

REFERENCE NO - 18/503410/FULL		
APPLICATION PROPOSAL Demolition of existing garage and erection of a 4 bedroom four storey attached house. Internal alterations to main house.		
ADDRESS 130 Upper Fant Road Maidstone Kent ME16 8BU		
SUMMARY OF REASONS FOR RECOMMENDATION The site lies within an edge of centre location. The previous assessment of the parking and highways impacts remain unchanged and in line with Kent Highways advice. DM9 is not considered a relevant policy in this instance. The proposal continues to accord with the requirements of relevant Local Plan policies DM1, DM11 and the NPPF.		
REASON FOR REFERRAL TO COMMITTEE Clarification on a previous committee deferral		
WARD Fant	PARISH/TOWN COUNCIL	APPLICANT Mr Tarek-Ali Al-Ayoubi AGENT
TARGET DECISION DATE 07/09/18	PUBLICITY EXPIRY DATE 08/08/18	

Relevant Planning History

03/1065

Replacement of existing flat roof to garage with a tiled pitched roof, as shown on two unnumbered drawings showing elevations and floor plans received on 14.05.03.

Approved Decision Date: 18.07.2003

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site sits to the side of a terraced house, on the corner of Upper Fant Road and Lower Fant Road. It currently houses a side garage for the use of the host dwelling. This is set to the rear side of the house. The garden has a large side and front area which is currently used for parking. Access is available from both the front and side of the house.
- 1.02 The site tapers from a wide frontage to a more narrow rear garden. It is set over 4 floors with the basement set within a lightwell area at the front and the ground level dropping away so that the basement is fully exposed at the rear.
- 1.03 The site is within the Maidstone urban area and is characterised by closely spaced high density housing. The application site is at the end of an existing terrace of houses. On the opposite side of the road sit larger semi detached houses.
- 1.04 The opposite corner, across from the junction with Lower Fant Road is, for the area, uncharacteristically open in character with a significant gap before the next house to the West on Upper Fant Road. As detailed below, permission has recently been granted for a new dwelling on tis site. A row of terraced 3 storey houses sit on Lower Fant Road with their frontages facing the side boundary of the application site. The front building lines of these houses are set approx. 13.5-14.5m from the boundary with the application site.
- 1.05 Permission has recently been granted under application reference number 18/500882/FULL for an additional dwelling on the end of the terrace on Lower Fant Road facing towards the side boundary of the application site. This sits further back from the front building line of the other terraced dwellings.

- 1.06 The site backs an area of parking and a single storey garage after which the side boundary of 63 Lower Fant Road sits approx. 34m to the South.

2. PROPOSAL

- 2.01 Permission is sought for a 4 storey dwelling to be attached to the existing end of terrace house. The new dwelling would sit in line with the front and rear building line of the host dwelling and is shown, where it presents to the streetscene, of a height and design to match it and the other buildings in the terrace.
- 2.02 The front door of the existing dwelling is shown as being moved to the front elevation of the dwelling to match the other houses in the terrace.
- 2.03 The dwelling would sit approx. 0.7m from the side boundary of the site where it adjoins Lower Fant Road. Parking for 1 vehicle is shown in front garden of both the existing and the proposed dwelling. This would replicate the arrangement in the rest of the terrace.
- 2.04 The front elevation of the proposed dwelling is shown to replicate the rest of the terrace in all regards, including scale, design and use of materials. However the building is shown as splaying inwards towards its rear so that the rear elevation is narrower than the rest of the terrace.
- 2.05 In response to concern about the detailed appearance of the dwelling, revised plans have been submitted which show the materials and detail of each elevation to match the existing.
- 2.06 Members previously deferred the application in order to seek clarification on whether the application site is an edge of centre or suburban location for parking purposes and whether policy DM9 of the Maidstone Borough Local Plan 2017 is applicable. This report provides clarification on those matters.

3. POLICY AND OTHER CONSIDERATIONS

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Borough Local Plan 2017 SS1, SP1, H2, DM1, DM2, DM11, DM23

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.01 N/a

5.0 CONSULTATIONS

Kent Highways

- 5.01 In response to Members query about whether the application site is an edge of centre or suburban location for parking purposes, Kent Highways have provided the following response:

I can confirm that the location of the proposals would be considered an 'edge of centre' site in this instance. The decision on what location criteria a development proposals falls in is largely governed by the on street control descriptions for each location. For example, in order for a location to be considered as an edge of centre location there must be on street controls i.e. double or single yellow lines a residents' scheme and/ or existing saturation of the current on street provision.'

6.0 APPRAISAL

Main Issues

6.01 The key planning issues were previously considered in the previous committee report which is appended for information. This report considers the following matters:

- Whether the application site is an edge of centre or suburban location for parking purposes
- Whether policy DM9 of the Maidstone Borough Local Plan 2017 is applicable

Designation for parking purposes

6.02 At the committee meeting on 31st January 2019, members questioned whether the application site is an edge of centre or suburban location for parking purposes. Kent Highways have subsequently advised that the location of the site would be considered edge of centre. The decision on what location criteria a development proposals falls in is largely governed by the on street control descriptions for each location. For example, in order for a location to be considered as an edge of centre location there must be on street controls i.e. double or single yellow lines, a residents' scheme and/ or existing saturation of the current on street provision.

6.03 The assessment made in the previous report was based on this designation.

6.04 The proposal would result in the loss of an existing garage and parking area to the side of the host dwelling. However the current dropped curb is redundant as a car doesn't fit onto that part of the driveway, plus the angle to turn into the garage makes the garage impossible to use for a vehicle. The proposal shows that the redundant dropped curb on Lower Fant Road would be raised and a curb installed which would create additional space for on street parking.

6.05 The proposal shows provision for 1 car parking space for each dwelling in the front garden. This replicates the arrangement for the other houses in the terrace.

6.06 As clarified above, the application site is located on the edge of the town centre. The policy requirement for parking provision in such a location for a 4 bedroom house is 1 / 1.5 spaces. Given the central location of the site, and its proximity to walking and bus routes, and Maidstone West station, the proposed provision of 1 space per unit plus the gain of one on street space is acceptable.

6.07 Kent Highways have raised no objection to the parking provision or highway impact of the proposal.

6.08 Given the proposed parking provision including the gain of an off street parking space, and the comments by Kent Highways, the parking provision and highway impact of the proposal would accord with policies DM1 and DM23, and the parking standards (Appendix B) within the local plan, and therefore continues to be considered acceptable.

Whether policy DM9 of the Maidstone Borough Local Plan 2017 is applicable

6.09 Policy DM9 of the Local Plan relates to residential extensions, conversions and

redevelopment within the built up area and is applied to the consideration of planning applications where extension works, the conversion or refurbishment of a dwelling is proposed. The text to this policy makes it clear that it should be read alongside the adopted Residential Extensions SPD (May 2009) which again relates only to extension work rather than entirely new dwellings:

'Residential extensions generally benefit the community by increasing the amount and quality of accommodation in the borough. However, careful design is necessary, in order to prevent a reduction in the quality of living conditions for adjoining residents and the built environment in general. The adopted Residential Extensions SPD (May 2009) will be used to guide the assessment of proposals for residential extensions'

- 6.10 In this instance, the correct policy to be applied to the proposal is DM11 which contains a set of criteria for considering the development of garden land to create new dwellings within the defined boundaries of the urban area.
- 6.11 As assessment of the proposal against this policy along with DM1 was undertaken in the previous report and it was concluded that, on balance, the proposal would not result in significant harm to the character and appearance of the area and would appear as a congruous addition to the streetscene.
- 6.12 If members were to conclude, contrary to this, that policy DM9 should also be applied, it is noted that this policy requires proposals to be permitted if:
- 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;*
 - ii. The traditional boundary treatment of an area would be retained and, where feasible, reinforced;*
 - iii. The privacy, daylight, sunlight and maintenance of a pleasant outlook of adjoining residents would be safeguarded; and*
 - iv. Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of the street scene.*
- 6.13 This required criteria aligns with that required by Policy DM11 as previously assessed.
- 6.14 The proposed new dwelling is shown as located on the end of an existing row of terraced houses all of matching design, height and scale. The proposal would match the terrace to the front elevation in terms of size, proportion and detailed appearance. However the proposed house is shown to splay inwards to the rear and as such, the rear elevation would appear narrower than the other houses in the terrace.
- 6.15 In response to concern about the detailed appearance of the side and rear elevation, amended plans have been submitted which show additional detailing to the side and rear elevation. The side elevation would be finished to match the existing with yellow facing brickwork and red brick band and quoins, matching door and fenestration. The rear elevation, although of a differing width to the existing would continue the pattern of lower rendering with upper ragstone panels and red brick quoins.
- 6.16 The red brick and ragstone all to the side is shown as retained.

- 6.17 The area is one of a dense urban grain, and the current space is not of sufficient enough value within this context to require its preservation. The additional dwelling would generally reflect existing built form in terms of both appearance and proportions. However, its splayed footprint towards the rear of the site would not accord with the general surrounding built form, and has the potential to appear as an alien feature within the streetscene from Lower Fant Road.
- 6.18 On balance, this splay, although clear on plan, would not be as obvious from the pedestrian view of the site. The narrower rear elevation is a secondary elevation and would only be read when viewing the site in the context of rear gardens from further down Lower Fant Road where the contrast would be with the 1960's houses opposite at Little Court. As such, it is considered that the existing view is not of a sufficiently high value to justify refusal of the scheme on the basis of the appearance of the secondary rear elevation, or the proposed splay.
- 6.19 Generally, and particularly from the primary street frontage, the proposal would be absorbed into the existing character, pattern and layout of the built environment. There are numerous examples along Upper Fant Road of corner properties sitting tight to the boundary of the plot. Although it would reduce a space at the end of a terrace, and have an impact on the streetscene in this regard, on balance it is considered that as this space is not characteristic of the area, its loss would not be of significant detriment to visual amenity.
- 6.20 The infilling of the existing gap would also have an impact on the appearance of the streetscene of Lower Fant Road, but given the prevalent character of the area and the dense urban grain in the locality, on balance this would not be significant enough of an impact to justify refusal of the scheme.
- 6.21 Taking into account the negative impact of the proposed splay and narrower rear elevation, and weighing this against the replicated detailing of the existing dwelling and the grain and character of the locality, on balance it is considered that the proposal would not result in significant harm to the character and appearance of the area and would appear as a congruous addition to the streetscene.

6.22 As such, it is concluded that if Members also choose to assess the proposal under policy DM9 on balance the scale, height, form, appearance and siting of the proposal would fit unobtrusively with the existing building, and the character of the street scene and its context; and, as shown on the proposed plans, the traditional boundary ragstone wall would be retained. As previously assessed in the appended report, privacy, daylight, sunlight and maintenance of a pleasant outlook of adjoining residents would be safeguarded, and sufficient parking would be provided without diminishing the character of the street scene. The proposal would therefore accord with this policy and be considered acceptable.

7. CONCLUSION

- 7.01 The site lies within an edge of centre location and the previous assessment of the parking and highways impacts remain unchanged and in line with Kent Highways advice and the proposal is considered acceptable in this regard.
- 7.02 DM9 is not considered a relevant policy in this instance. However even if it were to be applied, on balance, the proposal would accord with it and be acceptable. The proposal continues to accord with the requirements of relevant Local Plan policies DM1, DM11 and the NPPF.

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 only be carried out in accordance with the following approved plans: AR.TPA.GA.201, 202, 203, 204, 205, 206A, 207A, 208A, 209

Reason: To clarify which plans have been approved.

(3) Upon completion, no further development, whether permitted by Classes A, B, C or D of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out.

Reason: In the interests of the amenities of the area.

(4) The development hereby approved shall not commence above slab level until, written details and samples of the materials to be used in the construction of the external surfaces of the building(s) 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;

Reason: To ensure a satisfactory appearance to the development.

(5) The development hereby approved shall not commence until a method statement for the demolition and/or construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved method statement. Details submitted in respect of the method statement, incorporated on a plan, shall provide for wheel-cleaning facilities during the site preparation and construction stages of the development. The method statement shall also include details of the timings of deliveries and construction works on site.

Reason: To ensure the construction of development does not result in harm to highway safety or neighbouring amenity.

(6) The approved details of the parking areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated 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 inconvenient to other road users and in the interests of road safety.

INFORMATIVES

Planning Committee Report

(1) The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25th October 2017 and began charging on all CIL liable applications approved on and from 1st 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.