

REFERENCE NO - 20/506112/FULL		
APPLICATION PROPOSAL Erection of a detached dwelling with parking and landscaping (resubmission of 20/502940/FULL).		
ADDRESS Lewis Court Cottage Green Lane Boughton Monchelsea Maidstone Kent ME17 4LF		
RECOMMENDATION GRANT PLANNING PERMISSION subject to the conditions and informatives set out at the end of this report.		
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none"> • The design and appearance of the development is in keeping with the character of the surrounding area and will not harm the setting of any listed building. • The development is acceptable in relation to the impact on residential amenity including in terms of outlook privacy and noise. • The proposed scheme is appropriate in terms of its impact in landscape, visual, amenity, heritage and transport terms. 		
REASON FOR REFERRAL TO COMMITTEE Boughton Monchelsea Parish Council has requested that the application be determined by the Planning Committee for the following reasons: (a) The proposed additional dwelling would have a detrimental effect on the setting of the three adjacent listed buildings and would alter the context (b) Cramped, overdeveloped site when considered alongside the two previously consented dwellings © the two storey timber clad building adjacent to the western site boundary was considered a non-designated heritage asset and the Conservation Officer originally objected to the third dwelling proposed (d) Additional parking would result in conflict of inward and outward traffic on the driveway (e) overlooking of the private amenity space of the existing adjacent dwellings (f) refuse storage and collection arrangements required		
WARD Boughton Monchelsea and Chart Sutton	PARISH/TOWN COUNCIL Boughton Monchelsea	APPLICANT Mr J Anscombe AGENT DHA Planning
TARGET DECISION DATE 02/04/21		PUBLICITY EXPIRY DATE 04/02/21

Relevant Planning History

16/508513/FULL

Demolition of existing lean to garage and erection of 2 no. detached dwellings with parking and landscaping.

Refused Decision Date: 12.09.2017

19/501093/PAMEET

Pre-Application Meeting - Proposed detached dwelling

20/502940/FULL

Erection of a detached dwelling with parking and landscaping.

Withdrawn Decision Date: 27.08.2020

20/504799/PAPL

Advice: Erection of single detached dwelling - amendments to withdrawn application

20/502940/FULL

Appeal History:

18/500062/REF

Demolition of existing lean to garage and erection of 2 no. detached dwellings with parking and landscaping.

Appeal Allowed and or Notice Quashed Decision Date: 20.12.2018

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site (0.08 hectares) is located within the northern boundary of the Boughton Monchelsea settlement that is classed as a 'larger village' in the Local Plan. The plot comprises the access road and front garden area of a two storey dwelling known as Lewis Court Cottage which is located immediately to the west of the site. The front elevation of the existing building faces west. The existing building has a single storey breeze block addition on its northern side providing garages and a large garden area to the east.
- 1.02 Access to the site is from Green Lane, by way of a gravelled driveway (around 40 metres long) running between Lewis Court and White Cottage. This access drive leads on to parking and turning area at the front of the existing dwelling. The site is not in a conservation area and there are no Tree Preservation Orders on the site.
- 1.03 The application site is located to the south of Green Lane; behind the detached properties called White Cottage and Lewis Court in Green Lane. White Cottage and Lewis Court are on the national list of significant historic buildings (Grade II).
- 1.04 On the Green Lane road frontage, Tudor Cottage is on the back edge of the public highway, with Lewis Court set back away from the road with trees and hedging along the edge of the road. An existing outbuilding is located in the garden of Lewis Court adjacent to the existing building and garages on the application site; this building is considered a non-designated heritage asset. Open fields are located on the opposite side (north) of Green Lane.
- 1.05 Whilst the application property itself is not listed, the adjacent buildings called Tudor Cottage, Lewis Court and White Cottage are all on the national list of significant historic buildings (both Grade II).
- 1.06 A two storey timber building on the eastern side of the access road and behind White Cottage is considered a non-designated heritage asset.
- 1.07 There is a defined change in residential density and character immediately south of the application site with a row of higher density semi-detached houses in Lewis Court Drive directly behind the application site. These houses on Meadowview and Lewis Court Drive are part of an estate of similar character and density.
- 1.08 To the north of the site across the road from Lewis Court is designated countryside defined as the Low Weald Landscape of Local Value.

2. PROPOSAL

- 2.01 The proposal is for the erection of a detached dwelling with parking and landscaping. (resubmission of 20/502940/FULL)
- 2.02 The dwelling would be set back from the road by approximately 50 metres. It would comprise a simple, two storey rectangular structure with a pitched roof and gable ends. The ground floor would comprise an open plan kitchen/diner with a utility room to the rear, the separate living area would be located on the western side of the property. On the first floor, would be three bedrooms, one with an en suite, and a family bathroom.
- 2.03 It is noted that a previous application referenced 16/508513/FULL was originally submitted for three dwellings, although the dwelling sited in an identical location to this current application was removed as it was considered an unsuitable element to

the scheme. The remaining two dwellings were subsequently refused by committee and allowed on appeal.

- 2.04 The previous dwelling had an eaves height of metres, a ridge height of metres, a width of metres and a depth of metres. Its design lacked the simplicity of the current scheme, which would also be reduced in eaves and ridge heights by 0.8 metres and 1 metre respectively. I also note that, although the width of the property remains the same (12 metres) the depth of the proposed dwelling has been reduced from 7.2 metres to 6 metres. Both the previous and current proposals benefitted from two independently accessible parking spaces and an amenity area.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017 SP11, SP12, SP18, DM1, DM3, DM4, DM11, DM23
Neighbourhood Plan Boughton Monchelsea PWP 3, PWP4, RH1, RH6 Kent Minerals and Waste Local Plan 2016
Supplementary Planning Documents Maidstone Landscape Character Assessment
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.01 No representations received from local residents

5. CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

KCC Archaeology

- 5.01 Request condition to secure and implement archaeological field evaluation works in accordance with a specification and written timetable.
- 5.02 Arboricultural officer
- 5.03 No objection subject to a condition requiring compliance with the submitted tree protection and arboricultural method statement.

Conservation officer

- 5.04 The proposed dwelling is a considerable improvement in terms of design, scale and siting in comparison to the previous submission. In my view its modest vernacular design and form, which takes several cues from the adjacent unlisted outbuilding, would sit comfortably in its setting. The slight setback of the dwelling to the south and east would avoid the sense of a cramped layout which was previously a concern. The associated landscaping works have the potential to enhance the current appearance of the space between the various buildings.
- 5.05 I do not consider the development would cause harm to the setting of the Grade II listed buildings, White Cottage, Lewis Court and Tudor Cottage.

KCC Minerals and Waste

- 5.06 No comment

Highways

- 5.07 No objection on highways grounds

KCC Ecology

- 5.08 No objection subject to a condition relating to limiting external lighting, biodiversity enhancements and an informative relating to breeding birds.

6. APPRAISAL

Main Issues

- 6.01 The key issues for consideration relate to:

- Sustainability
- Design and layout
- Impact on heritage assets
- Impact on character of the area
- Residential amenity
- Biodiversity
- Highways and parking considerations

Sustainability

- 6.02 Policy SS1 seeks to encourage development in sustainable areas of the borough such as Maidstone urban area, Rural Service Centres and larger villages. The application site is within the larger village of Boughton Monchelsea and the proposed development seeks to construct a residential property within the front garden area of Lewis Court Cottage. PWP4 (i) of the BM Local Plan encourages development that complies with policies RH1 and RH6 in particular, is small in scale, of high quality design, in keeping with its location and is within the Boughton Village development boundary. The type of proposal is considered to be an acceptable form of development in a sustainable location and is broadly policy compliant in this regard.

Design and layout

- 6.03 Policy DM1 states that, in order to achieve high quality design, development proposals should positively respond to and, where appropriate, enhance the character of their surroundings. Policy DM12 sets out the site density within larger villages should achieve a net density of 30 dwellings per hectare. It is important that development contributes to its context. Policy RH6 in the BM Local Plan sets out that development proposals should be of high quality design and appropriate to the character of the area, reflect characteristics of surrounding locality in terms of topography, ridge heights, layout, plot size, and materials, be appropriately designed and no higher than 2.5 storeys including roofspace, and have densities that are in line with the prevailing 12-27 per hectare in the parish outside Maidstone Urban Area. It should also incorporate hard and soft landscaping and be designed to meet the Building Regulations optional requirement for water efficiency and strengthened standards for on-site energy performance.
- 6.04 The proposed dwelling would comprise a simple, two storey form with a pitched hipped roof, gabled at the ends. The front entrance would be located slightly to the east of the principle elevation, with some arched brickwork detailing over it and the remaining ground floor fenestration. The materials would comprise a slate roof, cast iron guttering, timber casement windows and an unknown brick type in Flemish bond. These materials are largely considered acceptable, although samples will be requested by condition.
- 6.05 There would be good access into the site, with two independently accessible parking spaces at the front of the proposed development. An amenity area would be largely

located to the rear of the site, although it would partially wrap around the dwelling to the west of the site with a reduced element at the front (north). This would help to break up some of the hard landscaped driveway, and materials could be chosen to further reduce the impact of this on the character of the locality.

- 6.06 The previously proposed dwelling had an eaves height of 5 metres, a ridge height of 8 metres, a width of 12 metres and a depth of 7.2 metres. Its design lacked the simplicity of the current scheme, which would be lower than the previous proposal in the eaves and ridge heights by 0.8 metres and 1 metre respectively. I also note that, although the width of the property remains the same (12 metres) the depth of the proposed dwelling has been reduced from 7.2 metres to 6 metres and the principle elevation has been set back approximately 6 metres. Both the previous and current proposals benefitted from two independently accessible parking spaces and an amenity area. The reduction in floor area by 28 square metres in conjunction with the reduction of the roof height and simplification of the design would reduce the bulk, massing and height of the development proposal, and result in a less competitive and cramped form when compared with the remaining buildings around it.
- 6.07 The height of the brick part of the barn to the west of the proposed development is 7 metres with an eaves height of 4.4 metres and a pitch of 40 degrees. I note Lewis Court Cottage is 7.8m tall with a 45 pitch. This confirms that the height of the development proposal would no longer compete with the barn, but would match its pitched roof (unlike the less sympathetic form of Lewis Court Cottage) and this would be in line with Maidstone and BM Local Plans.
- 6.08 Finally, the dwelling would result in a site density of 12, although, when compared with the previous development and the listed buildings to the north of the site, the overall density in this locality would be 10. Although this density would not reach the minimum standard as set out in the BM Local Plan, it is recognised that the setting of the listed buildings in the locality should not be impacted unduly. The alterations to the current proposal would result in a more coherent scheme, and the position of the dwelling further back into the site would avoid a cramped appearance that would be detrimental to the non-designated heritage asset.

Impact on heritage assets

- 6.09 Policy DM4 of the local Plan sets out that new development that has the potential to affect a heritage asset should incorporate measures to conserve, and where possible enhance the significance of the heritage asset and, where possible, its setting. A heritage statement should be submitted with any future application setting out how any potential impact on the heritage asset and its setting would be mitigated. Policy PWP 3 of the BM Local Plan sets out that proposed developments will be assessed taking account of the scale of any harm or loss, and the significance of the heritage asset.
- 6.10 The application site is not in a conservation area and does not contain any listed buildings. The two listed buildings (Grade II) to the north of the site are Tudor Cottage and Lewis Court. The outbuilding to the west of the application site is considered to be a non-designated heritage asset.
- 6.11 In relation to the non-designated curtilage building, it is accepted that it appears to have some historical value and the development of the adjacent land will have some impact. An assessment has been carried out with regard to the level of this impact against the benefits from the proposal.
- 6.12 The structure is a two storey timber outbuilding outside the site but adjacent to the western boundary and the existing access to the site. The main elevation of this building faces east with the narrow side elevation of this building facing towards the

site entrance. With this orientation and the length of the access road there are currently limited public views of this structure.

- 6.13 The proposal involves a new house that will mark the end of the access road. This new house is located close to, but orientated at a right angle to the front elevation to the curtilage structure. It is accepted that the new house will have an impact on the setting of this non-designated heritage asset but with orientation and the backland location this is not considered sufficient to justify the refusal of planning permission.
- 6.14 In assessing the potential heritage impacts from the proposed development the comments from both conservation officers have been considered. With the separation distance from the listed buildings, intervening development, boundary treatments, and the height and scale of the proposed buildings the potential impact on the setting of the listed buildings is considered to be negligible. The potential impact on non-designated heritage assets is not considered sufficient to refuse planning permission. When assessed against the test in the NPPF the benefits of the proposal providing a new dwelling outweighs the negative impact.
- 6.15 The applicant sought pre-application advice from officers prior to the submission of this planning application. The original plans submitted for discussion were revised by the applicant following comments from the Conservation Officer. The Conservation Officer at that time confirmed that there was no objection to the proposal that was subsequently submitted as the planning application. It was considered that, due to separation distances, boundary landscape screening, and the reduction in height and simplification in form of the development proposal, that it would not harm the setting of either the listed buildings or the non-designated heritage asset to the west of the site.
- 6.16 In the previous application, the former Conservation Officer concluded that the proposed development by the virtue of the density and site distribution and layout would fail to preserve the setting of the listed buildings and also the curtilage structures. The appeal Inspector did not assess the third dwelling as it was removed from the application before the determination of the application. However, the current Conservation Officer has worked with the applicant to provide a dwelling which would be more in line with a typical farmstead building, closing the gap between the non-designated heritage asset on the western side of the site (the barn) and Lewis Court Cottage (a less sympathetic addition to the site) to provide a more coherent scheme.
- 6.17 The application site is located within a larger village as defined in the Local Plan. This location is considered a sustainable location for new development at a higher density with higher density development located immediately to the rear of the site. The existing property on the application site has no historical or architectural merit. The proposed development would result in less than substantial harm to heritage assets and would provide the benefit of an additional dwelling in a sustainable location.

Impact on character of the area/landscaping and trees

- 6.18 Policy DM1 sets out that development proposals should respond positively to, and where possible enhance, the local, natural or historic character of the area. Particular regard will be paid to scale, height, materials, detailing, mass, bulk, articulation, and site coverage, incorporating a high quality, modern design approach and making use of vernacular materials where appropriate. Policy RH 1 of the BM Local Plan encourages new residential development to the north of Heath Road, B 2163, where it is within the Boughton village development boundary, retains the dispersed character of existing hamlets in the area and avoids visual or

actual coalescence with no significant adverse impact on the landscape or infrastructure, including parking. Applications for new development must respond positively to the established local character, including rural character and topography, and respect the privacy, wellbeing and quality of life of existing residents.

- 6.19 The incorporation of this building would create a courtyard type of enclosure that would be in keeping with the traditional buildings on the site. The proposed dwelling is set back by 50 metres from Green Lane with its location at the end of the access drive so it would be partially visible in the public view along the access drive. In addition, its siting would provide a view up the driveway to a simple structure that would not compete with the barn which is also partially visible from the public highway. It is noted that the proposed development would be set back approximately 6 metres from the previous application, providing a farmstead type layout that would respect the setting of the heritage asset to the west of it. On this basis, I consider that the impact of the proposed dwelling on the character of the area would be minimized.
- 6.20 I note that a tree survey and arboricultural method statement were submitted as part of the application. The details are acceptable and a condition can be attached to ensure that the development complies with the details set out within the report. A landscaping condition will also need to be added in order to ensure that a suitable scheme will be incorporated using native species which takes account of the Maidstone Landscape Character Guidelines.

Residential amenity

- 6.21 Policy DM1 encourages new development to respect the amenities of neighbouring properties and provide adequate residential amenities for future occupiers by ensuring that development does not result in, or is exposed to, excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion. The proposals should not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties. In addition, Policy RH 1 of the BM Local Plan encourages new residential development to the north of Heath Road, B 2163, where it respects the privacy, wellbeing and quality of life of existing residents.
- 6.22 The nearest residential property would be Lewis Court Cottage which is situated at right angles to the development proposal and no more than 2 metres away to the east of the application site. I note the proposed dwelling has fenestration on the ground floor of the flank wall only, and there is sufficient fenestration to the north and south of the site to provide sufficient light and ventilation to the proposed dwelling. The flank wall of the dwelling would be approximately 8 metres from the western boundary with one window at ground floor level (also secondary glazing). The separation distance would be sufficient for any impact in terms of over-bearance, overshadowing and overlooking issues to be alleviated. However, a condition would be added to ensure that no further windows would be added to the flank walls at first floor level and above in order to prevent any issues with regard to privacy.
- 6.23 Future occupiers would be a sufficient distance for any impact with regard to neighbour amenity to be minimised.

Biodiversity

- 6.24 Local Plan policy DM3 encourages development that responds to the natural environment by ensuring that it protects and enhances it where appropriate.
- 6.25 Para 175 (d) of the NPPF encourages opportunities to incorporate biodiversity improvements in and around developments, especially where this can secure measurable net gains for biodiversity. As such, biodiversity enhancements would be expected as part of this application, and a condition will be added to ensure that this is the case. In addition, lighting should be kept to a minimum in order to reduce any impact on the local wildlife and, finally, an informative will be added to ensure that breeding birds are not affected during breeding season when construction is taking place on the site.

Highways and parking considerations.

- 6.26 Policy DM23 takes into account the accessibility of the development and availability of public transport, the type of the development, the level of car parking, cycle facilities on new developments and the incorporation of electrical vehicle charging infrastructure.
- 6.27 Access to the site is gained from the existing site entrance to Lewis Court Cottage. The access is intended to serve all new dwellings, including those allowed on appeal under planning reference 16/508513/FULL. Each new dwelling will be served by two external parking spaces. There is sufficient space for the storage and collection of refuse without harm to amenity, access or highway safety. It is not considered that the proposal will have any adverse impact on the highway network or highway safety, and there has been no objection received from KCC Highways.

Other matters.

- 6.28 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

PUBLIC SECTOR EQUALITY DUTY

- 6.29 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7. CONCLUSION

- 7.01 The proposed development complies with the Maidstone Local Plan 2017 and there would not be any unacceptable impacts on the character, appearance and visual amenity of the locality. The development would not result in any adverse impact in terms of amenity to the occupiers of neighbouring properties. The proposals would not result in any parking or highway safety issues. The development would also be acceptable in heritage terms.
- 7.02 On balance, the proposal would be acceptable with regard to the Local Plan, the NPPF and all other relevant material considerations. There are no overriding

material considerations to indicate a refusal of planning permission and the recommendation is to approve planning permission.

8. 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 in accordance with the following approved plans:

23 Dec 2020		Application Form
23 Dec 2020	01	Site Location Plan
23 Dec 2020	0503	Proposed Site Layout Plan
23 Dec 2020	0504 2	Proposed Site Layout
23 Dec 2020	0506	Proposed Ground Floor Plan
23 Dec 2020	0507	Proposed First Floor Plan
23 Dec 2020	502	Proposed Elevations
23 Dec 2020	509	Illustrative Front Elevation
23 Dec 2020		Arboricultural Impact Assessment
23 Dec 2020		Arboricultural Survey
23 Dec 2020		Heritage Statement
23 Dec 2020		Planning Statement

Reason: To clarify which plans have been approved.

- 3) The development hereby approved shall not commence until full details of the internal and external joinery in the form of large scale drawings have been submitted for approval in writing by the local planning authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure the appearance and the character of the building are maintained.

- 4) The development hereby approved shall not commence above slab level until a hard and soft landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted for approval in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed [provide details of on site replacement planting to mitigate any loss of amenity and biodiversity enhancements [together with the location of any habitat piles] and include a planting specification, implementation details and a 5 year management plan. [The landscape scheme shall specifically address the need to provide boundary treatment to the eastern

boundary in particular, and to ensure the remaining boundary treatment is sufficient for neighbour amenity.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- 5) The occupation of the development hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details has been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property die, or become so seriously damaged or diseased that their long term amenity value has been adversely affected, shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- 6) The development hereby approved shall not commence above slab level until written details and samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted for approval 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.

- 7) No additional windows, doors, voids or other openings shall be inserted, placed or formed at any time in the east and west facing walls of the building hereby permitted at first floor level or above.

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

- 8) The development hereby approved shall not commence until details of the proposed slab levels of the building and the existing site levels have been submitted for approval 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.

- 9) The development hereby approved shall not commence above slab level until, details of satisfactory facilities for the storage of refuse on the site have been submitted for approval in writing by the local planning authority and the approved facilities shall be provided before the first occupation of the building and maintained thereafter;

Reason: No such details have been submitted and in the interest of amenity.

- 10) Prior to the commencement of development including site clearance the applicant, or their agents or successors in title, will secure and implement:

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

ii. further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: To ensure that features of archaeological interest are properly examined and recorded.

- 11) The dwelling hereby approved shall not be occupied until a minimum of one electric vehicle charging point has been installed with dedicated off street parking, and shall thereafter be retained for that purpose.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with policies within the NPPF.

- 12) Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted for approval in writing by the Local Planning Authority. These details shall include, inter alia, measures to shield and direct light from the light sources so as to prevent light pollution and illuminance contour plots covering sensitive neighbouring receptors. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter.

Reason: In the interests of visual amenity and to safeguard protected species in the rural area.

The development shall be carried out in accordance with details relating to the submitted tree protection and arboricultural method statement by PJC consultancy, referenced 3238AO/16/02 and dated 29th November 2016.

Reason: In the interests of visual amenity and to safeguard the trees in this area.

- 13) The development hereby approved shall not commence above slab level until details for a scheme for the enhancement of biodiversity on the site have been submitted for approval in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through integrated methods into the design and appearance of the extension by means such as swift bricks, bat tubes or bricks. The development shall be implemented in accordance with the approved details and all features shall be maintained thereafter.

Reason: To protect and enhance the ecology and biodiversity on the site in the future.

INFORMATIVES

- 1) The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25th October 2017 and began charging on all CIL liable applications approved on and from 1st October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.
- 2) The applicant is advised that broad compliance with the Mid Kent Environmental Code of Development Practice is expected as the development involves demolition and/or construction.
- 3) The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defense against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken

by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

Case Officer: Jocelyn Miller