

## REPORT SUMMARY

<b>REFERENCE NO - 15/509461/FULL</b>		
<b>APPLICATION PROPOSAL</b> Demolition of the existing concrete garages and erection of 4 x two bedroom dwellings.		
<b>ADDRESS</b> Garages R/o 48 Grecian Street Maidstone Kent ME14 2TS		
<b>RECOMMENDATION</b>		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>  The proposed development, subject to imposition of the recommended conditions, is considered to comply with the policies of the Development Plan (Maidstone Borough Wide Local Plan 2000) and there are no overriding material planning considerations justifying a refusal of planning permission.		
<b>REASON FOR REFERRAL TO COMMITTEE</b>  Cllr Naghi wishes the application to be considered by the Planning Committee as development of the site has been comprehensively refused on previous occasions and objections based on scale, mass and impact on the locality have not been addressed.  In addition the ecology report is flawed and the proposal does not accord with the Kent Design Guide in relation to access, parking and refuse disposal.		
<b>WARD</b> East	<b>PARISH/TOWN COUNCIL</b>	<b>APPLICANT</b> Mr Rodger Dudding <b>AGENT</b> Mr Christopher Barnes
<b>DECISION DUE DATE</b> 18/01/16	<b>PUBLICITY EXPIRY DATE</b> 24/06/16	<b>OFFICER SITE VISIT DATE</b> 02/12/15

## MAIN REPORT

### 1.0 SITE DESCRIPTION

- 1.01 The site comprises 27 lock-up garages with space for additional parking for non-garaged vehicles. The site is accessed through an archway from Grecian Street which passes under part of 48 Grecian Street currently used by the Samaritans. The north east side of the application site abuts the rear gardens of terraced houses fronting Grecian Street while the south west side of the application site backs on to the rear gardens of terraced properties fronting Waterlow Road.
- 1.02 Whilst the application site is relatively flat there are level differences with adjoining land. This is most apparent to the south-east where a substantial retaining wall exists on the site boundary. There is also level differences between the application site and the lower dwellings and gardens in Waterlow Road and. The properties on Grecian Street which are at a higher level to the north east.

- 1.03 The site lies within the urban built up area of Maidstone in area which is covered by a residents parking scheme restricting on street parking to permit holders. The area is predominantly residential with some minor commercial uses.

#### **RELEVANT PLANNING HISTORY:**

- 2.01 MA/14/504580: Demolition of the existing twenty seven concrete garages and the erection of five houses with 1 allocated parking space per dwelling –**REFUSED**- 2<sup>nd</sup> October 2015 on the grounds that the development would be a cramped form of overdevelopment representing poor design that would be out of character with the local area and result in poor living conditions for future occupiers and due to its scale, proximity, and the height difference caused by the falling land profile, would have an overbearing and oppressive impact on the residential amenity of the occupiers of neighbouring properties in Waterlow Road.
- 2.02 MA/11/1659: Demolition of 27 existing lock-up garages to the rear of 48 Grecian Street and the erection of six three bedroom Mews Houses with associated integral parking and two visitor spaces, on-site fire hydrant, and pergola refuse storage. **REFUSED** 8<sup>th</sup> March 2012 – **APPEAL DISMISSED** the Inspector concluded the proposal would not provide adequate living conditions for neighbouring and future occupiers with regard to outlook and provision of amenity space while the location of the proposed refuse storage would result in potential for conflict and inconvenience as a result of the use of the access and the bin collection area.

### **3.0 PROPOSAL**

- 3.01 Planning permission is again sought for the demolition of 27 garages and the redevelopment of the site for housing. The proposal as originally submitted was for 4 no: 3 bedroom dwellings in the form of two pairs of essentially semi detached houses almost abutting the boundary with properties to the south east of the site in Waterlow Road.
- 3.02 It was considered this proposal still materially failed to address the reasons for refusal in connection with application 14/504580 set out above. The scheme has been amended as follows.
- 3.03 Four no: 2 bedroom dwelling are still proposed with the site layout amended showing one detached dwelling in the north west part of the site longitudinally orientated with properties Waterlow Road with a terrace of 3 properties located in the site south east part of the site. This terrace is also orientated at right angles with both site boundaries in Waterlow Road and Grecian Street. All the proposed dwellings have assymetric pitched and tiled roofs to have regard to the levels on adjoining land.
- 3.04 One parking space will be provided for each dwelling with the existing access onto Grecian Street being retained.
- 3.05 Cross section details have also been provided showing levels of adjoining houses abutting the application site both in Waterlow Road and Grecian Street along with a plan showing the site layout of the current proposal superimposed on the proposal refused under application ref: MA/ 14/504580:
- 3.06 Site contamination and ecology reports have also been submitted.

### **4.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Development Plan: ENV6, T13  
Submission version of the draft local plan: DM1, DM2, DM4, DM12,

## 5.0 LOCAL REPRESENTATIONS

5.01 A site notice was posted. In addition 65 neighbouring properties were notified of the proposal. 7 objections were received to the proposal as originally submitted which are summarised below:

- Will have an adverse impact on the outlook, amenity, privacy and access of sunlight and daylight of houses abutting the site both in Waterlow Road and Grecian Street.
- Will result in cramped and overcrowded development out of character with the locality.
- Proposed development overly cramped lacking garden and amenity space for future residents.
- Only one access into the site and as proposal lacks on site turning resulting in vehicles having to back out onto Grecian Street.
- Challenge statement that garages are as being let for storage or parking on a month by month basis.
- Loss of garages will result in further parking conflict in the locality.
- Ecology report incorrectly refers to 5 dwellings when proposal is for 4 dwellings.
- Concerned demolition will affect asbestos roofed buildings.
- Not possible for emergency vehicles to access the site.
- Concerned whether all the land within the application site falls within the ownership or control of the applicant and that existing rights of way are being adversely affected by the development.

5.02 4 objections were received in connection with the revised proposal reiterating the objections set out above.

## 6.0 CONSULTATIONS

6.01 Responses received in connection with the proposal as originally submitted.

6.02 **Kent Highways:** No objection subject to conditions to secure a construction management plan, provision of wheel washing facilities and on site parking and turning.

6.03 **EHO:** Though the site lies in an urban area traffic noise is unlikely to be a significant problem for this particular site. The site is within the Maidstone Town Air Quality Management Area, and within 140m of a known Air Quality hotspot but do not consider the scale of this development and/or its site position warrants either an air quality assessment or an Air Quality Emissions Reduction condition applied to it.

A Preliminary Risk Assessment regarding potential land contamination, has been submitted with the report recommending intrusive investigations due to the historical use of the site for brick kilns and associated quarries and potential contamination associated with site's use as garages, plus further enquiries/investigations into potential risk of ground gases from identified on and off-site pits. The risk of ground gases from the pits is considered low since they are over 100 years old and were not designated as historic landfills.

A contaminated land condition should therefore be attached to any permission granted.

6.04 **Kent Fire and Rescue Service:** From the submitted plans it appears access to the site is inadequate. Consideration has also been given to on site access as required by Building Regulations Approved Document B Section 5.

1. The width of the access to the site is inadequate; a minimum of 3.7m is required.
2. The proposed plans show that the parking place for a fire appliance is more than the required 45m from all points within the dwelling.
3. As the access to 2 of the proposed dwellings is over 45m from the parking place for a fire appliance, British Standard 9991 can be applied to extend this distance to 90m / 75m by the installation of domestic sprinkler systems in the dwellings.

6.05 Responses received in connection with the amended scheme.

6.06 **Kent Highways:** The reconfigured arrangements are adequate in enabling vehicles to be parked and turned in a manner that will not interfere with the public highway. However the positioning of the parking spaces in relation to the row of three dwellings could result in vehicles being parked in areas that are intended to be used for turning. KCC Highways previous comments requested that the emergency services are consulted on the proposals, having regard to the constrained nature of the site access from Grecian Street in terms of height and width.

It is noted that three of the dwellings are now positioned towards the eastern end of the site and beyond the requisite 45 metre distance from where a fire appliance would be parked. A planning condition will therefore be required to ensure sprinkler systems are installed at these properties. Clarification on the requirements of the ambulance service should also be sought.

Other large vehicles, such as refuse and delivery vehicles, will be unable to access the site and will have to park on Grecian Street for periods of time. This could inconvenience other road users and nearby residents.

The proposed development will replace the garages that currently occupy the site. This is likely to result in some displacement of parked vehicles onto surrounding streets, which are already heavily subscribed. The potential effects of displaced vehicles was considered by the Planning Inspectorate in determining the appeal in connection with application ref: MA/11/1659. While these effects continue to be relevant to local amenity and traffic flow conditions, it is concluded an objection on this basis cannot be sustained.

As such continue to raise NO OBJECTION subject to the recommended conditions.

## **BACKGROUND PAPERS AND PLANS**

The development proposals are shown on site location plan received on the 16<sup>th</sup> November 2015 and drawing nos: 00(02) and P(11)01, 02, 03, 04 and 05.

The application is supported by a Design, Access and Planning statement, ecology appraisal and land contamination preliminary risk assessment.

## **7.0 APPRAISAL:**

- 7.01 It has already been determined there is no objection in principle to the redevelopment of this site for housing although so far the applicant has been unable to formulate a development package which is capable of unlocking the housing potential of this constrained and enclosed site. Most recently an application ref: MA/14/504580 for 5 houses, which was favourably recommended by officers, was refused by Members on the following summarised grounds:
- (a) the development would be a cramped form of overdevelopment representing poor design that would be out of character with the local area and result in poor living conditions for future occupiers and:
  - (b) the height difference caused by the falling land profile, would have an overbearing and oppressive impact on the residential amenity of the occupiers of neighbouring properties in Waterlow Road.
- 7.02 It is acknowledged the design and layout now being proposed is similar in concept to that already refused by Members under ref: MA/14/504580. Nevertheless it remains to assess whether the revised proposal can be seen to materially overcome the objections to developing the site for housing set out above.

**Visual and Impact and layout:**

- 7.03 The proposed development is set behind properties in Grecian Street and Waterlow Road in an enclosed site hidden from wider view. However the application site is overlooked from the rear of numerous properties backing onto it in Grecian Street and Waterlow Road. There is a natural fall in the topography from Grecian Street (3/4 Storey units) to the application site, which itself is relatively flat.
- 7.04 The proposed dwellings continue to be of contemporary design and in the context of this enclosed and self contained site will not be viewed as part of the adjoining street scene. As such there continues to be no objection to the proposal on design grounds. It should be noted the scheme dismissed at appeal did not include design objections and this current follows a similar design approach. It is considered the key impact continues to be the effect on the outlook and amenity of properties overlooking and abutting the site in Grecian Street and Waterlow Road and whether the scheme would result in a overdevelopment of the site.
- 7.05 Regarding layout considerations, the previously refused proposal was for 5 units and was considered to represent a cramped development. However it is considered the reduction in the number of units from 5 to 4 has secured a better balanced development which will be assessed in more detail later. Furthermore, the reduced scale of the 3 terraced properties has enabled the built form to be located further from the boundary with the properties Waterlow Road which is considered to be an improvement to the previous scheme.

**Residential Amenity**

- 7.06 Though the design and layout (which is considered the optimum format in unlocking the development potential of this site) reflects the concept of that already refused under application ref: MA/14/504580, there has been a reduction in the number of units from 5 to 4 along with layout amendments. Plans have been submitted showing the layout of the scheme refused under application MA/14/504580 superimposed on the proposal currently under consideration.

- 7.07 Dealing first with the amenity of existing houses overlooking and abutting the site, it was previously concluded the most sensitive relationship is with the properties in Waterlow Road running along the south west site boundary which are set at a lower level than the application site. The 27 garages on the site mostly run parallel to the rear boundary with these properties. The garages project approximately 1.8m above the fence line of the properties on Waterlow Road due to changes in levels resulting in these properties already being partly enclosed to the rear. The comparison layout plan shows the terrace of 3 units now set on average 3 metres back from the site boundary whereas that refused under ref:MA/14/504580 came to within 1 metre of the site boundary. The detached property to the west of the terrace it is set just under 4 metres back from the boundary with properties in Waterlow Road (the semi-detached properties on the refused scheme were just under 1 metre). Taking also into account that 1<sup>st</sup> floor bulk is further reduced by the use of lower eaves heights and asymmetric roof profiles stepping up across the site, it is considered no material loss of outlook will now occur to houses in Waterlow Road either from the siting of the terrace or the detached house.
- 7.08 The impact on privacy has been safeguarded by the internal layout of the properties but the outlook of any 1<sup>st</sup> floor side facing windows overlooking properties in either in Grecian Street or Waterlow Road will be restricted by requiring obscure glazing to these windows.
- 7.08 Turning to the impact on houses abutting the site to the north east in Grecian Street the terrace of 3 house now comes to within 1 metre of the site boundary whereas this distance was 2.5 metres for the scheme refused under ref: MA/14/504580. However this still leaves a separation distance of just under 17 metres which is still considered sufficient to ensure there is no material harm to the outlook of the houses in Grecian Street affected by this part of the development. Regarding the impact of the detached house this is set even further into the site and as such is also considered acceptable in its impact on houses in Grecian Street.
- 7.09 Regarding loss of sunlight and daylight, it is evident some loss of sunlight will occur to gardens of houses in Grecian Street sited to the north and north east of the proposed terrace of 3 units. Loss of sunlight will be greatest in the winter months. However in the Spring, Summer and Autumn when the gardens are most likely to be used, only the rear part of the gardens will be overshadowed. As such no significant harm based on loss of sunlight is identified. The impact of the detached house to the west in terms loss of sunlight will be minimal. In connection with houses in Waterlow Road, as the application site lies to the north east of these access of sunlight will be unaffected by the proposed development.
- 7.10 Regarding daylighting, this refers to background light levels irrespective of whether the Sun is visible or not. Given the separation distance to houses both in Grecian Street and Waterlow Road it is considered no harm based on loss of daylight can be identified.
- 7.11 The amenity of the proposed residents also needs to be assessed as it was considered the previously refused scheme resulted in an unacceptable living environment. The amended scheme enables the size and proportions of rear amenity areas and spacing between units to achieve a secure inward looking development resulting in an acceptable residential environment.

### **Highways and Parking**

- 7.12 The highways and parking implications of the development were considered as part of the previously refused and proposals dismissed on appeal. In connection with the appeal proposal the Inspector stated:

*'Considerable concern has been expressed locally about the implications of the proposal on access and parking arrangements on and around the site, including representations from a constituent submitted by Helen Grant MP. I have had full regard to these concerns, although it appears to me that some of the matters raised would potentially need to be addressed through other legislation or regulations. Nonetheless, from my visit to the site and the area around it, it was clear that there is a significant amount of local parking demand, which the appeal site currently appears to contribute towards meeting. However, regardless of the outcome of this appeal, I recognise that the use of the garages may cease or may no longer be made available to meet local needs.'*

- 7.13 The Inspector went on to say in relation to the proposed access that:

7.14 *'The access to the appeal site also serves 5 parking spaces adjacent to it, used by the Samaritans, together with other parking areas access via the appeal site but within a number of neighbouring properties. In addition to vehicular access, there are also pedestrian access provided between the garages and the boundaries of the site to the north-east and south-west and also through the north-west corner of the site to a pathway beyond...Based on the current use of the access and the site it appears to me that in addition to its use by the future occupiers of the proposal and visitors or servicing vehicles connected to them, the access also has the potential to continue to be used by a number of other people.'*

- 7.15 In the absence of objection by the Inspector regarding the parking implications of the proposal for 5 units including loss of the existing garaging, concerns regarding the increased pressure of parking in local roads cannot be sustained. Access to and appearance of the proposed bin store was also an issue. However this is now to be sited in a small area just north of the detached unit and will therefore not conflict with on site turning while being close enough to the access to enable refuse collection.

- 7.16 The dwellings each have one parking space which is considered acceptable given the sustainable location of the site close to the town centre with its public transport, shopping and other facilities.

- 7.17 Regarding the comments of Kent Highways, it states, amongst other things, that positioning of the parking spaces in relation to the row of three dwellings could result in vehicles being parked in areas intended to be used for turning. Furthermore that large vehicles, such as refuse and delivery vehicles, will be unable to access the site and will have to park on Grecian Street for periods of time which could inconvenience other road users and nearby residents. Though these comments are noted they have not been raised as formal objections. It is considered a planning condition could be placed on any permission which would prevent parking in the hatched turning area and the location of the bin store close to the access would enable occupiers to put bins out for collection as is usual with such a backland site.

- 7.18 Consequently while it may be desirable to secure these amendments the applicant is of the view the proposed layout represents the optimum balance in satisfying all requirements given the constrained nature of the site in size and shape terms and this view is accepted.

- 7.18 The Kent Fire and Rescue Service advise that the site has (a) an inadequate access width (b) that a parking place for a fire appliance is more than the required 45 metres from all points within the dwellings and (c) that access to 2 of the proposed dwellings is over 45m from the parking place for a fire appliance. In connection with the previously application refused under ref: 14/504580 it was stated the site was previously considered accessible for both ambulance and police vehicles. In accordance with the Fire Service advice, the dwellings will be fitted with sprinkler systems and the dwelling are within a distance whereby a fire hydrant dry-riser is an acceptable alternative. This will be positioned within the site to compensate for a fire engine being unable to gain access to the site. This will be secured by condition. Therefore subject to the above measures, access to the site, including that for emergency vehicles, is considered acceptable . Furthermore these matters were not raised as a reason for objection previously. It is considered there has been no material change circumstances to alter to this view particularly given the more spacious layout due the reduction in the number of units from 4 to 5.

### **Other Matters**

- 7.19 The submitted ecological appraisal concludes the site is of low ecological value and given the nature of the site with large areas of hardstanding with lock up garages facing directly onto the opportunities for wildlife are clearly limited. Nevertheless in accordance with the provisions of the NPPF the opportunity should be taken to secure wildlife enhancements. It is therefore proposed to include native species planting, bird and hedgehog box provision along with provision for insects with a stag beetle 'loggery' and 'bug boxes'. In the circumstances of this constrained site this combination of measures represents substantial and acceptable provision for wildlife that can be seen to meet the requirements of the NPPF.
- 7.20 Withdrawal of the Code for Sustainable Homes introduced a system of optional Building Regulations on water and access, and a new national space standard ("the new national technical standards"). This system complements the existing set of Building Regulations which are mandatory. This does not preclude renewable or low-carbon sources of energy within new development which is considered intrinsic to high design standards and sustainable development in accordance with the provisions of the NPPF.
- 7.21 Such measures contribute towards achieving the NPPF's key sustainability aim by supporting the transition to a low carbon future and encouraging the use of renewables as one of the core planning principles of the NPPF. A condition should therefore be imposed to secure renewable energy as part of the proposal.
- 7.23 An additional sustainability consideration is surface water attenuation to secure water saving and flood prevention normally achieved by a sustainable drainage scheme (SUDS) and which can be secured by condition.
- 7.24 Concern continues to be raised whether all the land within the application site falls within the ownership or control of the applicant and that existing rights of way are being adversely affected by the development. However as the appropriate ownership certificate has been submitted this does not represent an impediment to the determination of the application while concerns regarding existing or future private rights of way are private matters to be resolved between the relevant parties.

## **8.0 CONCLUSIONS**

## Planning Committee Report

- 8.01 There is no objection in principle to the redevelopment of this area of previously developed land which occupies a sustainable location within the built up area of Maidstone.
- 8.02 The amended proposal is considered to materially overcome Members previous objections to the development of this site with a less intense development which succeeds in safeguarding the outlook and amenity of residents overlooking and abutting the site while being acceptable on highway and parking grounds.
- 8.03 In conclusion it is considered the proposal represents a valuable windfall addition of, smaller housing units while representing a balanced proposal in maximising the housing potential of this constrained and enclosed site in an acceptable manner. It is therefore recommended planning permission be granted.

### **9.0 RECOMMENDATION – GRANT** 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.

Reason: To ensure a satisfactory appearance and a high quality of design.

3. The parking/turning areas shown on the approved plans shall be completed before first occupation of any of the dwelling hereby approved and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 2015 (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 and turning provision is likely to lead to parking inconvenient to other road users and result in conditions detrimental to the interests of road safety.

4. Prior to first occupation of the development hereby approved a native species landscaping scheme and a programme for the approved schemes implementation and long term management shall be submitted for prior approval in writing by the Local Planning Authority. The approved landscaping scheme shall be implemented in the first available landscaping season following first occupation of the development hereby permitted. 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 external appearance to the development.

5. The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:
- 1) A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  - 2) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - 3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
  - 4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in 3. This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: To prevent harm to human health and pollution of the environment.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Schedule 2, Part 1, Classes A-E shall be carried out without the permission of the Local Planning Authority.

Reason: To safeguard the character and appearance of the development and amenities of existing and future occupiers.

7. The development hereby permitted shall be undertaken strictly in accordance with the recommendations outlined within Ecological Enhancement Section of the report titled 'Code for Sustainable Homes Ecology Component Appraisal' carried out by J Taylor Ecology Consulting dated 11<sup>th</sup> February 2015.

Reason: To enhance the sites biodiversity assets.

8. Before first occupation of any part of the development hereby permitted all windows above ground floor level facing towards houses in Grecian Street or Waterlow Road shall be glazed in obscured glass and any window opening shall be restricted by limiters to opening no more than 150mm in any direction. These measures shall be retained at all times thereafter.

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of existing and prospective occupiers.

## Planning Committee Report

9. The development shall not commence until details of all fencing, walling and other boundary treatments have been submitted to the Local Planning Authority and approved in writing.

Reason: To ensure a satisfactory appearance to the development.

10. The development shall not commence until details of ecological enhancements within the development site, to include provision of swift bricks within buildings; spaces beneath rear boundary fences to allow movement of hedgehogs; and buried timber for saproxylic organisms, have been submitted to and approved in writing by the Local Planning Authority and the approved details shall be maintained thereafter;

Reason: In the interests of ecology and biodiversity enhancement.

11. The development shall be carried out at the levels shown.

Reason: In the interests of amenity.

12. The development hereby approved shall not commence until details have been submitted for prior approval in writing by the Local Planning Authority of decentralised and renewable or low-carbon sources of energy and how they will be incorporated into the development. The approved details will be in place before first occupation of the development hereby approved and maintained as such at all times thereafter.

Reason: To secure an energy efficient and sustainable form of development to accord with the provision of the NPPF.

13. The development hereby permitted shall not commence until a scheme for the disposal of surface water (which shall be in the form of a SUDS scheme) has been submitted to and approved by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To in the interests of sustainability to ensure satisfactory drainage in the interests of flood prevention.

14. No development shall take place until a construction management plan has been submitted in writing and approved by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: In the interests of highway safety and the free flow of traffic.

15. Wheel washing facilities shall be provided on site prior to the commencement of the development hereby approved and retained for the duration of the development.

Reason: In the interests of highway safety and the free flow of traffic.

16. Before first occupation of any of the dwellings hereby permitted (a) sprinkler systems shall be installed in all dwellings and (b) a fire hydrant dry riser shall be installed. Both systems shall be installed in accordance with details to be approved in writing by the Local Planning Authority and shall be retained in working order at all times thereafter.

Reason: In the interests of health and safety.

## Planning Committee Report

17. The rectangular area of land shown diagonally hatched abutting the bin enclosure as shown on drawing P(11) 01 shall not be used for parking. A sign shall be displayed to this effect before first occupation of any of the dwellings hereby permitted and retained as such at all times thereafter.

Reason: In the interests of highway safety and the free flow of traffic.

18. The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan received on the 16<sup>th</sup> November 2015 and drawing nos: 00(02) and P(11)01, 02, 03, 04 and 05. May 2016?

Reason: To ensure the quality of the development is maintained and to prevent harm to amenity.

### INFORMATIVES:

#### HOURS OF WORKING (DEMOLITION/CONSTRUCTION)

No demolition/construction activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday.

#### Construction

As the development involves demolition and/or construction, I would recommend that the applicant is supplied with the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected.

Noise and Vibration transmission between properties (informative).

Attention is drawn to Approved Document E Building Regulations 2010 "Resistance to the Passage of Sound" – as amended in 2004 and 2010. It is recommended that the applicant adheres to the standards set out in this document in order to reduce the transmission of excessive airborne and impact noise between the separate units in this development and other dwellings.

#### Asbestos

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.

#### Highways:

Should any works be required in the highway applicants should contact Kent County Council - Highways and Transportation (web: [www.kent.gov.uk/roads\\_and\\_transport.aspx](http://www.kent.gov.uk/roads_and_transport.aspx) or telephone: 03000 418181) in order to obtain the necessary Application Pack for a statutory licence to be obtained.

The Council's approach to this application:

## Planning Committee Report

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application, following amendment, was acceptable.

Case Officer: Graham Parkinson

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.  
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.