

## REPORT SUMMARY

<b>REFERENCE NUMBER:</b> 23/502446/FULL		
<b>APPLICATION PROPOSAL:</b> Erection of 1no. detached bungalow with parking.		
<b>ADDRESS:</b> Land to rear 18-20 Hartnup Street Maidstone ME16 8LR		
<b>RECOMMENDATION: GRANT PLANNING PERMISSION subject to conditions</b>		
<b>SUMMARY OF REASONS FOR RECOMMENDATION:</b> <ul style="list-style-type: none"> <li>• Proposal is acceptable in relation to design, appearance, and character.</li> <li>• Potential impact on the amenity of adjacent neighbours in relation to noise, privacy, and overlooking is acceptable.</li> <li>• Arrangements for access, parking and servicing are acceptable.</li> <li>• Development is in accordance with local and national planning policies.</li> </ul>		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> Call in from Cllr. Harper for reasons in section 4 of this report.		
<b>WARD:</b> Fant	<b>PARISH/TOWN COUNCIL:</b> N/A	<b>APPLICANT:</b> MR M Minchev <b>AGENT:</b> Building Design Studio
<b>CASE OFFICER:</b> Francis Amekor	<b>VALIDATION DATE:</b> 26/05/23	<b>DECISION DUE DATE:</b> 27/03/24
<b>ADVERTISED AS A DEPARTURE:</b> No		

### Relevant planning history

No relevant planning history

### MAIN REPORT

#### 1. DESCRIPTION OF SITE

- 1.01 The L-shaped site is in the Maidstone urban area and to the rear of the two-storey residential block at nos.18-20 Hartnup Street. The application site is in a larger triangular shaped block of residential properties bordered by Tonbridge Road (north), Western Road (southwest) and Hartnup Street (south and east).
- 1.02 The local area has a diverse architectural character that includes traditional built terraces and semi-detached properties in a wide range of designs, materials, ages, with differing setbacks from the road.
- 1.03 The existing character of the area includes backland residential development with three other existing self-contained detached properties located to the south west of the current application site. In addition to these three properties, there are numerous outbuildings of various sizes on land adjacent to the current application site. These buildings can be seen on the plan provided on the following page of this report.
- 1.04 The main part of the application site measures approximately 13 metres at its widest point, extending 45 metres in depth. Access from Hartnup Street is provided by an existing tarmac driveway between the residential block at 18-20 Hartnup Street and the end of terrace house at 16 Hartnup Street.



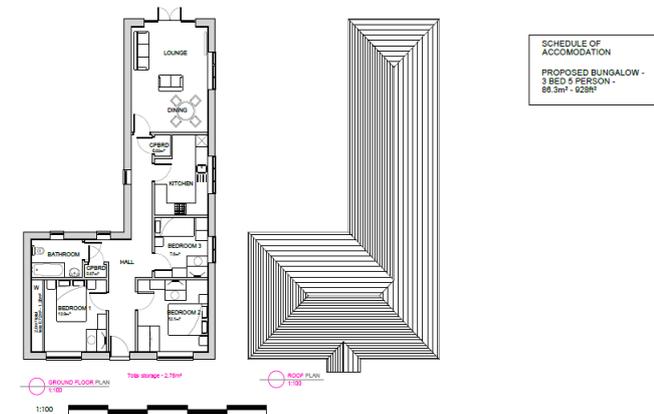
Local context plan

## 2. PROPOSAL

- 2.01 The proposed 3 bedroom bungalow is constructed of red stock brick and has an L-shaped footprint. The bungalow has a depth of approximately 16 metres and maximum width of 9 metres. The roof of the bungalow roof is hipped with the roof ridge at a height of 4.5 metres, and eaves height of 2 metres.
- 2.02 The bungalow is laid out internally with an entrance hallway, family bathroom, three bedrooms, kitchen and an open planned lounge and dining room. The outdoor amenity space would measure approximately 8.5 metres wide and 19 metres in depth.
- 2.03 The development includes 2 car parking spaces directly in front of the proposed bungalow. Access to the bungalow would use the existing driveway from Hartnup Street. A proposed garden shed measures 2.2 metres long and 1.8 metres wide with a roof ridge height of 2 metres and roof eaves at 1.5 metres.
- 2.04 The proposed site plan on the following page shows the location of the proposed bungalow on the site and the rear garden space. The plan shows cycle storage in the proposed shed, the location of the electric vehicle charging point and the location of storage for general waste and recycling. The elevations of the proposed bungalow are also provided.



**Proposed site plan**



**Proposed floor plans and elevations**

LAND TO REAR 20 HARTNUP STREET MADSTONE KENT ME16 8LR	PROPOSED BUNGALOW PLANS & ELEVATIONS DATE: 11/05/24 REV: MAY 23 PROJECT: BDC-HN-P03
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**BUILDING DESIGN STUDIO**  
B&P ARCHITECTURE

### **3. POLICY AND OTHER CONSIDERATIONS**

#### Development Plan: Maidstone Local Plan 2017:

Policy SS1 – Maidstone Borough spatial strategy  
Policy SP1 – Maidstone urban area  
Policy DM1 – Principles of good design  
Policy DM9 – Residential extensions, conversions and redevelopment within the built up area.  
Policy DM11 – Residential garden land  
Policy DM12 – Density of housing development  
Policy DM23 – Parking standards

#### Local Plan Review:

On 8 March 2024, the Council received the Final Report on the Examination of the Maidstone Borough Local Plan Review prepared by the Planning Inspector. The Inspector's Report concludes that the Maidstone Borough Local Plan Review is sound, subject to the main modifications being incorporated.

Following publication of the March committee papers with this report, the next stages for the LPR are the Planning, Infrastructure and Economic Development Policy Advisory Committee on the 18 March 2024 and Cabinet on the 19 March 2024. It is anticipated that Council adopts the LPR on 20 March 2024.

If adopted on the 20 March 2024, at the time of the March planning committee meetings, LPR policies will carry 'substantial' but not 'full' weight. LPR policies will only carry 'full weight' 6 weeks after the date of adoption (judicial review period). The relevant LPR policies are as follows:

Policy LPRSS1 – Maidstone Borough Spatial Strategy  
Policy LPRSP2 – Maidstone Urban Area  
Policy LPRSP15 – Principles of Good Design  
Policy LPRTRA4 – Parking  
Policy LPRQ&D6 – Technical Standards  
Policy LPRQ&D7 – Private Amenity Space Standards  
Policy LPRHou4 – Residential Garden Land  
Policy LPRHou5 – Density of Residential Development.  
Policy LPRTRA4 – Parking

#### The National Planning Policy Framework (NPPF) (Dec. 2023):

Section 2 – Achieving Sustainable Development  
Section 4 – Decision Making  
Section 12 – Achieving well Designed Places

#### Supplementary Planning Documents:

Ministry of Housing, Communities and Local Government: National Design Guide.  
Government's Technical Housing Standards: Nationally Described Space Standards (March 2015).  
National Planning Policy Guidelines (NPPG).  
MBC Development Management Housing Intensification Advice Note – May 2023

#### **4. LOCAL REPRESENTATIONS**

##### **Local residents:**

4.01 Objections from 5 residents for the following (summarised) reasons:

- Overdevelopment.
- Loss of privacy, outlook, and light to neighbouring properties
- Inappropriate infill development.
- Access would cause inconvenience to existing residents.
- Noise and disturbance
- Emergency service access.
- Impede access to existing parking spaces of neighbouring properties.

##### Councillor Harper

4.02 Objection for the following reasons:

- Environmental harm
- Backland development
- Local concerns
- Unsafe access Hartnup Street
- Impact on parking on Hartnup Street
- Emergency services access the site
- Requested the application is reported to the planning committee if the case offer is minded to approve.

#### **5. CONSULTATIONS**

##### MidKent Environmental Health

5.01 No objection subject to conditions on:

- external lighting
- Foul drainage

#### **6. APPRAISAL**

6.01 The key issues are:

- Spatial strategy
- Character and appearance
- Neighbour amenity
- Standard of accommodation
- Parking and access
- Cycle storage
- Refuse storage.
- Ecology

##### **Spatial strategy**

6.02 Policy LPRSS1 and adopted policy SS1 of the Maidstone Borough Local Plan state that the Maidstone urban area will be the principal focus for development stating, 'Best use will be made of available sites within the urban area'.

6.03 Policy LPRSP2 and adopted policy SP1 are specifically concerned with the built-up area of Maidstone within the urban boundary but outside the identified town centre. The policy is generally supportive of new housing development in this sustainable urban location. LPRSP2 advises that development should be in a way that contributes positively to the locality's distinctive character.

6.04 Policy LPRHou4 and adopted policy DM11 of the Maidstone Borough Local Plan permit development of domestic garden land in the urban area, subject to several

caveats. These caveats include that development does not result in significant harm to the character and appearance of the area or cause significant loss of amenity to neighbours.

- 6.05 The application site is in the Maidstone urban area and is a sustainable location with good access to facilities and services, including public transport. On this basis, the principle of a residential dwelling is acceptable subject to complying with other relevant policies in the Local Plan. These other policies are considered in the following sections of this report.

### **Character and appearance**

- 6.06 LPRHOU 11 and adopted policy DM 9 require the scale, height, form, appearance, and siting of the proposal to fit unobtrusively with the character and context. LPRSP15 and adopted policy DM1 requires development to respond positively to local character especially in relation to scale, height, materials, detailing, mass, bulk, articulation, and site coverage. Similar requirements are set out in policy LPRHou4 and adopted policy DM11.
- 6.07 Government guidance in the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.08 Properties in this area vary in form and appearance and in addition to properties fronting the roads there are three existing dwellings to the south west located on land that would originally have been the rear garden of dwellings fronting the main road. In addition to the three existing dwellings there are a large number of outbuildings including garages on nearby garden land
- 6.09 The three dwellings and the outbuildings on rear garden land form part of the existing local character. In this context the current application for a bungalow in a similar backland location is in keeping with this existing character. The proposed bungalow is also a similar height to existing outbuildings in neighbouring residential gardens. Materials proposed for the external elevations are currently present in the local area and would assist the development assimilate in the local area.
- 6.10 The proposed bungalow is on a backland site. The application site is separated from and has little visual relationship to development fronting the nearby roads. In addition to this lack of visual relationship to the main roads, existing local development fronting roads is also notable for its mixed character and appearance. The different scale, form, size, and materials of the two buildings either side of the access from Hartnup Street are an example of this existing mixed character.
- 6.11 Contrary to neighbour consultation the current application does not represent overdevelopment. The proposed bungalow sits comfortably on the site with a good-sized rear garden and off street car parking. The proposal also retains sufficient garden space for existing dwellings and as discussed later in this report maintains residential amenity.
- 6.12 As can be seen on the plan included earlier in this report, the properties in Hartnup Street, and Tonbridge Road all have narrow rear gardens. Whilst some gardens have been shortened by existing backland development, gardens in this location are still of substantial length. Typically, a rear garden is required to be a minimum of 10 metres long and the rear garden of 297 Tonbridge Road to west is 65 metres long. The application makes efficient use of this land in a sustainable location by providing a new dwelling on this rear garden land whilst retaining sufficient garden land for existing dwellings.

- 6.13 The design, scale and form of the dwelling are in keeping with the established character of the street. The development complies with the requirements set out in LPRSP15 in adopted policy DM1 and paragraph 131 and 135 of the NPPF (2023). This advice seeks to ensure that all development is well designed and protects and enhances the character and distinctiveness of an area.
- 6.14 LPRHou4, LPRHou5, and adopted policies DM11 and DM12 state that development in domestic gardens would be permitted if the higher density resulting would not result in significant harm to the character and appearance of the area. The plot size and density of the current application is comparable to nearby to the southeast and north east.
- 6.15 The orientation of the proposed dwelling and its alignment with existing properties in the street is consistent with the surrounding pattern of development. The simple design including its moderate scale would ensure it assimilates well in the local environment without detriment to the visual character of the locality.



Applicants' separation distances plan

### **Neighbour amenity**

- 6.16 LPRSP15 and adopted policy DM 1 state that proposals will be permitted where they respect the amenities of occupiers of neighbouring properties. Development should not result in, excessive noise, activity, or vehicular movements, overlooking or visual intrusion. Built form should not result in an unacceptable loss of privacy or light.
- 6.17 The potential impact of development on the privacy of neighbours is typically measured by assessing the separation distance between directly opposing first floor windows, a minimum separation distance of 20 metres is normally expected. With views obscured by boundary treatments and outbuildings etc ground floor windows are generally not considered to have any significant impact on privacy.

- 6.18 The current application is for a bungalow and as shown in the images provided earlier in this report there are no windows proposed above ground floor level. Rooflights in a bungalow would also normally only allow restricted views.
- 6.19 The closest building in Tonbridge Road to the application site is 255 Tonbridge Road. This two storey building set back behind the general building line provides a hot food takeaway at ground floor level. The application site is separated from 255 Tonbridge Road by 23 metres with this distance including the rear gardens of three intervening properties (259, 261 and 263 Tonbridge Road).
- 6.20 The closest residential property in Tonbridge Road is 257 Tonbridge Road with a separation distance of 32 metres from the proposed bungalow across the rear gardens of 259, 261 and 263 Tonbridge Road. Potential views into neighbouring gardens would be obscured by boundary treatments and an outbuilding in the rear of 269 Tonbridge Road.
- 6.21 The location of the proposed bungalow is adjacent to an existing outbuilding in the rear garden of the adjacent property at 22 Hartnup Street. The proposed bungalow is separated from the rear elevation of the building at 18-20 Hartnup Street by 27 metres which includes a garage block. Views from windows would be restricted by existing outbuildings and boundary treatments.
- 6.22 The proposed dwelling would retain an acceptable separation distance with all the existing dwellings to the north and south of the site, which avoid any adverse effect in terms of overshadowing and loss of light. Boundary treatments, separation distances, and existing backland buildings would minimise any issues with overlooking or loss of privacy.
- 6.23 For these reasons, the proposals would not diminish the standard of living conditions enjoyed by occupiers of neighbouring properties. The proposal complies with LPRSP15 and adopted policy DM1 of the Maidstone Borough Local Plan (2017) and relevant provisions of the NPPF (2023). These policies require new development to avoid harming the amenity of neighbouring occupiers.

#### **Standard of accommodation**

- 6.24 LPRSP15 and adopted policy DM1 advise that proposals will be permitted where they *"...provide adequate residential amenities for future occupiers of the development..."*. The policy seeks to ensure that occupiers are not *"...exposed to, excessive noise..., overlooking or visual intrusion..."*. The NPPF advises of the importance of good design, creating well designed accommodation with a high standard of amenity for future residents.
- 6.25 All habitable rooms in the bungalow comply with the space standards set out in policy LPRQ&D6. These standards require habitable rooms of a sufficient size for daily activities of future occupiers and provision of adequate natural light.
- 6.26 Policy LPRQ&D7 sets out external amenity space standards. The policy requires outdoor amenity space to have sufficient space to provide an outdoor seating area, small shed, clothes drying area, area of play, planting space (for trees and shrubs). It is advised that these facilities can be accommodated in a garden with a 10-metre depth and the width of the dwelling. The outdoor amenity space indicated on the site layout plan for future occupiers of the proposed bungalow would measure 19 metres in depth.
- 6.27 The proposal provides a dwelling of a good standard, with good levels of amenity for future residents including daylight, outlook, and privacy. The proposal complies with relevant LPR policies and those in the adopted plan.

### **Parking, access, and appeal decision at 14 Charles Street**

- 6.28 NPPF advice on assessing highway impact states "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*" (NPPF 2023 paragraph 115).
- 6.29 Off street parking standards for new dwellings are provided in the adopted Maidstone Local Plan (Appendix B and policy DM23). The policy provides both minimum and maximum parking standards to reflect local circumstances and the availability of alternative modes of transport to the private car. LPRTRA4 states that the council may depart from established maximum or minimum parking standards for reasons such as public transport accessibility and local on street parking problems.
- 6.30 The parking standards are based on the number of proposed bedrooms and the nature of the location (town centre, edge of centre, suburban or village/rural). The current application site is in an '*edge of centre*' location (existing high on street parking demand). Hartnup Street is one way with no entry for vehicles from Tonbridge Road.
- 6.31 Whilst Hartnup Street is not in a controlled parking zone, dropped kerbs providing access to off street parking for properties the north of the site access restricts on street capacity. On street capacity is further restricted by the narrow width of the road/double yellow lines to the south of the site entrance.
- 6.32 The supporting text to the car parking standards (Footnote 3) encourages flexibility in '*edge of centre*' locations and in these locations, adopted local plan off street parking standards are set as a 'maximum' (i.e not '*minimum*' standards as in other areas).
- 6.33 Maximum off street parking standards optimise the density of development in existing sustainable locations well served by public transport. As advised at NPPF [2023] paragraph 109 "*Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes*".
- 6.34 The proposal is for the construction of a three-bedroom detached bungalow. Adopted Local Plan standards require a maximum total (not minimum) of 1 off street space and 0.2 visitor spaces. The proposed provision of 2 off street spaces compiles with the outlined adopted maximum off street car parking standards.
- 6.35 On this basis, the proposals would be unlikely to give rise to increase on-street parking around the local area or exacerbate any existing highway safety challenges. It would not conflict with SPG '*Kent Vehicle Parking Standards*' (2006), or policy DM23 of the Adopted Maidstone Local Plan. The policies jointly seeks to ensure development is served by adequate car parking, whilst mitigating the adverse effects of development on the wider road network.
- 6.36 The vehicle driveway to the rear of the site at the narrowest point is 3 metres wide. This driveway and vehicle access and egress on to Hartnup Street are acceptable for the new dwelling, including emergency access (meets Kent Design Guide standard) and in relation to highway safety.
- 6.37 At the committee meeting on the 20 April 2023 a decision was taken to refuse planning permission for an application at 14 Charles Street (reference 22/505206/FULL). Whilst this application was for an increase in the size of an existing HMO from 6 bedrooms to 8 bedrooms and the current application is for a

bungalow there are similar considerations in relation to new development in the urban area. The reasons for refusal were as follows:

*"The increase in bedrooms would result in a significant exacerbation of inadequate parking and environmental deterioration creating cumulative harm to neighbourhood amenity contrary to Policies DM1 and DM9 of the Maidstone Borough Local Plan 2017 and the NPPF".*

- 6.38 Planning Inspectorate decision letters dated 9 February 2024 allowed the appeal made against the decision to refuse permission at 14 Charles Street and awarded costs against the council for unreasonable behaviour.
- 6.39 The summary conclusions of the appeal Inspector on planning merits were as follows:
- On street parked cars form part of existing local character.
  - It is evident that there is on street parking pressure.
  - There is no off street car parking proposed and this would comply with adopted Local Plan maximum standards.
  - Given the location "...it is unlikely that future occupiers would require a private car to carry out their daily needs...".
  - Even if occupiers had cars the potential additional parking demand would be limited and would not meet the NPPF 'severe' impact test.
  - Additional on street parking "...would not detract from the character of the area where there are plenty of on-street parking bays".
  - "...if inconsiderate parking practices were to arise, they would be subject to normal policing and controls within the highway".
  - *"The proposal would be in accordance with the Framework [NPPF], where it seeks to promote sustainable transport and create places that will function well".*
- 6.40 The application site is in an area where parking standards are set at maximum (not minimum levels). If the application site were located outside the urban area where 'minimum' standards apply, the current application and the level of off street parking would still be compliant.
- 6.41 Whilst existing pressures are noted the current application complies with adopted off street parking standards. In the unlikely event that there is overspill on street parking demand, this demand will not be sufficient to meet the 'severe' impact refusal level test in the NPPF. Given the location of the site and nature of the development it is not envisaged the proposal would result in significant material increase in on-street parking problems in the local area.

### **Cycle storage**

- 6.42 Cycle parking standards are set out in the KCC Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards. These standards require a minimum of 2 cycle parking spaces for the proposed bungalow.
- 6.43 The submitted proposal includes external access to the rear gardens of the bungalow and the submitted plan shows cycle storage in a new shed. A planning condition is recommended to ensure that approved cycle parking is in place prior to first occupation of the new dwelling.

### **Refuse storage.**

- 6.44 MBC Waste Services require houses to have "...1 x black refuse bin (180l), 1 x green recycling bin (240l) and 1 x black/orange food waste bin (23l)". As with the cycle parking the refuse storage can be provided in the rear gardens of the bungalow with rear access used to move the bins for collection.

6.45 There is space available for the refuse bins to be located at the front boundary for collection without blocking the pavement. A planning condition is recommended to ensure that approved details of refuse storage are in place prior to first occupation of the new dwelling.

**Ecology**

6.46 Policy DM1 sets out that proposed development should respond to the location of the site and sensitively incorporate natural features such as such as trees, hedges worthy of retention within the site. The NPPF states that planning decisions should contribute to and enhance the natural and local environment providing net gains for biodiversity, and opportunities to improve biodiversity in and around developments should be integrated as part of their design.

6.47 The application site consists of the land to the rear of nos.267-269 Tonbridge Road and nos.18-20 Hartnup Street. With the existing garden land use, the potential for protected species to be present is limited. The application includes a biodiversity enhancement plan indicating the location of a bat box, bird box, bee hotel and a log pile. A planning condition is recommended to ensure that these features are provided.



**Biodiversity Enhancement Plan**

**Other matters**

6.48 A neighbour has expressed concern that the new bungalow will potentially block access to a parking area to the rear of a property fronting Tonbridge Road.

6.49 The site boundary shared with rear gardens of properties in Tonbridge Road can be seen in the photo on the following page. No evidence has been submitted by the neighbour to support this claim and the applicant’s agent has confirmed that the application site is wholly owned by the applicant.

- 6.50 Land ownership issues are not a material planning consideration that can be considered in determining this application. In this context, these comments from a neighbour would not be grounds to refuse planning permission.



Site boundary shared with rear gardens of properties in Tonbridge Road

## **7. PUBLIC SECTOR EQUALITY DUTY**

- 7.01 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.

## **8. COMMUNITY INFRASTRUCTURE LEVY**

- 8.01 The proposed development is Community Infrastructure Levy (CIL) liable. The Council adopted CIL 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.

## **9. CONCLUSION**

- 9.01 The recommendation to grant planning permission is for the following reasons:
- Application site is in a sustainable urban location where there is general support for development in both the adopted Local Plan and the NPPF (2023).
  - Proposed bungalow is in keeping with the character, appearance, scale, proportions, design, and layout of this residential area.
  - Proposal is acceptable in relation to maintaining the amenity of neighbouring properties.
  - Proposal provides a family dwelling of a good standard with good levels of amenity that meets the Nationally Space Standards for internal space with sufficient external amenity space.
  - Proposal will not result in any adverse impact upon the highways and parking within the street to a severity that would warrant refusal of permission.
  - Proposal is in accordance with relevant adopted planning policies and the NPPF (2023).
  - Proposals comply with policies DM1, DM9, DM11 and DM12 of the Maidstone Borough Local Plan 2017.

## **10. 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 and/or informatives in line with the matters set out in the recommendation and as resolved by the Planning Committee:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of the 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 and documents:  
Application Form  
BDS-HN-P01 Site Location and Existing Site Plan  
BDS-HN-P02 Existing Site Sections  
BDS-HN-P03 Proposed Site and Shed Plans  
BDS-HN-P03 Proposed Site Plans (Coloured)  
BDS-HN-P04 Proposed Site Sections  
BDS-HN-P10 Site Plan - Overlooking Distances  
BDS-HN-P05 Proposed Bungalow Floor Plans and Elevations  
7BDS-HN-P05 Proposed Bungalow Plans and Elevations  
BDS-HN-P11 Proposed Site Plan - Biodiversity Enhancement  
Design and Access Statement  
Reason: For the avoidance of doubt and in the interests of proper planning.  
Reason: To ensure that the development is undertaken in accordance with the approved drawings and documents.
- 3) The house hereby approved shall be constructed in accordance with the submitted construction materials listed on drawing BDS-HN-P03 (Proposed Site Plans (Coloured)).  
Reason: In the interest of visual amenity.
- 4) The development hereby approved shall not commence until details of a) the existing site levels and b) the proposed slab levels of the building and have been submitted to and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved levels.  
Reason: To secure a satisfactory form of development having regard to the topography of the site.
- 5) The development hereby approved shall not commence until tree protection is in place in accordance with the current edition of BS 5837. All trees to be retained must be protected by barriers and/or ground protection. No equipment, plant, machinery, or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the local planning authority. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site.  
Reason: In the interests of landscape, visual impact.
- 6) The development hereby approved shall not commence above slab level until a sustainable surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The submitted details shall:

a) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site, including any requirement for the provision of a balancing pond.

b) Include a timetable for implementation surface water drainage scheme in relation to the development; and,

c) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker, or any other arrangements to secure the operation of the scheme throughout its lifetime.

The sustainable surface water drainage scheme shall be implemented in accordance with the approved timetable and all features shall be maintained thereafter.

Reason: In the interests of pollution and flood prevention.

7) The development hereby approved shall not commence until a Construction Management Plan for the development has been submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include the following details-

(a) Routing of construction and delivery vehicles to / from site

(b) Parking and turning areas for construction and delivery vehicles and site

Personnel

(c) Timing of deliveries

(d) Provision of wheel washing facilities

(e) Temporary traffic management / signage

(f) Measures to control dust.

(g) Measures to prevent the discharge of surface water onto the highway.

The construction works shall proceed only in accordance with the approved Construction Management Plan.

Reason: In the interests of residential amenity and highway safety.

8) The development shall not commence above slab level until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the Local Planning Authority (to include gaps at ground level in the boundaries to allow the passage of wildlife) and the development shall be carried out in accordance with the approved details before the first occupation of the approved buildings and maintained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers and for the passage of wildlife.

9) The development shall not commence above slab level until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved to provide at least 10% of total annual energy requirements of the development, have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation of the approved dwelling and maintained thereafter.

Reason: To ensure an energy efficient form of development.

10) The development hereby approved shall not commence above slab level until a landscape scheme has been submitted to and approved in writing by the local planning authority. The scheme shall (a) be designed in accordance with the principles of the Council's landscape character guidance (Maidstone Landscape Character Assessment Supplement 2012) (b) show all existing trees, landscaping on, and immediately adjacent to, the site and indicate whether it is retained or removed, (c) provide details of new on-site landscaping in a planting specification (location, spacing, species, quantity, maturity). (d) provide landscape implementation details and implementation timetable (e) provide a [5] year landscape management plan.

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

- 11) All approved landscape details shall be completed by the end of the first planting season (October to February) following first occupation of the dwelling hereby approved. Any of the approved landscaping which fails to establish or any trees or plants which, within five years from the first occupation of the property, are removed, 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.
- 12) Prior to the first occupation of the dwelling hereby approved, facilities for (a) the storage and screening of refuse bins, (b) the collection of refuse bins, and (c) secure bicycle storage shall be in place that are in accordance with details that have previously been submitted to and approved by the Local Planning Authority. These details will be maintained as such thereafter.  
Reason: To ensure a satisfactory appearance to the development.
- 13) Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The submitted details shall: a) be in accordance with the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light, GN01, dated 2011 (and any subsequent revisions) (Environmental Zone E1), and b) follow the recommendations within the Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting'. c) include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter.  
Reason: To safeguard protected species and in the interests of residential amenity.
- 14) Prior to the first occupation of the accommodation hereby approved the parking and turning areas shown on the submitted plans shall be completed and thereafter shall be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) 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/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.
- 15) Notwithstanding the provisions of the Town and Country Planning General Permitted Development (Amendment) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development within Schedule 2, Part 1, Classes A, B, C, D, E and F; and Schedule 2, Part 2, Class A, to that Order shall be carried out.  
Reason: To ensure a satisfactory appearance to the development.
- 16) The development hereby approved shall meet the higher level of water efficiency of 110 litres per person, per day as set out under the building regulations Part G2 or any superseding standard. The building shall not be occupied unless this standard has been met and this standard shall be maintained thereafter.  
Reason: To ensure a sustainable form of development.
- 17) The development hereby approved shall meet the accessible and adaptable dwellings building regulations Part M4(2) standard or any superseding standard.

The dwelling shall not be occupied unless this standard has been met and the dwelling shall be thereafter retained as such.

Reason: To ensure the development is in accordance with local and national policy and meets acceptable standards of accessible and adaptable dwellings.

- 18) 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.

Reason: In the interest of the amenities of occupiers of neighbouring properties.

- 19) The development shall be implemented in strict accordance with the approved biodiversity enhancement plans ref: BDS-HN-P11 (Proposed Site Plan - Biodiversity Enhancement) prior to first occupation of the development hereby approved and all features shall be maintained thereafter.

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

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