
Report of 6 November 2008

Snodland
Snodland East**570509 161791 4 July 2008****TM/08/01909/FL**

Proposal: Conversion of shop and living accommodation into small flats
Location: 90 High Street Snodland Kent ME6 5AN
Applicant: Mr David Payne

1. Description:

- 1.1 Planning permission is sought for the conversion of shop with living accommodation above into 5 no.1 bed flats, with the provision of two small dormers at the front of the property and a single dormer at the rear of the property.
- 1.2 The shop front is to be retained.
- 1.3 The applicant submitted photographs showing the parking situation in the area between the 21 August 2008 and the 29 September 2008, over various times between 11.31am to 6.53pm, on the 17th October 2008.
- 1.4 A letter was also received by email from the applicant on the 19 October 2008, in response to the objections raised in relation to the application.

2. Reason for reporting to Committee:

- 2.1 The application is being reported to Committee due to the level of public interest, a petition from members of the public and a request from Councillor Anne Maloney.

3. The Site:

- 3.1 The application site is a three storey, mid terrace premises on the south side of High Street, Snodland, and falls within the Snodland Conservation Area.
- 3.2 The application site was previously a commercial premises known as "Aaron Antiques", with living accommodation at the rear of the shop and above. The premises is now derelict and unused.
- 3.3 To the north of the application site is Mulberry Cottage, 71-73 High Street, which is a Listed Building.
- 3.4 To the east of the application site is no.92 High Street, which is a residential dwelling of a similar design to the application site.
- 3.5 To the south of the application site is 1-8 Rocfort Road, which is a relatively new development, built in the late 1980s, of one bed starter homes.

3.6 To the west of the application site are attached two storey residential units.

4. Planning History:

TM/84/10106/ADV Refuse 29 August 1984

Advertisement board 5.3m (17.6ft.) x 0.6m (2 ft.).

TM/99/00663/FL Grant With Conditions 2 June 1999

Change of use of shop premises to single occupancy residential.

5. Consultees:

5.1 TC: No objection in principle in change of use. Object to extending into roof space, and this development would exacerbate current parking problems.

5.2 KCC (Highways): The existing building consists of a small retail shop with living accommodation. Using KVPS (2006) these arrangements could attract a requirement of 1 or 2 spaces for the retail element and 3 spaces for the residential, i.e. a total of 4 or 5, but none of these are available off-street. The proposal is to convert the whole building into 5 x 1 bedroom units. KVPS (2006) could attract parking provision of 1 space per unit i.e. a total of 5. Therefore, there is a balance in the parking requirement.

The submitted information suggests that 1 to 2 off street parking spaces is currently available but not identified. A narrow access is identified within the application site leading to the rear but it is unlikely that a vehicle will use this if this parking is located to the rear. In my view no off-street parking is practically available.

In the current situation the residential element will attract parking by the occupants and it is likely that they will use the available unrestricted on street parking fronting this side of the High Street.

The parking requirement of the existing and proposed uses are essentially in balance. No objections.

5.3 DHH: No objections raised to the proposal, although the following comments made:

Environmental Protection: No objections to the proposed residential use. To safeguard the situation with regard to the use of external amenity areas I recommend that any consent that might be granted be subject to the standard contamination land condition.

Waste Management Services:

Has a range of requirements which will need to be addressed separately by the applicants to ensure that they can provide whether bin and recycling box provision (DPTL note: while it is not all the current responsibility of TMBC, inevitably the site gives rise to trade waste storage/collection as well as current residential waste. Therefore this is a trade-off on these issues).

Housing:

No comments.

5.4 Private Reps: 15/0X/7R/3S + Art 8 + Press Notices: 7 letters of objection received, plus a letter containing a petition signed by 47 local residents.

Objections raised:

- Lack of adequate parking at the site.
- Lack of adequate parking in the locality.
- Lack of suitable space to store additional wheelie bins.
- No.78 exits directly on to the access way at the side of the property.
- Lack of adequate play space for children who might move into the flats.
- The dormer windows are not in keeping and unsympathetic to the Conservation Area and will potentially set a precedence that could materially affect the character and appearance of the Conservation Area.
- The dormer windows would be intrusive and overlook neighbouring properties, adversely affecting privacy.
- The need for flats is not proven - No.94 has had 2 flats empty for 12 months.
- The development will disrupt peace and quiet.

3 letters received in favour of the development stating:

- Good demand for one bed units for rent in the Snodland area.
- Snodland has a high demand for rental properties, encouraged by its pivotal geographic position between the M2 and M20 and affordability.

- Properties in the area attract tenants within the first week of marketing and it is not envisaged this situation will change in the foreseeable future.

6. Determining Issues:

- 6.1 There are no policy constraints on the change of use of the premises from a retail use.
- 6.2 The relevant policy for consideration is Policy CP24 of the TMB Core Strategy, which requires good design and quality in new developments, and a respect for the site and its surroundings.
- 6.3 The main considerations in dealing with this planning application are the visual impact on the Conservation Area, the impact of the change of use of the premises on the surrounding area and the highway implications.
- 6.4 The proposal is for the conversion of the existing vacant shop with living accommodation to the rear at ground floor and two floors above, to use as 5 flats. The proposal also includes the insertion of two small dormer windows in the front elevation and one large dormer window in the rear elevation, to provide for a residential unit in the roof space.
- 6.5 The two proposed front dormers are shown to be in line with the windows in the front elevation of the premises and are 4.4m in depth from the front roof slope, 2.5m in height and 1.3m in width. They are appropriately designed for the Conservation Area.
- 6.6 The dormer window in the rear elevation of the premises is not as uniform as it is more centrally located. The proposed rear dormer is 2.6m in width, 2m in height with a sloped roof and 4.1m in depth.
- 6.7 Concern has been raised that the proposed dormer windows are not in keeping with the Conservation Area, and that they will detract from the visual amenity of it, by spoiling the unity of the roof line and potentially setting a precedence that could materially alter the character and appearance of the Conservation Area.
- 6.8 There are existing front and rear, flat dormer windows at no.94 High Street, it is not considered that the proposed dormer windows at this site will be out of keeping with the area or have a detrimental impact on the visual amenity of the street scene and Conservation Area, particularly as they are visually more acceptable than those at no.94 High Street. The proposed dormers are below the ridge line of the original building, are shown to be constructed with materials to match the original dwelling house and are designed sympathetically, so that they are in keeping with the layout of windows on the original building.

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- 6.9 The proposed dormer windows face directly out to the front and rear, and do not include any side windows. Therefore, it is not considered that they will cause any greater overlooking or privacy issues to the original dwelling house.
- 6.10 The proposal shows the retention of the existing shop front, with the installation of frosted glass privacy panels. The design is considered to be acceptable and there are minimal alterations to the original shop front, to preserve the character of the Conservation Area.
- 6.11 As the surrounding area is predominantly residential in character, it is not considered that the proposed change of use of the premises to 5 units of residential accommodation will have a detrimental impact on the surrounding properties or Conservation Area, indeed it could be considered to be a betterment to remove a potentially intrusive retail use in this particular area.
- 6.12 The most recent use of the application site could attract up to a total of 4 or 5 parking spaces, using KVPS (2006). The proposal to convert the building into 5 no.1 bedroom units could attract a maximum of 1 space per unit, totalling a maximum of 5 parking spaces. Therefore, there is a theoretical balance of parking requirement.
- 6.13 Concern has been raised regarding the parking of builder's vehicles during the process of the development, causing added parking problems and upheaval and noise and the parking area serving Church View being used as a playground for children who might move into the flats. I propose a condition requiring details of construction arrangements to be subject of approval by the Council.
- 6.14 Concern has been raised that the site should be retained for use as a single dwelling house as that there is not a demand for flats in the Snodland area. Letters in support of the application to provide flats have been received from 3 estate agents.
- 6.15 In light of the above considerations, I am satisfied that the proposal will not detract from the visual amenity of the Conservation Area, will not significantly harm the residential amenity of nearby dwellings and will not result in hazardous highway conditions nor parking problems in the vicinity.

7. Recommendation:

- 7.1 **Grant Planning Permission** in accordance with the following submitted details: Floor Plan 0821-0002 dated 18.06.2008, Floor Plan 0821-0003 dated 18.06.2008, Elevations 0821-0004 dated 18.06.2008, Elevations 0821-0005 dated 18.06.2008, Report DESIGN AND PLANNING STATEMENT dated 04.07.2008, Block Plan 0821-0006 EXISTING dated 04.07.2008, Floor Plan 0821-0007 EXISTING dated 04.07.2008, Floor Plan 0821-0008 EXISTING dated 04.07.2008, Elevations 0821-0009 EXISTING dated 04.07.2008, Letter dated 18.06.2008, Design and Access Statement dated 18.06.2008, Location Plan

0821-0000 dated 18.06.2008, Block Plan 0821-0001 dated 18.06.2008, Photographs dated 17.10.2008, Letter dated 19.10.2008, subject to the following:

Conditions / Reasons

- 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 All materials used externally shall match those of the existing building.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

- 3 No development shall be commenced until:

(a) a site investigation has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land.

The scheme submitted pursuant to (b) shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority of the presence of any such unforeseen contamination.

Prior to the first occupation of the development or any part of the development hereby permitted

(c) the approved remediation scheme shall be fully implemented insofar as it relates to that part of the development which is to be occupied, and

(d) a Certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted end use.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity and public safety.

- 4 Before any works commence on site, arrangements for the management of demolition and construction traffic to and from the site (including the hours of operation) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme unless any variation has been agreed by the Local Planning Authority in writing beforehand.

Reason: In the interests of residential amenities and highway safety.

Informatives

- 1 The Local Planning Authority supports the Kent Fire Brigade's wish to reduce the severity of property fires and the number of resulting injuries by the use of sprinkler systems in all new buildings and extensions.
- 2 The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate postal address(es) to the new property/ies. To discuss the arrangements, you are invited to write to the Chief Solicitor, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or contact Trevor Bowen, Principal Legal Officer, on 01732 876039 or by e-mail to trevor.bowen@tmbc.gov.uk. To avoid difficulties for first occupiers, you are advised to do this as soon as possible and, in any event, not less than one month before the new properties are ready for occupation.
- 3 The applicant is advised to note the provisions of the Control of Pollution Act 1974 with regard to noise and disturbance from construction works. Works should be undertaken between the hours of 7.30am and 6.30pm Monday to Friday; 8am to 1pm Saturday, with no working on Sundays or Bank Holidays. Advice regarding this matter may be obtained from the Director of Health and Housing, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ. Tel: (01732) 844522.

Contact: Vicky Bedford