no significant residential amenity issues.

5.6 Other Matters

5.6.1 As the use would remain as residential, there are no significant heat or noise issues and building control issues are separate matters to planning matters.

6. CONCLUSION

6.1 There is clearly considered to be more than adequate parking available and the site is not in a location where it is considered that significant highway issues would arise. It is therefore recommended that permission be granted to convert

the garage to living accommodation in this case, as the condition is no longer necessary for this property.

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building unless otherwise agreed in writing by the local planning authority;

Reason: To ensure a satisfactory appearance to the development and to preserve the character and appearance of the streetscene.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:
proposed elevation and block plan received 12/12/2013 and site location plan received 06/01/2014;

Reason: To ensure a satisfactory appearance to the development and to preserve the character and appearance of the streetscene.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000) and there are no overriding material considerations to indicate a refusal of planning consent.