

REPORT SUMMARY

REFERENCE NO - 17/501196/FULL		
APPLICATION PROPOSAL Erection of an additional storey on a flat roof to accommodate 10 units of residential accommodation together with associated parking and an amended access at Riverhill Apartments, London Road, Maidstone.		
ADDRESS Riverhill Apartments, 10 - 12 London Road, Maidstone, Kent, ME16 8QA		
RECOMMENDATION – Permission		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The proposal is considered to preserve the character and appearance of the surrounding area and would not result in any amenity or highways safety harm. The proposal would comply with the Development Plan and there are no overriding material considerations to indicate a refusal.		
REASON FOR REFERRAL TO COMMITTEE Cllr Georgia Harvey has called the application to committee for the reasons set out below.		
WARD Bridge	PARISH/TOWN COUNCIL	APPLICANT Eco-Regeneration AGENT DHA Planning
DECISION DUE DATE 31/05/17	PUBLICITY EXPIRY DATE 13/06/17	OFFICER SITE VISIT DATE 28/04/17
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): 15/505719/FULL - Variation of Condition 2 of planning permission 14/0655 (external alterations to the existing building) for materials to vary colour and higher quality finish – Permitted 15/505749/PNOCLA Prior Notification of the Change of Use from B1A Office to C3 Residential (74 flats) - Prior approval not required. 14/0655 - An application for external alterations to the existing building - Permitted 06/1859 - Installation of two condenser units to flat roof - Permitted MA/PN/13/0010 - Prior Notification of the Change of Use from B1A Office to C3 Residential (63 flats) – Prior approval not required.		

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.1 The application site is located on the east side of London Road and relates to a 6 storey building (including a part lower ground floor level) that has recently undergone conversion from offices to 74 residential flats via the prior approval process. 109 parking spaces are currently provided at the rear of the building with vehicle access taken from the southeast corner of the site onto Rocky Hill.
- 1.2 There are a mix of commercial, hotel and residential properties within the immediate surrounding area, with the development closest to the site being between 3 and 5

storeys in height. The application site is located just to the north of Maidstone town centre.

2.0 PROPOSAL

- 2.1 Erection of an additional storey on a flat roof to accommodate 10 units of residential accommodation together with associated parking and an amended access.
- 2.2 The new accommodation would all be contained within an additional flat roof extension on top of the existing building. The extension would be clad in grey zinc cladding with grey aluminium fenestration. The new level would be approx. 900mm higher than the parapet on the building. A majority of the new floor would be set in from the parapet edge of the building by approx. 1.2m with some elements abutting the inside edge of the existing parapet. Roof terraces have been incorporated on the proposed floor around the edges of the building to provide each flat an area of outside amenity space behind the parapet.
- 2.3 The proposed accommodation comprises 3x1 bed flats and 7x2 bed flats. Stepped access is provided to the floor below which has lift access to ground level.
- 2.4 Modifications are proposed to the vehicle access to convert the existing segregated access/exit to a conventional priority type junction. Works propose to remove the central area of footway and create a new bell-mouth access with paving crossing point.

3.0 AMENDMENTS

- 3.1 Amended plans have been submitted reducing the proposed development from 12 to 10 flats. A further 14 day consultation was completed on the amended plans. The number of units was reduced due to a request from the LPA for on-site and / or off-site affordable housing provision. The applicant advised that the scheme would not be viable on a 12 unit scheme if 30% of the flats had to be affordable housing in accordance with emerging policy. Policy does not require affordable provision on the revised 10 unit scheme.

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan 2000: ENV21, T13
New Local Plan (submission version) May 2016: SP1, SP4, DM1, DM4, DM5, DM8, DM12, DM27,
Supplementary Planning Documents: DPD Open Space 2006.

5.0 LOCAL REPRESENTATIONS

- 5.1 Site notice, newspaper advert and letters sent to neighbouring properties.
- 5.2 Two neighbours (flats within the building) have objected to the application. Comments are summarised as follows:
 - Parking pressure.
 - Construction access.
 - Noise and disturbance during construction (*non material planning consideration*)
 - Damage to trees during construction works.

5.1 **Cllr Georgia Harvey:** *'If you are minded to approve the above application I request that it is referred to Planning Committee on the following grounds:*

1. *That there is no information provided on landscaping or environmental considerations or amenities.*
2. *There appears to be little consideration for air quality.*
3. *To ensure that the character of the development is not overly intensive and relates well to the site, neighbouring buildings and the general street scene.*

I am concerned that this development places additional strain on the site in terms of overcrowding, parking and refuse collection that have not be suitably mitigated in the application'.

6.0 CONSULTATIONS (response from initial consultation)

- 6.1 NHS: Request contribution (on the 12 unit scheme).
- 6.2 POS: Request contributions (on the 12 unit scheme)
- 6.3 SGN: Advise on location of pipes.
- 6.4 KCC Contribution: Request contribution to local libraries (on the 12 unit scheme)
- 6.5 KCC Minerals and Waste: No objection.
- 6.6 MBC EHO: No objections. Recommend conditions (on the 12 unit scheme)
- 6.7 Kent Police: No comments.
- 6.8 KCC Highways: No objections. Request conditions and advise the vehicular and footway access arrangements in the highway need to be addressed through a S278.
- 6.9 Southern Water: No objections. Request condition.

7.0 APPRAISAL

Principle of Development

- 7.2 The site is located within the urban area of Maidstone in a sustainable location in close proximity to the town centre where the principle of additional residential development is acceptable. The key issues are considered to be design, impact on the character of the area, parking provision, trip generation and amenity.

Visual Impact and Design

- 7.3 The immediate and wider area is characterised by a variety of building designs and heights and it is considered that an additional storey could be successfully accommodated at this building without appearing out of keeping with the character of the surrounding area. The new storey would only measure some 900mm above the existing parapet and a majority of the footprint would be set back over 1m from the edge of the building and so the proposal would not appear prominent within this setting. In addition the proposed materials would have a muted appearance over time and the colour scheme would integrate with the recently added cladding / external changes to the lower elevations. It is also noted that the additional storey would remain lower than the highest parts of the existing building that contain the services and lift overrun. The proposal would not have a negative impact on long range views due to the acceptable design, height and materials.
- 7.4 The proposal would be of an acceptable design standard and would, in my view, enhance the character of the building with a good quality materials and the roof extension would effectively cap off the top of this building.

- 7.4 Overall the design and appearance is considered to be acceptable and the additional storey would make a positive contribution to the character of the building.

Residential Amenity

- 7.5 The proposal would not result in any unacceptable loss of neighbour amenity due to the separation distance involved.
- 7.6 Neighbour objections have been received relating to noise and distribution during the building works. This matter is not a material planning consideration and does not warrant refusal of the application and a condition can be imposed regarding construction management.
- 7.7 The 10 flats would all provide sufficient internal living space to provide a good standard of living for the future occupants and each flat would benefit from a small external terrace area. The flats would meet the living standards set out in the nationally described space standards.
- 7.8 The council Environmental Health department has not raised any objections but has requested condition to ensure the flats are insulated to meet building regulations and protect future occupiers from traffic noise. This matter can be addressed under building regulations and therefore does not need to be secured by a planning condition.

Highways

- 7.9 No additional parking is proposed for the 10 new units. However, the site is located in a sustainable location and KCC highways have confirmed that the current provision of 109 parking spaces is adequate for the 84 flats at this site which is cumulative total including the existing. The overall level of parking provision would be in accordance with KCC Parking Standards and the councils emerging parking standards under policy DM27.
- 7.10 KCC Highways has not raised any objections to the proposed changes to the vehicle and pedestrian access and the proposed development is not considered to result in any unacceptable highways safety issues.
- 7.11 The TA assess the impact of the initial 12 unit scheme and concludes that the proposal would only generate 22 vehicle trips which is not considered to represent a significant or serve impact on the local highway network. Trip generation would be lower for the 10 flat amended scheme and KCC Highways have not raised any objections in terms of vehicle trip generation.

Landscaping

- 7.12 The proposal relates to an additional storey on an existing building with no impact on on-site trees or ecology. There is limited space at the front of the building within the site to accommodate additional landscaping / tree planting. Having discussed additional landscape options with the agent the applicant has agreed to a condition to secure some additional planting at the front of the building which can be secured by condition.

Other Matters

- 7.13 The EHO officer has requested an air quality condition to mitigate against the additional traffic generated from the development. The proposal would give rise to less than 22 additional vehicle trips per day which is not considered significant. As such this request is not considered appropriate for this scale of development and it is

unclear how / what mitigation could be provided in this instance therefore the proposed condition does not meet the required planning tests. However, I consider it would be necessary to impose a condition to ensure air quality does not negatively impact future residents within the flats and ventilation etc may need to be utilised.

- 7.14 The amended scheme for 10 units does not result in any contributions towards Parks and Open Space, NHS, Economic Development or affordable housing. According to latest government guidance 'contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm'.
- 7.15 Given that there would be no increase in existing parking provision I do not consider it would be appropriate to introduce electric charging points at the site as this would likely effect the available parking provision of existing residents. I note that there are some resident objections regarding parking pressure at the site.

8.0 CONCLUSION

- 9.1 The proposal represents a sustainable redevelopment of a brownfield site and is considered to accord with the Local Plan 2000, the NPPF and emerging Local Plan. The proposals are not considered to result in any unacceptable parking, traffic and highway safety impacts, or unacceptable visual and streetscene impacts, subject to conditions. The proposal would not have a harmful impact on the setting of any listed buildings or conservation areas.
- 9.2 Overall, the public benefits of additional housing and the development of a sustainable edge of town centre site is considered to be acceptable. As such the development is considered to be in compliance with the National Planning Policy Framework and the Local Plan 2000 and emerging Local Plan (submission version) May 2016.
- 9.3 It is therefore considered that the development of the site for residential purposes is acceptable and it is recommended that subject to conditions.

10.0 RECOMMENDATION – GRANT 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 development hereby approved shall be as indicated on the approved plans unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development

- (3) No structure, plant, equipment or machinery shall be placed, erected, or installed on or above the roof or on external walls without the prior approval in writing of the local planning authority;

Reason: To safeguard the external appearance and character of the building.

- (4) 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 demolition, excavation, site preparation and construction stages of the development. The method statement shall also include details of the means of recycling materials, the provision of parking facilities for contractors during all stages of the development (excavation, site preparation and construction) and the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials.

Reason: To ensure the construction of development does not result in highway safety.

- (5) The development hereby approved shall not commence above slab level until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall 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, and include a planting Spec, a programme of implementation and a [5] year management plan. The landscape scheme shall specifically address the need to provide new planting along the frontage of the building.

The use or occupation of the development hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details has been completed. All such landscaping 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 from the first occupation of a property, commencement of use or adoption of land, 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) No development will commence until an air quality assessment in accordance with current guidelines and best practice has been provided to the satisfaction of and approved in writing by the Planning Authority. The air quality assessment will:

o Provide full details of measures that will be implemented to protect the internal air quality of buildings.

All measures identified within the approved air quality assessment that are to be installed during the course of the development will be fully implemented. No occupation will take place until a report demonstrating that each measure is fully implemented has been provided to the satisfaction of and approved in writing by the Planning Authority.

Reason: To protect air quality and peoples health.

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- (7) The development hereby permitted shall be carried out in accordance with the following approved plans:

16-31, 16-31-02; received 03.03.2017, ME.14.141.19F; received 15.03.2017, 16-31-03-B; received 30.05.2017.

Reason: To clarify which plans have been approved.

Case Officer: Andrew Jolly

- NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.