

Aylesford **572010 158691** **26.01.2006** **TM/05/02854/FL**
Aylesford

Proposal: Change of use from off licence to restaurant and reinstatement
of first floor accommodation to 3 bedroom flat
Location: Station Building 2 Station Road Aylesford Kent ME20 7JW
Applicant: Mr Miah

1. Description:

1.1 This full application proposes the change of use of the existing takeaway and off-licence to a restaurant, and also the reinstatement of the upstairs portion of the building as a three bedroom flat. Planning permission and listed building consent has previously been granted for the reinstatement of the first floor accommodation with this application proposing an alternative layout.

2. The Site:

2.1 The application site is the Grade II listed station building sited on rear edge of the platform. The building is a mixture of one and two storey and is noted for hexagonal lozenge lattice iron casement windows. The building would appear to have been used historically as residential accommodation.

3. Planning History:

- 3.1 TM/93/1315/FL Approved 28.02.1994
Change of use to a take away hot food shop and off licence.
- 3.2 TM/93/1316/FL Approved 28.02.1994
Listed Building Application for works to facilitate a hot food takeaway shop and off licence, including general renovation and installation of external air extraction.
- 3.3 TM/99/01191/LB Approved 15.10.1999
Listed Building Application: Internal alterations to re-establish living accommodation.
- 3.4 TM/00/02555/FL Approved 15.12.2000
Internal alterations to re-establish living accommodation.
- 3.5 TM/05/00855/LB Approved 22.03.2006
Listed Building Application: Change of use from off licence to restaurant and reinstatement of first floor living accommodation to a 3 bedroomed flat.

4. Consultees:

- 4.1 PC: No objections but concerned about fire exit from toilet area.
- 4.2 KCC(Highways): No objections given existing use.

4.3 DHH: Require conditions for extract system, transport noise mitigation measures and to ensure occupiers of flat relate to business (and thus there is no unacceptable noise implications for the dwelling arising from the two uses in the same building).

4.4 Network Rail: No objections.

4.5 Private Reps: 7/0X/0R/0S + Art8: none received.

5. Determining Issues:

5.1 Planning permission has previously been granted for the use of the upper floor as residential in 1999. This current application proposes variations to the layout but does not result in the loss of historic fabric. The building would appear to have been constructed with residential accommodation to support the station. Given the previous approvals and the position of the building within the settlement boundary of Aylesford there are no objections in principle to the residential use. The principal issues associated with the proposal are therefore considered to be the change of use to a restaurant of the ground floor and the potential environmental health issues arising from the works.

5.2 The change of use from off-licence to restaurant is considered to be acceptable. The works involve the conversion of the existing takeaway area as well resulting in the whole ground floor area becoming a restaurant. The use as a restaurant does not raise any objections as the site is within the urban confines and the use would have a similar impact on the surroundings as the existing takeaway. There is parking to the front and side of the building that would be adequate for the evening operation of the unit.

5.3 DHH has raised concerns regarding the impact of transport noise and general disturbance from the restaurant use on the accommodation above. Given the previous consents for residential use on the site and the potential impact on the fabric of the listed station building through having to change windows and alter historic fabric to add soundproofing it is not considered appropriate to seek noise mitigation measures to windows in this instance. The design of the windows does not lend itself to secondary glazing because of the mix of ironwork in stone frames. It is however appropriate to impose a condition restricting the occupancy of the flat to those linked to the business because of the potential disturbance from noise and cooking odour. With regard to the kitchen extract this is as existing with only minor repairs proposed. For this reason it is not considered necessary to impose a condition requiring such detail.

5.4 On this basis the proposal is considered to be acceptable.

6. Recommendation:

6.1 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 pursuance of Section 91 of the Town and Country Planning Act 1990.

2. The occupancy of the first floor flat shall be restricted to an immediate relative or employee of the occupier of the ground floor restaurant use.

Reason: To avoid the potential conflict of uses

Contact: Robin Gilbert