

REPORT SUMMARY

REFERENCE NO: 23/501841/FULL		
APPLICATION PROPOSAL: Removal of existing garage and conservatory. Erection of a two-storey side extension, part two storey/part single storey rear extension including rooflight and front porch extension. Extension of existing driveway.		
ADDRESS: 3 Chilston Road Lenham Maidstone Kent ME17 2PR		
RECOMMENDATION: GRANT – subject to the planning conditions set out in Section 8.0 of the report.		
SUMMARY OF REASONS FOR RECOMMENDATION: For the reasons set out below it is considered that the proposed extensions would be acceptable and would not cause significant visual harm, harm to neighbouring amenity or highway safety nor be unacceptable in terms of any other material planning considerations such that the proposed development is considered to be in accordance with current Development Plan Policy and planning guidance.		
REASON FOR REFERRAL TO COMMITTEE: The recommendation is contrary to the views of Lenham Parish Council who have requested the application be presented to the Planning Committee.		
WARD: Harrietsham And Lenham	PARISH/TOWN COUNCIL: Lenham	APPLICANT: Mr and Mrs Meader AGENT: Kent Design Studio Ltd
CASE OFFICER: Ping Tye	VALIDATION DATE: 20/04/23	DECISION DUE DATE: 15/06/23
ADVERTISED AS A DEPARTURE: NO		

Relevant Planning History

58/0087/MK2 : Outline application for residential development Approved 28.07.1958

58/0094/MK2 : Outline application – Residential Development Approved 28.07.1958

61/0386/MK2 : Details - 21 Dwellings Approved 10.11.1961

23/501097/PAPL : Pre-Application Advice - Demolition of existing garage. Proposed two storey side and rear extension, with addition of front porch and internal/external works. Closed 30.03.2023

MAIN REPORT

1. DESCRIPTION OF SITE

1.01 3 Chilston Road is a semi-detached two-storey dwellinghouse located in a cul-de-sac on Chilston Road within the settlement boundary of Lenham. The surrounding properties within Chilston Road are predominantly detached and semi-detached bungalows, and two-storey semi-detached dwellings. The application site level would slope gently downwards in a southeastern direction towards the rear garden.

2. PROPOSAL

2.01 The proposal is for the removal of existing garage and conservatory. Erection of a two-storey side extension, part two-storey/part single-storey rear extension including rooflight and front porch extension. Extension of existing driveway.

2.02 *Two-storey side extension*

The proposed two-storey side extension would project from the flank wall of the host dwelling by approximately 2.5m, setback from the front face by approx. 0.4m, and extend the entire depth of the host dwelling rearwards by approximately 7.0m. It would have a gable end roof with an approximate eaves height of 5.4m and ridge height of 7.5m. The ridge height of the new roof would be marginally set down by approx. 0.1m from the ridge of the existing dwelling.

The proposed two storey side extension would be sited approximately 0.6m from the shared side boundary with the non-attached neighbouring property at No. 5 on the south. However, there would be a gap of approximately 3.4m to remain between the first floor flank walls of the properties as No.5 has a single storey side garage sited next to the boundary. No.3's existing garage is currently sited immediately adjacent to the boundary and No.5's garage with no gap. This garage is proposed to be demolished to accommodate the proposed side extension.

2.03 *Part two-storey/part single storey rear extension*

In addition to the side extension there would be a part two-storey/part single-storey rear extension. The single storey element would be set back by approximately 0.4m away from the common boundary with the adjoining property (No.1) to the north, runs along the entire rear elevation of the host dwelling and also to the rear of the proposed side extension. It would protrude from the host dwelling by approximately 3.4m in depth and would span approx. 8.6m in width. It would be flat roofed with an insertion of a roof light. The eaves height of the flat roof would be approximately 3.4m. Patios doors would open onto steps which lead onto a raised patio with an approx. height of 0.27m.

The first-floor of the two-storey element would be set back by approximately 3.2m away from the common boundary with No.1, runs along the rear elevation of the host dwelling and also to the rear of the proposed side extension. The first-storey element would protrude from the original dwelling by approximately 3.4m in depth and would span 5.8m in width. It would have a hip roof with an approximate eaves height of 5.7m and ridge height of 7.5m. The ridge height of the new roof would be set down by approx. 0.3m from the ridge of the existing dwelling.

2.04 *Front Porch*

The proposed front porch would measure approx. 2.5m wide and 1.2m deep. It would be flat roofed with an eaves height of approx. 2.7m.

2.05 *Hard standing*

The proposal would also include an extension of the driveway at a right angle to the front of the property and would enable parking for one vehicle, bringing the total parking spaces at the property to 2. The additional hard standing would measure approximately 2.5m x 5.2m.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan (2011-2031):

- DM1 – Principles of good design
- DM9 – Residential extensions, conversions and redevelopment within the built-up area

- DM23 – Parking standards

Maidstone Borough Council – Local Plan Review, draft plan for submission (Regulation 22):

- LPRSP15 – Principles of good design
- LPRHOU2 – Residential extensions, conversions, annexes, and redevelopment in the built-up area
- LPRTRA4 - Parking Matters

Neighbourhood Plan: Lenham

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Supplementary Planning Documents: Maidstone Local Development Framework: Residential Extensions SPD

Lenham Neighbourhood Plan (2021).

4. LOCAL REPRESENTATIONS

Local Residents: 7 representations received from local residents raising the following (summarised) issues

- a) Nature and scale of proposal inappropriate and too large for the location which is a quiet, small and compact residential development comprising of bungalows and small houses.
- b) Not in keeping with character and appearance of surrounding area and unsympathetic to neighbouring properties.
- c) Increased physical and visual impact due scale of a two-storey proposal impact upon outlook of neighbouring properties.
- d) Neighbouring properties will be overlooked due to topography of Chilston Road being on a higher land level than Faversham Road towards the rear.
- e) Reduced distance of separation would further impact upon privacy of neighbouring properties.
- f) Set a precedent for similar extensions which would be detrimental to property prices in the area and create a negative visual appearance to Lenham historic market village status.
- g) Extension of drive at a right angles will not be a pleasing sight and together with front porch extension would result in loss of half the front garden.
- h) Loss of light and overshadowing for adjacent neighbouring properties at No.1 and 5, and houses in Faversham Road to the rear.
- i) Construction will take considerable time which would result in increase in traffic, equipment, disruption and noise in a road that is not suitable for this.
- j) Overdevelopment due to “concreting over” of $\frac{3}{4}$ quarters of rear garden and part of front garden.
- k) In breach of covenant which states “no commercial activity is allowed on any of the properties” as large amount of hard standing for this large development is not in keeping with normal requirements of a normal residence.

- l) Collected stormwater from the massive extension would result in flash flooding and significant silt built up blocking existing drains which leads to potential environmental health risks and expenses.
- m) Potential damage to garage, substructure and groundworks of adjacent property at No.5. Asbestos disturbance in garage roof.
- n) Reduced separation gap of less than 1m between extension and No.5's garage is too small and will not permit safe building, insufficient practical space to traffic a wheelie bin, and result in negative effect structurally over time.

Issues relating to property values, covenants etc. are not material planning considerations. Covenants are a private/civil matter and as this is proposal is residential, there would not appear to be a conflict with any covenant relating to commercial matters. Any change of use to commercial would require planning permission and this application is purely for a householder extension. By their very nature, construction periods are normally only for a short duration and are not something that can be controlled via condition. Issues relating to construction and also noise and disturbance from construction would be dealt with by Building Control or Environmental Healthy. Informatives are attached to draw the applicant's attention to construction and recommended development practices.

5. CONSULTATIONS

Lenham Parish Council

5.01 *"Lenham Parish Council (LPC) objects to this planning application, there are a number of reasons which are detailed below.*

- 1) *The proposal will close up a beneficial gap in the front facades of the properties in Chilston Road, which provides relief to the overall mass of the streetscape. It is noted that other than the four properties 1, 3, 5 & 7, all others in the road are bungalows. As such the street presence by these two pairs of semi-detached properties is all the more important, especially when it is noted that they are on the very edge of the village, addressing the rural fringe. The LPC do not feel that this proposal is beneficial to the street scene which should be protected from over development and an extension of such mass in this location. The impact of this added mass on the adjacent properties should not be underestimated. Such a proposal leaves little or no opportunity for the neighbouring property and any subsequent application would result in a terrace style approach which LPC regard as entirely unacceptable and not in keeping with the aesthetic of the neighbourhood.*
- 2) *The proposal seeks to remove the garage and bring the development line forward from the existing garage to just behind the existing façade. While the step back is considered and has (limited) benefit of bringing the ridge line down when seen against the existing, the impact on the mass of the property in the street scene and on the immediate neighbours cannot be overlooked. LPC believe that this is an example of an overdevelopment of the plot in a manner which is insensitive to the neighbourhood. LPC believe that the existing building line must be observed to avoid detrimental impact on the neighbouring properties and the street scene.*
- 3) *The submitted drawings show an additional parking space on what is currently grassed area such that the property will have two available spaces (for a four-bedroom house?). LPC believe this parking provision is insufficient and will lead to on street parking. There are already issues with hard surface runoff affecting the neighbouring property. Adding to this surfacing will exacerbate matters. This approach is also contrary to the ecological aspirations within the*

Lenham Neighbourhood Plan and the MBC ecology policies where removing green space for parking provision is less than ideal.

- 4) *The proposed site plan appears to include ecological mitigation proposals of a log pile and a hedgehog house. While LPC actively encourage ecological improvements, in this instance, we regard the inclusion of these as woefully inadequate and a blatant attempt to greenwash a submission, with insignificant token ecological benefits. There is no credible argument or example where such simple applied tokens have been maintained and proven to aid ecology/diversification. Serious ecological measures include permanent installations which cannot be simply removed in a garden tidy up as these can.*
- 5) *In addition to point 3 above, the width of Chilston Road is such that any on road parking severely limits access for emergency vehicles as well as dustbin lorry access. LPC are aware that there are a number of elderly residents in this area, and they regularly use ambulances for appointments (and in emergencies). The property increase to four-bedrooms will result in additional parking on the road as only two spaces can be accommodated to the front of the property (off the carriageway). This has already presented an issue for neighbours since the applicant moved into the property. A continuation of any such parking will cause significant inconvenience to the residents and may impact on emergency access. LPC object to the application where it will result in any on road parking in Chilston Road or adjacent roads.*

Note: It is understood that there are historic covenants on the properties in Chilston Road and Royton Avenue. LPC remind MBC that such covenants do not fall away with time and planning applications/decisions are still subject to the requirements of any such covenant as may apply to that property. MBC should be aware of such limitations when considering applications.

Summary: LPC objects to the application mainly with a focus on the impact and mass on the neighbours and the street scene. There is also concern regarding the visual impact and overlooking issues as well as potential loss of amenity in the rear gardens both through mass or the rear part of the development, potential shading, and overlooking.

LPC believe that the application is ill considered in this location and should be rejected."

6. APPRAISAL

The key issues are:

- Visual Impact
- Residential Amenity
- Parking/Highway Safety
- Other Matters

Principle of Development/Policy Context

- 6.01 Policy DM1 sets out the principles of good design. In particular, proposals should respond positively to local character and particular regard should be paid to scale, height, materials, detailing mass and bulk.
- 6.02 More specifically, Policy DM9 sets out the criteria for domestic extensions within built up areas. It states that proposals should be permitted if:

- i. *"The scale, height, form, appearance and siting of the proposal would fit unobtrusively with the existing building where retained and the character of the street scene and/or its context;*
- ii. *The traditional boundary treatment of an area would be retained and, where feasible, reinforced;*
- iii. *The privacy, daylight, sunlight and maintenance of a pleasant outlook of adjoining residents would be safeguarded; and*
- iv. *Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of the street scene."*

6.03 The Supplementary Planning Document Residential Extensions (2009) provides further guidance which includes (points summarised):

- Extensions should respond sensitively to the positive features of the area which contribute to the local distinctive character and sense of place in terms of scale, proportion and height. It is also desirable that the form, proportions, symmetry and detail of the original building should be respected. The scale, proportion and height of an extension should not dominate the original building, should be subservient to the original house and should fit unobtrusively with the building and its setting. The form of an extension should be well proportioned and present a satisfactory composition with the house (paragraphs 4.37 – 4.42).
- The infilling of spaces between detached and semi-detached dwellings with two-storey extensions could create a terraced appearance at odds with the rhythm of the street scene. Where there is a pattern of gaps, as a guide a minimum gap of 3m should be retained between the side wall of an extension and the that of the adjoining property. A side extension built flush with the front elevation of the existing house may also affect the symmetry of a semi-detached pair with adverse impact on the street scene, so a side extension should be subordinated to the original building (paragraphs 4.16, 4.17 & 4.18).
- Extensions should respect the amenities of adjoining properties in terms of privacy, daylight and sunlight and should maintain an acceptable outlook from a neighbouring property (paragraphs 4.70 – 4.79).

Visual Impact

6.04 It is considered that the design of the two-storey side extension incorporates measures from the design guidance in the adopted Residential Extensions SPD to subordinate it to the host dwelling. It would be stepped back from the front building line of the host dwelling and its ridge would be stepped down below the main ridge line. At only 2.5m wide, its proportions are considered acceptable and would be clearly less than half the width of the host dwelling. It would therefore appear subservient and fit unobtrusively with the host property. The use of matching materials would give a sympathetic finish and help the development to blend in with the host building.

6.05 Turning to the impact on the street-scene, the proposed side extension would significantly narrow the gap between the proposal and the neighbouring property at No.5, however, the submitted drawings demonstrate that a gap of approx. 3.4m would remain between the new flank wall and the flank wall of No.5. This complies with the design guidance in the adopted Residential Extensions SPD, which states that the pattern of gaps between the properties in a street scene should be maintained and that "there should normally be a minimum gap of 3 metres between the side wall of the two-storey side extension and the adjoining property." As such, it is considered that an adequate gap would remain between the properties to prevent a terracing effect. The proposed extension would meet the requirements

set out in the adopted SPD, and thereby those of Local Plan Policy DM9 with regard to visual impact, and is not considered to be harmful to the character or appearance of the street-scene.

- 6.06 The part two-storey/part single-storey rear extension would also appear subordinate because of its lower ridge height and its position behind the host dwelling. As the rear extension is not visible from the street scene, it is considered that it would not result in undue harm to the visual amenity of the street scene and surrounding area.
- 6.07 Lenham Parish Council has raised concern that if this proposal were to be approved, it would take away the right of the neighbour to do a similar extension because to do so would result in a terracing effect. Such scenarios are not without precedence. Looking at historical records of planning appeals, for example under reference APP/U2235/D/21/3271699, the Planning Inspectors have considered this point at No. 10 Meadow View Road, Maidstone and have concluded that "While I recognise that such a scenario might not appear fair, I must determine the appeal on the basis of the information before me. I have no substantive information about the prospect, timing and nature of any proposal to extend No.8 and therefore I cannot attach any significant weight to this consideration". Since that appeal decision is a material consideration, the same approach should be applied to the current application and as there is no substantive information about the prospect, timing and nature of any proposal for a two-storey side extension at No.5, it is considered that no significant weight can be attached to this consideration.
- 6.08 The proposal includes the extension of the existing driveway to accommodate an extra parking space. However, this will take up minimal space with a good sized front garden remaining to ensure that the proposal will not look out of place. All the front gardens of the 4 semi detached properties are just laid to lawn with no hedgerows. There will be no loss of trees or hedgerows as a result of the extended driveway. Even with the proposed new driveway and extensions, the dwelling will retain a good sized front garden and a good sized rear garden, that will not look out place in the area.
- 6.09 It is therefore concluded that the proposed development would not harm the character or form of the host dwelling or the character or appearance of the street scene.

Residential Amenity

- 6.10 The nearest neighbouring property is the north (No.1) and south (No.5). All other neighbouring properties are considered to be a significant distance away to be unaffected by the proposed development.

No.1 Chilston Road

- 6.11 No. 1 Chilston Road is the attached neighbouring property with a conservatory at the rear abutting the common boundary line. There is no adjacent facing fenestration on the rear extensions towards No. 1 and hence it is unaffected in terms of loss of privacy and overlooking.
- 6.12 The single storey rear extension would protrude approx. 3.4m beyond No.1's building line, alongside its conservatory in close proximity to the common boundary. A 45° BRE light assessment test carried out on the single-storey extension confirms that it would not result in overshadowing or cause loss of light to the neighbouring occupier due to its single-storey nature. The two-storey element is set away from the common boundary by approx. 3.2m such that no harm in terms of loss of light, overshadowing or loss of privacy or outlook would result.

- 6.13 The two-storey side extension would not affect this neighbour as it would be shielded by the host dwelling.

No.5 Chilston Road

- 6.14 Concerns were raised regarding loss of light and overshadowing to No.5. A 45° BRE light assessment test carried out confirms that the two-storey side extension would pass both the floor plan and elevation tests due to the 3.4m gap between the properties at first floor level and also the existing garage on the neighbouring property. It is therefore considered that the extension would not result in overshadowing or cause loss of light to any of No. 5's habitable spaces.

- 6.15 There would be 2 nos. high level windows on the proposed side elevation that would look towards No.5's flank wall. However, the proposed windows would serve the bathrooms and are proposed to be obscure glazing. These windows should be conditioned to remain obscure glazed with any opening parts restricted with limiters. Furthermore, the outlook is towards flank walls and garage and 2no. windows serving non-habitable spaces. Therefore, it is considered that no harm to any loss of privacy or outlook to the neighbouring occupiers would result.

Faversham Road

- 6.16 The land levels slope gently down towards the Faversham Road. However, the 2 nearest properties to the rear of the application site on Faversham Road are between 21m and 25m away from the new first floor bedroom window on the rear elevation of the proposed extension. As a result, there would be no unacceptable overlooking onto these properties. The application site will retain a good sized rear garden, providing good separation between the proposal and its neighbours.

- 6.17 Overall

The proposals would not result in a significant harm to neighbouring residential amenity that would warrant a refusal.

Impact on parking

- 6.18 The proposal would increase the number of bedrooms from 3 to 4 and concerns have been raised regarding insufficient parking provision. Appendix B of the Local Plan sets out that in the suburban locations 4 bedroom dwellings will require 2 parking spaces. In this case, the proposal would involve the extension of the driveway to the front of the property which meant that the application site could accommodate 2 cars. As such, it is not considered any harm would result to parking arrangements or highway safety.

- 6.19 Concerns have also been raised regarding issues with additional hard surface and the runoff affecting the neighbouring property. A condition could be imposed for the hard surfacing to be made of a porous material, or provision be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. It should be noted that under permitted development rights, creation of additional hardstanding areas could be created at these properties.

Other Matters

- 6.20 Biodiversity/Ecological Enhancements: Due to the nature and relative scale of the development and the existing residential use of the site, it is not considered that any ecological surveys were required.

However, Policy DM1 of the Local Plan sets out, at point viii, that proposals should 'protect and enhance any on-site biodiversity and geodiversity features where

appropriate, or provide mitigation.’ This is in line with the NPPF and advice in the Residential Extensions SPD. Consequently, it is considered that a condition should be attached requiring biodiversity enhancement measures are provided *integral* to the proposed extensions and within the curtilage of the dwellinghouse. A log pile and hedgehog box have been indicated on the block plan, but additional measures are sought, including integral provision within the extension. This would enhance habitat provision to offset the additional development.

- 6.21 Renewables: The NPPF, Local Plan and residential extensions SPD all seek to promote the use of renewables and energy/water efficient buildings. The proposals by their nature are extensions to an existing building such that it would be unreasonable to seek to secure such measures which do not accord to the scale of the development. However, energy efficiency can be secured through measures such as construction or water efficient for use of measures such as water butts, as such to secure such measures a condition is considered reasonable to ensure that the development incorporates appropriate measures.

PUBLIC SECTOR EQUALITY DUTY

- 6.22 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 For the reasons set out below it is considered that the proposed erection of a two-storey side extension, part two-storey/part single-storey rear extension including rooflight, front porch extension and extension of existing driveway would be acceptable and would not cause significant visual harm, harm to neighbouring amenity or highway safety nor be unacceptable in terms of any other material planning considerations such that the proposed development is considered to be in accordance with current Development Plan Policy and planning guidance.

8. RECOMMENDATION

GRANT planning permission subject to the following conditions

with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

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:

Site Location Plan and Existing Block Plan – Drawing no. 4346-01

Existing Ground Floor and First Floor Plan – Drawing no. 4346-02

Existing Elevations – Drawing no. 4346-03

Existing Section A-A – Drawing no. 4346-04

Proposed Block Plan – Drawing no. 4346-10A

Proposed Ground Floor and First Floor Plan – Drawing no. 4346-11C

Proposed Elevations – Drawing no. 4346-12B

(All received 17.04.2023)

Reason: To clarify which plans have been approved.

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

Reason: To ensure a satisfactory appearance to the development.

- 4) The extension/s hereby approved shall not commence above slab level until details of a scheme for the enhancement of biodiversity on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through at least one integrated method into the design and appearance of the extension by means such as swift bricks, bat tubes or bee bricks, and through the provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgehog corridors. The development shall be implemented in accordance with the approved details prior to first use of the extension/s and all features shall be maintained thereafter.

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

- 5) The development shall not commence above slab level until details of how the proposal hereby approved shall be constructed to secure the optimum energy and water efficiency of the extension/building have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first use and retained and maintained thereafter; The details shall demonstrate that consideration has been given to incorporating small scale renewable energy generation options have been considered first and shall only be discounted for reasons of amenity, sensitivity of the environment or economies of scale, installing new energy efficient products, such as insulation, energy efficient boilers, low energy lighting shall be considered as a secondary option if the use of renewables has been demonstrated to not be appropriate.

Reason: To ensure an energy efficient form of development.

- 6) The new driveway hereby approved and any additional hardsurfacing within the front curtilage of the dwellinghouse shall be made of a porous material, or provision be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Reason: In the interests of sustainable drainage and surface run off

- 7) Before the development hereby permitted is first used, the proposed ensuite and bathroom windows in the first floor side (south) elevation to the extension shall be obscure glazed to not less than the equivalent of Pilkington Glass Privacy Level 3, and these windows shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such.

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

- 8) No additional windows, doors, voids or other openings shall be inserted, placed or formed at any time in the north and south facing first floor elevations of the two-storey side and rear extensions hereby permitted.

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

- 9) The flat roof area of single storey rear extension hereby permitted shall not be used as a veranda, balcony, roof garden or similar amenity area. Furthermore, no balustrades, railings or other means of enclosure shall be erected and access to this flat roof area shall be restricted solely for the purpose of future maintenance of the extension/dwelling and for no other purpose.

Reason: To protect neighbouring amenity

INFORMATIVES

- 1) It is the responsibility of the developer to ensure, before the development hereby approved is commenced, that approval under the Building Regulations (where required) and any other necessary approvals have been obtained, and that the details shown on the plans hereby approved agree in every aspect with those approved under such legislation.
- 2) The grant of this permission does not convey any rights of encroachment over the boundary with the adjacent property in terms of foundations, eaves, guttering or external cladding, and any persons wishing to implement this permission should satisfy themselves fully in this respect. Regard should also be had to the provisions of the Neighbour Encroachment and Party Wall Act 1995 which may apply to the project.
- 3) Your attention is drawn to the following working practices which should be met in carrying out the development:
- Your attention is drawn to Sections 60 & 61 of the COPA 1974 and to the Associated British Standard COP BS 5228: 2009 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition: if necessary you should contact the Council's environmental health department regarding noise control requirements.
 - Clearance and burning of existing woodland or rubbish must be carried without nuisance from smoke etc. to nearby residential properties. Advice on minimising any potential nuisance is available from the Council's environmental health department.
 - Plant and machinery used for demolition and construction should only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.
 - Vehicles in connection with the construction of the development should only arrive, depart, be loaded or unloaded within the general site between the hours of 0800 hours and 1900 Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.

- The importance of notifying local residents in advance of any unavoidably noisy operations, particularly when these are to take place outside the normal working hours is advisable. Where possible, the developer shall provide residents with a name of a person and maintain dedicated telephone number to deal with any noise complaints or queries about the work.
- Adequate and suitable provision in the form of water sprays should be used to reduce dust from the site.
- It is recommended that the developer produces a Site Waste Management Plan in order to reduce the volumes of waste produced, increase recycling potential and divert materials from landfill. This best practice has been demonstrated to both increase the sustainability of a project and maximise profits by reducing the cost of waste disposal.
- 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.

If relevant, the applicant must consult the Environmental Health Manager regarding an Environmental Permit under the Environmental Protection Act 1990.

Case Officer: Ping Tye

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.