

APPLICATION: MA/09/1696 Date: 14 September 2009 Received: 13 October 2009

APPLICANT: Mid Kent Electrical Engineering

LOCATION: 21- 25 THE STREET, DETLING, KENT, ME14 3JT

PARISH: Detling

PROPOSAL: Replacement of existing commercial works and derelict barn with six new dwellings, associated garaging, extensive landscaping and new access road in accordance with plans numbered MKE/02/006, MKE/02/005, MKE/02/001, M567, MKE/02/007, MKE/02/008, MKE/02/004, MKE/02/003MKE/02/002 and aboricultural report, building survey, geo-environmental report, and design and access statement received on teh 21 September 2009.

AGENDA DATE: 14th January 2010

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
- Councillor Horne 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: CC4, T4, CC1, T4, H5, W1, W6, BE1
Village Design Statement: N/A
Government Policy: PPS1, PPS3, PPS9, PPG13, PPG15.

HISTORY

MA/09/0279 21-25 The Street, Detling, Maidstone. Replacement of existing commercial works with a development of seven new dwellings, associated garaging, extensive landscaping and new access road. Refused.

This application was refused on the following grounds: -

1. *The proposed development, by virtue of its design, scale and (in part), layout would fail to respond positively to the character and appearance of the area, and*

would fail to respect the prevailing historic fabric, and pattern of development of the locality, thereby proving severely detrimental to the conservation area, as well as the wider character of the village, and as such is considered to be contrary to Policies QL1 and QL6 of the Kent and Medway Structure Plan 2006 as well as PPS3 and PPG15.

2. *The demolition of the existing barn, which is considered to form an integral part of the Conservation Area, forming part of its historic fabric, without any clear demonstration that it cannot be retained, would result in the loss of a feature of significant merit, that positively contributes to the character and appearance of the Conservation Area, and as such, the proposal is considered to fail to comply with Policy QL6 of the Kent and Medway Structure Plan and PPG15.*

There is no other planning history relevant to this application.

1.0 CONSULTATIONS

1.1 Maidstone Borough Council Conservation Officer was consulted and raised no objection to this proposal. The comments made were as follows: -

1.1.2 In terms of general layout and density, the scheme is acceptable. The general approach adopted is a neo-vernacular one, which may be considered appropriate for this site. I do have some comments relating to the detailed design of some of the houses, however.

1.1.3 The design of the pair of houses on plots 1 and 2 is considered to be broadly acceptable; however, the small gables over the first floor windows do not really reflect vernacular precedent and would be more at home on a modern volume housebuilder's estate. They also give a rather cramped and fussy character to the elevation. They should be deleted from the scheme.

1.1.4 The designs for Plots 3 and 4 are considered to be acceptable as they stand. Plot 5 is also generally acceptable, although the number of dormers on the west elevation is a little excessive and consideration should be given to replacing that to the bathroom with a conservation rooflight. Plot 6 is the replacement for the barn. The proposed dormer to bedroom 3 is very unfortunate in its impact on the front elevation, given its siting right on the hip line and it should be moved to a different location where it does not conflict with the hip – this may prove difficult with the existing internal layout. At the rear, the window to bedroom 4 is visually uncomfortable, sitting below the line of the valley gutter where a solid wall would look more appropriate; it is also unclear how the valley gutter will be drained with a window in this position.

1.2 Maidstone Borough Council Landscape Officer was consulted and raised no objections.

1.3 Maidstone Borough Council Environmental Health Officer was consulted and made the following comments: -

- 1.3.1 'The tree survey which was undertaken in June 2008 was carried out in accordance with BS 5837, this in turn provided a Tree Constraints Plan and report(SA/0168/08) which enabled Ashfold Estates to produce a development proposal. Drawing MKE/02/005 shows the location of the 6 plots.
- 1.3.2 The tree survey identified 27 trees which are subject to TPO 4 of 1973 and categorised the trees according to Table 1 - Cascade chart for tree quality assessment found within the BS5837. As a result 22 were classed as C - grade (low quality) and 3 were R grade (poor, less than 10 years life and should be removed for sound arboricultural management. Having visited the site I would agree with these findings.
- 1.3.3 The current footprint indicates that 4 trees to be removed to accommodate this development 3 are C grade and 1 R grade all located within the grounds. T15, 17 and 18 are to be removed to allow Plot 5 to be built while T4 is to be removed and in its place will stand a garage for Plot 4. The majority of the retained trees are situated on along the north, west and southern boundary although it should be noted that the majority of these are located outside the grounds.
- 1.3.4 The tree constraints have been identified these are; TPO/Conservation Area trees, all A,B and C trees and trees located off site whose rooting system and canopy spread encroaches into the site. The Tree Constraints Plan (TCP) is shown in Appendix B, this includes the root protection area (RPA) which is an area surrounding the tree and contains sufficient roots to ensure the trees survival. The Construction Exclusion Zone which is a combination of the canopy and RPA is also shown on the TCP. Section 8.1.8 states that R grade trees should be removed regardless of whether there is a development this would mean the loss of an additional 2 trees; T2 and 16. Furthermore whilst C grade trees may contribute to the landscape there is a possibility that some may need to be removed during the development stage, this is identified in section 8.1.6. Any such removal would require written notice and approval from the Landscape Officer. If additional trees are removed then these should be replaced as part of the landscaping scheme.
- 1.3.5 In order to ensure that the retained trees are successfully integrated into the scheme a Tree Protection Plan is required to show the location of the tree protection measures.
- 1.3.6 Where new paths are proposed which are within the RPA no-dig construction will be carried out. The trees along the boundaries which are to be retained and are outside the grounds may become overbearing and new occupants may be

concerned about the fear of failure. This is particularly relevant plots 5 and 6 where retained trees are in close proximity to these plots. Consideration should be given as to whether location of plot 6 could be altered to prevent unnecessary work to the tree from being carried out.

1.3.7 The Landscaping scheme consists of 29 new trees to mitigate against the loss of trees removed and will increase the tree cover for the site. Whilst the number of trees to be removed has been kept to the minimum the proposed landscaping scheme will be of benefit to the site and to the surrounding area. The rationale for this scheme is to help integrate the new scheme into the surrounding landscape. The retention of a number of mature trees along edge will provide an immediate screening for the development. The fencing detail includes a 1.2 m Chestnut Cleft fencing with indigenous hedgerow mix, I agree with this in principle however the exact composition of species would have to be submitted for approval.'

1.4 Kent County Council Highways Authority were consulted and raised no objections to this proposal, subject to the imposition of suitable safeguarding conditions, and informatives to any permission granted. These are set out at the end of this report.

1.5 English Heritage were consulted and made no comment, other than the proposal should be determined in accordance with the policies within the Development Plan, and on the basis of the specialist conservation advice available to the Authority.

1.6 Southern Water were consulted and raised no objection to the proposal.

1.7 EDF Energy were consulted and raised no objection to the proposal.

2.0 REPRESENTATIONS

2.1 Detling Parish Council were notified and raised the following objections to the proposal:-

2.1.1 'The Parish council has been consulted regarding the above (application) and we wish to object to the application and would request that it is reported to Planning Committee. We would draw attention to our response to the previous application.

2.1.2 Our objections are as follows:

2.1.3 Plots 1 & 2 – The Old Coach House. The Parish Council objects to the proposals to demolish the Old Coach House. This is an historic building dating back to 1890. We believe that this could be refurbished and developed into one or two

dwellings. Sympathetic restoration of the eastern façade, with sash windows etc... would enhance the street scene.

- 2.1.4 Plots 3 and 4 – The Parish Council does not have any objections to the proposed dwellings for plots 3 & 4.
- 2.1.5 Plot 5 – The dwelling proposed for plot 5 is within the garden area of an existing bungalow. We feel that it would be appropriate if plot 5 were also a single story dwelling to reduce its impact on the view from the existing cottages and from the Street westwards towards the open field. We wish to avoid the effect of a wall of buildings obscuring views on the open countryside. We are also extremely concerned about the views into the village from the west (A249 and Church Lane) and feel that a smaller, single storey building would be less conspicuous on this site. We wish to preserve the rural feel to this view.
- 2.1.6 Plot 6 – The Old Barn. The Parish is saddened to learn that it is unlikely that the Old Barn can be restored. In the face of this, we are reasonably content with the design of plot 6, but we feel strongly that any rebuild should be undertaken broadly on the footprint of the existing building and should not be advanced towards The Street. The Eastern façade of the new building should be on the same line as the old barn. This, together with the restoration of the Old Coach house, will maintain the present irregular building line on the western side of The Street which is a valued feature of the Conservation Area. We would also request that respect is paid to the privacy of neighbouring properties with regards to the size and positioning of the windows of the barn replacement.
- 2.1.7 In conclusion, although the Parish Council is raising a number of objections to this planning application, we do recognise the need for development on this site. We feel that the planning application in its current form is not entirely sympathetic to the rural environment and conservation area. We believe that with further consultation and consideration for the existing historical buildings on the site, that a development could be proposed that will benefit the applicant, the local community and the future sustainability of the parish. We would suggest that the future consideration should involve a representative from the Parish Council Planning Committee.'

2.2 Cllr Horne was notified of this application, and made the following comments: -

- 2.2.1 'I understand that both the Detling Parish Council and the Detling Conservation Area Resident's Association have written to you with their comments on the current planning application for 21-25 The Street, Detling.
- 2.2.2 The application site lies fourscore within the Detling Conservation Area. This has now been adopted as SPD. Clearly this provides a vital and important tool to judge the quality and appropriateness of any development in this area and also

what, if any, positive contribution it makes to the protected street scene. The cumulative view is that the proposals have a negative impact.

2.2.3 I support the objections which have been put forward.

2.2.4 I note that mitigation and improvements have been suggested by the consultees.

2.2.5 I should be pleased to learn if there could be an opportunity for these issues to be discussed between the parties.'

2.3 Neighbouring properties were notified and four letters of objection have been received. The main concerns within these letters are: -

- Impact upon residential amenity;
- The plot is not just the engineering company but also private garden;
- Plot 5 is too large;
- The proposed properties would be overbearing in the street scene;
- There would be overlooking to neighbouring properties;
- The old barn should be retained and restored;
- Recent damage to the barn has occurred, following the removal of ivy from the walls/roof;
- Moving the building line forward following the removal of the barn would be detrimental to the character of the locality;
- The site is within an AONB;
- The loss of the old coach house is regrettable;
- Impact upon parking and highway safety.

3.0 CONSIDERATIONS

3.1 Site Description

3.1.1 The application site is located to the rear of the High Street in Detling, on the land currently occupied by MK Engineering. The site lies within the village confines of Detling, on the western side of The Street - the main thoroughfare that runs from north to south through the village.

3.1.2 At present an engineering premises is within the site, which comprises of a cluster of two storey properties, of varying design/appearance. One of these buildings – the nearest to the highway – is a two storey coach house, which is of a greater age than the remainder of the buildings within the site. This is not listed. A timber framed barn lies within the site, fronting The Street, which is proposed to be removed, and a single storey dwelling behind – which is also to be removed. There are a number of trees within the site, although many of these are fairly small, and not visible from the public domain.

- 3.1.3 To the north of the site is the former school building, with associated playground. This property has an open frontage with the main building set back from the highway, and behind a fence. There are a small number of trees within a landscaped area to the front of this site.
- 3.1.4 To the west of the application site is a playing field, and also open fields with views over the open countryside, towards the A249 (to the bottom of Detling Hill). The open fields are currently use for agricultural purposes, and lie outside of the village confines.
- 3.1.5 To the south of the application site is sporadic residential development, which comprises of both frontage and backland development, including what appears to be a converted oast house.
- 3.1.6 To the east of the application site, is perhaps what would be the heart of the historic village, containing a cluster of traditional, attractive buildings, including a post office/shop as well as a number of residential properties. Immediately adjacent to the site is a Grade II listed building (residential), and an attractive dwelling (with Victorian façade).

3.2 Proposal

- 3.2.1 The proposal is for the erection of six properties, following the demolition of the existing engineering works (which are set back within the rear of the site). It is proposed that three of the properties would front on to the High Street, one being detached, with a pair of semi-detached properties to the north of the access point. The proposal would also see the demolition of the existing barn, which lies to the south of the listed dwelling.
- 3.2.2 Plots one and two would be a pair of semi-detached properties, which would be set back approximately 4.6metres from the edge of the pavement. These units would have a (combined) maximum width of 9.1metres, a depth of 10.2metres, and a maximum height of 8.3metres.
- 3.2.3 These units would have a brick plinth, with brick at ground floor level, with tile hanging at first floor. The first floor windows would break the eaves line, with a small pitch above each. The property would have a plain tiles roof, and a chimney upon each side elevation. Each dwelling would have three-bedrooms. The rear gardens of these properties would be in excess of 10metres, with a garage (with parking in front) located to the rear of these gardens, for each unit.
- 3.2.4 Plot three would be a two-storey property, located within the north-west corner of the application site. This dwelling would be set approximately 46metres back from the edge of the highway, and 31metres from the rear of plots 1 & 2. This

would be a detached property with a maximum width of 9.8metres, a depth of 9.8metres, and a height (to ridge) of 8.7metres. This property would again, have a brick plinth, and ground floor, but with white weatherboarding at first floor level.

- 3.2.5 Plot 4 would be located to the west of the application site, and again, would be a two storey property. This property would have a maximum width of 11.9metres, a depth of 9.9metres, and a height (to ridge) of 7.7metres. This property would be of brick construction at ground floor level, with tile hanging at first floor, and a plain tiled roof.
- 3.2.6 Plot 5 would be a part two storey, part one and a half storey development, located within the south-western part of the application site. This would be the largest of the properties proposed, in terms of footprint, with a maximum width of 16.8metres, a depth of 16.3metres, and a height (to ridge) of 6.5metres. This proposal would have a mixture of brick and tile hanging, with a number of the first floor windows housed within the roofslope (although there would be a two storey element projecting forward).

3.3 Principle of Development

- 3.3.1 This is a brownfield site, as defined by Annex B of PPS3, upon land that has no specific designation within the Local Plan, and is sited within the village confines. It is therefore acceptable for residential development (subject to all other material considerations being met).
- 3.3.2 In accordance with both national guidance the Regional Spatial Strategy, South East Plan and the Maidstone Borough-Wide Local Plan, any development of this nature must strike the balance between providing efficient use of the land in terms of the density of the development, whilst reflecting the pattern, character and grain of the surrounding development.
- 3.3.3 This advice is further reflected within PPS1, and the Kent Design Guide which seeks to ensure that development is of a good standard of design, and reflects the local character.
- 3.3.4 In terms of the guidance set out within PPS3, the proposed density of the development at 34 units per hectare exceeds the requirement of this Policy Statement.
- 3.3.5 In addition, the site is relatively close to the nearby services and amenities, with the village containing both a shop and a public house, and is served by a bus stop with busses running into and out of Maidstone on a regular basis throughout the day. It is considered that this is a relatively sustainable site.
- 3.3.6 It is therefore considered that the principle of development, on this scale within the site is acceptable and that it complies with Development Plan policy and national guidance.

3.4 Layout

- 3.4.1 As can be seen from the history set out above, the previous planning application was refused on the basis that its layout would have failed to respond positively to the character and appearance of the surrounding area. Following this refusal, the applicant has undertaken pre-application discussions with Officers, which has resulted in the submission of this development. It was suggested at these meetings that the number of units be reduced, and that less areas of hardstanding be incorporated within any development. It was also suggested that alterations be made to the form and massing of the proposed dwellings.
- 3.4.2 The development would now see the erection of three properties (one detached and two semi-detached) upon the road frontage (of The Street), with three detached properties to the rear. As The Street is a varied and historical road, there is a real variety of properties within it, which are set back from the road at varying distances. The two semi-detached properties would be set back approximately 4.6metres from the pavement, which would not be dissimilar to the properties to the south of the access, being Chiltern Lodge and the listed West Court. This pair of semi-detached properties would also be of a similar height and mass of Chiltern Lodge, albeit of a different design. Plot 6 (the dwelling proposed to replace the existing barn) would be set back further from the road, in a similar position to the existing barn. This would therefore respect this historic pattern, and would also ensure that the variety within this element of the street be retained.
- 3.4.3 The properties to the rear of the site are not set out in a formal manner, which reflects the mixture design of these particular units. This also ensures that the larger properties have a greater amount of amenity space, which in turn ensures that the properties do not appear cramped within the development. The applicant has attempted to keep the level of hardstanding downs to a minimum, and to ensure that there is a good level of landscaping provision within the site, again reflecting the transition from village centre to a more rural area.
- 3.4.4 The access into the site is proposed to run between Chiltern Lodge and plots 1 and 2. This would have a maximum width of 3.1metres, with a 1metre wide landscaping strip along either side. Whilst the access road is relatively straight, the amount of landscaping should soften its impact, and over time, reduce its more formal appearance. This is considered to be a significant improvement over the existing access point into The Street.
- 3.4.5 It is considered therefore, that this is a layout that reflects the existing grain of development, whilst also utilising the land efficiently to provide additional housing within the village confines. As such, it is considered that the proposal is acceptable in this respect, and complies with PPS1 and the Kent Design Guide.

3.5 Visual Amenity and Landscaping

- 3.5.1 Three of the proposed dwellings would be sited on the road frontage, which falls both within a Conservation Area, and close by (or adjacent) to listed buildings. The quality of these buildings is therefore of the utmost importance, both in terms of design, but also the detailing. The impact of the proposed dwellings in relation to the listed buildings, and the conservation area is set out further within the report.
- 3.5.2 It is considered that the design of the buildings within the development, would be of sufficient quality, and would reflect the local vernacular to an acceptable standard. The buildings would be of a relatively traditional form, with the use of clay tiles, and stock bricks, which is common within the locality. It is considered that this would be an appropriate way to approach this site, reflecting the mixed, but traditional form of the surrounding properties.
- 3.5.3 The properties proposed to the rear of the site area again, considered to be of a suitable quality, both of a scale and a design that reflects the character of the area. Whilst the properties to the rear are the largest within the development, this is not uncommon within this area. To the south of the application there is a large detached, with a pitched roof within rear garden, adjacent to the boundary with the open field. Further south from here, a large converted oast is sited to the rear of residential units, well away from the highway. These properties to the rear are, in any event, of an appropriate design, with a mixture of styles, all of which would be suited to a semi-rural location, on the edge of a village within Kent.
- 3.5.4 The properties would be positioned in such a way to enable a good level of landscaping, both to the front, and also along the access road into the site. This would give the development a soft edge, reflecting the more rural location of the application site. No precise details have been submitted to date with regards to the landscaping proposals within the development. However, from the plans submitted, it is clear that there would be an overall gain in terms of tree numbers throughout the site.
- 3.5.5 The proposed landscaping within the site (whilst shown as illustrative at present) demonstrates that a good level of planting can be achieved. These are shown as being positioned in such a way that it would both soften the development internally, and also from more long distance views, in particular from the west, across the open fields, and the A249.
- 3.5.6 Overall, it is considered that the proposal would be of a sufficient standard in terms of design, and also the landscaping provision (subject to suitable

conditions) and as such, it considered to comply with the policies within the Development Plan.

3.6 Impact upon Listed Buildings

3.6.1 As stated above, the application site is adjacent to a Grade II listed building, which fronts on to the High Street in Detling. Care has been taken in the design of this development to both maintain a suitable distance from the property, and to also ensure that the properties are of a size that would not prove overbearing, or dominant to this property.

3.6.2 This has proved to be relatively successful, with the largest properties to the rear, and well screened from the public domain, and thus not being seen in relation to this listed property on the street frontage. Perhaps more important, is how the property fronting the Street, adjacent to this listed building relates to the property. This property (plot 6) is proposed to be located in a similar position to the existing barn (albeit slightly further forward) and to be constructed of stock bricks in Flemish bond, with timber cladding above. Whilst of single storey (within rooms within the roof) the eaves height is relatively high (being some 3.2metres) which gives the building a greater presence and lessens its appearance as being a chalet bungalow. It is proposed that a good level of glazing be provided within this front elevation, nearest to the listed building, to soften its appearance further. I am of the opinion that this form of building is suitable for such a sensitive location, and that its bulk would be of a size that would not impose upon the listed building, but would not be of such a small scale that it would appear incongruous. The materials proposed are relatively tradition, and of a Kentish character, as much of the village is. It is therefore considered that there would be no detrimental impact upon the character, or setting of this listed building, and thus, the proposal complies within PPG15.

3.7 Impact upon Conservation Area

3.7.1 The site falls within the Detling Conservation Area, and as such, it is the duty of the Local Planning Authority to ensure that any development either –preserve or enhance the character and appearance of the area. This was a matter that was discussed with the applicant at pre-application stage.

3.7.2 As much of the site is relatively well screened from the highway, I am of the opinion that the properties fronting on to the Street have the greatest impact upon the character and appearance of the Conservation Area. These properties are considered to be of a sufficient quality of design for such a location, and also, would provide sufficient space so that they do not appear cramped.

3.7.3 In order to ensure a high quality finish, it is proposed that details such as the fenestration, and eaves over hangs (etc) be conditioned, to reflect the quality of the buildings within the locality. This is required as it is not completely clear

from the submission how these matters are to be dealt with. I have discussed this with the applicant, how has agreed to the imposition of such conditions.

3.7.4 On the basis that such details are received, the proposal would not have a detrimental impact upon the character and appearance of the Conservation Area.

3.8 Impact upon Residential Amenity

3.8.1 It is not considered that the proposal would have a significantly detrimental impact upon the residential amenity of the neighbouring occupiers. Perhaps the two units most impacted by this proposal, Chiltern Lodge and West Court, would retain their extensive back gardens, which are in excess of 21metres. Furthermore, the properties proposed to the rear of these dwellings would be a further 14metres (minimum) distance from the rear boundaries. This would give back to back distances 40metres from the rear of West Court to plot 4, and 41.5metres from the rear of Chiltern Lodge to plot 4. This is not considered to be a distance from which significant levels of overlooking, the loss of light, nor the creation of a sense of enclosure could occur. Furthermore, these units would actually result in a reduction in built form along the northern edge of the site, by virtue of the loss of the industrial units.

3.8.2 Plot 6 would be close to the side boundary with West Court (1.6metres) however, this does create more of a gap than the existing barn structure. This dwelling would not be provided with any first floor windows that would result in any overlooking of this neighbouring amenity space. As such, it is not considered that the erection of this unit would worsen the situation for the residents of this neighbouring property.

3.8.3 Plot 5 has been orientated so as to face away from the rear garden (which contains a swimming pool) of number 13. In addition, there is a significant level of mature landscaping along this boundary which is proposed to be retained, which would prevent any significant overlooking, or the loss of light following the erection of this unit.

3.8.4 Plots 1, 2 and 3 would be sited in such a way to ensure that there would be no direct overlooking, or overshadowing of the neighbouring properties. Plots 1 and 2 would face onto the road, and would face on to the side of a garage block to the rear. There are no residential properties to the north of these units, and a road separates these properties from Chiltern lodge.

3.8.5 it is therefore considered that there would be no detrimental impact upon any of the occupiers of the existing neighbouring properties by virtue of this proposal.

3.9 Highways

- 3.9.1 As can be seen from above, Kent county Council Highways Authority have raised no objections to this proposal. The proposal would see each property provided with a minimum of two spaces, with one being a garage, and as such, secure. Whilst a number of the properties proposed are of a significant size, it is not considered that there would be a shortfall of parking within the development.
- 3.9.2 The access into the site is considered to be of an appropriate standard, with good visibility splays on either side. Furthermore, it is likely that this proposal would result in less traffic generation than the commercial use that currently has permission at the site.
- 3.9.3 It is therefore considered that there are no highway grounds for objection to this proposal.

3.10 Other Matters

- 3.10.1 Due to the relatively small number of units proposed there is no requirement for the developer to provide any developer contributions in the form of affordable housing, public open space, KCC contributions or money for the PCT. This application falls well below the threshold of 10/15 units required to trigger these contributions.
- 3.10.2 The applicant has demonstrated that the development will be constructed to at least level 3 of the Code for Sustainable Homes. This will include the provision of permeable paving throughout the development, the use of air source heat pumps, and rain water harvesting. Should these matters be provided (a condition is suggested) it is considered that this proposal would meet the requirements of the policies within the Development Plan.

4.0 Conclusion

- 4.1 It is therefore considered that this proposal is of a suitable form and scale, and would comply with the policies within the Development Plan. The proposal would not have a detrimental impact upon the character of the locality, nor the setting of the nearby listed buildings, and would not result in a detrimental impact upon the amenities of the neighbouring occupiers. Whilst the loss of the barn is regrettable, it has been demonstrated that there would be no way in which this could be converted, and retain its historic fabric, and as such I am content that its loss is acceptable.

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 to be used in the construction of the external surfaces of the buildings 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 PPS1 and PPG15.

3. The development shall not commence until, details of the proposed slab levels of the buildings 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.

4. 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;

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 PPS1 and PPS3.

5. 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 in accordance with PPG13.

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, hedgerows and boundary planted areas on the land, and details of any to be retained, together with measures for their protection in the course of development in conjunction with the details required pursuant to condition 8, 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. The submitted details shall include inter-alia full consideration of the protection of potential slow worm habitats in and around the marginal boundary areas during construction. The approved protection measures shall be implemented 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: No such details have been submitted and in the interests of the visual amenities of the locality, the safeguarding of existing trees, hedgerows, boundary planted areas and potential slow worm habitats to be retained in accordance with Policy ENV6 of the Maidstone Borough Wide Local Plan 2000 and PPS1 and PPS9.

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 buildings 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 Policy ENV6 of the Maidstone Borough Wide Local

Plan 2000, and PPS1.

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' and as per the recommendations set out within the arboricultural report ref SA/0168/08 received on the 21 September. 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.

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.

10. No development shall take place until an independently verified report has been submitted to and approved in writing by the Local Planning Authority showing that the development achieves a minimum score of Level 3 or better for each residential unit under 'The Code for Sustainable Homes'. Each residential unit shall be provided strictly in accordance with the approved report before it is occupied.

Reason: to ensure a sustainable and energy efficient form of development in accordance with policy CC4 of the South East Plan 2009, Kent Design 2000 and PPS1.

11. No development shall take place until details of any lighting to be placed or erected within the site have been submitted to and approved in writing by the Local

Planning Authority. The submitted details shall include, inter-alia, details of measures to shield and direct light from the light sources so as to prevent light pollution. The development shall thereafter be carried out in accordance with the subsequently approved details.

Reason: To prevent light pollution in the interests of the character and amenity of the area in general pursuant to Policy ENV49 of the Maidstone-Wide Local Plan 2000.

12. Removal of existing trees or hedgerows containing nesting birds shall take place outside of the bird-breeding season (generally March to August).
13. No development shall take place until details in the form of large scale drawings (at a scale of 1:20 or 1:50) of the following matters have been submitted to and approved by the Local Planning Authority;
 - i) Details of the roof overhangs.
 - ii) Details of windows and doors and recesses/reveals.
 - iii) Details of the soldier arches.

The development shall thereafter be undertaken in accordance with the subsequently approved details.

Reason: To ensure a satisfactory external appearance to the development in the interests of the visual amenity and character of the surrounding area in accordance with PPS1.

14. No development shall take place until a detailed scheme for the retention of areas of cordwood from any tree works within the site have been submitted to and approved in writing by the Local Planning Authority;

Reason: In the interest of biodiversity enhancement in accordance with PPS9.

15. 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.

- 16.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.

- 17.Where any development occurs within the identified root protection area, there shall be no mechanical excavation. All works within these areas shall be completed by hand digging, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the biodiversity within the site, and the protection of trees in accordance with 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.

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.

The importance of notifying local residents in advance of any unavoidably noisy operations, particularly when these are to take place outside of the normal working hours is advisable.

The developer shall implement a scheme for the use of wheel cleaning, dust laying and road sweeping, to ensure that vehicles do not deposit mud and other materials on the public highway in the vicinity of the site or create a dust nuisance.

You are advised to ensure that the appointed contractor(s) is/are registered with the 'Considerate Constructors Scheme' and that the site is thereafter managed in accordance with the Scheme. Further information can be found at www.considerateconstructorsscheme.org.uk

The applicant is advised that it would be appropriate to incorporate bat bricks within the development hereby proposed in order to promote the biodiversity of the site.

REASON FOR APPROVAL

Standard Full Plans Approval Reason:

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.