

**Wateringbury**  
Wateringbury

**569192 153460**

**24 April 2007**

**TM/06/03768/FL**

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Proposal: Change of use and layout of ground floor from general store with accommodation to coffee shop, beauty salon and flat  
Location: 1 Bow Road Wateringbury Maidstone Kent ME18 5DD  
Applicant: Brian Kenneth Cooper

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## **1. Description:**

- 1.1 Members will recall that this item was deferred from the August meeting of the Area 2 Planning Committee to seek further information from the applicant regarding the parking area to the rear of the building and details of refuse provision and surface water drainage from the car park. A copy of the previous report is attached as an annex.
- 1.2 The applicant has now submitted the following information.
- 1.3 The car park layout now shows six, rather than the nine spaces previously proposed for this area. The applicant is keen to allow the six spaces to be used solely by residents of the flats and staff employed at the premises, and indeed has agreed to the principle of erecting a sign to advise of this arrangement.
- 1.4 The applicant has indicated that an area measuring 4.5m x 1m within the parking area is to be used to station refuse bins. This would be located on the southern side of the parking area adjacent to the boundary with the Boormans Mews access track.
- 1.5 Regarding drainage for the car park, the applicant states that the land (which is not finished with a hard surface at present) is well draining at present. It is the applicant's intention, therefore, to lay gravel chippings on top of the existing ground surface. It is also proposed to install a gully drain across the entrance to the parking area which would run to a soakaway.

## **2. The Site:**

- 2.1 The site is located within the settlement confines of Wateringbury, on the East side of Bow Road. The property is the first of a terrace of three properties and is located close to the junction of Bow Road and Tonbridge Road.
- 2.2 The building within this site is Grade II Listed and has been extended to the rear.

**3. Planning History:**

TM/06/00166/FL Refuse 27 March 2006

Change of use to include cafe/coffee bar/wine bar plus internal alterations to toilets.

TM/06/00088/LB Refuse 27 March 2006

Listed Building Application: Change of use to include cafe, coffee and wine bar; modify existing WC to facilitate disabled use, fit new staff WC and small windows for ventilation, light and hygiene purposes.

TM/05/00609/FL Refuse 18 May 2005

4 no. one bedroom flats and reduction in existing commercial/residential car parking to residential parking only.

TM/01/01193/FL Grant With Conditions 22 October 2001

Change of use of existing dwelling to three flats with existing shop retained and external alterations.

TM/01/01194/LB Grant With Conditions 22 October 2001

Listed Building Application: change of use of existing dwelling to three flats with existing shop retained. Internal and external alterations.

TM/91/0772/LB Grant with conditions 24 October 1991

Listed Building Application: Two storey rear extension and alterations.

TM/91/0495/FL Grant with conditions 24 October 1991

Two storey rear extension and alterations.

**4. Consultees:**

- 4.1 No further comments have been received since the application was last reported to Area 2 Planning Committee in August 2007.

**5. Determining Issues:**

- 5.1 My report to the last Area 2 Planning Committee addressed the main issues concerning this development. I will, therefore, concentrate on only the matters that arose from the last meeting.

- 5.2 With the proposed surface material (loose gravel) it would not be possible to mark out the six parking spaces on the ground. However, it would be possible to mark the positions of the 4 external spaces out on the adjacent boundary walls. (The other two spaces are contained within the existing double garage). The applicant is willing to install signage to indicate that the parking is for the sole use of residents and staff only. Whilst no details of such signage have been submitted, I consider that a small discreet sign installed at the entrance to the parking space would be sufficient to inform members of the public of the parking restrictions within this area, without causing detriment to the setting of the adjacent Listed Buildings or the Conservation Area.
- 5.3 With regard to drainage details, I consider that making the best use of the existing soil characteristics is an acceptable solution and, as such, overlaying the existing surface (which is not currently laid out with a formal hard surface) with gravel chippings would allow water to penetrate into the underlying ground. The gully would be located at the low point of the site and as such would be ideally located to trap surface water run off before it entered adjacent land outside the applicant's control.
- 5.4 Concerning refuse storage, it has to be remembered that commercial units make their own private arrangements to have refuse taken away and that the ground floor of this building already benefits from planning permission for a commercial use. Having said that the applicant has, in my opinion, satisfactorily demonstrated that an area could be formally set aside within the parking area for placing all of the refuse storage receptacles required in connection with the proposed uses of this property. This area could contain a small paladin bin, for example, that would serve the proposed café and beauty salon. The size and location of the proposed refuse storage area are such that it would not interfere with the parking and turning areas within the car park.
- 5.5 In light of the above, I recommend that planning permission be granted.

**6. Recommendation:**

- 6.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 05.12.2006, Site Plan dated 05.12.2006, Supporting Statement dated 20.11.2006, Floor Plan dated 20.11.2006, Elevations dated 20.11.2006, Location Plan dated 24.04.2007, Block Plan dated 24.04.2007, 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 pursuance of Section 91 of the Town and Country Planning Act 1990.

- 2 The business uses shall not be carried on outside the hours of 10.00 to 17.00 Mondays to Fridays and 10.00 to 17.00 Saturdays with no working on Sundays or Public and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties.

- 3 The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained as detailed in letter dated 15.08.2007 and as shown on layout of car park and refuse storage area dated 21.08.2007. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

- 4 The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as space for refuse storage has been provided and finished with a concrete surface. Thereafter it shall be kept available for such use.

Reason: In the interests of amenity

- 5 The part of the building shown as being used as the beauty salon shall not be used for any other purpose, unless otherwise agreed to in writing by the Local Planning Authority.

Reason: In order to enable the Local Planning Authority to control the development of this site in the interest of residential amenity and highway safety.

- 6 The coffee shop/café use element of the development hereby permitted shall be discontinued on or before 1 August 2008. (T002)

Reason: In order to enable the Local Planning Authority to monitor the impact of the use upon the residential amenity of adjacent properties and highway safety.

- 7 With the exception of heating partly cooked/cooked bread, sausage rolls, pasties, jacket potatoes or other pre cooked food that requires only to be heated/re-heated within an oven or microwave prior to consumption, no food shall be cooked or heated within the building, unless previously agreed to in writing by the Local Planning Authority.

Reason: Any more intensive cooking is likely to require additional mechanical extraction systems to be installed within the building which could impact upon the amenities of adjacent residential properties and the special character of this Grade II Listed Building.

**Informative**

- 1 The internal and external alterations shown on the submitted drawings to be undertaken to this building in order to facilitate the proposed change of use will need Listed Building Consent from the Borough Council.

Contact: Matthew Broome