

AGENDA

PLANNING COMMITTEE MEETING



Date: Thursday 23 July 2009
Time: 6.00 p.m.
Venue: Town Hall, High Street
Maidstone

Membership:

Councillors Lusty (Chairman), Ash, English, Greer,
Harwood, Mrs Marshall, Moriarty,
Nelson-Gracie, Paine, Paterson,
Mrs Robertson, Thick and J.A. Wilson

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1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Items withdrawn from the Agenda
5. Date of Adjourned Meeting - 30 July 2009

Continued Over/:

Issued on 15 July 2009

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**David Petford, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone, Kent ME15 6JQ**

6. Any business the Chairman regards as urgent including the urgent update report as it relates to applications to be considered at the meeting
7. Disclosures by Members and Officers
8. Disclosures of lobbying
9. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
10. Minutes of the meeting held on 2 July 2009 1 - 10
11. Presentation of Petitions (if any)
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19. MA/09/0997 - Amendment to MA/07/1365 (An application for listed building consent for redevelopment of Maidstone Museum east wing comprising of two/three storey extension, glazed atrium cafe and external landscaping) being replacement of proposed glazed atrium cafe with new display gallery and replacement of proposed hard landscape to forecourt with soft landscaping - Maidstone Corporation Museum, St Faiths Street, Maidstone 87 - 96
20. MA/09/0998 - Amendment to MA/07/1366 (Redevelopment of Maidstone Museum east wing comprising of two/three storey extension, glazed atrium cafe and external landscaping) being replacement of proposed glazed atrium cafe with new display gallery and replacement of proposed hard landscape to forecourt with soft landscaping - Maidstone Corporation Museum, St Faiths Street, Maidstone 97 - 108

21. Report of the Development Control Manager - Appeal Decisions 109 - 110
22. Chairman's Announcements
23. Update on Matters Referred to the Cabinet Members for Environment/Regeneration

PLEASE NOTE:

- **The order in which items are taken at the meeting may be subject to change.**
- **The public proceedings of the meeting will be broadcast live, and recorded for playback, on the Maidstone Borough Council website.**

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MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY 2 JULY 2009

Present: Councillor Lusty (Chairman) and
Councillors Ash, Greer, Harwood, Mrs Marshall,
Moriarty, Nelson-Gracie, Paine, Paterson,
Mrs Robertson, Thick and J.A. Wilson

Also Present: Councillors Mrs Blackmore, Horne and
Mortimer

43. APOLOGIES FOR ABSENCE

There were no apologies for absence.

44. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

45. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Blackmore indicated her wish to speak on the report of the Development Control Manager relating to application MA/09/0614.

Councillor Mortimer indicated his wish to speak on the report of the Development Control Manager relating to application MA/08/2399.

It was noted that Councillor Horne had indicated his wish to speak on the report of the Development Control Manager relating to application MA/09/0533.

46. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

47. URGENT ITEMS

Update Report

The Chairman stated that, in his opinion, the update report of the Development Control Manager should be taken as an urgent item because it contained further information relating to the applications to be considered at the meeting.

48. DISCLOSURES BY MEMBERS AND OFFICERS

Councillors Ash and Mrs Marshall disclosed personal interests in the report of the Development Control Manager relating to application MA/09/0690.

They stated that they were Members of Bearsted Parish Council, but they had not participated in the Parish Council's discussions on the application and intended to speak and vote when it was considered.

Councillor Nelson-Gracie disclosed a personal interest in the report of the Development Control Manager relating to application MA/09/0444. He stated that he was a Member of Nettlestead Parish Council, but he had not participated in the Parish Council's discussions on the application and intended to speak and vote when it was considered.

49. EXEMPT ITEMS

RESOLVED: That the items on the agenda be taken in public as proposed.

50. MINUTES OF THE MEETING HELD ON 11 JUNE 2009

RESOLVED: That the Minutes of the meeting held on 11 June 2009 be approved as a correct record and signed.

51. MA/09/0819 - TEMPORARY PERMISSION RELATING TO EXTENDED HOURS OF USE (12 NOON - 23.59) ON 16 JULY 2009 AT THE AMPHITHEATRE FOR A NON-AMPLIFIED EVENT - MILLENNIUM RIVER BANK AMPHITHEATRE, ARCHBISHOPS' PALACE, MILL STREET, MAIDSTONE

The Committee considered the report and the urgent update report of the Development Control Manager.

Ms Hare addressed the meeting on behalf of the applicant.

RESOLVED: That subject to the expiry of the consultation period and the receipt of no representations raising new issues, the Development Control Manager be given delegated powers to grant permission subject to the condition set out in the report.

Voting: 11 - For 0 - Against 0 - Abstentions

52. MA/09/0095 - ERECTION OF AGRICULTURAL COLD STORE BUILDING AND ALTERATIONS TO FARMYARD LAYOUT - OAKDENE FARM, MAIDSTONE ROAD, SUTTON VALENCE

The Committee considered the report and the urgent update report of the Development Control Manager.

Councillor Burton of Langley Parish Council (against), Dr Mulheirn of Sutton Valence Parish Council (against) and Mr Chambers, the applicant, addressed the meeting.

RESOLVED: That permission be granted subject to the conditions set out in the report and the additional condition and informative set out in the urgent update report, with the amendment of condition 3 as follows:-

The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which should include additional planting around the earth bund on the northern edge of the yard/turning area within the application site. The scheme shall use indigenous species and shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, including detailed tree protection plans, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines.

Reason: No such details have been submitted and to ensure a satisfactory appearance to the development in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan 2000 and QL1 of the Kent and Medway Structure Plan 2006.

Voting: 9 - For 1 - Against 1 - Abstention

53. MA/09/0483 - ERECTION OF A STEEL FRAME, SINGLE SKIN CLAD FRUIT (BERRY) STORAGE BUILDING - AMSBURY FARM, EAST STREET, HUNTON

The Committee considered the report and the urgent update report of the Development Control Manager.

RESOLVED: That permission be granted subject to the conditions and informatives set out in the report and the additional informative set out in the urgent update report.

Voting: 11 - For 0 - Against 0 - Abstentions

54. MA/08/2399 - ERECTION OF A BARN FOR USE AS FARM SHOP AND STORE - SPINDELBUSH FARM, YALDING HILL, YALDING

The Committee considered the report and the urgent update report of the Development Control Manager.

Councillor Brown of Yalding Parish Council (against) and Councillor Mortimer (in support) addressed the meeting.

RESOLVED: That permission be granted subject to the conditions and informative set out in the report and the additional conditions set out in the urgent update report.

Voting: 11 - For 0 - Against 0 - Abstentions

Note: Councillor Mrs Robertson entered the meeting during consideration of this application, but she did not participate in the discussion or voting.

55. MA/08/2315 - ERECTION OF A TWO STOREY REAR EXTENSION - ORCHARD HOUSE, 6 KINGS ROAD, HEADCORN

The Committee considered the report of the Development Control Manager.

Councillor Thomas of Headcorn Parish Council (against) addressed the meeting.

RESOLVED: That permission be granted subject to the conditions and informative set out in the report and the following additional informatives:-

The applicant should investigate the use of Swift Bricks within the construction of the approved two storey rear extension to provide a potential roosting habitat for swifts.

The applicant should investigate adopting a sustainable drainage system through infiltration (soakaway) so that run off from the roof of the extension is directed to the roots of the mature Oak tree located to the rear of the application site.

Voting: 12 - For 0 - Against 0 - Abstentions

56. MA/08/2462 - CHANGE OF USE FROM RETAIL TO RESIDENTIAL AND ERECTION OF A TWO STOREY EXTENSION TOGETHER WITH ALTERATIONS AND REFURBISHMENT OF EXISTING BUILDING - SCRIBA HOUSE, LOOSE ROAD, LOOSE

The Committee considered the report and the urgent update report of the Development Control Manager.

Councillor Andrew of Loose Parish Council (against) addressed the meeting.

RESOLVED: That permission be granted subject to the conditions set out in the report as amended by the urgent update report.

Voting: 12 - For 0 - Against 0 - Abstentions

57. MA/09/0203 - ERECTION OF DETACHED TWO STOREY HOUSE WITH DOUBLE GARAGE - REDPIT, LEEDS ROAD, LANGLEY

All Members except Councillor Paterson stated that they had been lobbied.

The Committee considered the report and the urgent update report of the Development Control Manager.

Councillor Burton of Langley Parish Council (against) addressed the meeting.

During the discussion on this application, Councillor Ash stated that the Chairman of the Bearsted Conservative Group held a senior position at Wealden Homes, the applicant company. However, he had not discussed the application with him and intended to speak and vote.

RESOLVED: That permission be granted subject to the conditions set out in the report and the following informative:-

No burning of materials shall take place anywhere on the development site throughout the period of site clearance and construction. Advice on minimising any potential nuisance is available from the Environmental Health Manager.

Voting: 12 - For 0 - Against 0 - Abstentions

58. MA/09/0690 - ERECTION OF SINGLE STOREY REAR EXTENSION - GOODWIN COTTAGE, 4 MOTE VILLAS, THE GREEN, BEARSTED

The Committee considered the report of the Development Control Manager.

RESOLVED: That permission be granted subject to the conditions set out in the report.

Voting: 12 - For 0 - Against 0 - Abstentions

59. MA/09/0827 - ERECTION OF A TWO STOREY SIDE EXTENSION - SLOPING SLIGHTLY, 4 LENHAM ROAD, PLATTS HEATH

The Committee considered the report of the Development Control Manager.

RESOLVED: That permission be granted subject to the conditions set out in the report.

Voting: 12 - For 0 - Against 0 - Abstentions

60. MA/09/0444 - APPLICATION FOR THE VARIATION OF CONDITION 1 ATTACHED TO PLANNING PERMISSION MA/07/1688 (NO MORE THAN 21 STATIC CARAVANS SHALL BE STATIONED ON THE SITE AT ANY TIME) TO ENABLE NO MORE THAN 22 CARAVANS SHALL BE STATIONED ON THE SITE AT ANY TIME - STATELY PARK, STATION ROAD, NETTLESTEAD

The Committee considered the report of the Development Control Manager.

Councillor Eden of Nettlestead Parish Council (against) and Mr Perrin, for the applicant, addressed the meeting.

RESOLVED: That permission be granted subject to the conditions and informative set out in the report and the following additional informative:-

The Local Planning Authority stresses that the application site has reached its saturation point at 22 units.

Voting: 11 - For 0 - Against 1 - Abstention

61. MA/09/0614 - ERECTION OF ONE DETACHED DWELLING-HOUSE - PLOT 9, WILSON COURT, YALDING

All Members stated that they had been lobbied.

The Committee considered the report and the urgent update report of the Development Control Manager.

Mr Baker, for objectors, Councillor Brown of Yalding Parish Council (against), Mr Emms, for the applicant, and Councillor Mrs Blackmore (against) addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report with the amendment of conditions 1 and 3 as follows:-

Condition 1 (amended)

No further development shall take place unless and until samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted, including details of the colours and good quality vernacular materials, have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials in the approved colours.

Reason: To ensure a satisfactory appearance to the development in accordance with policies QL1, QL6 and QL8 of the Kent and Medway Structure Plan 2006, policy BE6 of the South East Regional Plan 2009 and the advice given in PPS1 and PPG15.

Condition 3 (amended)

No further development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species, which shall include additional soft landscaping on the north, northeast and northwest corners of the application site, indications of all existing trees and hedgerows on the land, and details of any to be retained, together with details of the measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines and shall

include details of all hard landscaping and the percentage split of hedgerow species.

Reason: Full details have not been submitted and to ensure a satisfactory appearance to the development in accordance with policies QL1, QL6 and QL8 of the Kent and Medway Structure Plan 2006 and policy BE6 of the South East Regional Plan 2009 and the advice given in PPS1 and PPG15.

2. That Councillor Nelson-Gracie should be consulted prior to the discharge of condition 1 (materials).

Voting: 8 - For 1 - Against 3 - Abstentions

Councillor Nelson-Gracie requested that his dissent be recorded.

62. MA/09/0316 - CHANGE OF USE OF LAND TO CAR PARK - LAND REAR OF THE FOREMANS CENTRE, HIGH STREET, HEADCORN

All Members stated that they had been lobbied.

The Committee considered the report and the urgent update report of the Development Control Manager.

Councillor Thomas addressed the meeting on behalf of the applicant.

RESOLVED: That subject to any new representations received as a result of outstanding statutory advertisements, the Development Control Manager be given delegated powers to grant permission subject to the conditions and informative set out in the report, as amended by the urgent update report, and the following additional informatives:-

The applicant is requested to provide appropriate signage at the entrance of the car park clearly indicating that the car park is for private use only.

The applicant is requested to provide a suitable level of landscaping on the northern boundary of the application site. This can be addressed within the landscaping condition and the applicant is recommended to contact the Council for advice prior to submitting a scheme.

Voting: 8 - For 3 - Against 1 - Abstention

Councillor Harwood requested that his dissent be recorded.

63. MA/09/0533 - CONVERSION OF INTEGRAL GARAGE TO LIVING ACCOMMODATION - 34 EDELIN ROAD, BEARSTED

The Committee considered the report and the urgent update report of the Development Control Manager.

Mr Wilkinson, the applicant, and Councillor Horne addressed the meeting.

RESOLVED: That permission be granted subject to the conditions set out in the report.

Voting: 11 - For 1 - Against 0 - Abstentions

64. MA/09/0633 - ERECTION OF SINGLE STOREY REAR CONSERVATORY AND INSERTION OF FRONT AND REAR DORMERS TO FACILITATE LOFT CONVERSION - 18 SUNBURST CLOSE, MARDEN

The Committee considered the report of the Development Control Manager.

RESOLVED: That permission be granted subject to the conditions set out in the report.

Voting: 12 - For 0 - Against 0 - Abstentions

65. REPORT OF THE DEVELOPMENT CONTROL MANAGER - APPEAL DECISIONS

The Committee considered the report of the Development Control Manager setting out details of appeal decisions received since the last meeting.

RESOLVED: That the report be noted.

66. UPDATE ON MATTERS REFERRED TO THE CABINET MEMBERS FOR CORPORATE SERVICES/ENVIRONMENT/LEISURE AND CULTURE/REGENERATION - DISPOSAL OF FORMER BOWLING GREEN, LONGSHAW ROAD, PARKWOOD, MAIDSTONE

The Committee considered the response of the Cabinet Members for Corporate Services and Leisure and Culture to its reference regarding the use of the proceeds arising from the disposal of the former bowling green at Longshaw Road, Parkwood, Maidstone. It was noted that assumed proceeds from the sale of the former bowling green already formed part of the Capital Programme 2009/12 and their use was incorporated into that Programme. If there was a proposal to upgrade Heather House as part of the regeneration of the area, it would require the submission of a scheme appraisal to the Cabinet during the budget planning process for 2010/11. If the scheme's priority was evaluated as sufficiently high, it could be added to the Capital Programme and future resources or a re-alignment of the Programme for the period 2010/13 would enable its completion. The Member who had raised the issue had been in touch with the Head of Finance regarding a way forward.

RESOLVED: That the response of the Cabinet Members for Corporate Services and Leisure and Culture be noted.

Arising from its consideration of application MA/09/0095, the Committee:-

RESOLVED: That Parish Councils' concern about the number and size of heavy goods vehicles using unsuitable roads be referred to the Cabinet Member for Environment for consideration.

67. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that he would like the Officers to investigate an alternative to the monitor which obscured his view of the Committee.

68. DURATION OF MEETING

6.00 p.m. to 9.00 p.m.

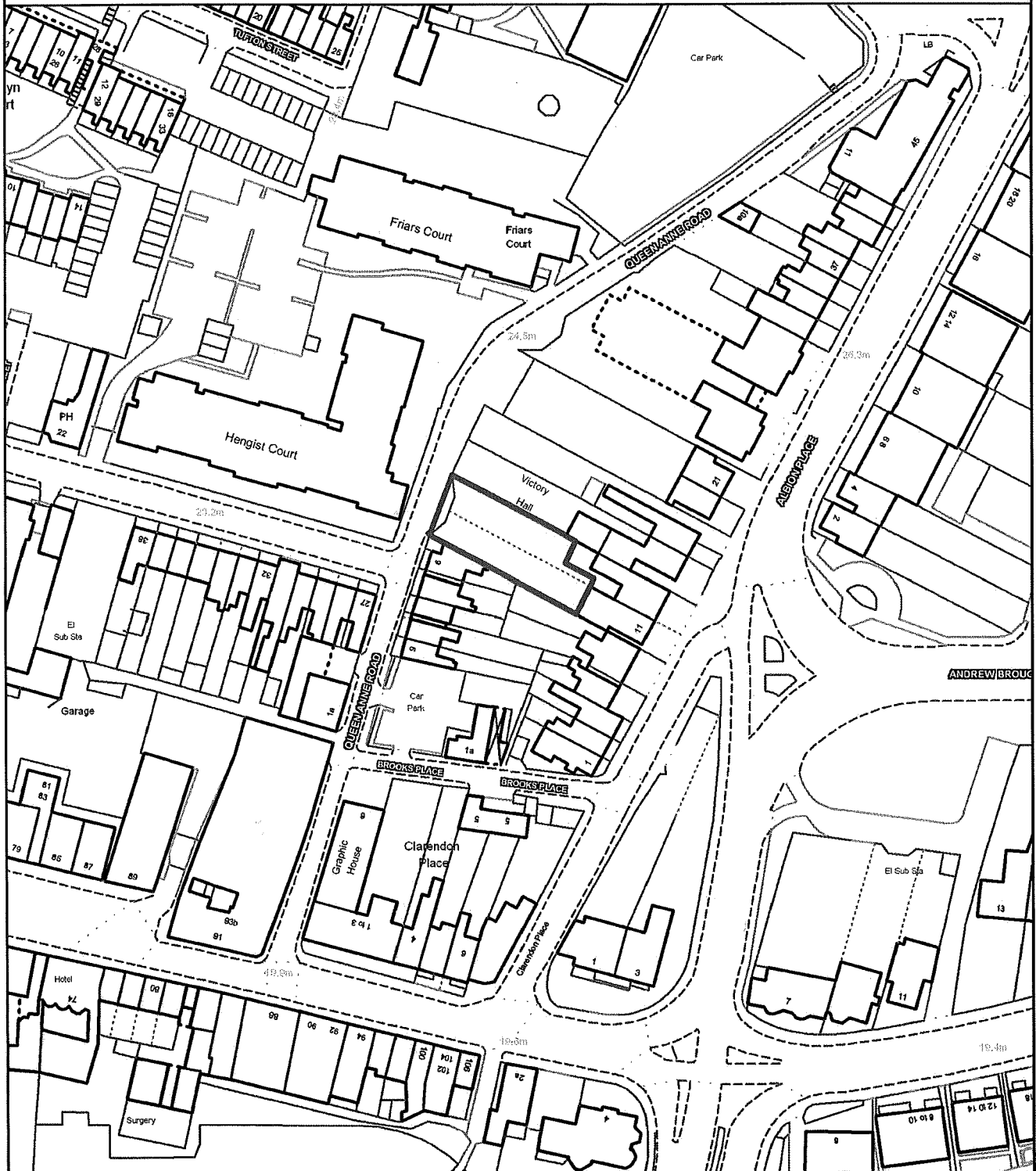
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THE MAIDSTONE BOROUGH COUNCIL

PLANNING APPLICATION NUMBER: MA/08/2178

GRID REF: TQ7655

REAR OF 11/13 ALBION PLACE,
MAIDSTONE.



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Alison Broom
Director of Prosperity and Regeneration

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APPLICATION: MA/08/2178 Date: 31 October 2008 Received: 22 January 2009

APPLICANT: Mr G. Aldridge, Devafield Ltd.

LOCATION: REAR OF 11/13, ALBION PLACE, MAIDSTONE,

PROPOSAL: An application for erection of 8 self-contained flats, cycle store and bin store with associated access and parking as shown on drawing numbers 071210-01A and 071210-02A received on 6/11/08 and as amended by additional documents being 071210-01B, 071210-02B, 071210-03 and 071210-04 received on 22/1/08 and drawing number 071210-02C received on 1/4/09.

AGENDA DATE: 23rd July 2009

CASE OFFICER: Peter Hockney

The recommendation for this application is being reported to Committee for decision because:

- Councillor English has requested it be reported for the reason set out in the report

POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV6, T13
South East Plan 2009: CC1, CC4, T4, M1, BE1, BE6
Village Design Statement: N/A
Government Policy: PPS1, PPS3, PPG13, PPG15

HISTORY

MA/08/0326 – Erection of nine self contained flats – REFUSED.

MA/88/1741 – Three storey office block and parking – REFUSED – ALLOWED AT APPEAL.

CONSULTATIONS

Southern Water do not object to the application, however, do state that there is currently inadequate capacity in the local network to provide foul sewage disposal or surface water disposal to service the proposed development. Conditions are recommended for the submission of details of foul drainage and surface water disposal to be approved in consultation with Southern Water.

Southern Gas Networks raise no objections to the development.

EDF Energy raise no objections to the application.

Kent Highway Services raise no objections to the application on highway grounds and consider that the parking provision of 7 vehicle spaces with 8 cycle spaces is adequate for this town centre development.

MBC Conservation Officer raises no objections to the proposal and states:-

"This scheme is the result of pre-application discussions and I consider it to be acceptable in terms of its impact on the setting of the Maidstone Holy Trinity Conservation Area and on the setting of the listed buildings in Albion Place.

Conditions will be appropriate to cover the following:-

- samples of materials
- details of the colour of the rendered areas
- submission of large scale details of windows and doors, to include details of external finishes
- landscaping details including hard surfaces and walls/fences"

MBC Environmental Health Manager raises no objections to the application requesting conditions regarding light spillage and refuse storage and informatives.

REPRESENTATIONS

Cllr English has called the application to committee if officers are minded to approve it due to:-

'Its potential effect on properties in Queen Anne Road and issues of design.'

Neighbouring occupiers were notified of the application and **five letters** of objection have been received on the following grounds:-

- Overdevelopment of the site
- Loss of privacy
- Overbearing impact on adjoining residents
- Loss of light
- Lack of parking for the flats and the commercial premises at 11-13 Albion Place
- Poor design
- Loss of property value

SITE LOCATION AND DESCRIPTION

The application site relates to an existing car park area accessed off Queen Anne Road, with the access to the car park adjacent to the residential properties. The site of 0.05 hectares is an existing surface car park to the rear of the commercial premises, 11/13,

that front onto Albion Place. The site is within the urban area of Maidstone and in an edge of town centre location within easy walking distance (approx 200m from the Council Offices) of the town centre and its available amenities.

Adjacent to the site, to the south, is a row of terraced residential properties 5-9 Queen Ann Road. To the north are a number of other open car park areas to the commercial properties of Albion Place. Opposite the site is Hengist Court, which is a four storey block of retirement flats built in the 1990s.

The site is adjacent to the Holy Trinity Church Conservation Area, which includes terraced residential properties 5-9 Queen Ann Road and extends westwards. The properties to the east of the site, 7 to 21 (odd) Albion Place form a group of Grade II Listed Buildings.

PROPOSED DEVELOPMENT

The application is a full application for the erection of a detached block of eight self contained one bedroom flats. The application includes a shared access to the rear with the provision of seven car parking spaces, a motorcycle space, and eight cycle spaces.

The building would be three storeys in height and set back 1.8 metres from the back edge of the footpath. The second floor would be set approximately 1.5 metres further back than the front façade. The building would be constructed with yellow multi stock brickwork to the ground and first floor with coloured render for the second floor, a standing seam metal roofing is proposed for the roof which would take the form of two separate monopitch roofs. There would be elements of glazing forming the structure, including a vertical glazed feature. The maximum height of the building would be approximately 9 metres to highest part of the roof (apex).

The rear of the site would comprise mainly car parking and there would be no communal garden area for the prospective residents of the flats. However, there would be two small rear garden areas for flats 1 and 2 on the ground floor, flats 4, 5 and 6 would have no external amenity space and flats 6, 7 and 8 would have external balconies facing on to Queen Anne Road.

The design has altered since its original submission through negotiation with the agent. The fenestration on the front elevation has been altered to provide a greater degree of verticality to the building. Additional soldier courses have been included with a projecting canopy providing an entrance feature to the development and the use of yellow multi stock bricks as opposed to yellow stock.

HISTORY OF SITE

A recent application, MA/08/0326, was submitted for a block of nine flats and was refused. The grounds of refusal related to the design of the proposal, which would have

had a detrimental impact on the street scene, Holy Trinity Conservation Area and setting of the listed buildings.

“The proposed building does not constitute good design by virtue of its form, bulk, blank flank elevation and detailing would result in a prominent development that would have a detrimental visual impact on the character and appearance of the street scene, Holy Trinity Conservation Area and the setting of nearby listed buildings contrary to policies QL1, QL6 and QL8 of the Kent and Medway Structure Plan (2006) and the Maidstone (Holy Trinity) Conservation Area Character Appraisal (2007) and the advice in PPS1, PPS3 and PPG15.”

The proposed development would have been a pastiche of the adjacent terraced properties but would have included a large gable feature to the front, a mansard style roof and an unrelieved flank elevation to the north. The building would have had a significant depth and bulk.

The form, bulk, blank flank elevation and detailing were the aspects of the development that would have created the harm.

Following this refusal the design has been altered significantly to overcome the reason for refusal, which has been further altered through negotiations. These negotiations have continued further since the submission of this application – focusing on design – which has seen the proposal amended further since the original submission. This has, it is considered, improved the design of the building to a point that the application can now be recommended for approval.

PRINCIPLE OF DEVELOPMENT

The site constitutes previously developed land that is on the edge of the town centre of Maidstone, on the edge of the town centre and therefore the principle of residential development on the site is acceptable in terms of national and local policies.

The provision of 8 flats would equate to a density of 160 dwellings per hectare. Within this edge of town centre area, which is very sustainable, a high density of residential development is acceptable and accords with national and local policies, which set minima rather than maxima. The dwellings to the hectare works out as high because of the fact that one bedroom apartments are proposed. If rooms to the hectare were used then the density would be not so high in relative terms. Overdevelopment of the site in principle could not be sustained as a reason for refusal. In any event, due to the type of units proposed (i.e. small apartments) the density is invariably going to be relatively high, which is not uncommon within town centre locations, and in particular within this area of Maidstone.

DESIGN AND VISUAL IMPACT

The proposed building would be a relatively contemporary take on a traditional form of building. In order to arrive at this scheme, a significant level of negotiations have been undertaken to ensure that the scale and form of the building respects the context of the site. In particular, it was considered that greatest reference should be drawn from the adjacent listed buildings, as these do contribute positively to the immediate vicinity. In achieving this, the eaves height of the adjacent buildings is respected, and the materials used likewise (i.e. brick). In addition, it was considered important that the building have a strong vertical emphasis, which again is a characteristic of the neighbouring properties. The building does introduce more contemporary features however, such as a curved metal roof, and large elements of glazing. Subject to a good standard of finish, it is considered that these features compliment the more traditional features, to ensure that the development is both of its time, and respectful of its setting.

The building would be three storeys in height, with a set back of 1.8metres from the rear of the footpath. The second floor would also be set back from the front elevation by approximately 1.5metres, to reduce its impact upon the street – i.e. to make it less dominant when viewed from the highway. Whilst the neighbouring properties are only two storey, this horizontal articulation, ensures that this building does not dominate these properties. This increase in height is considered acceptable in this location, as there is such variety in building heights and form within the immediate vicinity. In addition, the open spaces (car parks predominantly) ensure that the building would not appear cramped within the site.

The proposed building would be mainly constructed with yellow multi stock brick which is characteristic of the area. The building would be set back from the edge of the footpath by 1.8 metres and run parallel with the road, which would conform to the general pattern of the development in the area. It is considered important that development within this location face onto the street, and create an *active frontage* particularly within this town centre location. There are windows and a pedestrian access which front Queen Anne Road, which reflects the traditional street pattern within the locality.

The second floor would be set back an additional 1.5 metres from the front wall of the building and finished with a coloured render. This would ensure that the third storey would appear subordinate and visually separate. The line of the balcony would match the level of the eaves of the adjacent terraced properties that would provide a consistent line through from the older dwellings to the new development.

The flank elevation of the building, facing north would be broken up considerably. Openings would be incorporated through to the driveway area with relief panels to further break up the elevation. Another aspect of detailing on the flank elevation is the incorporation of a recess of 700mm, above ground floor level, which would include

windows facing front and back and would create a shadowing effect to create an element of layering to the building.

The use of two separate monopitch roofs would result in the mass of the building being visually reduced when viewed from the north, by ensuring a relatively low profile.

The resultant building would be a modern design without ignoring the key characteristics of the area, picking up on the detailing of the adjacent terraced properties. It would not result in any detriment to the character and appearance of the adjacent Holy Trinity Conservation Area, the setting of the nearby listed buildings or the street scene.

The Conservation Officer has been involved in the negotiation of the design and raises no objection to the application in terms of its impact on the Holy Trinity Conservation Area, the setting of the nearby listed buildings in Albion Place.

The form of the development has been significantly altered with the removal of the mansard style roof. The bulk of the building has been reduced and the blank flank north facing elevation has been altered considerably to provide visual interest. The detailing of the building has altered completely and no longer results in a pastiche of the adjacent terraced properties but retains examples of their characteristics.

RESIDENTIAL AMENITY

In terms of residential amenity the properties in a position to be affected would be those in the terrace to the south, 5 to 9 Queen Ann Road. The closest property to the site is number 9 Queen Ann Road. Its close proximity means that it is the property most likely to be affected by the proposed development.

The property at number 9 has a single storey side/rear extension that extends up to the boundary with the application site. This extension incorporates a car port closest to the application site.

The floor of the proposed building would extend no further to the rear than the existing extension to number 9. This would ensure that there would be no loss of light and no overbearing impact on the ground floor rear facing windows to number 9. The first floor windows would be a minimum of 5.9 metres from the three storey element of the building, which would be set in approximately 3.1 metres in from the boundary. This separation and the angle of the rear of number 9 Queen Ann Road ensures that the building would not break the 45 degree angle for either the plan or elevational test in accordance with the BRE light test. Therefore there would be no significant loss of light to the first floor windows of 9 Queen Ann Road.

The distance and angle between the rear windows and the development would also ensure that there would be no overbearing impact on the occupiers of number 9. Due

to the step-in of the proposal, there would be no large blank wall facing onto this property, and as such there would be no creation of a sense of enclosure to the occupiers of this property. The properties 8 to 5 Queen Ann Road would be further from the development and would be affected less than the occupiers of number 9.

There would be no windows in the flank elevation facing the neighbouring properties and no balconies with views of the rear of neighbouring properties therefore the privacy of the occupiers would be maintained. In addition, the rear facing windows would be an obscure angle from the rear gardens of these properties, and would not result in any significant overlooking of these properties. The properties within Albion Place are currently offices, and therefore no residential amenity would be affected by this proposal in relation to these properties.

Although not a previous reason for refusal, it has been possible through the pre-application negotiations to achieve the reduction in the bulk of the building adjacent to number 9 Queen Ann Road. It is now proposed to be single storey beyond the original rear wall of the neighbour's property, immediately adjacent to the boundary to create a more neighbourly development, with further reduces the impact of this proposal upon the residents of this property.

HIGHWAY SAFETY CONSIDERATIONS

The proposed development would provide seven car parking spaces for the eight flats proposed. This level of car parking provision combined with the provision of a motorcycle space and eight cycle spaces is acceptable in this edge of town centre location.

The development of this site would result in the loss of the existing car park for the commercial premises. The edge of town centre location includes a variety of forms of transport available to Maidstone, including bus, train and park and ride as well as a large number of potential employees within walking distance. Furthermore, there are a number of public car parks available for employees to park in if they choose to use their own vehicle. I do not consider that the loss of this car park would in itself cause a hazard to highway safety and would not justify a reason for refusal.

The set back of the building from the road would ensure that adequate visibility would be afforded to the vehicles leaving the shared access drive onto Queen Ann Road.

There would be no detriment to highway safety from the proposed development and as such, no justifiable reason for refusal.

Kent Highway Services do not raise any objections in terms of highway safety.

OTHER CONSIDERATIONS

Whilst there would be no communal garden area for the prospective occupiers of the flats, there would be small private gardens at ground floor level for flats 1 and 2. In addition there would be balconies available for the second floor flats 6, 7 and 8, which would overlook Queen Anne Road. I consider that whilst not every unit has private amenity space, the site is relatively close to Mote Park and other open spaces nearby, this combined with the fact that the units would be one bedroom or bedsit accommodation and not providing family accommodation. I therefore consider that the proposal would be acceptable when examined against PPS3 in terms of amenity space.

The applicant has demonstrated through a Pre Design Stage Assessment that the development would achieve a level 3 on the Code for Sustainable Homes by targeting 60 points (above the 57 required for level 3 to be achieved) and this would be secured by way of a condition which is set out at the end of this report. Measures to achieve this score include the use of an air source heat pump, the use of energy saving light bulbs, energy saving white goods, cycle storage facilities, dual flush cisterns, permeable paving, and the applicants are willing to join the considerate contractors scheme (there are additional measures to be undertaken).

Loss of property value has been raised by an objector, however, this is not a matter that can be given any weight in the planning process.

Southern Water state that the additional sewerage and surface water disposal could not be accommodated within the public system. However, the current tarmac surface is impermeable and would prevent any surface water soaking into the ground. This would be altered with the introduction of permeable surfaces through the development and the applicant is confident of achieving a connection to the public system with no detriment. This would be required through a condition and consulted with Southern Water.

CONCLUSION

The proposal for residential development is acceptable in principle and in accordance with national and local policies. The revised design has overcome the previous reason for refusal and would not result in an unacceptable impact on residential amenity. There would be no highway safety grounds for refusal on this application. Overall I consider the proposal acceptable and recommend approval.

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 not commence until written details and samples of the materials including the colour of the render, to be used in the construction of the external surfaces of the building 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 in accordance with policies BE1 and BE6 of the South East Plan (2009).

3. The dwellings shall achieve Level 3 of the Code for Sustainable Homes. The dwelling shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved;

Reason: To ensure a sustainable and energy efficient form of development in accordance with Policy CC4, H5 and M1 of the South East Plan (2009), Kent Design Guide 2000 and PPS1.

4. The development shall not commence until large scale details of all windows and external doors, which shall be recessed a minimum of 100mm from the front face, which shall include details of external finishes, have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details;

Reason: To ensure a satisfactory appearance to the development in accordance with policies H5, BE1 and BE6 of the South East Plan (2009).

5. The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping including details of the walls and fencing, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's

implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: No such details have been submitted in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan (2000) and H5 and BE1 of the South East Plan (2009).

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan (2000) and H5 and BE1 of the South East Plan (2009).

7. Prior to the commencement of development details of the proposed means of foul sewerage disposal and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details;

Reason: To ensure adequate sewage disposal and drainage in accordance with policy CC4 of the South East Plan (2009).

8. The approved details of the parking/turning 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) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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.

9. The development shall not commence until visibility splays of 2metres by 2metres have been provided above a height of 1metre at the point of vehicular access. These visibility splays shall thereafter be maintained.

Reason: In the interests of highway safety in accordance with PPG13.

10. The development shall not commence until, details of the proposed slab levels of the building(s) and the existing site levels have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels;

Reason: In order to secure a satisfactory form of development having regard to the topography of the site in accordance with PPS1.

11. The development shall not commence until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation of the building(s) or land and maintained thereafter;

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers in accordance with PPS3.

12. No occupation of the units hereby permitted shall take place until the bicycle storage facilities as shown on plan number 071210-01B have been provided. This facility shall thereafter be maintained.

Reason: To ensure a sustainable form of development in accordance with PPS1.

Informatives set out below

Reasonable and practicable steps should be used during any demolition or removal of existing structure and fixtures, to dampen down, using suitable water or liquid spray system, the general site area, to prevent dust and dirt being blown about so as to cause a nuisance to occupiers of nearby premises.

Where practicable, cover all loose material on the site during the demolition process so as to prevent dust and dirt being blown about so as to cause a nuisance to occupiers of nearby premises.

Attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and to the Associated British Standard Code of practice BS5228:1997 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the Environmental Health Manager regarding noise control requirements.

Clearance and subsequent burning of existing woodland or rubbish must be carried out without nuisance from smoke, etc. to nearby residential properties. Advice on minimising any potential nuisance is available from the Environmental Health Manager.

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

No vehicles may arrive, depart, be loaded or unloaded within the general site except between the hours of 0800 and 1900 Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Adequate and suitable provision in the form of water sprays should be used to reduce dust from demolition work.

Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed.

Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.

Southern Water requires a formal application for a connection to the public sewer. The applicant is advised to contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel 01962 858688) or www.southernwater.co.uk

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.

It is also noted that the wording of Condition 7 is incorrect. The condition currently reads:

Prior to the commencement of development details of the proposed means of foul sewerage disposal and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details;

Reason: To ensure adequate sewage disposal and drainage in accordance with policy CC4 of the South East Plan (2009).

This condition is wrong and should be replaced with:

The development shall not commence until details of the proposed means of foul sewerage disposal and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details;

Reason: To ensure adequate sewage disposal and drainage in accordance with policy CC4 of the South East Plan (2009).

Furthermore, an additional letter of representation has been received with regards to the application. This is from an objector who has re-iterated that their concerns are unaddressed by the amendments to the scheme. This letter raises no new matters of concern.

My recommendation therefore remains unchanged.

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A residential street scene. In the foreground, a road with double yellow lines runs horizontally. A black and white striped barrier is partially visible on the left. A brick wall runs across the middle ground. Behind the wall, there is a paved area, possibly a driveway or parking space. In the background, there are several houses, some with brick facades and some with white facades. A large green tree is visible in the center. The sky is blue with some light clouds. A large black number '31' is overlaid on the image, positioned in the middle ground.





33



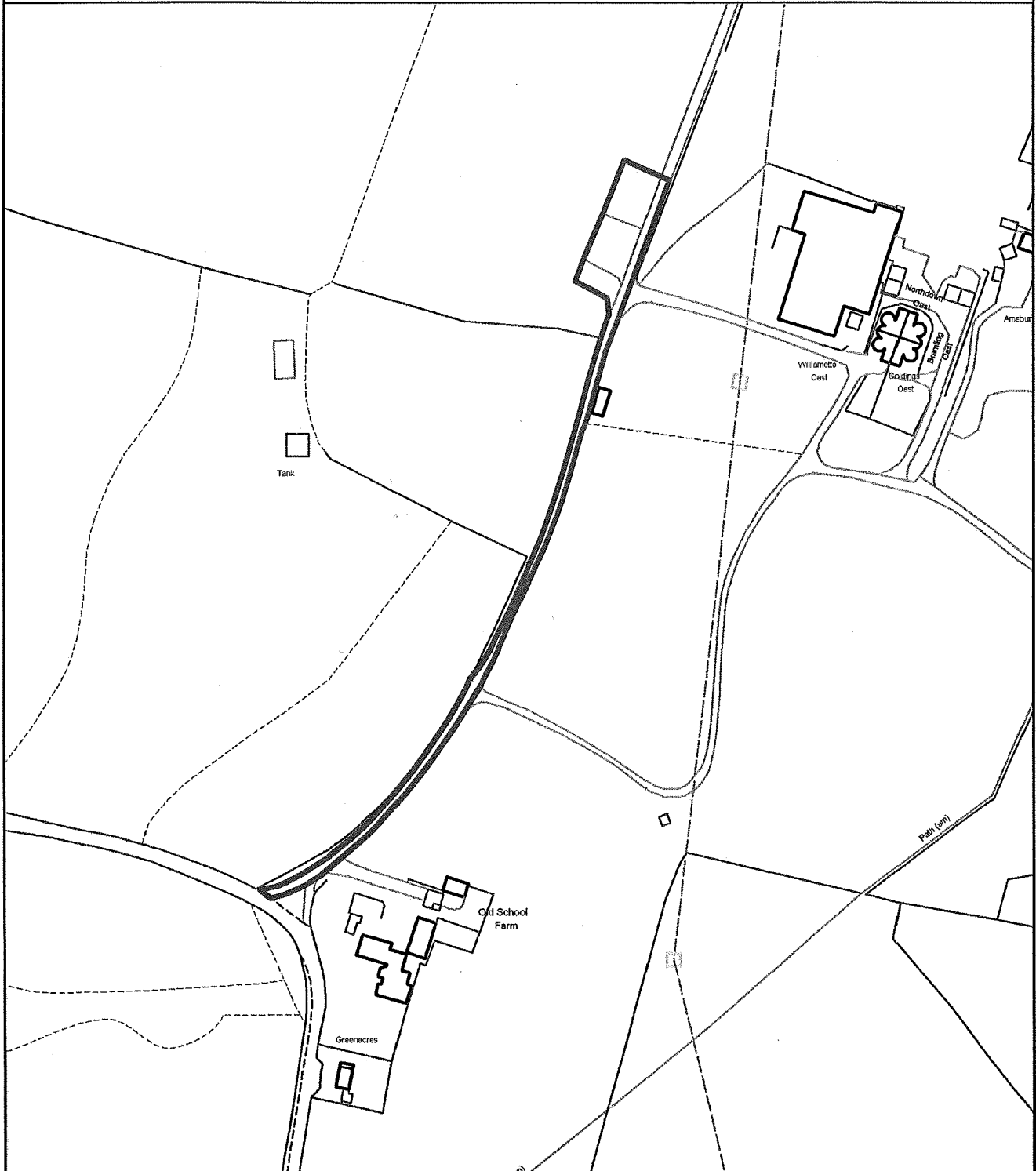
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THE MAIDSTONE BOROUGH COUNCIL

PLANNING APPLICATION NUMBER: MA/09/0484

GRID REF: TQ7350

**AMSBURY FARM,
EAST STREET HUNTON.**



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Alison Broom
Director of Prosperity and Regeneration

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APPLICATION: MA/09/0484 Date: 9 March 2009 Received: 30 June 2009

APPLICANT: Mr C Baxter, J L Baxter & Son

LOCATION: AMSBURY FARM, EAST STREET, HUNTON, MAIDSTONE, KENT, ME15 0QY

PROPOSAL: Erection of a steel framed, single skin (top fruit) storage building as shown on drawing nos. ICA-ENQ598-03-A, 05-A & Design and Access Statement received 23/03/2009 and as amended by drawing no. ICA-ENQ598-07 received 30/06/2009.

AGENDA DATE: 23rd July 2009

CASE OFFICER: Steve Clarke

The recommendation for this application is being reported to Committee for decision because:

- It is contrary to views expressed by Hunton Parish Council

POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, ENV34, ENV43, T13, T23
South East Plan 2009: SP2, CC1, CC4, T4, C4, AOSR7
Village Design Statement: N/A
Government Policy: PPS1, PPS7, PPG13

HISTORY

Permissions relating to the land east of the current site

MA/09/0483: Erection of a steel frame, single skin clad fruit (berry) storage building: PERMITTED 02/07/2009

MA/07/0705: An application for the prior approval of the local planning authority for the erection of an extension to existing fruit store and packing building to allow for separate organic area and general increase of fruit production: GRANTED 17/07/2007

MA/00/0358: Extension to agricultural building: PERMITTED 02/05/2000

MA/99/0393: Extension to agricultural building for the storage of fruit: PERMITTED 23/06/1999

MA/95/0733: Erection of a new agricultural building: PERMITTED 12/07/1995

Permissions related to the oast complex to the east of the existing Packhouse/store

MA/00/0682: Conversion of oast buildings into four residential dwellings along with relocation and enlargement of existing packhouse building and erection of two detached four car garages: PERMITTED 23/10/2005

BACKGROUND

Members will note from the planning history set out above that planning permission was granted on 2 July 2009 under application MA/09/0483 for a new Berry storage building at the farm.

The berry storage building would be located to the east of the current site immediately adjacent to (but west of) the existing packhouse/store that has been on the site for a number of years, and is designed to accommodate berries and other soft fruit produced on the holding. The handling/storage requirements of berries and soft fruit are different to the requirements for top fruit.

This application seeks permission for a building solely for top fruit storage for which, as will be seen later in the report, there is a need for further capacity on the farm due to increased production and crop levels.

CONSULTATIONS

Hunton Parish Council (01/05/2009): Wish to see the application REFUSED for the following reasons:

'1. The Council are concerned that even allowing one of these buildings would have a detrimental impact on the open countryside and would be visually prominent from the Greensand Way which is one of Kent's most important footpaths in an area of Special Scientific/Landscape Interest. In addition to this taking the planned site of the buildings into consideration the buildings would be placed either side of a further footpath - KM157 - that crosses this land.

2. The Council believes this development would contravene Policy EP7 of the Kent & Medway Structure Plan 2006 that states "all development supported should have no unacceptably adverse impact on the local transport network, the environment or the Green Belt". With regard to the transport network, the Parish Council receives complaints on a regular basis from residents regarding the large lorries that visit this farm and the Council does not believe that the road infrastructure could cope with *any* increase in the volume of this type of traffic, however small. The Council believes this development would seriously impact on the environment as stated in (1) above.'

Officer Comment: Any comments on the additional site level and cross-section details received on the 30 June will be reported to Members at the meeting.

Rural Planning Ltd (12 /05/2009).

'I refer to your letter of 28 April 2009 requesting agricultural advice on the planning application submitted on behalf of J L Baxter & Son for the erection of a new farm building (approx. 52.5m

x 24m x 6.6m to eaves) for the controlled atmosphere storage of some 730 tonnes of apples and pears grown on the applicants' farm, and additional fruit bin storage.

As advised regarding the concurrent planning application for a soft fruit store (MA/09/0483) Amsbury Farm, with Westerhill Farm 800m to the east, is a well established fruit farm that now extends to some 105 ha of land owned or rented on a long term basis. Cropping includes some 53 ha apples, 11 ha conventional pears, 24 ha organic pears, 10 ha plums, 5.5 ha cherries, 1.7 ha raspberries, and 1 ha apricots.

The main buildings at Amsbury Farm form a single relatively modern complex, approx. 60m x 40m (max.) which includes modern controlled atmosphere storage for some 1200 tonnes, a main packhouse for apples and pears, a smaller packhouse for soft fruit, and holding areas for incoming/outgoing fruit. A further 270 tonnes of cold storage is available at Westerhill Farm.

As production of apples and pears on the farm now amounts to about 2500 tonnes, there is a large deficit of storage capacity and some 1140 tonnes of storage is also rented locally. However these are old stores which are reaching the end of their useful life and expensive to operate, and can't cope with longer-term storage of modern varieties at low temperatures. The applicants wish to provide the new store, just west of the main open concreted yard, to help meet their own storage shortfall and provide better long-term storage facilities, as well as reduce the need for fruit to be transported off the farm for storage, only to be brought back again later in the season for packing.

In the light of the above, I confirm that I consider the proposed building to be necessary for the purposes of agriculture, in accordance with local plan policy ENV 43, to assist in the efficient storage and marketing of the apples and pears now grown on this farm.'

Kent Highway Services (18/05/2009) and (21/05/2009): No objections are raised. The following condition is recommended:

"No work shall commence on the development site until works to improve the highway signage to the site has been carried out in accordance with a design and specification to be approved in writing with the Local Planning Authority and to be fully implemented to the satisfaction of the Local Planning Authority."

Kent County Council Public Rights of Way (02/06/2009): Have advised that;
'Public Right of Way KM157/1 may be affected by the application and I therefore enclose a copy of the Public Rights of Way network map showing the definitive line of this path for your information.

It is important to advise the applicants that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.'

REPRESENTATIONS

Two letters of objection have been received from the occupier of Old Savage Farmhouse (located approximately 315m south east of the proposed store) and on behalf of the management company for the oast development lying immediately to the east of the existing package shed some 110m east of the site of the proposed building.

Objections are raised on the following (summarised) grounds.

- The development will have a negative aesthetic impact on a historic orchard which has a prominent position on the side of Hunton Hill.
- The existing packhouse is already out of proportion to the nature of the surrounding countryside, the new building will make the situation worse. The site now resembles an industrial estate rather than a farm.
- The operations should be located on an industrial estate rather than in attractive countryside due to their scale and the level of activity.
- The increase in floorspace on the site together with that of related application MA/09/0483 will inevitably result in increased farm traffic, noise and disruption which will adversely affect the adjacent Oast complex.
- The increased capacity at the site will inevitably lead to further traffic on the surrounding road network, which is not suited to large HGV traffic and resulting in further damage to the road surface.

Officer Comment: Any comments on the additional details recently received will be reported to Members at the meeting.

CONSIDERATIONS

Site Location

The Amsbury Farm complex of buildings is located some 330m north of East Street Hunton. Access is gained from East Street by an access road that also serves as the access to a number of residential dwellings east and south east of the main farm building complex.

The site is located within open countryside on the scarp slope of the Greensand Ridge and lies within the designated Greensand Ridge Special Landscape Area. Public Footpath KM157 runs to the east of the site of the proposed building along a continuation of the main farm access track to the north of the site before joining footpath KM156 (designated as part of the Greensand Way) approximately 450m further up the hill to the north of the site.

The currently proposed site is open ground that is used for the open storage of bulk storage bins and immediately adjacent to an extensive area of covered poly-tunnels used for growing soft fruit.

To the east of the site and Public Footpath KM157 is situated an existing packhouse and store and the site of the proposed berry store permitted under application MA/09/0483. This area of the holding currently comprises a packhouse and store and extensive concrete hardstanding areas used for the open storage of bulk storage bins and palettes, for car parking and the manoeuvring of farm and delivery/despatch vehicles. Members will note from the planning history set out earlier that packhouse/store was erected following a planning permission granted in 1995 and has subsequently been extended. The berry store approved under application MA/09/0483 would be sited to the west of the existing packhouse adjacent to its main access road.

The holding extends to around 105ha (approx. 260 acres), all of which is intensively planted with a range of top and soft fruit. Production has expanded over the years with advances in plant husbandry and fruit management so much so that the current year's production amounted to 2,375tonnes of fruit compared to 1,650 tonnes in 1999.

Proposals

The application is a full application that seeks permission for the erection of a new fruit storage building for the storage of top fruit (apples and pears). The building would be 52.5m x 24m and approximately 6.6m to eaves and 10m to the ridge. The main section of the building would consist of 6 controlled atmosphere stores and an internal access area with an internal plant room. It would be clad in profiled steel cladding (Olive Green) and roofed with natural colour fibre cement sheeting.

Additional plans have been submitted indicating existing and proposed floor levels and cross-sections through the site. The finished floor level of the building is shown to be some 2.8m lower than the existing ground levels at the northern end of the building but approximately 2m above existing ground levels at its southern end. The proposals therefore involve an element of 'cut-and-fill' to provide a level floor for the building.

The main vehicular point of entry would be on the east side of the building directly from the existing farm track at the point where the level of the track equates to that of the proposed floor level.

The design and access statement indicates that the development is necessary due to the increased demand for English fruit and the applicant's on-going expansion plans as a result of the increased demand. It is therefore necessary to store fruit in an optimum state, which technological advances now facilitate.

Production forecasts show that cropping figures will continue to increase in the coming years

Crop	2008	2009	2013
Apples	1544 tonnes	1600 tonnes	2000 tonnes
Pears	602 tonnes	700 tonnes	850 tonnes

Organic Pears	158 tonnes	200 tonnes	200 tonnes
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They have also stated that the application will bring a number of benefits in traffic terms.

- Currently fruit has to be picked, stored (a considerable amount off-site) and then brought to Amsbury Farm to the packhouse.
- The centralisation of the stores would contribute to a significant reduction in inter-farm lorry movement. The applicants estimate a total of 33 movements would be eliminated
- There would be some increase in traffic as fruit production grows, but that impact reduced with centralised storage

In addition it is stated that the number of full-time workers employed at the farm has grown from 22 in 2000 to 48 currently, and that 6-10 further full-time jobs would be created as a result of this project, in addition there are a number of seasonal workers employed from May to October.

Planning issues

The application is for the erection of an agricultural building on a working and viable farm holding, that has seen a steady rise in production levels in recent years. Advice in PPS7 and the South East Plan generally encourage support for the agricultural industry on the basis that it enhances and supports the rural economy.

As a tool for the assessment of the application, Policy ENV43 of the Maidstone Borough-wide Local Plan 2000 provides a number of criteria against which the proposals should be judged. The presumption is that permission will be granted provided that the criteria are met.

(1) THE PROPOSALS ARE REASONABLY NECESSARY FOR THE PURPOSES OF AGRICULTURE;

The clear conclusion of the agricultural advisor is that the proposal is reasonably necessary for the purposes of agriculture, 'to assist in the efficient storage and marketing of the apples and pears now grown on this farm.' For Members' information this is expected to be about 2500 tonnes this year compared to 2304 tonnes last year and which is expected to rise to some 3050 tonnes by 2013 as can be seen from the table set-out earlier. I concur that the development is reasonably necessary for the purposes of agriculture to accommodate the produce grown on the holding and that this criterion is satisfied.

(2) THE BUILDING IS LOCATED WITHIN OR ADJACENT TO AN EXISTING GROUP OF BUILDINGS, UNLESS IT CAN BE DEMONSTRATED THAT A MORE ISOLATED LOCATION IS ESSENTIAL TO MEET THE NEEDS OF THE HOLDING. WHERE AN ISOLATED LOCATION IS ESSENTIAL THE SITE SHOULD BE CHOSEN TO MINIMISE THE IMPACT OF THE BUILDING ON THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE;

The building would be located approximately 20m to the west of the site of the approved building permitted under application MA/04/0483. I consider that the

proposed siting meets the terms of the above criterion in that the building is adjacent to the existing group of buildings. There is insufficient space adjacent to the existing packhouse/store and the site of the recently permitted building to accommodate the currently proposed building. I do not consider that the building would have an adverse impact on the character or appearance of the countryside.

(3) THE PROPOSAL IS ACCOMPANIED BY AN INTEGRAL LANDSCAPING SCHEME, REFLECTING THE LANDSCAPE CHARACTER OF THE AREA; AND

The application is not supported by a landscaping scheme. There is a shelter belt of trees to the south of the site adjacent to the public footpath where it turns towards Hunton Hill and on the east there is another existing shelter belt of trees. To the west is the extensive area of poly-tunnels as described earlier in the report. The site is also on lower ground than the land further to the north which is planted as orchards.

As the land around the building will need to be re-graded to accommodate it and given the site's location with the Special Landscape Area, consideration should be given to a suitable landscaping scheme. This can be dealt with by means of an appropriate condition.

Such a scheme would compliment the landscaping scheme required by condition in relation to the permission granted under application reference MA/09/0483.

(4) THE BUILDING IS OF A DESIGN WHICH IS SYMPATHETIC TO ITS SURROUNDINGS IN TERMS OF SCALE, MATERIALS, COLOUR AND DETAIL;

The design is considered appropriate for this location as the building is of a style and design that reflects that of the adjoining packhouse and the recently permitted berry storage building and is common to many modern agricultural buildings. The design of agricultural buildings has changed in recent years primarily due to the need for increased flexibility to cater for changing consumer and supermarket demands in terms of the quality of the produce and packaging requirements and changes brought about by the use of modern machinery.

(5) THE PROPOSAL WILL NOT HAVE AN ADVERSE IMPACT ON THE CHARACTER OR SETTING OF LOCAL SETTLEMENTS OR THE AMENITY OF EXISTING RESIDENTS;

The site is located in the open countryside some 1.5km north east of the main part of Hunton village. I do not consider that the setting of the settlement will be adversely affected.

The concerns of nearby residents are noted. As indicated earlier, this is a working farm and the activity associated with the cropping and processing of the produce arises as a consequence of this. It is fair to say that activity on the farm has increased as production levels have increased. In common with most fruit farms however, much of the activity is seasonal with the busiest period when fruit is harvested.

I do not consider, that the operation of this building would have such a negative impact on the amenities of nearby residents, particularly those in the oast complex to the

east, as to warrant or sustain refusal on this ground. The degree of separation of the proposed store and the nearest residential dwellings located within the oast complex 110m east of the site is considered acceptable.

The Council's Environmental Health Section has received no complaints relating to the operation of the existing packhouse/activity on the site.

The existing packhouse/store is not governed by any hours of operation conditions. It would be unreasonable to impose such a limitation on the currently proposed building.

There is no evidence to suggest that the bulk storage boxes will now be stored south of the road leading to the oast complex as feared by the residents.

(6) THE PROPOSAL IS COMPATIBLE WITH THE LANDSCAPE POLICIES OF THE PLAN;

I note the concerns of the Parish Council. The site is not located in the Green Belt but it is acknowledged that it is located in the Greensand Ridge Special Landscape Area.

However, the proposed building would be sited in close proximity to the existing building complex and would be developed on a platform formed into the slope of Hunton Hill. The land rises steeply northwards away from the site. The site is also not readily visible from Hunton Hill to the west of the site (the cowls of the oast complex are just visible) or from East Street to the south.

I consider that despite being located on the west side of the public footpath/farm access track, the building is still closely related to the other buildings on the site and that it will not unacceptably extend built development further into the countryside. As discussed earlier in the report the development can be subject to a condition requiring the submission of an appropriate landscaping scheme to further reduce any impact.

In any event, the building is considered to be necessary for the purposes of agriculture and as such is development permissible under Development Plan policy in the countryside.

(7) THE PROPOSAL WILL NOT HAVE AN ADVERSE IMPACT ON THE LOCAL HIGHWAY NETWORK.

Kent Highway Services have raised no objection to the proposed building in terms of the impact on the local road network. They consider however, that improved signage, routing vehicles (particularly HGVs) to the farm should be secured by means of an appropriate 'Grampian' condition as they are in receipt of complaints locally and are also trying to work with the applicants to reduce these and to ensure that lorries visiting the site do so on the most appropriate roads in the locality. This would also help to address other concerns raised by the Parish Council and local residents.

To locate the development and the existing facilities on an industrial estate several miles away as suggested by the objectors, is not likely to lead to any significant reduction in traffic as the produce would still need to be moved from the holding to packing/storage facilities wherever they are located. Such an arrangement would not be sustainable in the long term.

Conclusions

The proposed storage building is considered to be justified as reasonably necessary for the agriculture. It is closely sited in relation to other existing buildings and would not result in itself in any unacceptable harm to the amenities of nearby residents. The design is considered to be acceptable whilst typical of modern agricultural buildings and reflects that of the existing packhouse/storage building and the recently approved berry store located to its east.

Subject to appropriate conditions I recommend that permission should be granted.

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 hereby permitted shall be carried out strictly in accordance with the slab levels shown on the approved drawing no ICA-ENQ598-07 received 30;/06/2009.

Reason: In order to secure a satisfactory form of development having regard to the topography of the site pursuant to policies ENV28 and ENV34 of the Maidstone-Borough-wide Local Plan 2000.

3. The external materials used for the building shall be as specified on drawing no. ICA-ENQ598-03-A received 23/03/2009 unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory visual appearance to the development pursuant to policies ENV28 and ENV34 of the Maidstone Borough-wide Local Plan 2000.

4. The development hereby permitted shall not be commenced until details of scheme to improve the highway signage in the vicinity of the site in relation to HGV access has been submitted to and approved in writing by the local planning authority in consultation with the local highway authority. The subsequently approved details shall be implemented prior to the first use of the building hereby permitted and maintained thereafter.

Reason: In the interests of highway safety pursuant to policy T23 of the Maidstone Borough-wide Local Plan 2000.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: No such details have been submitted and to ensure a satisfactory visual appearance to the site pursuant to policies ENV6, ENV28 and ENV34 of the Maidstone Borough-wide Local Plan 2000.

6. All planting, seeding or turving comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development pursuant to policies ENV6, ENV28 and ENV34 of the Maidstone Borough-wide Local Plan 2000.

Informatives set out below

You are advised that a Public Right of Way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or

fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority. For further information contact Mr. John Pelham, West Kent Public Rights of Way Office, 8 Abbey Wood Rd, Kings Hill, West Malling, Kent. ME19 4YT. Telephone: 01732 872829, E-mail john.pelham@kent.gov.uk

Attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and to the Associated British Standard Code of practice BS5228:1997 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the Environmental Health Manager regarding noise control requirements.

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

No vehicles may arrive, depart, be loaded or unloaded within the general site except between the hours of 0800 and 1900 Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.

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VIEW EASTWARDS FROM
HUNTON HILL
OUTSIDE 'OLD TIMBERS'

24.06.2009

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24.06.2009

VIEW NORTH EAST TOWARDS SITE FROM EAST STREET:

51

**VIEW NORTH ALONG FARM ACCESS
ROAD**

29.04.2009

52

28.04.2009





28.04.2008



07
4

24.06.2009

PUBLIC FOOTPATH KM157
LOOKING NORTHWARDS

55

24.06.2009

LOOKING TO SOUTHWEST FROM PUBLIC FOOTPATH KM156

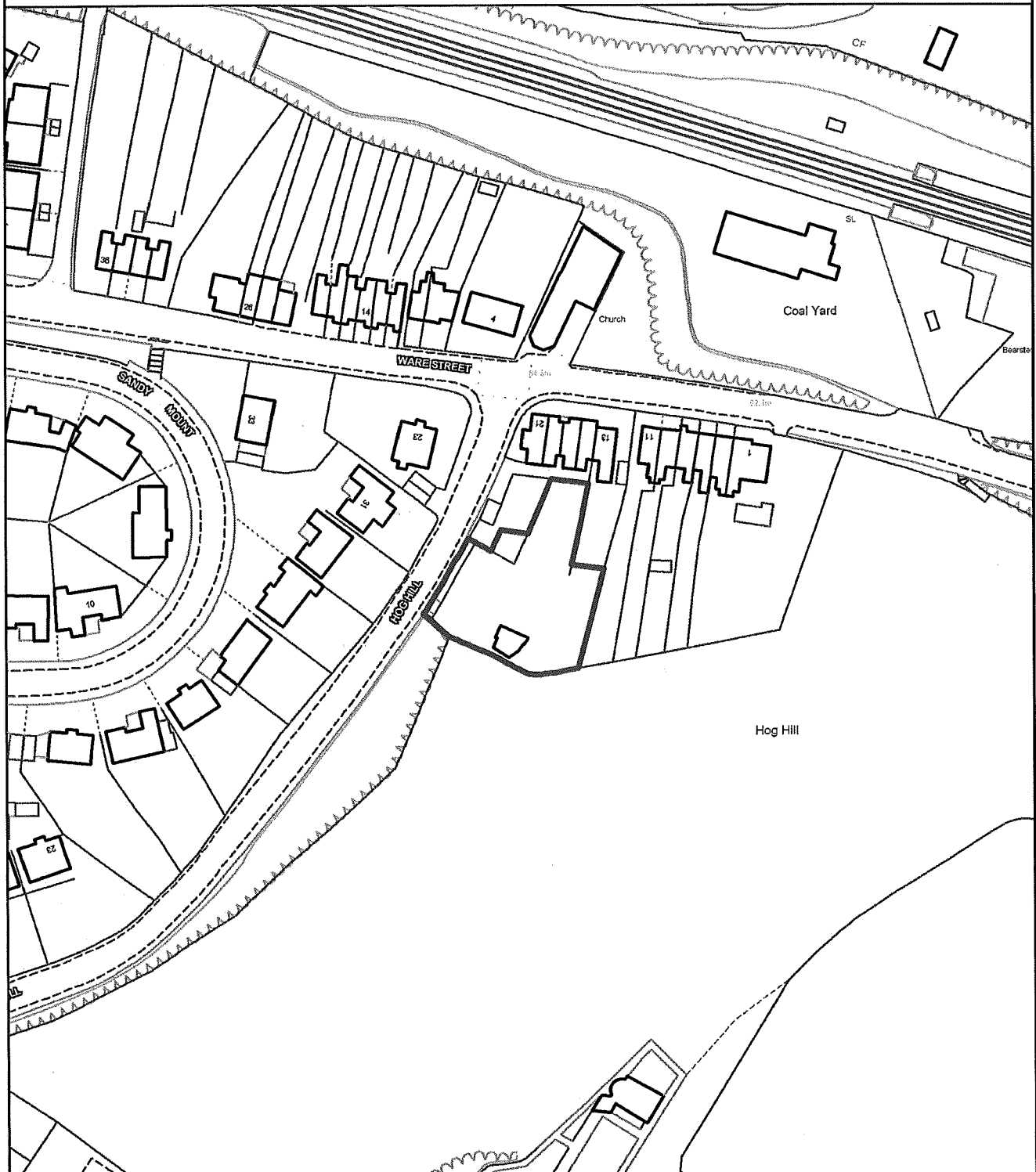
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THE MAIDSTONE BOROUGH COUNCIL

PLANNING APPLICATION NUMBER: MA/09/0576

GRID REF: TQ7956

LAND REAR OF 13-21,
WARE STREET, BEARSTED.



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Alison Broom
Director of Prosperity and Regeneration

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APPLICATION: MA/09/0576 Date: 1 April 2009 Received: 16 June 2009

APPLICANT: Mr M Stevens

LOCATION: LAND REAR OF 13-21, WARE STREET, BEARSTED, KENT

PROPOSAL: Erection of a terrace of three dwellings with parking to the rear as shown on Section (scale 1:50), Proposed Garage Block plans and elevations (scale 1:100), Design and Access Statement and Tree Survey received 03/04/2009, Site Location Plan (scale 1:1250), Block Plan (scale 1:500) received 21/04/2009 as amended by certificate B received 13/05/2009 and further amended by Site Survey (scale 1:200) and Ecological Survey received 16/06/2009 and Proposed Floor Plans (scale 1:100), Proposed elevations (scale 1:100) and Proposed Street elevation (scale 1:200) received 01/07/2009.

AGENDA DATE: 23rd July 2009

CASE OFFICER: Steve Clarke

The recommendation for this application is being reported to Committee for decision because:

- It is contrary to views expressed by Bearsted Parish Council

POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV6, T13
South East Plan 2009: SP2, SP3, CC1, CC4, H1, H2, H5, T4, NRM5, BE1, BE6, AOSR6, AOSR7
Village Design Statement: N/A
Government Policy: PPS1, PPS3, PPS9, PPG15

HISTORY

MA/08/1865: Erection of pair of semi-detached two storey dwellings with associated works including parking: PERMITTED 07/11/2008

This application related to approximately the same area of land as the current application and was for a pair of three-bedroom houses with 2 parking spaces each located to the rear together with 4 parking spaces (1 each) for the dwellings at nos. 13-19 Ware Street.

The properties had a garden of approximately 8m in length and were approximately 8.7m to ridge, 13.5m in width and 9m in depth, the northern half of the pair had a cat-slide roof falling to an eaves level of 2m. No north facing windows looking towards 13-21 Ware Street were shown.

The design was vernacular with the use of plain tile roofs, tile-hanging and mixed Sussex red-stock bricks, projecting first floors and exposed rafter feet

CONSULTATIONS

Bearsted Parish Council (07/05/2009): 'The Parish Council have considered the above application and wish to see it refused on the grounds that the proposals are out of character with the street scene and the development would create an over massing of the area.'

Officer Comment: Any further views on the details submitted on 1 July 2009 will be reported to Members at the meeting

Natural England (01/07/2009):

'Natural England has considered the associated documents in this application. The ecological scoping survey dated 11 June 2009 written by Katia Bresco states that there is potential for slow worms, other widespread reptiles and suitable habitat for breeding birds present on the application site. **Natural England therefore recommends that our standing advice on protected species is followed: Protected Species**

Natural England advises the proposals as presented have the potential to affect species protected under European or UK legislation. Natural England refers you to our Standing Advice on protected species

http://www.naturalengland.org.uk/regions/south_east/ourwork/standingadvice/default.aspx

Natural England supports the recommendations for enhancements in the scoping survey.'

Kent Highway Services (21/05/2009): No objections subject to a condition requiring any gates to be set back 5.5m from the carriageway edge and hung so they open away from the highway and for the parking/garaging to be provided before occupation and maintained thereafter.

MBC Landscape Officer (20/05/2009):

'The Arboricultural Impact Assessment, ref 03008 dated 28th August provides current dimensions of the trees on the edge of the woodland, which is subject to TPO No 9 of 1986. There are a number of species of trees within the woodland which are protected which includes Sweet chestnut species.

The impact of the proposed development on trees has been identified as the following:

Direct impact

The report identifies 3 trees to be removed (T4, 5 and 11) all of which have been classed as category C of low value, and therefore it is reasonable to assume that the removal of these trees will not have affect the amenity of the woodland.

In order to accommodate additional parking spaces minor excavations will be undertaken around T31, but would not encroach onto the root protection area. However it will be necessary to raise the crown to give satisfactory clearance. As long as this work is carried out by a suitably qualified arboriculturalist it will not affect T31.

Indirect Impact on Trees

No additional works are required on the remaining trees within the woodland, and the site of the proposed developments is outside the root protection area (RPA).

Changes in ground levels

No changes are to be made to the ground levels within the RPA.

Underground services

To date the location of services has not been identified, but can be installed without requiring excavations.

Tree Management Implications

The proposed dwellings are to the north of the woodland, the rear gardens are to the east and so the properties will receive a reasonable amount of light, a fact noted during a site visit carried out in August.

Root damage to dwelling from tree root action.

No technical information has been supplied to suggest that the dwelling is sited on shrinkable clay.

Therefore this application should be approved subject to the following condition:

It will be necessary to erect protective fencing in accordance with the specification given at section 9 of BS 5837:2005 prior to the commencement of any construction works.'

MBC Conservation Officer (11/05/2009): No objections in respect of the development's potential impact on the nearby Conservation Area.

MBC Environmental Health (04/06/2009): No objections subject to informatives governing conduct and hours of operation on site during construction

REPRESENTATIONS

8 letters of objection have been received to-date relating to the application. Any further representations received as a result of consultation on the amended details received on 1 July 2009 will be reported to Members at the meeting.

Objections raised to-date are summarised as follows;

- Loss of privacy to adjoining properties in Sandy Mount and the houses along Ware Street due to the proposed dwellings being on higher ground
- The development will dominate the surrounding area
- The development is cramped and an overdevelopment of the site
- Loss of light to the gardens of the dwellings to the north
- The site is currently used as parking by local residents who would then be forced onto surrounding road where parking is already severely restricted, causing highway safety and congestion problems
- Loss of wildlife habitat and adverse impact on trees adjoining the site during and after construction
- The area is a known habitat for slowworms

CONSIDERATIONS

Site Location and Description

The site is located on the east side of Hog Hill Bearsted some 40m south of its junction with Ware Street. It is currently an area used for parking by some of the residents of the terrace of dwellings (13-21 odd) that front onto Ware Street to the north of the site. The gardens of these dwellings face southwards, and are cut into the hillside and terraced. A building formerly used as a garage is located in the south east corner of the site. The site area amounts to approximately 0.087ha

The land raises steeply southwards from Ware Street and the existing terraced dwellings. The existing car park area is some 5.75m higher than the carriageway of Ware Street and also approximately 1.5m higher than the carriageway of Hog Hill. The dwelling at 21 Ware Street has a detached single garage in its rear garden that is accessed from and flanks onto Hog Hill.

To the south of the site lies woodland forming part of the Snowfield Estate. The woodland is subject to a Woodland Tree Preservation Order (TPO no.9 of 1986). This land was also incorporated into the enlarged Bearsted Conservation Area in 1999. The woodland and the land within the Conservation Area continue to rise steeply away from the application site in a south and south easterly direction.

The site itself has no specific designation on the Maidstone Borough-wide Local Plan Proposals Map 2000, but is within the urban area as defined in the plan.

Proposals

The application is a full application and seeks permission for the erection of a terrace of three dwellings.

The block of three dwellings would be approximately 20m in width, including 3m wide single-storey wings on each side and a maximum of 11.5m deep with a ridge height of 9.1m. eaves height of the dwellings would be 5m. The central unit is shown to project forward some 0.9m of the units either side in the form of a two-storey bay.

The recently submitted amended details now show the northern side of the block to have a cat-slide roof that emulates the design of the extant permission and provides for an eaves height of 2m on the northern side of the block.

Indicated materials are slate roofs with dark stained (ebony) horizontal boarding to the first floor and facing bricks at ground floor level. The eaves are shown with exposed rafter feet as are the eaves of the cat-slide roof. The elevational treatment utilise some elements found in the local vernacular.

The rear gardens would be approximately 7.5m-8m maximum depth. The front boundary walls to Hog Hill would be built in ragstone.

A sustainability statement has been submitted indicating that the development would meet Level 3 of the Code for Sustainable Homes.

The application also shows that 10 car parking spaces would be provided. There would be 4 open spaces and 6 other spaces provided by two separate garage/car-port buildings one containing 2 spaces and the other 4. These buildings would be 4.4m to ridge and respectively 5.5m x 6m wide and 5.5m deep x 11.7m wide. The submitted Design and Access Statement makes it clear that the parking spaces would be available for the new dwellings (2 per unit) and the occupiers of nos. 13-19 (odd) Ware Street (4 spaces).

The application was accompanied by a tree survey and latterly by an ecological assessment of the site.

Planning issues

The principle of development

As indicated earlier in the report, the development is located on previously developed land on a site within the defined urban area and which is subject to an extant planning permission for two dwellings.

The density of the current development equates to approximately 34 dwellings/ha which is in accordance with the advice in PPS3 which advises that a minimum density of 30 dwellings/ha is seen as making efficient re-use of previously developed land.

I consider therefore that the principle of residential development on this site is acceptable.

The design and layout of the development

The development proposes a block of three dwellings fronting onto Hog Hill and as such mirrors that of the extant permission with the site access again located adjacent to the southern boundary of the site.

The main issues to be considered therefore is whether the different design approach in terms of the elevational treatment is unacceptable and whether the addition of a third dwelling is unacceptable in terms of its impact on the character and visual amenities of the area.

The design, as indicated above, whilst different from that of the extant permission still includes elements of local vernacular. The use of brickwork with horizontal boarding above and exposed rafter feet at eaves level is found in the area. I do not consider therefore that the change from the previously approved tile hanging is unacceptable or sufficient to warrant and to be able to sustain refusal on this ground. The use of ragstone walling to the frontage to Hog Hill is welcomed.

Clearly the addition of a third dwelling has increased the total overall mass and width of the development as it fronts Hog Hill. The current proposal is some 5.5m wider and there is a greater expanse of building at first floor level.

However, the impact of this increase in the number of dwellings and their resultant mass and width has been substantially lessened by the introduction of the cat-slide roof element on the northern side of the dwellings. The new dwellings have a ridge level that is only 300mm higher than the previously approved scheme.

I do not therefore consider that the addition of a third dwelling to the group would adversely affect the character of the area.

This view is shared by the Conservation Officer who considers that the development would not have an adverse impact on the setting of the adjacent Bearsted Conservation Area.

The impact of the development on the privacy and amenity of neighbouring properties

The side wall of the development is approximately 19m from the property at 21 Ware Street. However it is at an angle and there are no windows other than rooflights facing towards this property. I do not consider that the occupiers of this property would suffer an unacceptable loss of privacy or amenity from the development

There is a distance of approximately 21m from the front of the proposed dwellings across Hog Hill to the rear gardens of Houses in Sandy Mount. Although set higher, this

distance is in my view acceptable, particularly bearing in mind that they are separated by the road. An objection on grounds of overlooking would not be reasonable.

On this issue I consider the development to be acceptable.

Landscape and ecology

The comments of the Landscape Officer are set out earlier in the report. The arboricultural report submitted has been considered and subject to appropriate safeguarding conditions and tree protection measures in accordance with BS5837:2005 'Trees in Relation to Construction- Recommendations' no objections are raised to the development in relation to impact on the trees within and adjacent to the site. I concur with this view and do not consider that the development would have an adverse impact on trees within and adjacent to the site.

The issue of the presence of slowworms on the site was raised in representations received and as result an ecological survey was requested from the applicant. This has been submitted and considered by Natural England who raise no objections to the development and welcome the mitigation measures proposed in the report.

The initial survey indicates that the habitat is suitable only for low level populations but recommends further survey work , but also suggest appropriate mitigation measures including the provision of receptor habitat (for which there is space within the site) and the provision of hibernacula and refugia. The further survey work recommended in the ecological report and the identified mitigation measures can be secured by means of appropriate conditions.

No objections are therefore raised to the development on landscape or ecological grounds

Other issues

An appropriate level of parking provision including continued parking for the existing properties fronting Ware Street is proposed. No objections have been raised by Kent Highway Services to the level of provision or the impact of the development on the local road network.

The applicant has advised that the development will be constructed to meet Level 3 of the Code for Sustainable Homes.

CONCLUSIONS

The proposed development occupies previously developed land within the defined urban area and seeks permission for one additional dwelling on a site with an extant permission for two dwellings.

The design of the dwellings and their impact on the character of the area the adjoining Conservation Area and the occupiers of neighbouring properties as well as on the trees and ecology of the site are all considered to be acceptable.

Subject to the imposition of appropriate conditions I consider the development to be acceptable and recommend accordingly. I seek delegated powers to grant permission however, as the re-consultation period on the most recent amended plans has not yet expired.

RECOMMENDATION

Subject to the expiry of the consultation period on the amended plans and the receipt of no representations raising new issues I BE GIVEN DELEGATED POWERS to 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. Prior to the commencement of the development, written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted shall be 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 pursuant to policies H5 and BE1 of the South East Plan 2009.

3. The development hereby permitted shall be carried out strictly in accordance with the slab levels shown on the approved drawing(s);

Reason: In order to secure a satisfactory form of development having regard to the topography of the site pursuant to policies BE1 and H5 of the South East Plan 2009.

4. The approved details of the parking/turning 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) Order 1995 (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 pursuant to policy T13 of the Maidstone Borough-wide Local Plan 2000.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: No such details have been submitted and to ensure a satisfactory setting and external appearance to the development pursuant to policy ENV6 of the Maidstone Borough-wide Local Plan 2000.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development pursuant to policy ENV6 of the Maidstone Borough-wide Local Plan 2000.

7. The development shall not commence until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation of the buildings or land and maintained thereafter. The submitted details shall include the provision of ragstone walling to the frontage of the site with Hog Hill;

Reason: To ensure a satisfactory appearance to the development and to safeguard

the enjoyment of their properties by existing and prospective occupiers pursuant to policies H5 and BE1 of the South East Plan 2009.

8. The dwelling(s) shall achieve Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason: To ensure a sustainable and energy efficient form of development pursuant to policies CC1 and CC4 of the South East Plan 2009.

9. All trees to be retained must be protected by barriers and/or ground protection in accordance with BS 5837 (2005) 'Trees in Relation to Construction- Recommendations'. The development hereby permitted shall not commence until full details of protection have been submitted to and approved in writing by the Local Planning Authority. The approved barriers and/or ground protection shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the areas protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas without the written consent of the Local Planning Authority;

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development pursuant to policy NRM7 of the South East Plan 2009.

10. The development hereby permitted shall not be commenced until a further reptile survey has been undertaken by a suitably qualified person and a report of the survey submitted to and approved by the local planning authority. The survey report shall include as necessary details of mitigation and habitat enhancement measures as outlined in the Ecological Scoping Survey Report (prepared by Katia Bresso of KB Ecology) received 16/06/2009, which shall be implemented in accordance with a programme of works set out in the subsequently approved survey report and maintained thereafter;

Reason: In the interests of ecology and biodiversity pursuant to the advice in PPS9.

Informatives set out below

Attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and to the Associated British Standard Code of practice BS5228:1997 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the Environmental Health Manager regarding noise control requirements.

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

No vehicles may arrive, depart, be loaded or unloaded within the general site except between the hours of 0800 and 1900 Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.

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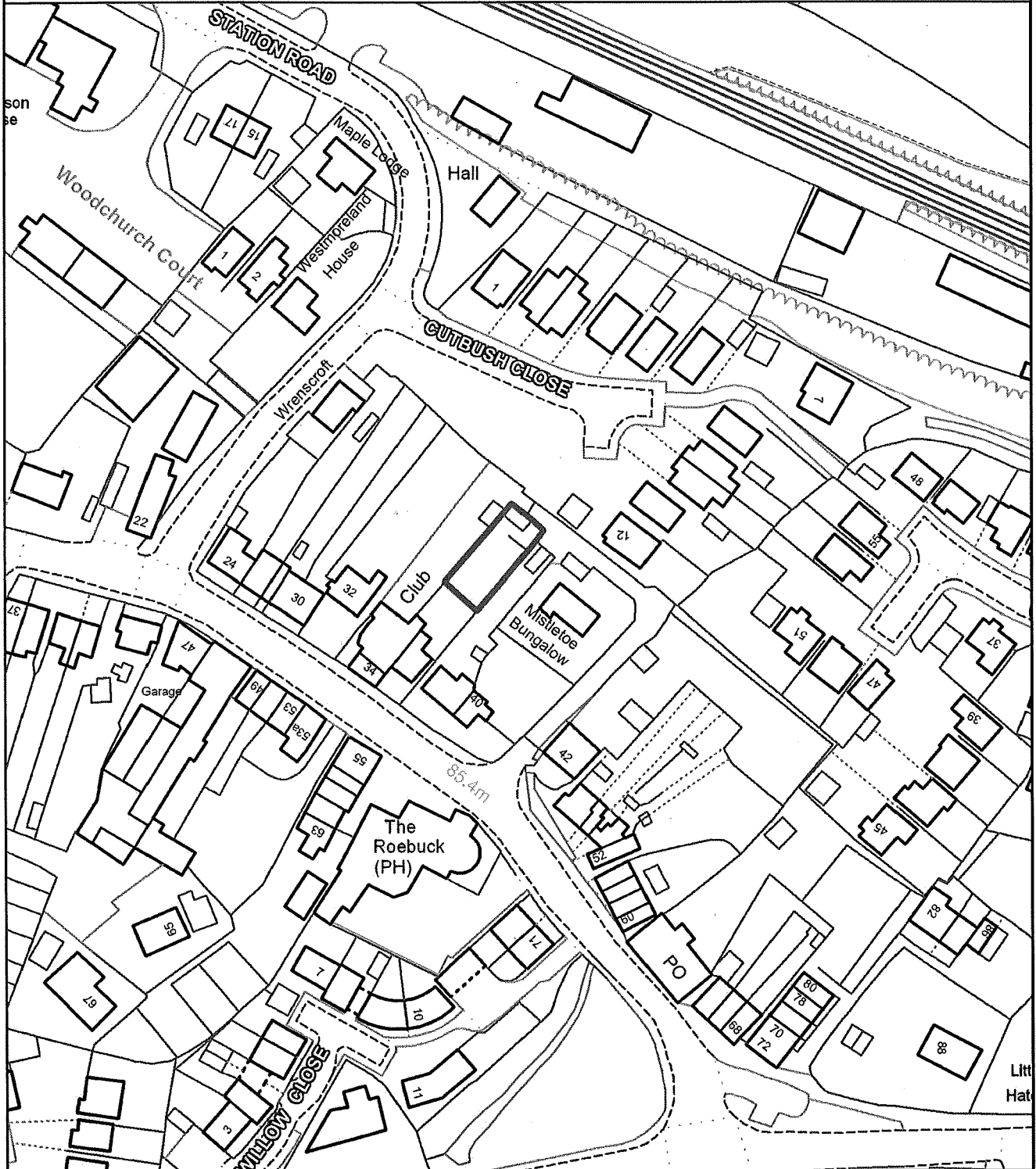
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THE MAIDSTONE BOROUGH COUNCIL

PLANNING APPLICATION NUMBER: MA/09/0645

GRID REF: TQ8652

36 WEST STREET,
HARRIETSHAM.



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Alison Broom
Director of Prosperity and Regeneration

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APPLICATION: MA/09/0645 Date: 1 June 2009 Received: 4 June 2009

APPLICANT: Ms T Breakspear

LOCATION: 36, WEST STREET, HARRIETSHAM, MAIDSTONE, KENT, ME17 1HX

PROPOSAL: An Outline planning application for the erection of a chalet bungalow with all matters reserved for future consideration as shown on drawing number 1a, 1b, 1c and 1d received on 23/4/09.

AGENDA DATE: 23rd July 2009

CASE OFFICER: Peter Hockney

The recommendation for this application is being reported to Committee for decision because:

- It is contrary to views expressed by the Parish Council

POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV6, H27, T13
South East Plan 2009: CC1, CC4, H1, H4, H5, T4, NRM11, M1, BE1, BE6
Government Policy: PPS1, PPS3, PPG13

RELEVANT HISTORY

There is no relevant planning history for this application.

CONSULTATIONS

Harrietsham Parish Council wishes to see the application REFUSED on the following grounds:-

“Due to the confined plot space for the proposed development.

The neighbouring property, Mistletoe Bungalow, used as an example by the applicant, is single storey and on a plot twice the size. There is no block plan provided to show the position of the building and the two parking spaces, as detailed in the planning application. We believe that there is insufficient space for the parking of the vehicles.”

MBC Conservation Officer wishes to see the application APPROVED stating:-
“This proposal will have no significant impact on the setting of the nearby listed buildings.”

REPRESENTATIONS

One letter has been received stating that they have no objections in principle to the erection of a new dwelling but raise the following concerns:-

- Insufficient space to store the materials and machinery necessary for the construction of the property.
- The access is inadequate for use by construction vehicles.

SITE LOCATION

The application site is part of the rear garden of 36 West Street in Harrietsham village. It is approximately 200m² in area and flat in nature. The existing dwelling fronts onto West Street to the south west and has a rear private drive that serves 36 and its neighbours which enters West Street between the dwellings at 40 and 42. There are a number of detached garages located in the rear gardens for the properties of West Street that that access onto this private drive.

The pattern of development in the area is generally of properties fronting West Street with gardens behind, although there is 'Mistletoe Bungalow', which is location in a backland location behind number 40. To the north east of the site are the dwellings located in Cutbush Close.

There are listed buildings nearby at 30, 32, 42 and 46 to 50 West Street, there are no other specific designations in the surrounding area.

PROPOSED DEVELOPMENT

The application is an outline application for the erection of a detached chalet bungalow. The application is purely in outline form with all matters reserved for future consideration.

The submitted parameters indicate a dwelling of 8m by 8m. The design of the dwelling as a chalet bungalow would ensure that the scale of the dwelling would be small, however the final details of these aspect would be submitted under a reserved matters application.

PRINCIPLE OF DEVELOPMENT

The site is located within the village envelope of Harrietsham and is previously developed land. Policy H27 of the Maidstone Borough-Wide Local Plan (2000) allows for minor residential development within the defined villages in the Local Plan. I consider that the erection of a single dwelling is minor residential development and complies with policy H27.

The site is within a defined village that has a number of facilities available including a school, train station, shop, post office, public house and doctors surgery. It is therefore previously developed land within a sustainable location and as such conforms to national policies in PPS3 and policies in the South East Plan (2009).

The site area of approximately 200m² equates to 0.02 hectares. The erection of a single house on a plot of this size would equate to a density of 50 dwellings per hectare. This density is above the national indicative minimum of 30 dwellings per hectare set out in PPS3 and the 40 dwellings per hectare overall regional target for the South East Plan period.

The principle of a single dwelling on this site conforms to national and local policies and is acceptable.

PLANNING CONSIDERATIONS

Visual Impact

The site is located on a private drive and the dwelling would not be readily visible from any public vantage points. Glimpses of the dwelling may be possible between 36 and 38 West Street.

There are no details of the design or scale of the dwelling as all matters are reserved for future consideration. However, the fact that the submitted parameters indicate a dwelling approximately 8m by 8m and the fact that the dwelling would be a chalet bungalow indicates that the development would not be a dominant feature in the area.

Whilst the general pattern of development in the area is of buildings fronting West Street there is built development in the rear gardens of the properties in West Street. The majority of these buildings are garages that serve the properties in West Street via the private drive. However, there is an existing bungalow, 'Mistletoe Bungalow', in a backland location behind 40 West Street.

The dwelling would be a significant distance away from the nearby listed buildings. The closest listed building, number 32, would be approximately 20 metres from the proposed dwelling (as shown on the indicative layout). This separation distance would be sufficient to ensure that there would be no adverse impact on the setting of the listed building.

There would not be a significant visual impact from this development that would cause harm to the character and appearance of the area.

Impact on Residential Amenity

The proposed dwelling, being a chalet bungalow, would be predominantly single storey with accommodation contained within the roofspace. As the application is in outline form there is no details relating to the position of the windows to habitable rooms. However, the position of the site in relation to the neighbouring properties is such that sufficient distance could be achieved to ensure that levels of privacy are maintained in relation to any proposed first floor windows in the roofspace.

The proposed dwelling would be positioned a significant distance from the neighbouring properties, the closest property being 'Mistletoe Bungalow', and this distance combined with the small scale of the development would ensure that there would be no loss of light or overwhelming impact from the proposed development.

The application site would be of a sufficient size to provide adequate space for a dwelling with a private garden whilst leaving adequate space for a private garden for number 36.

Highway Considerations

The site is located on an existing private drive that serves a number of private garages and parking areas as well as 'Mistletoe Bungalow' with an existing access point onto West Street. The outline nature of the application does not indicate the position of parking spaces and these should be positioned in such a way to ensure that vehicles are not reversing up or down the private drive and onto West Street.

Other Considerations

The site is mainly lawn with an area of hardstanding used for parking adjacent to the access drive. There would be no loss of trees as part of the proposal and no loss of any significant wildlife habitat.

The proposed dwelling should be designed to meet at least level 2 on the Code for Sustainable Homes and a condition can be imposed to ensure this occurs.

A neighbour has raised concerns about the construction of the proposed dwelling with regard to the storage of materials and the parking of the construction vehicles, however, this is not a planning issue that can be given significant weight. Informatives can be imposed to make the developer aware of the legislation that needs to be adhered to during construction.

Overall, I consider that the site is capable of accommodating a single chalet bungalow and the principle of the development conforms to national and local policies.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development shall not commence until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-
 - a. Layout
 - b. Scale
 - c. Appearance
 - d. Access
 - e. Landscaping

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved;

Reason: No such details have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. The development shall not commence 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 in accordance with policy BE1 of the South East Plan (2009).

3. The dwelling shall achieve Level 2 of the Code for Sustainable Homes. The dwelling shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 2 has been achieved;

Reason: To ensure a sustainable and energy efficient form of development in accordance with Policy M1 of the South East Plan (2009), Kent Design Guide 2000 and PPS1.

Informatives set out below

Attention is drawn to Sections 60 & 61 of the COPA 1974 and to the Associated British Standard COP BS 5228:1997 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and

demolition and you are advised to contact the Environmental Health Manager regarding noise control requirements.

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

Vehicles may only arrive, depart, be loaded or unloaded within the general site between the hours of 0800 hours and 1900 Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.

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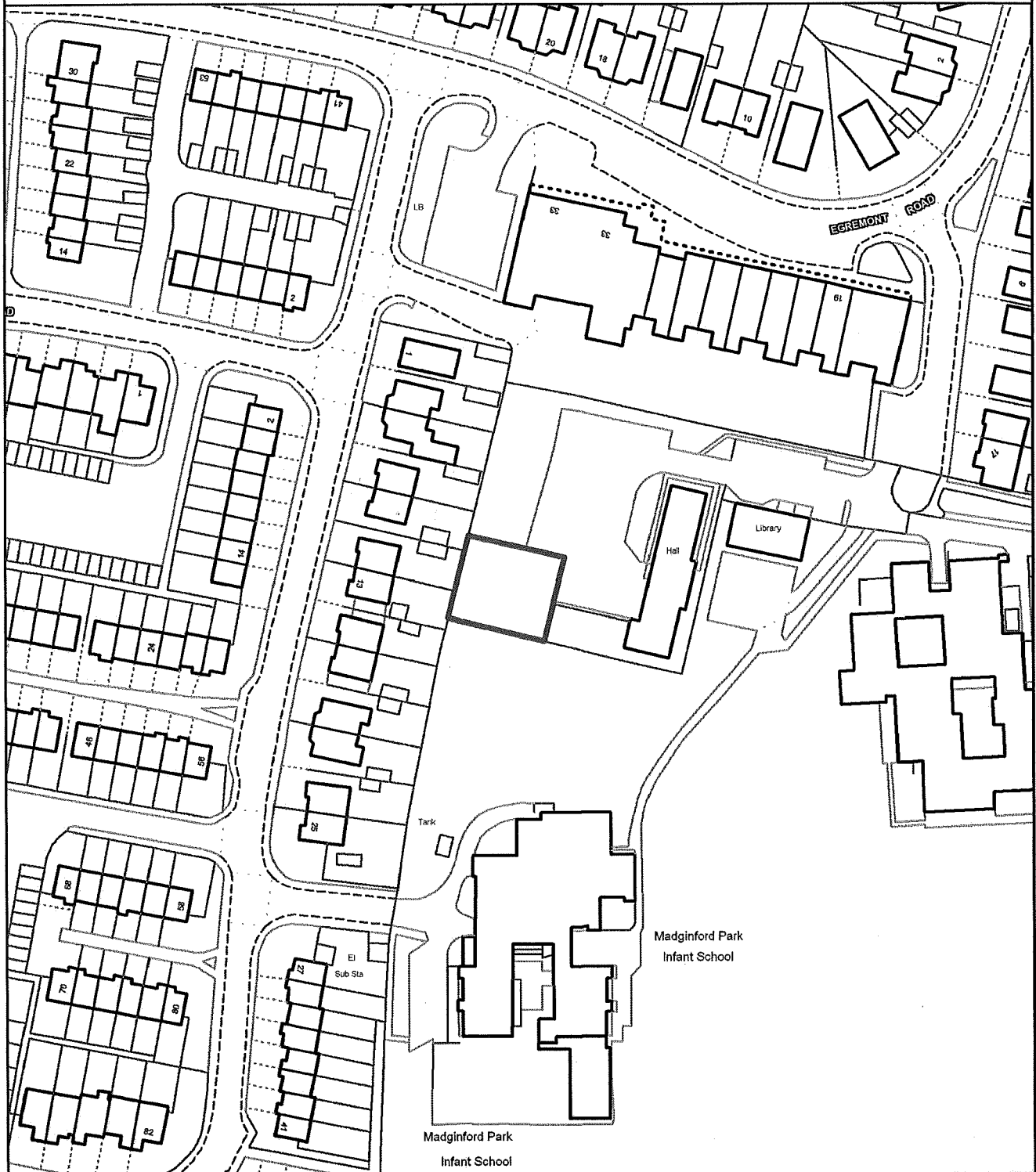
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THE MAIDSTONE BOROUGH COUNCIL

PLANNING APPLICATION NUMBER: MA/09/0671

GRID REF: TQ7854

**MADGINFORD COMMUNITY HALL,
EGREMONT ROAD, BEARSTED.**



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Alison Broom
Director of Prosperity and Regeneration

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APPLICATION: MA/09/0671 Date: 22 April 2009 Received: 23 April 2009
APPLICANT: Mrs Pam Thomas, Madginford Pre-School
LOCATION: MADGINFORD COMMUNITY HALL, EGREMONT ROAD, BEARSTED,
KENT, ME15 8LH
PROPOSAL: Erection of a new single storey nursery school building in
accordance with plans numbered PT-08-001 001; PT-08-001 002;
PT-08-001 003, PT-08-001 004 as received on the 23 April 2009.
AGENDA DATE: 23rd July 2009
CASE OFFICER: Chris Hawkins

The recommendation for this application is being reported to Committee for decision because:

- It is contrary to views expressed by the Parish Council

POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV6, T13
SE Plan 2009: CC4, CC6, T4
Village Design Statement: N/A
Government Policy: PPS1, PPG13

HISTORY

Whilst there is significant planning history for this site, these relate to the main school building and as there is no planning history relevant to this application.

CONSULTATIONS

Bearsted Parish Council were consulted and objected to this proposal. The concerns raised by the Parish Council are as follows:

'The proposed development would result in increased traffic and pedestrian flows, particularly at peak times, with conflicts in the direction of these movements. There currently exists, and will remain, restrictions relating to ingress and egress from the car park between the hours of 2-4 p.m. In addition the proposal would result in the loss of amenity within the Hall grounds.

Removal of the bund mounds to locate the new building - These bunds were installed to minimise residential noise levels from the existing hall, being part of an agreement with the residents to allow the building to take place.'

Maidstone Borough Council Environmental Health Officer was consulted and made the following comments: 'The only issue of potential concern is the possibility of noise from children attending this facility. If permission is granted, the organisers must keep noise to a reasonable level. No objections.'

Kent County Council Highways Authority were consulted and raised no objection to this proposal as there is adequate parking and turning facilities already within the site.

REPRESENTATIONS

Neighbouring properties were notified and one letter of objection has been received. The main concerns within this letter are:

- The development will breach the human rights of the residents of Merton Road;
- The trees and green lung will be lost in favour of a commercial development;
- Increased traffic will be a problem.

CONSIDERATIONS

Site Description

The application site is within the grounds of a complex containing Madginford Primary School (both infants and juniors), library and community centre, in Egremont Road, Bearsted. The site is an area of open ground, which contains a bund of approximately 1.8metres in height (which contains a small number of trees and shrubs). The site is currently unused for any specific purposes. Immediately to the north and east of the application site is a car park which is used for the library and community centre (which are sited beyond this car park to the east). To the west of the application site are residential properties, which are separated from this site by high fences (with again, a number of trees and shrubs along this boundary). These properties are approximately 14metres away from the boundary. To the south of the application site lies the school playing fields for the infants school.

The site lies within the grounds of the school, library and community centre, with access gained through the main gates.

Proposal

The proposal is for the erection of a flat roof, detached building which would provide a pre-school facility, including two classrooms and ancillary facilities (toilets/office/kitchen). The building would have a maximum width of 18metres, a

depth of 10.8metres, and a maximum height of 3.1metres to apex. A small play area is also proposed to the rear of the building, which would be fenced of (although no details of the fence have yet been provided).

The proposal would see the loss of an existing bund, which at present contains a number of small trees and shrubs. There is one silver birch tree within this bund, which is of limited value, and two other large shrubs, which appear to be self-seeded.

Principle

Whilst the site is at present open space, it is acknowledged that the land falls within the curtilage of the school buildings, and as such the site constitutes previously developed land, within the urban confines. The principle of such a development is therefore considered acceptable within this location.

Design

As stated above, the building would have a flat roof. This building is not of a high standard of design, however, it would reflect many of the existing structures within the vicinity, namely the library building; the shops facing Egremont Road, and the existing school are all flat roof buildings, and as such this would be contextual within the locality, and would not appear unduly incongruous within the locality.

In addition, this building would be relatively tucked away from public views, and whilst adjacent to a public building (the village hall) would not be seen from any other public vantage point – i.e. a highway, or public footpath. As such, its impact upon the character and appearance of the area would be minimal. In addition, further landscaping should be provided along the boundary, to ensure that the proposal is screened from the rear of the neighbouring properties. It is considered appropriate to therefore impose a condition upon any permission to ensure that the landscaping is provided and thereafter maintained.

The proposal would not incorporate a significant level of soft landscaping as the site is restricted by its size. However, it is proposed that indigenous planting be incorporated within any landscaping plan along the western boundary to soften the impact of the proposal, and to mitigate against the loss of the existing trees.

The proposal would be located within a grassed area alongside the car park, which as stated, contains a small number of trees and shrubs. The proposal would see the loss of these shrubs, however, I have visited the site with the Councils' arboriculturist, who has confirmed that these trees are not of a sufficient quality to have a preservation order placed upon them. It is his view that whilst of some amenity value, their loss could be mitigated against with additional planting, which the applicant has confirmed that he is happy to carry out. It is therefore considered appropriate for a condition to be imposed which would see additional landscaping provided along the boundary with

the site, as well as a condition which would ensure the long term preservation of the large tree within the south-western corner of the site (i.e. root protection). Should this additional landscaping be provided it is considered that the proposal would not be to the detriment of the character and appearance of the area, and as such would comply with the objectives of the Development Plan.

It is not considered therefore that the proposal would have a detrimental impact upon the character and appearance of the area as a whole.

Residential Amenity

Whilst the proposal is in close proximity to the boundary (3metres) with the properties within Merton Road, due to the flat roof design of the building, it is not considered that this proposal would have any significant impact upon the residential amenities of the neighbouring occupiers in terms of overshadowing. The properties have a garden depth of approximately 14metres, with an existing 1.8/2metre high fence along this boundary with mature shrubs, and a small number of trees, which would restrict views of this proposal from these neighbouring properties. In addition, it is proposed that additional trees be planted along this boundary, which would further restrict the impact of the proposal.

The proposal would not have any side facing windows and as such would not result in any overlooking of neighbouring properties.

The use of the site is not considered to give rise to any significant concerns in terms of noise and disturbance to the neighbouring occupiers. The proposal would only be operated during normal school hours, and as such would not result in disturbance during the evenings and weekends. Regardless, it should be noted that there is already a large school, with playing fields in close proximity to this site, which generates noise (when children are playing outside) and it is not considered that this additional use (despite the proximity to the boundary) would be likely to significantly exacerbate this.

Highways

As stated above, Kent County Council Highways Authority were consulted and raised no objections to this proposal. Adjacent to the application site is a large surface car park (which contains approx 35 spaces) which currently serves the hall the other community uses within the site. This site is also considered to have a suitable level of access inot and out of the site, via Egremont Road, with this additional use, not considered likely to generate a level of additional traffic that would be to the detriment of highway safety within the locality. This access allows for two way traffic movements. The Parish Council have raised concerns about the access, however, it is considered that the proposal a sufficient level of parking and the access and internal roads are adequate to absorb the additional traffic movements – these are of sufficient width, and due to the slow speeds that one would travel upon these internal roads, it is not felt that there

would be any impact upon the safety of road users or pedestrians. It is therefore opined that this proposal accords with the policies within the development plan in respect of highways, and as such does not warrant a refusal on these grounds.

Conclusion

It is therefore concluded that the application would not result in any significant detrimental impact either upon the character of the area, nor the amenities of the neighbouring occupiers. It is also not considered that the proposal would be to the detriment of highway safety. It is therefore recommended that Members give this application favourable consideration, and grant planning permission subject to the imposition of the conditions as set out below.

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. Prior to the commencement of the development, written details and samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be 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 in accordance with PPS1.

3. The development shall not commence until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation of the building or land and maintained thereafter;

Reason: To ensure a satisfactory appearance to the development in accordance with PPS1.

4. The development shall not commence until, details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation of the building or land;

Reason: To ensure a satisfactory appearance to the development in accordance with PPS1.

5. 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 in accordance with PPS1.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: No such details have been submitted and in the interests of the visual amenity of the locality in accordance with PPS1 and ENV6 of the Maidstone Borough-Wide Local Plan 2000.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development in accordance with PPS1 and Policy ENV6 of the Maidstone Borough Wide Local Plan 2000.

8. All trees to be retained must be protected by barriers and/or ground protection in accordance with BS 5837 (2005) 'Trees in Relation to Construction-Recommendations'. No work shall take place on site until full details of protection have been submitted to and approved in writing by the Local Planning Authority. The approved barriers and/or ground protection shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the areas protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas without the written consent of the Local Planning Authority;

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development in accordance with PPS1 and Policy ENV6 of the Maidstone Borough Wide Local Plan 2000.

9. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. If any retained tree is removed, uprooted or destroyed or dies, a replacement tree shall be planted and that tree shall be of such size and species, and shall be planted at such time and in a position to be agreed with the Local Planning Authority, as may be specified in writing by the Local Planning Authority;

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development in accordance with PPS1 and Policy ENV6 of the Maidstone Borough Wide Local Plan 2000.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.

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THE MAIDSTONE BOROUGH COUNCIL

PLANNING APPLICATION NUMBER: MA/09/0787

GRID REF: TQ7954

6 YEOMAN WAY,
BEARSTED



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Alison Broom
Director of Prosperity and Regeneration

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APPLICATION: MA/09/0787 Date: 7 May 2009 Received: 17 June 2009
APPLICANT: Mrs P Fresia
LOCATION: 6, YEOMAN WAY, BEARSTED, MAIDSTONE, KENT, ME15 8PQ
PROPOSAL: Loft conversion consisting of extension to the hipped roof and the addition of dormers on both side elevations as shown on drawing number(s) 2306.01, 02A and 03A received on 11 May 2009 .
AGENDA DATE: 23rd July 2009
CASE OFFICER: Janice Tan

The recommendation for this application is being reported to Committee for decision because:

- It is contrary to views expressed by the Bearsted Parish Council

POLICIES

Maidstone Borough-Wide Local Plan 2000: H18
South East Plan 2009: CC1, CC4
Village Design Statement: N/A
Government Policy: PPS1

HISTORY

MA/09/0441 - An application for a certificate of lawfulness for proposed development being the insertion of 4 no. side dormer windows, a rear 'Juliet' balcony and roof extension to facilitate loft conversion - Refused

CONSULTATIONS

BEARSTED PARISH COUNCIL wish to see the application refused because it is felt that the development results in a loss of amenity to No. 8 Yeoman Way in terms of loss of privacy to the neighbouring garden and overshadowing thus reducing the amount of light entering the neighbours sitting room.

REPRESENTATIONS

Two representations were received of which one made reference to the 'Juliet' balcony. The objections are as follows:

- The 'Juliet' balcony is an invasion of privacy for all the surrounding properties.
- The roof extension now towers above the roof line of number 8 Yeoman Way.

- The layout of the roof conversion is such that it would not be difficult to convert it into a self-contained flat above the bungalow, thus providing two residential units on the site. This would set a precedent for the road as well as causing parking problems.

CONSIDERATIONS

Site and surroundings

The site is on the western side of Yeoman Way, Bearsted, a residential estate road, south of the A20 Ashford Road, that descends from the junction at Copswood Way in a northeast to southwest direction and is within the defined urban area of Maidstone. The street scene comprises mainly detached chalet bungalows of various styles incorporating a combination of brickwork, render and tile hanging, with similar front building lines to each other and stepping in height to follow the gradient of the highway.

The application dwelling, no. 6 Yeoman Way is a detached bungalow with a small front garden, an existing driveway beside the southwest side of the bungalow leading to a single detached garage and timber shed which are set back to the rear of the bungalow. The bungalow has an existing rear conservatory extension looking onto a long rear garden with close boarded timber fences as the common boundaries with its neighbouring dwellings. The main roof ridge of the property runs east to west.

The neighbouring bungalow to the southwest, no. 8 Yeoman Way, has an existing single storey rear extension and an external ground level approximately 0.5m lower than the ground level of the application site. To the northeast, no. 4 Yeoman Way, has a ground level approximately 0.5m higher than the application site and has an existing driveway running beside the application site.

The proposal

The application is a full application, is retrospective and seeks permission for the enlargement of the roof of the existing dwelling that has been undertaken.

The ridge height of the original roof has not been raised.

To the front of the dwelling facing Yeoman Way, the ridge line has been brought forward by 1.5m and a small half gable feature provided. At the rear of the dwelling the ridge line has also been extended by 1.8m. A new gable end has been formed with a 'barn-hip' and the gable incorporates a new window and a pair of 'French doors' with a Juliette balcony.

The development undertaken also includes the construction of two dormers on either side of the ridge (facing north and south) these have a double pitched and hipped roof.

These windows overlook the solid tiled roof slope of no.8 Yeoman Way to the south and the solid flank gabled end of no.4 Yeoman Way to the north. The roof height of the dormers is set 400mm below the ridge height of the main dwelling and they are setback 1m from the flank walls. The width and height of the dormers are 5.3m and 1.5m respectively, each having a pair of fixed obscured glazed windows with only top-hung opening fanlights.

The accommodation provided within the loft conversion is a self-contained annexe comprising a third bedroom, lounge, kitchen, bathroom and store. Access to the converted loft is via an internal staircase.

Planning considerations

The main issues to consider are as follows:

- the visual impact on the character of the parent building, adjacent buildings and the street scene.
- the impact on the residential amenities of the neighbouring dwellings in terms of loss of daylight, sunlight, outlook and privacy.

Visual impact

The original bungalow had a full hipped roof. The front roof extension has formed a tile hung gable feature. Given that many of the bungalows in the street have half-hipped gabled frontages which are not dissimilar to the current frontage of the application building, I consider that the gable feature would complement the character of the street scene.

It appears that the ridge line of the application building matches the ridge line of its neighbouring dwelling at number 4 Yeoman Way which is on higher ground level. However, the extensions have not raised the ridge height of the original building and the height relationship between the neighbouring dwellings remains the same. It is only the additional bulk to the sides of the roof in the form of the dormers together with the front and rear extensions of the roof that has emphasised the height of the original bungalow as appearing to match the height of number 4 Yeoman Way.

Although the roof extensions have not reinforced the stepped relational height pattern between buildings along the inclined street, I consider that such a perception of irregularity within the street scene is not significant enough to warrant a refusal because it is not visually incongruous to the character of the street scene nor does it cause harm to the overall appearance of the area.

The cheeks of the side dormers are set back from the front eaves by 3.5m while the windows of the dormers are set in from the flank eaves of the parent building by 1m.

They would not close up the existing gaps between existing buildings and therefore they would not result in a terracing effect in the street scene.

Impact on residential amenity

The north and south dormer windows of the application dwelling are obscured glazed and fixed with top hung opening fanlights set 1.7m above floor level and have been constructed as such.

There is no loss of daylight, sunlight, outlook and privacy to the neighbouring dwelling at No.4 Yeoman Way because the retrospective north dormer faces the solid flank gabled end wall of this neighbouring property.

No. 8 Yeoman Way, to the south, has flank windows serving the lounge facing the new side dormer windows of the application dwelling. However, apart from the fanlight area at the top, these windows are shielded by the 1.6m high common boundary fence, from which they are set in only 0.5m, and the room currently depends on the borrowed light from the single storey extension attached to the rear of the lounge. On the other hand, the dormer subject of this application is set in 1m from the flank wall of the application building, and is at least 3m from the common boundary fence with No.8. Consequently, in view of the proximity of No.8's lounge windows to the boundary fence, and the degree of separation between them and the dormer, plus the fact that the development has not altered the flank eaves height of the application building, the proposal has not, in my view, resulted in so significant a loss of daylight or sunlight to No.8's lounge, compared to the previous lighting conditions in that room, as to justify a refusal of planning permission that could be sustained at appeal.

To ensure that the retrospective dormer windows remain as shown on the drawings I have put a condition on the consent to maintain them as such, to prevent potentially loss of privacy to the occupiers of neighbouring buildings.

Taking the above into account, the dormer windows would not cause significant loss of outlook, daylight and sunlight to the occupiers of the neighbouring dwellings.

Concerns have been raised that the first floor 'Juliet' balcony including its associated French doors causes the loss of privacy to the rear gardens of the surrounding properties, with Nos. 4 and 8 Yeoman Way being most affected. The 'Juliet' balcony does not have a projection that would allow people to stand outside the home and with the angles of views from this balcony it would be difficult to directly overlook into the external private spaces (the patio areas) that are to the rear of the adjacent dwellings. There is existing planting on the side of 8Yeoman Way at the common boundary fence which would help screen any angled views from the 'Juliet' balcony.

Other considerations

It has been highlighted that the layout of the loft conversion is a self contained residential unit that could be easily used as a separate unit from the main dwelling. Although self-contained, access to the loft space is via an internal staircase located in the centre of the bungalow and therefore I consider that the use of the loft space would be ancillary to the main bungalow. Severance to form a separate unit would be difficult. In any case, the use of the loft accommodation as a separate residential unit would require formal planning permission.

Given that there is a third bedroom added to the dwelling, I am satisfied that there is adequate space to park two cars on the existing driveway which would meet the Kent Highways Parking Standards.

Conclusion

The development is in accordance with the policies of the Development Plan, I therefore recommend the application be approved.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. The dormer windows hereby permitted shall remain as shown on drawing number CB2306.92 received on 11 May 2009 and subsequently shall be maintained as such;

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of existing and prospective occupiers in accordance with policy H18 of the Maidstone Borough-Wide Local Plan 2000.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.

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THE MAIDSTONE BOROUGH COUNCIL

PLANNING APPLICATION NUMBER: MA/09/0954

GRID REF: TQ7654

44 PLAINS AVENUE,
MAIDSTONE.



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Alison Broom
Director of Prosperity and Regeneration

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APPLICATION: MA/09/0954 Date: 5 June 2009 Received: 5 June 2009

APPLICANT: Mrs S. Williams

LOCATION: 44, PLAINS AVENUE, MAIDSTONE, KENT, ME15 7AU

PROPOSAL: Erection of first floor side and rear extension (Resubmission of MA/09/0286) as shown on drawing number 2009/05/1A received on 05 June 2009.

AGENDA DATE: 23rd July 2009

CASE OFFICER: Laura Gregory

The recommendation for this application is being reported to Committee for decision because:

- A Borough Councillor is the applicant

POLICIES

Maidstone Borough-Wide Local Plan 2000: H18
South East Plan 2009: CC1, BE1
Government Policy: PPS1
Supplementary Planning Document: Residential Extensions (Adopted May 2009)

HISTORY

MA/09/0286 - Erection of first floor side and rear extension – REFUSED

MA/03/0514 - Erection of single storey side extension and rear conservatory and other alterations – APPROVED WITH CONDITIONS

CONSULTATIONS

None

REPRESENTATIONS

One letter of representation received raising the following objection:

- Loss of light to an adjacent conservatory and seating area of the garden
- Appearance of the Avenue/Street will be spoilt. The extension will look cramped and as though it has been 'squeezed in'.

CONSIDERATIONS

Site and Surroundings

The application site is located within the defined urban area of Maidstone and is not subject to any environmental designations. The dwelling is a semi detached and two storey. Set back from the road by approximately 9.5m with off road parking for three vehicles, the dwelling forms part of a street scene that is characterised by a uniform pattern of two storey semi detached dwellings evenly spaced, with a minimum gap of 3m at first floor level between each pair of houses. The dwelling has been previously extended with an extension to the side and rear, and a rear conservatory.

Proposal

Planning permission is sought for the erection of a first floor side extension over the existing single storey extension. Set back from the principal elevation by approximately 1.6m, the proposed extension would measure 8.2m deep to the side and have a width of 5.2m to the rear and 2.6m to the front. Set below from the main ridgeline by approximately 500mm, the extension would have a side and rear gable end and have an eaves height of approximately 4.7m. In addition to extending an existing bedroom, the proposal would create one additional bedroom and a study.

Background

The proposal is a resubmission of MA/09/0286. In the previous application, it was originally proposed to erect a first floor side and rear extension extending out up the from the main ridgeline with a set back of 200mm from the principal elevation with a side gable proposed. The proposal was considered unacceptable and was refused for the following reason.

The proposed extension by reason of its height, width and proximity to the boundary would constitute a substantial erosion of recognisable and visually important space between adjacent dwellings within the street, and would be detrimental to the character of the street scene and the visual amenities of the area as a whole contrary to policy H18 of the Maidstone Borough-Wide Local Plan 2000.

Following consultation with the Case Officer, the applicant has submitted this amended proposal, taking into consideration the Officer's advice to set back the extension by at least 1.5m from the front wall and, set it below the ridgeline to appear subordinate to the host dwelling.

Planning Considerations

The main issues to consider with this application are the impact the proposal would have on the character and appearance of the street scene and on the residential amenity of adjacent and adjoining neighbouring dwellings, 42 and 46 Plains Avenue.

As stated within the Councils adopted SPD: Residential Extensions (Adopted May 2009) in a street of traditional semi detached dwellings such as Plains Avenue, it is recognised that the infilling of the spaces between, with two storey extensions can create a terraced appearance. A side extension built flush with the existing front elevation of the house can affect the symmetry of a pair of semi detached houses and affect the rhythm of the street scene.

In the original application, with the extension protruding from the main ridgeline and with a set back 200mm from the front elevation, it was considered that the proposed extension would have created this so called terraced effect, thereby unbalancing the symmetry of the pair semi detached houses and, upsetting the natural rhythm of the street. In this amended proposed, the extension is now proposed to be set back from the front elevation by 1.6m and is to be set down below the main ridgeline by 500mm.

When approaching from either direction the proposed set back means that now, the front elevations of the proposal property and its two immediate neighbours appear symmetrical with regular spaces between. Set below the main ridgeline, the extension would no longer create a significant and obvious interruption in the rhythm of roof lines of the row of dwellings, of which the site forms part of. It is noted that a gap of 1.5m would be maintained at first floor level between the extension and adjacent property 42 Plains Avenue which, is below the recommended minimum gap 3m. However, considering that it is now proposed to set back the extension by 1.6m from the front elevation and set the extension below the main ridgeline, it is considered that the proposal would appear subordinate to the host dwelling and the uniform spacing preserved and the spacious character of the street, maintained. The set back would mean that the extension would be easily assimilated into the current street scene without causing a significant visual intrusion, and the form and pattern of the street would be maintained and symmetry of the original building, respected.

With regard to the impact of the development upon the amenity of neighbouring properties, there is a kitchen window on the side wall of 42 Plains Avenue which would be affected by the proposed extension. Light to this window has already been diminished somewhat by the side extension which was approved in 2003. Furthermore, the window is a secondary window to this room. Bearing this in mind, on balance, it is considered that the loss of light to the neighbour's kitchen is not considered significant enough to be unacceptable.

On the subject of light, objections have been received from the occupiers of 46 Plains Avenue. The adjoining property has a rear conservatory and the occupants have concerns that the proposed extension would cause a loss of light and outlook to this structure. In accordance with the BRE guidelines, the extension has been assessed and it passes both the 45° degree plan and elevation tests. It is therefore not considered that a significant loss of light would therefore be caused to the adjoining property. It is considered that there would be a minimal loss of privacy as a result of the proposal, given that the hallway window proposed within the flank wall of the extension is to be

obscure glazed. In terms of residential outlook, the adjoining neighbour's have concerns that the extension would cause a loss of outlook to their property. It is proposed to set in the extension approximately 3.2m from the shared boundary with number 46. At this distance, it is considered that the proposed extension would not significantly overbear on to the adjoining property and a loss of outlook to the adjoining dwelling is satisfactorily avoided.

With regard to parking, the proposed development would result in an additional bedroom to the property. However, bearing in mind that there are three off road spaces already provided on the driveway, it is considered that the proposed development is in accordance with the minimum parking requirements. No significant impact on the current levels of parking would be therefore be caused as a result of the development and it is therefore acceptable on this issue.

Recommendation

In conclusion, for the reasons stated above, the proposed is considered to be acceptable and in accordance with the provisions of the Development Plan and advice contained within Supplementary Planning Document: Residential Extensions (Adopted May 2009). Members are therefore recommended to approve the application subject to the following conditions.

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 materials to be used in the construction of the external surfaces of the building(s) hereby permitted shall match those used in the existing building;

Reason: To ensure a satisfactory appearance to the development in accordance with policy H18 of the Maidstone Borough-Wide Local Plan 2000 and QL1 of the Kent and Medway Structure Plan 2006.

3. Before the development hereby permitted is first occupied, the proposed window on the side elevation shall be obscure glazed and shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and

shall subsequently be maintained as such;

Reason: To prevent overlooking of adjacent properties and to safeguard the privacy of existing and prospective occupier's development, in accordance with policy H18 of the Maidstone Borough-Wide Local Plan 2000.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.

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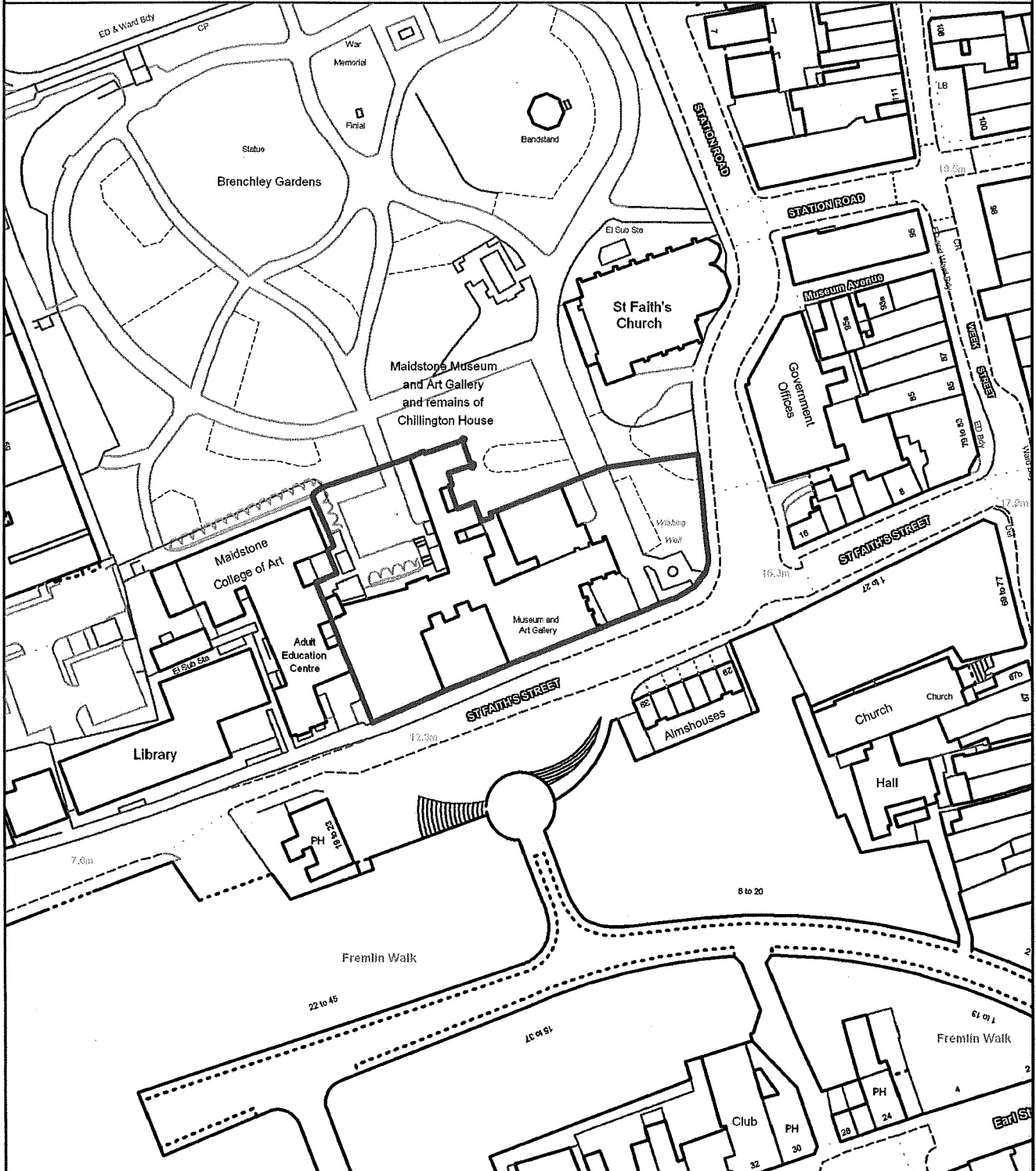


THE MAIDSTONE BOROUGH COUNCIL

PLANNING APPLICATION NUMBER: MA/09/0997

GRID REF: TQ7555/TQ7566

**MAIDSTONE CORPORATION MUSEUM,
ST. FAITHS STREET, MAIDSTONE.**



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Alison Broom
Director of Prosperity and Regeneration

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APPLICATION: MA/09/0997 Date: 8 June 2009 Received: 11 June 2009

APPLICANT: Simon Lace - Museum & Heritage Manager

LOCATION: MAIDSTONE CORPORATION MUSEUM, ST. FAITHS STREET,
MAIDSTONE, ME141LH

PROPOSAL: Amendment to MA/07/1365 (An application for listed building consent for redevelopment of Maidstone Museum east wing comprising of two/three storey extension, glazed atrium cafe and external landscaping) being replacement of proposed glazed atrium cafe with new display gallery and replacement of proposed hard landscape to forecourt with soft landscaping shown on drawing numbers 126/GA-00 Rev P3, 126/GA-01 Rev P3, 126/GA-02 Rev P5, 126/GA-03 Rev P3, 126/GA-05 Rev P3, 126/GA-06 Rev P3, 126/GA-07 Rev P3, 126/GA-08 Rev P3, 126/GA-09 Rev P3 received on 11/06/09 and a letter from the agent dated 10/06/09.

AGENDA DATE: 23rd July 2009

CASE OFFICER: Louise Welsford

The recommendation for this application is being reported to Committee for decision because:

- The Council is the applicant

POLICIES

South East Regional Plan 2009: BE6.
Government Policy: PPG15, PPG16.

HISTORY

Extensive history, the most recent being:

MA/09/0561 - An application for listed building consent for the excavation alongside existing foundations under the chapel floor for the insertion of a post tension ring beam to tie the failed underpinning together and lime mortar pointing to stonework and redecoration to remove cracks – APPROVED

MA/07/1365 & 1366 - Redevelopment of Maidstone Museum east wing comprising of two/three storey extension, glazed atrium cafe and external landscaping- APPROVED. This application seeks amendments to the formerly approved scheme.

MA/04/1511 An application for listed building consent for the installation of a platform lift in the lobby of the Regimental Gallery to allow disabled access, this includes the fixing of oak posts to the wall - APPROVED

MA/04/1484 An application for listed building consent for the installation of a ramp to provide wheelchair access to the front entrance of the museum, this comprises a blocked paved ramp behind a seat backed by railings carrying the handrail on the west and east sides, and the removal of existing planting beds to provide a circulation, performance and seating area - APPROVED

CONSULTATIONS

ENGLISH HERITAGE: No written response to date.

(Officer comment: I understand from internal sources that English Heritage officer Tom Foxall visited the site in the week commencing 29th June and advised verbally that he had no objections to the proposal).

KENT COUNTY COUNCIL HERITAGE CONSERVATION UNIT: No response to date.

MAIDSTONE BOROUGH COUNCIL CONSERVATION OFFICER: No objections to these relatively minor amendments. Condition required re submission of large scale details of the proposed junctions of the new glazed screens with the existing buildings.

REPRESENTATIONS

CPRE have submitted a letter of support for the application, stating that the retention of the cafe in its original location is appropriate, the canoe gallery is exciting and the replacement of the hard steps and retaining wall with soft landscaping is welcome. It would enhance the cultural scene of urban Maidstone.

CONSIDERATIONS

SITE AND SITUATION

The application site is the Grade II* listed Maidstone Museum, located in the Chillington House Conservation Area, close to Maidstone Town Centre. It also falls within an Area of Archaeological Potential. The building occupies a prominent position opposite Fremlins Walk and has Elizabethan origins, although the building was substantially restored and extended in the Victorian era. The front facing St Faith's Street is e-shaped and is constructed of red brick with detailed gables. The east elevation faces Brenchley Gardens, and historically was flanked by a gatehouse, which was destroyed by enemy action in 1940. To the rear of the main façade and adjacent to a footpath through the gardens is a store, of no significant character, which was erected in the 1970s.

The street scene is of varied appearance. To the east, is a timber framed building of much historical character, with flat roofed offices adjacent. Opposite are a row of Listed Almshouses dating from 1700 and constructed of red brick, and the modern Fremlins development, with its curves and imposing canopy feature. The Library, to the west, is housed in a building of typical circa 1960s design.

PROPOSAL

Listed Building Consent was previously granted, under reference MA/07/1365, for the redevelopment of the east wing, including the construction of two / three storey extensions, including a glazed atrium café and internal refurbishment. Two main extensions were proposed – one to the south east corner, between two gables and one to the north of the eastern gable, adjacent to a 20th century store. Both extensions were of modern design and were partially glazed, and partially clad in TECU Gold copper alloy shingles.

Listed Building Consent is now sought for relatively minor changes to the approved scheme. These broadly consist of the following:

- The omission of the new glazed atrium café and its replacement with a smaller exhibition gallery to display a 9 m long Solomon Islands war canoe. The omission of the cafe would create a courtyard in the area between the Great Hall and the Canoe Gallery.
- A new freestanding glazed screen fixed to a small retaining wall towards the north of the complex (between Lower Court Lodge and the Lower Store) to ensure clear views through to Brenchley Gardens, whilst providing security to the courtyard.
- The air handling unit (part of the previous application) above the new gallery will be concealed with a storey high screen clad in TECU Gold copper alloy shingles, to match the other new elevations.

CONSIDERATIONS

The key issues arising from this application relate to the impacts upon the character and appearance of the Grade II* Listed Building, its parkland setting and the Conservation Area.

The principle of the extensions and their design have already been agreed by the previous permission. This application is purely for minor changes to some aspects of the proposals.

The scale and design of the main extensions to the east elevation would remain unaltered from that previously approved. The canoe gallery would occupy an area to the east of the main part of the building, adjacent to a 20th century store. The glazed

design of the ground floor elevation of the canoe gallery would ensure minimal impact upon the historic character and appearance of the surrounding elevations, to which I consider it would relate sympathetically. The 'TECU Gold' copper alloy cladding to be used above the glazing is already to be used upon the main parts of the extensions and this additional section would not be of an excessive scale, being in the region of 4 m x 3 m. It would have a relatively low overall height in relation to the roofs of the Museum and would therefore appear subordinate to it. (The section facing the courtyard is shown to be approximately 5m lower than the ridges of the gabled sections of the Museum and slightly lower than the eaves of the 20th century store).

In my view, the changes and additions to the building would have a satisfactory impact upon its historic fabric, character and appearance.

The Conservation Officer is also of the opinion that the changes are acceptable.

The proposed glazed screen would be small in scale and unobtrusive.

I conclude that there are no significant adverse heritage impacts arising from these minor changes and that the character, appearance and setting of the Grade II* Listed Building, the Chillington House Conservation Area and its parkland surroundings would be preserved.

Other Issues

There are no new archaeological issues and an archaeological condition is proposed.

CONCLUSION

The proposed minor alterations to the approved scheme would preserve the character, appearance and setting of the Grade II* Listed Building and the Chillington House Conservation Area. The proposal is considered to comply with the Development Plan and central Government Guidance and I therefore recommend approval. As this is a Listed Building Consent application made by the Council, it must be referred to the Secretary of State for determination.

RECOMMENDATION

REFER THE APPLICATION TO THE SECRETARY OF STATE FOR DETERMINATION, RECOMMENDING THAT LISTED BUILDING CONSENT BE GRANTED subject to the following conditions:

1. The works to which this consent relates must be begun before the expiration of three years from the date of this consent;

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall commence until written details and samples of the materials to be used in the construction of the both the external and internal 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. These details shall also include a large panel of the metal cladding (at least five shingles by five) and details of the internal/external floor surface finishes, including those to the courtyard and around the entrance block;

Reason: To preserve the setting of the Grade II* listed building and the character and appearance of the Conservation Area, in accordance with Policy BE6 of the South East Regional Plan 2009 and PPG15.

3. No development shall commence until full details of the following matters have been submitted to and approved in writing by the Local Planning Authority:-
 - a) Construction detail showing all connections with the existing building, in the form of 1:20 scale plans and sectional drawings.
 - b) Construction detail in the form of 1:50 scale construction working drawings in section of the two extensions, both longitudinal and cross-sectional.
 - c) New joinery in the form of large scale drawings.
 - d) 1:10 scale details of all glazing elements.
 - e) Alterations to staircase behind Great Hall.
 - f) Works to medieval external doorway in room behind the staircase behind the Great Hall, including repairs/stone treatment.
 - g) Openings between new 1st floor gallery and both Upper Bearsted Gallery and Bentliff Art Gallery 2 and the new opening into the new staircase from the Upper Bearsted Gallery.
 - h) Details of ceilings and rooflights.
 - i) Fixings for courtyard glazing and roof into the historic structure.
 - j) Large scale details of the proposed junctions of the new glazed screens with the existing buildings.

The development shall thereafter be carried out strictly in accordance with the approved details.

Reason: To preserve the setting of the Grade II* listed building and the character and appearance of the Conservation Area, in accordance with Policy BE6 of the South East Regional Plan 2009 and PPG15.

4. No development shall commence until full details of the construction detail for the access road and retaining wall, including cross-sections where appropriate, together with a method statement for these works, have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details;

Reason: To preserve the setting of the Grade II* listed building and the character and appearance of the Conservation Area, in accordance with Policy BE6 of the South East Regional Plan 2009 and PPG15.

5. No development shall commence until details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation of the building(s) or land;

Reason: To preserve the setting of the Grade II* listed building and the character and appearance of the Conservation Area, in accordance with Policy BE6 of the South East Regional Plan 2009 and PPG15.

6. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of:

(i) archaeological field evaluation works in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority; and

(ii) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further investigation and recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority;

Reason: To enable the recording of any items of historical or archaeological interest, in accordance with PPG16.

The reasons for granting this consent are that proposed works are considered to preserve the building/setting of the building and its special architectural and historic features.

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Item, Page

**Maidstone Museum, St. Faith's Street,
Maidstone**

MA/09/0997

Representation

English Heritage have stated that they recommend approval, as “if anything, this amendment would enhance the appreciation of the Elizabethan core of the Grade II* Listed museum, by allowing the eastern range of the Great Hall to remain exposed to the courtyard and by allowing public access to this significant external space”. They recommend a number of conditions, mainly as suggested for the previous scheme.

Officer comments

I concur that the amendments would enhance the appreciation of the Elizabethan core of this important Listed Building. Most of the suggested matters to be dealt with by conditions are already covered in the recommendation. I propose a slight amendment to Condition 3, as detailed below.

Recommendation

Amend part j) of Condition 3 and add a part k) as follows:

3. j) Large scale details of the proposed new glazed screens, including the junctions with the existing buildings
- k) Details of any new external finishes to the western elevation of the Lower Store

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A photograph of a residential courtyard. On the left is a brick building with a stone-textured section and a white downspout. In the center is a brick wall topped with a chain-link fence. On the right is a half-timbered building with dark wood beams and light-colored plaster. In the background, another brick building with a window is visible under a clear sky.

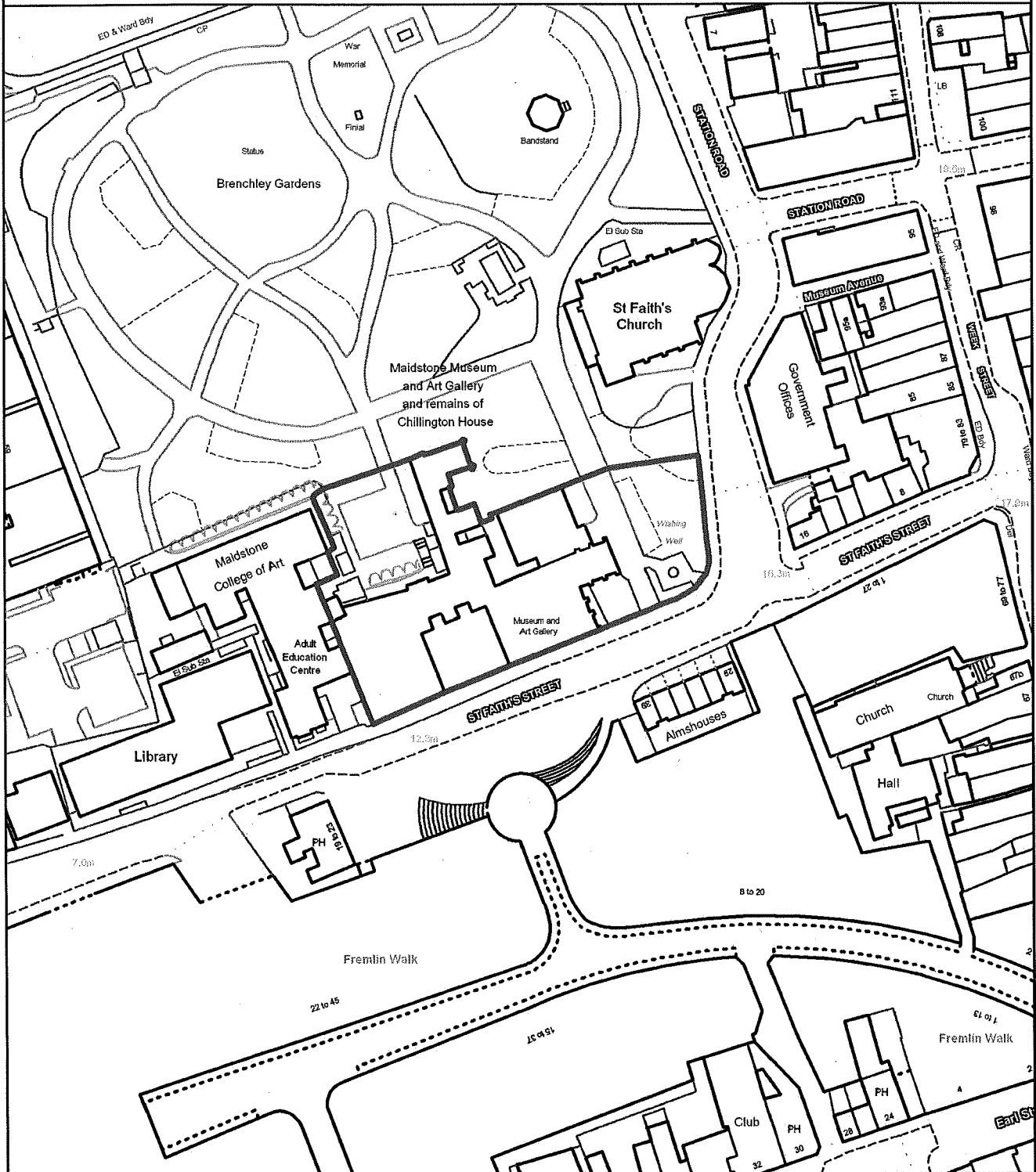
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THE MAIDSTONE BOROUGH COUNCIL

PLANNING APPLICATION NUMBER: MA/09/0998

GRID REF: TQ7555/TQ7566

**MAIDSTONE CORPORATION MUSEUM,
ST. FAITHS STREET, MAIDSTONE.**



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Alison Broom
Director of Prosperity and Regeneration

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APPLICATION: MA/09/0998 Date: 8 June 2009 Received: 15 June 2009

APPLICANT: Simon Lace, Maidstone Borough Council

LOCATION: MAIDSTONE CORPORATION, MUSEUM, ST. FAITHS STREET,
MAIDSTONE, ME141LH

PROPOSAL: Amendment to MA/07/1366 (Redevelopment of Maidstone Museum east wing comprising of two/three storey extension, glazed atrium cafe and external landscaping) being replacement of proposed glazed atrium cafe with new display gallery and replacement of proposed hard landscape to forecourt with soft landscaping shown on drawing numbers 126/GA-00 Rev P3, 126/GA-01 Rev P3, 126/GA-02 Rev P5, 126/GA-03 Rev P3, 126/GA-05 Rev P3, 126/GA-06 Rev P3, 126/GA-07 Rev P3, 126/GA-08 Rev P3, 126/GA-09 Rev P3 received on 11/06/09 and a letter from the agent dated 10/06/09.

AGENDA DATE: 23rd July 2009

CASE OFFICER: Louise Welsford

The recommendation for this application is being reported to Committee for decision because:

- The Council is the applicant

POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV6, ENV49.

South East Regional Plan 2009: CC6, BE6, TC2.

Government Policy: PPS1, PPS6, PPG15, PPG16, PPS23.

HISTORY

Extensive history, the most recent being:

MA/09/0561 - An application for listed building consent for the excavation alongside existing foundations under the chapel floor for the insertion of a post tension ring beam to tie the failed underpinning together and lime mortar pointing to stonework and redecoration to remove cracks – APPROVED

MA/07/1365 & 1366 - Redevelopment of Maidstone Museum east wing comprising of two/three storey extension, glazed atrium cafe and external landscaping- APPROVED.

MA/04/1511 An application for listed building consent for the installation of a platform lift in the lobby of the Regimental Gallery to allow disabled access, this includes the fixing of oak posts to the wall - APPROVED

MA/04/1484 An application for listed building consent for the installation of a ramp to provide wheelchair access to the front entrance of the museum, this comprises a blocked paved ramp behind a seat backed by railings carrying the handrail on the west and east sides, and the removal of existing planting beds to provide a circulation, performance and seating area - APPROVED

CONSULTATIONS

ENGLISH HERITAGE: No written response to date.

(Officer comment: I understand from internal sources that English Heritage officer Tom Foxall visited the site in the week commencing 29th June and advised verbally that he had no objections to the proposal).

MAIDSTONE BOROUGH COUNCIL CONSERVATION OFFICER: No objections to these relatively minor amendments. Condition required re submission of large scale details of the proposed junctions of the new glazed screens with the existing buildings.

KENT COUNTY COUNCIL HERITAGE CONSERVATION UNIT: No response to date.

LANDSCAPE OFFICER: No objections, subject to a condition regarding a tree pit for the proposed foxglove tree.

PARKS AND OPEN SPACES: "Our conclusions are that the re-graded grass bank is to be preferred to the previously planned step set scheme. However, it is pertinent to point out that to achieve the grading indicated within the computer generated illustration, a considerable volume of soil will need to be dug and re-graded, as the Station Road corner of that area holds a significant depth of material. In this process, using recent experience from the far end of the Park, it should be noted it is likely human remains may be discovered during excavation and contingencies in this respect should be put in place. Our only other comment would be to point out that whilst there are bollards shown across the pathway entrance to prevent undue vehicular access, the re-graded area shown in the schematic leaves no barrier at all to those who would wish to flout the law and either enter the site via the re-graded grass area, or indeed park on it. We would recommend that some form of low-level barrier is considered for approval and that Community Safety Department is consulted".

(Officer comment: The Community Safety Department is not a statutory consultee. The impact with regards to crime and disorder has been considered, however, in this case, it is not considered reasonable to refuse the application upon that basis).

BUILDING SURVEYING MANAGER: Recommends that the existing cafeteria allows for a provision of an access for all w.c. and associated facilities.

CULTURE & TOURISM: No response.

REPRESENTATIONS

CPRE have submitted a letter of support for the application, stating that the retention of the cafe in its original location is appropriate, the canoe gallery is exciting and the replacement of the hard steps and retaining wall with soft landscaping is welcome. It would enhance the cultural scene of urban Maidstone.

CONSIDERATIONS

SITE AND SITUATION

The application site is the Grade II* listed Maidstone Museum, located in the Chillington House Conservation Area, close to Maidstone Town Centre. It also falls within an Area of Archaeological Potential. The building occupies a prominent position opposite Fremlins Walk and has Elizabethan origins, although the building was substantially restored and extended in the Victorian era. The front facing St Faith's Street is e-shaped and is constructed of red brick with detailed gables. The east elevation faces Brenchley Gardens, and historically was flanked by a gatehouse, which was destroyed by enemy action in 1940. To the rear of the main façade and adjacent to a footpath through the gardens is a store, of no significant character, which was erected in the 1970s.

The street scene is of varied appearance. To the east, is a timber framed building of much historical character, with flat roofed offices adjacent. Opposite are a row of Listed Almshouses dating from 1700 and constructed of red brick, and the modern Fremlins development, with its curves and imposing canopy feature. The Library, to the west, is housed in a building of typical circa 1960s design.

PROPOSAL

Planning Permission was previously granted, under reference MA/07/1366, for the redevelopment of the east wing, including the construction of two / three storey extensions, including a glazed atrium café, internal refurbishment and landscaping. Two main extensions were proposed – one to the south east corner, between two gables and one to the north of the eastern gable, adjacent to a 20th century store. Both extensions were of modern design and were partially glazed, and partially clad in TECU Gold copper alloy shingles. Landscaping comprised tree planting (detailed later in the report), a sweep of Snowdrop bulbs and an extension to an existing retaining wall, together with the construction of some new steps to the east of the building.

Planning Permission is now sought for relatively minor changes to the approved scheme. These broadly consist of the following:

- The omission of the new glazed atrium café and its replacement with a smaller exhibition gallery to display a 9 m long Solomon Islands war canoe. The omission of the cafe would create a courtyard in the area between the Great Hall and the Canoe Gallery.
- A new freestanding glazed screen fixed to a small retaining wall towards the north of the complex (between Lower Court Lodge and the Lower Store) to ensure clear views through to Brenchley Gardens, whilst providing security to the courtyard.
- The air handling unit (part of the previous application) above the new gallery will be concealed with a storey high screen clad in TECU Gold copper alloy shingles, to match the other new elevations.
- The previously proposed steps and extension to the existing retaining wall along Station Road / St Faith's Street will be omitted and replaced with soft landscaping. This includes the re-grading of the lawn to form a banked, elliptic-shaped edge to the existing pavement. A small area of hard landscaping will form the transition between the lawn and pavement and will allow for the installation of the new street lamp and feature specimen tree. No change to the number, location and type of trees (since the previous application) is proposed.

PLANNING CONSIDERATIONS

Heritage Issues

The key issues arising from this application relate to the impacts upon the character and appearance of the Grade II* Listed Building, its parkland setting and the Conservation Area.

The principle of the extensions and their design have already been agreed by the previous permission. This application is purely for minor changes to some aspects of the proposals.

The scale and design of the main extensions to the east elevation would remain unaltered from that previously approved. The canoe gallery would occupy an area to the east of the main part of the building, adjacent to a 20th century store. The glazed design of the ground floor elevation of the canoe gallery would ensure minimal impact upon the historic character and appearance of the surrounding elevations, to which I consider it would relate sympathetically. The 'TECU Gold' copper alloy cladding to be used above the glazing is already to be used upon the main parts of the extensions and this additional section would not be of an excessive scale, being in the region of 4 m x 3 m. It would have a relatively low overall height in relation to the roofs of the Museum and would therefore appear subordinate to it. (The section facing the courtyard is shown to be approximately 5m lower than the ridges of the gabled sections of the Museum and slightly lower than the eaves of the 20th century store).

In my view, the changes and additions to the building would have a satisfactory impact upon its historic fabric, character and appearance.

The Conservation Officer is also of the opinion that the changes are acceptable.

The proposed glazed screen would be small in scale and unobtrusive.

With regards to the changes proposed to the landscaping, the current proposal would result in a softer edge adjoining the road, which, in my view, is more appropriate to the historic landscape setting of the building. The softer edge would, in my opinion, be more in keeping with the character of the historic park than the previously approved steps. All of the tree planting, including the ornamental Foxglove tree close to the corner extension, and the species of tree planting (as shown on the landscaping plan submitted under reference MA/07/1366) would remain as previously approved. (Previously tree planting comprised two Limes, a Foxglove, a Bird Cherry, a Plum, an English Oak and a Field maple and this was as approved by Members).

I conclude that there are no significant adverse heritage impacts arising from these minor changes and that the character, appearance and setting of the Grade II* Listed Building, the Chillington House Conservation Area and its parkland surroundings would be preserved.

Impact on the Street Scene

The canoe gallery area to be altered lies to the northeast of the main building and beyond existing buildings in relation to the road, so those changes would not impact upon the character or appearance of street scene, because they would not be seen from there. As stated above, the changes to the landscaping would provide a softer edge more appropriate to the parkland setting and welcome within this urban environment. The changes would enhance the appearance of the development in the street scene in my view and the presence of a more open green space would enhance the built environment, because it would have a softer appearance, which would be a welcome relief from the hard and densely built surrounding development and, as stated, it would be more in keeping with the character of the historic park than the previously approved steps.

Other Issues

There are no new archaeological issues (and an archaeological condition is proposed) , nor significant residential amenity issues, as street lighting was previously proposed (and discussed within the previous report) and the changes to the proposed canoe gallery area are fairly central to the Museum complex, rather than close to any residential property. There are no significant noise and disturbance issues associated with the air handling unit as, again, this was previously proposed and it would be fairly centrally located, rather than close to any residential properties.

With regards to crime and disorder, Parks and Open Spaces have raised concern that vehicles could enter the park across the grass bank, and, for example vehicles may drive around the park at night. However, there is an existing vehicular entrance into the park, from which it is already possible to gain access to Brenchley Gardens and park upon grass. Whilst consideration has been given to the issue of crime and disorder (in line with Section 17 of the Crime & Disorder Act), in this particular case, it is considered that the visual benefits to the setting of the Grade II* Listed Building and the Conservation Area from introducing this green open space would outweigh any adverse effects caused by the potential for vehicular access.

CONCLUSION

The proposed minor alterations to the approved scheme would preserve the character, appearance and setting of the Grade II* Listed Building and the Chillington House Conservation Area and would provide a satisfactory appearance to the parkland surroundings of the building. The proposal is considered to comply with the Development Plan and central Government Guidance and I therefore recommend approval.

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. No development shall commence until written details and samples of the materials to be used in the construction of the both the external and internal 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. These details shall also include a large panel of the metal cladding (at least five shingles by five) and details of the internal/external floor surface finishes, including those to the courtyard and around the entrance block;

Reason: To preserve the character and appearance of the Grade II* listed building and Conservation Area, in accordance with Policy BE6 of the South East Regional

Plan 2009 and PPG15.

3. No development shall commence until full details of the following matters have been submitted to and approved in writing by the Local Planning Authority:-
 - a) Construction detail showing all connections with the existing building, in the form of 1:20 scale plans and sectional drawings.
 - b) Construction detail in the form of 1:50 scale construction working drawings in section of the two extensions, both longitudinal and cross-sectional.
 - c) New joinery in the form of large scale drawings.
 - d) 1:10 scale details of all glazing elements.
 - e) Alterations to staircase behind Great Hall.
 - f) Works to medieval external doorway in room behind the staircase behind the Great Hall, including repairs/stone treatment.
 - g) Openings between new 1st floor gallery and both Upper Bearsted Gallery and Bentliff Art Gallery 2 and the new opening into the new staircase from the Upper Bearsted Gallery.
 - h) Details of ceilings and rooflights.
 - i) Fixings for courtyard glazing and roof into the historic structure.
 - j) Large scale details of the proposed junctions of the new glazed screens with the existing buildings.

The development shall thereafter be carried out strictly in accordance with the approved details.

Reason: To preserve the character and appearance of the Grade II* listed building and Conservation Area, in accordance with Policy BE6 of the South East Regional Plan 2009 and PPG15.

4. All soft landscaping works shall be carried out strictly in accordance with the landscaping details submitted upon drawing no. 126/GA-02 Rev P5;

Reason: To preserve the setting of the Grade II* listed building and the character and appearance of the Conservation Area, in accordance with Policy BE6 of the South East Regional Plan 2009 and PPG15.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any

variation;

Reason: To preserve the setting of the Grade II* listed building and the character and appearance of the Conservation Area in accordance with Policy BE6 of the South East Regional Plan 2009 and PPG15.

6. No development shall commence until full details of a tree pit for the proposed Foxglove tree have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details;

Reason: To preserve the setting of the Grade II* listed building, the character and appearance of the Conservation Area and to protect the proposed tree, in accordance with Policy ENV6 of the Maidstone Borough Wide Local Plan 2000, Policy BE6 of the South East Regional Plan 2009 and PPG15.

7. No development shall commence until full details of the construction detail for the access road the retaining wall, including cross-sections where appropriate, together with a method statement for these works, have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details;

Reason: To preserve the setting of the Grade II* listed building, the character and appearance of the Conservation Area and to protect existing trees, in accordance with Policy ENV6 of the Maidstone Borough Wide Local Plan 2000, Policy BE6 of the South East Regional Plan 2009 and PPG15.

8. All trees to be retained must be protected in accordance with the Tree Protection Plan and Method Statements received on 03/09/07 under reference MA/07/1366 before any equipment, machinery or materials are brought onto the site and protection measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the areas protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas without the written consent of the Local Planning Authority;

Reason: To safeguard existing trees to be retained and to preserve the character and appearance of the Conservation Area in accordance with Policies ENV6 of the Maidstone Borough Wide Local Plan 2000 and BE6 of the South East Regional Plan 2009 and PPG15.

9. No development shall commence until details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation of the building(s) or land;

Reason: To preserve the setting of the Grade II* listed building and the character and appearance of the Conservation Area, in accordance with Policy BE6 of the South East Regional Plan 2009 and PPG15.

10. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of:

(i) archaeological field evaluation works in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority; and

(ii) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further investigation and recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority;

Reason: To enable the recording of any items of historical or archaeological interest, in accordance with PPG16.

11. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways;

Reason: To prevent pollution of the water environment in accordance with PPS23.

12. In the event of a ground source heat pump system being utilised, full details of the system shall be submitted to and approved in writing by the local planning authority, together with a contamination report. The development shall thereafter be undertaken in accordance with the subsequently approved details.

Reason: In the interests of good planning and pollution prevention pursuant to PPS23.

13. In the event of external lighting being utilised, full details of any such lighting shall be submitted to and approved in writing by the local planning authority and the development shall thereafter be undertaken in accordance with the subsequently approved details.

Reason: To preserve the character, appearance and setting of the Grade II* Listed Building and Conservation Area and to protect residential amenity, in accordance with policy BE6 of the South East Regional Plan 2009, PPG15 and PPS1.

Informatives set out below

The applicant's attention is drawn to the letter from Southern Gas Networks dated 15/08/07, which gives details of the location of pipework and information regarding working in such areas.

Attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and to the Associated British Standard Code of practice BS5228:1997 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the Environmental Health Manager regarding noise control requirements.

Clearance and subsequent burning of existing woodland or rubbish must be carried out without nuisance from smoke, etc. to nearby residential properties. Advice on minimising any potential nuisance is available from the Environmental Health Manager.

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

No vehicles may arrive, depart, be loaded or unloaded within the general site except between the hours of 0800 and 1900 Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Adequate and suitable provision in the form of water sprays should be used to reduce dust from the site.

The applicant is strongly encouraged to keep external lighting to an absolute minimum.

St. Faith's churchyard was the last stand of Maidstone's Royalist defenders during the Battle of Maidstone (1648) and the English Oak has a commemorative link with the English Civil War. The proposed English oak tree in the scheme of landscaping could be planted with ceremony by the Mayor/Leader of the Council, being commemorated by a plaque or marker.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.

Representation

English Heritage have stated that they recommend approval, as “if anything, this amendment would enhance the appreciation of the Elizabethan core of the Grade II* Listed museum, by allowing the eastern range of the Great Hall to remain exposed to the courtyard and by allowing public access to this significant external space”. They recommend a number of conditions, mainly as suggested for the previous scheme.

Officer comments

I concur that the amendments would enhance the appreciation of the Elizabethan core of this important Listed Building. Most of the suggested matters to be dealt with by conditions are already covered in the recommendation. I propose a slight amendment to Condition 3, as detailed below.

Recommendation

Amend part j) of Condition 3 and add a part k) as follows:

3. j) Large scale details of the proposed new glazed screens, including the junctions with the existing buildings
- k) Details of any new external finishes to the western elevation of the Lower Store

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A photograph of a large, red brick building with a prominent gabled entrance, surrounded by trees and a street. A large black number '174' is overlaid on the image. The building has a brown tiled roof and a decorative gable with a small window. There are several tall green trees to the right of the building. In the foreground, there is a paved road with white lines, a black street sign, and some green bushes. A white van is parked near the trees on the right. The sky is blue with some white clouds.

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A photograph of a residential courtyard. On the left is a brick building with a stone-textured section. In the center is a brick wall topped with a chain-link fence. On the right is a half-timbered building with orange walls and dark wood beams. A brick building with a window is visible in the background.

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THE MAIDSTONE BOROUGH COUNCIL **PLANNING COMMITTEE – 23.07.09**

APPEAL DECISIONS:

- 1. 07/2232 -** **Change of use from agricultural to residential for gypsy family and stationing of one mobile home and one touring caravan as shown on site location plan received on 29/10/07 and site plan received on 31/12/08.**

APPEAL: ALLOWED WITH CONDITIONS

OAKLAND PLACE, GREENWAY FORSTAL,
HOLLINGBOURNE

(Delegated powers)

- 2. 08/1136 -** **Installation of a dropped kerb as shown site location plan and drawing no.001 received 03/06/08.**

APPEAL: DISMISSED

8, ASHFORD ROAD, BEARSTED, MAIDSTONE, KENT,
ME14 4LP

(Delegated powers)

- 3. 08/1617 -** **Erection of detached front garage as shown on site location plan and block plan received on 8/8/08 and elevations received on 22/8/08.**

APPEAL: DISMISSED

FRESHFIELDS, BOXLEY ROAD, MAIDSTONE, KENT,
ME14 2DT

(Delegated powers)

- 4. 08/1712 -** **Erection of two-storey side extension as shown on drawing numbers 1 and 2 received 20th August 2008.**

APPEAL: ALLOWED WITH CONDITIONS

23A, CAYSER DRIVE, KINGSWOOD, MAIDSTONE,
KENT, ME17 3QD

(Delegated powers)

5. 08/1941 - Erection of 1 (no) Dwelling (Resubmission of MA/08/0520) as shown on plans HC/105/01; HC/105/02; HC/105/03; HC/105/04; HC/105/05; HC/105/06; and Design and Access Statement date stamped 25th September 2008.

APPEAL: DISMISSED

47, HACKNEY ROAD, MAIDSTONE, ME16 8LN

(Delegated powers)

6. 08/2017 - Erection of a replacement dwelling (Resubmission of MA/08/0392) as shown on the 1:1250 scale site location plan and drawing number P0806-002A received on 07/10/08 and drawing number P0806-001 received on 21/10/08.

APPEAL: DISMISSED

WOODSDEN VILLA, LENHAM ROAD, BOUGHTON
MALHERBE, ASHFORD, KENT, TN27 9LJ

(Delegated powers)

7. 08/2426 - Creation of vehicle crossover and provision of hard standing as shown on an Ordnance survey based site location plan received on 11/12/08, a Cross-Section - Driveway drawing and an OS Sitemap received on 22/01/09, a letter from the applicant dated 20/01/09 and a 1:200 scale block plan received on 06/02/09.

APPEAL: ALLOWED WITH CONDITIONS

PLOT 1 VALHALLA, WARE STREET, THURNHAM,
MAIDSTONE, KENT, ME14 5LA

(Planning Committee)