

APPLICATION: MA/09/0351 Date: 25 February 2009 Received: 2 March 2009

APPLICANT: Paynes Stores Ltd

LOCATION: HARRIETSHAM HIGHWAYS DEPOT, MARLEY ROAD, HARRIETSHAM, KENT

PROPOSAL: Erection of nine, one, two and three bedroom dwellings with amenity space, parking, access and landscaping (Resubmission of MA/07/2389) as shown on drawing numbers DHA/6104/19, DHA/6104/20, DHA/6104/21, DHA/6104/22, DHA/6104/23, DHA/6104/24, DHA/6104/25, DHA/6104/26, DHA/6104/27, DHA/6104/28, DHA/6104/29, DHA/6104/30, D7941/S1A , Planning Statement, Code for Sustainable Homes statement, Remediation Strategy and Tree Survey and Constraints received on 2/3/09.

AGENDA DATE: 21st May 2009

CASE OFFICER: Peter Hockney

The recommendation for this application is being reported to Committee for decision because:

- It is contrary to views expressed by the Parish Council
- Councillor Tom Sams has requested it be reported for the reason set out in the report

### **POLICIES**

Maidstone Borough-Wide Local Plan 2000: ENV6, H27  
Kent and Medway Structure Plan 2006: HP2, HP4, EN9, QL1, NR1, NR6, NR9  
South East Plan 2009: H1, H2, H5, NRM11  
Government Policy: PPS1, PPS3, PPG13

### **HISTORY**

MA/07/2389 – Erection of nine, one, two and three bedroom dwellings – REFUSED.

### **CONSULTATIONS**

**Harrietsham Parish Council** wishes to see the application REFUSED on the following grounds:-

- "There is insufficient refuse bin capacity. Due to the new MBC refuse collection system there will be twice as many bins as the amount shown in the plans and the space provided will be inadequate.

- It is unclear how the refuse will be collected from each property.
- Having paths leading up to the development will encourage parking along Marley Road
- Emergency vehicles will have difficulty turning in the area provided.
- The height of the dwellings is still of concern for the location.
- Inappropriate size and density.
- The width of the site entry prevents 2 way traffic.
- How do they propose access for servicing the sub station?
- No apparent sound audit.
- No schedule for services - are street lights required?
- The proposed development by virtue of the amount of hardstanding would result an incongruous form of urban development for this part of Harrietsham contrary to policy QL1 of the Kent and Medway Structure Plan 2006."

**Kent Highway Services** have assessed the application in terms of the level of parking and the adequacy of the access and visibility and raise no objections to the application on any highway matters.

**MBC Environmental Health Manager** has assessed the application and concludes that the contamination report submitted, which includes a desk study that has been carried out, as well as some preliminary on site investigation, is adequate. A contamination condition to cover remediation works and the submission of a closure report. He does not consider that a noise assessment is required due to the low level of traffic noise from Marley Road and the absence of any nearby noise generators.

## **REPRESENTATIONS**

**Cllr Tom Sams** has called the application to committee stating:-

"This application is of significant interest to the community. It is on a prominent site within the village and any decision will have a major impact on this part of Harrietsham. Bearing in mind an application on this site has already been before members, I would appreciate the planning committee seeing this amended application."

**19 letters of objection** have been received on the following grounds:-

- Insufficient car parking resulting in additional on street parking on unlit roads causing a highway hazard.
- The development would be out of character with the properties in Marley Road and Mercer Drive and the rural surroundings.
- The development would be intrusive in the street scene.

- Loss of privacy.
- Noise disturbance and smells from the use.
- The proposed density of the development is too high with too many dwellings proposed.
- Concern regarding potential flooding due to the lower slab levels.
- The site is not previously developed land.
- Concern that approval of this scheme would set a precedent for other sites.
- Concern that contaminated land is not sufficiently dealt with.

### **SITE LOCATION**

The application site relates to a former KCC Highways Depot on the south side of Marley Road. There is no planning history relating to its previous Highway Depot use, however, this is likely to have been permitted development. The site is at the western edge of the village of Harrietsham but is within the village boundary. The site is outside both the North Downs Area of Outstanding Natural Beauty and the Special Landscape Area, which ends at the northern side of Marley Road and does not cover any part of the village envelope. The site is a transitional site from the residential part of Harrietsham to the open countryside and relates more to the countryside location than the built up area of Harrietsham. The transitional nature of the site means that it needs to be developed in a sensitive way.

There is an existing access onto Marley Road and the majority of the site is covered by hardstanding with an existing electricity sub station at the western boundary of the site. There is a slope to the site which rises southwards away from the road (approximately 3 metres) and from slopes down from east to west with a drop of approximately 5 metres. There are a number of trees surrounding the site along the eastern, southern and western boundaries, including horse chestnut, ash, sycamore and hawthorn. On the Marley Road frontage incorporates a chain link fence, approximately 1.8 metres in height and some scrub vegetation.

### **PROPOSED DEVELOPMENT**

The application is a full application for the erection of nine dwellings in the form of 6 three bedroom houses, a single two bedroom house, a single two bedroom flat and a single one bedroom flat. There would be garages and parking provided totalling 16 spaces and the development would include a vehicular access by upgrading the existing access onto Marley Road without increasing its width but by resurfacing with a resin bonded gravel finish. A footpath linking the development with the existing footpath that runs into Mercer Drive would be created to allow pedestrian access into the site.

The layout of the proposed would include a terrace of three dwellings facing Marley road on the eastern side of the site. Adjacent to plot 3, approximately central in the frontage, would be the access road at a width of approximately 3.5 metres. The eaves height of this block would range from 3.7 metres to 5 metres with ridges ranging in height from 7 to 9 metres. A second terrace of three properties would be located in the western portion of the site facing the new access road, although plot 4 would have a double frontage that also would face Marley Road the eaves facing Marley Road would range from 2.2 to 4.8 metres, this would be cut into land by approximately 1 metre.

Adjacent to plot 6 to the south would be a triple width garage and parking in front with a two bedroom flat located above it would be approximately 4.6 metres to the eaves and 7.8 metres to the ridge. In the most southerly part of the site would be a detached two bedroom house with the first floor partially within the roofspace. It would have an eaves height of 5 metres and a ridge height of 9.2 metres. Finally another triple width garage with a one bedroom flat above would be located north east of the detached property and adjacent to the rear gardens of plots 1, 2 and 3 that would front Marley Road. It would measure approximately 3.8 metres to the eaves and 7.4 metres to the ridge the flat accommodation at first floor would be set into the roof and served by modest dormer windows.

There would be a total of 16 parking spaces for the nine proposed units, which is an acceptable standard for this village location. There have been no objections from Kent Highway Services regarding the level of parking provision. The hard surfaced areas would be a resin bonded gravel finish with parking bays demarked with granite setts.

The materials would be a combination of brick, render and tile hanging for the walls. The houses would be roofed in plain clay tiles with the garages with flats above roofed in slate. The units would incorporate such details as overhanging eaves and first floor windows breaking the eaves line. These aspects would assist in improving the design quality of the development and ensuring that the mass of the development is kept to a minimum. The mix of these materials and the design would result in a traditional style of development that would complement the village location and not appear incongruous in the surrounding area.

The boundaries of the site would be treated sympathetically in the context of the surroundings. The boundary fronting Marley Road would be a 1.2 metre high double staggered hedgerow with a 1 metre high post and rail fence located behind. There is an existing 1.8 metre high chain link fence that forms the boundary with the edge of the village. It is proposed to retain this boundary to maintain the visually permeable treatment to this edge and to prevent a harsh appearance to the development.

The dwellings that are proposed would meet a code level 2 in the Code for Sustainable Homes and this would be secured by way of a condition.

## **BACKGROUND**

A previous application MA/07/2389 for nine dwellings came before Members on 26 June 2008, the Maidstone Borough-Wide Local Plan (2000) and the Kent and Medway Structure Plan (2006) remain in force, and with the recent adoption of the South East Plan form the Development Plan. The site has remained unaltered and therefore this decision is a strong material consideration in determining this application. The previous application was refused on the following two grounds:-

- (i) The proposed development by virtue of its height, mass, design and layout fails to respond positively to the rural character of this site and surrounding area thereby proving detrimental to the character and appearance of this part of Harrietsham which is a transitional site which relates more to the open countryside when approached from the east along Marley Road and Dickley Lane contrary to policy QL1 of the Kent and Medway Structure Plan 2006.**
  
- (i) The proposed development by virtue of the amount of hardstanding, width of access, two metre close boarded fence and lack of soft landscaping, particularly along the road frontage, would result an incongruous form of urban development for this part of Harrietsham contrary to policy QL1 of the Kent and Medway Structure Plan 2006.**

Following this refusal the agent has been in contact with the Development Control Section with a view to creating a scheme that would overcome Members' concerns. There has also been a site meeting with representatives of the Parish Council and Local Members.

## **PRINCIPLE OF DEVELOPMENT**

Although there is no planning history for the site, it is clear that it is previously developed land by virtue of the extent of hardstanding across the site. Whilst there are no buildings on site the extent of hardstanding makes it clear that the site is previously developed land. The site is within the village envelope of Harrietsham and therefore the principle of residential development on the site conforms to national and local policies and is considered acceptable. The principle of residential development was not a ground for refusal.

The site was identified in the 2002 Urban Capacity Study as suitable for residential development. It was identified within the Urban Capacity Study for between 9 and 14 dwellings.

The site area is approximately 0.23 hectares, policy H5 of the South East Plan 2009 encourages higher density residential development and with an overall regional target

of 40 dwellings per hectare. The proposed scheme equates to 39 dwellings per hectare and is slightly below the target in the South East Plan, however, is acceptable for this edge of village location. The proposal for 9 units fits in with this requirement and the identification in the Urban Capacity Study.

The principle of the development is acceptable and Members were not against the principle of residential development on the site during the last application.

### **DESIGN AND VISUAL IMPACT**

This is the key issue when considering this application as both the previous reasons for refusal centred around the visual impact of the development.

The mass of this development has subsequently been significantly reduced, in particular along the front elevation, facing Marley Road. The previous application had an eaves line that was 4.7 metres adjacent to the boundary of the village with the countryside (plot 4). The current proposal reduces this level to approximately 2.2 metres. Along the frontage of plot 4 the eaves line is approximately 4.2 metres as opposed to a gable frontage with a barn hip 7.5 metres in height. The frontages of plots 1, 2 and 3 onto Marley Road have been reduced to between 3.6 metres and 4.6 metres from approximately 5.6 metres.

This reduction is considered to have three-fold benefits. Firstly, all the eaves lines have been reduced, the higher eaves are located adjacent to the built up area of Harrietsham, with the lower eaves line adjacent to the countryside. This would aid in how the development would sit within the context of this transition site and would respect the sensitive nature of the site. Secondly, the development sits more comfortably within the site, appearing more squat, and as one would expect within a relatively stand alone site, within such a location, and thirdly, it dictates that the design of the buildings are more rural in appearance, with low slung eaves heights, larger roofslopes, and with an overall reduction of massing. This is a more traditional Kentish character, and one which is considered more appropriate for such a sensitive site.

The elevation now fronting Marley Road would see plot 4 with a large catslide roof to the western elevation, which is again a traditional Kentish feature, not uncommon to this locality. The design of this plot has been altered significantly and includes a low eaves line of approximately 2.2 metres reducing the potentially dominating impact that the dwelling could have on the views from the countryside along Marley Road. Whereas the previously refused scheme had an eaves height of approximately 4.7 metres facing the boundary with the countryside. This building would have timber cladding and tile hanging upon the front elevation at first floor level, with a gabled fronted porch. Such a form of building is quite common within the locality, and is considered to address both the street frontage, and also the open countryside to which it adjoins. This property is cut into the ground by approximately 1 metre to further reduce its bulk. This plot is not

a single dwelling however, but rather a row of terraced dwellings, the remain two facing into a courtyard within the centre of the site. As such, this building effectively has a double frontage, which works particularly well in this instance, as this then addresses the access into the site. This further front elevation (facing into the centre of the site) again sees good variation of the eaves height, and the good use of a variety of different materials (tile hanging, timber boarding, render, brickwork). To the rear of these properties, (facing eastwards) the properties would be set well of the boundary, with the mature trees retained, which would ensure a good level of screening of these properties, and a good sized garden. This distance should also ensure that there would not be pressure to see these trees chopped back or removed, once the properties are occupied.

Plots 1, 2 and 3 face onto Marley Road, and are considered to be of a good standard of design. These properties are well articulated, with the natural slope of the main street taken into account, with a step in the buildings introduced. Again, the bulk of these buildings have been significantly reduced from the previous application (an overall reduction of some 2.9metres), with the eaves line also again significantly reduced. The variation of the design, and materials of these properties is again considered to be suitable for this location. Once more, the use of clay tile hanging, and clay tiles on the roof would reflect the traditional appearance of such buildings within the County, and the immediate area, and as such is considered appropriate. Furthermore, the applicant has demonstrated that there would be a good roof overhang on each elevation, certainly a detail upon many buildings within this rural area. There would be a good level of landscaping provided to the front of these properties, further integrating the scheme into the surrounding area.

The internal layout of the development proposals to create a small courtyard, as one might expect to see, for example, within a farmstead. An informal cluster of buildings is proposed which would have an area of hardstanding in front of all properties. Two of the units proposed would be garages with residential accommodation above (plots 7 and 9) with the most southerly property (plot 8) appearing as the most dominant, and largest within the development. Again, this is a form of development that would be expected within this location. The detailing on these buildings are again, considered appropriate with the use of suitable materials, good proportions on the fenestration details, and each building designed in such a way to appear in keeping with the rural surroundings of the site.

Overall, whilst the bulk of the properties 4, 5 and 6 have been reduced, plots 7, 8 and 9 are to remain as before. However, as these are set within the site, and are screened by the frontage development this is not considered to be to the detriment of the character of the area. On balance therefore, it is considered that this proposal does overcome the previous reason for refusal as it has been significantly reduced in terms of bulk, and is also of a significantly improved design. It is considered important however to ensure a good quality finish to the development, and as such a condition is suggested requiring details of the roof overhangs, and recessed windows and doors, as

well as precise details of materials to be submitted to the Local Planning Authority prior to the commencement of works on site.

Greater care being has also been taken with the boundaries with increased landscaping to provide a soft edge to the development. The significant changes relate to the eaves height of the development, which overall have been considerably reduced with the first floor windows now cutting the eaves line of the properties reducing the overall mass of the development.

Along the Marley Road frontage there would be significant improvements in landscaping with a double staggered native hedge that would provide a soft edge to the development. This planting combined with the 1 metre high post and rail fence would ensure that the rural character of the area is maintained. This is in stark contrast to the previous submission which saw the proposal to erect a 2metre high close boarded fence for along part of this front elevation, which formed part of the previous ground for refusal. As such, it is considered that this part of the ground has been overcome. Likewise, previously concern was raised over the level of hardstanding within the development, and in particular at the point of access. The refused scheme had an access width of 4.8metres, which this scheme proposing an access of 3.5metres in width. This allows for additional landscaping at this important part of the site, and therefore overcomes one of the previous grounds of refusal in reason 2 of the aforementioned decision. Furthermore, within the site, the level of hardstanding has been reduced with the creation of a pinch point within the site, which creates a feature of greater interest, as well as reduces the level of hardstanding, to the schemes benefit.

In terms of the dwellings in the immediate area in Marley Road and Mercer Drive, the proposed dwellings would be different to the bungalows in Mercer Drive and the detached properties in Marley Road. However, the fact that the dwellings would be different to those in the vicinity is not in itself a reason for refusal there has to be demonstrable harm to the character and appearance of the area. The Development has been reduced in scale from the previous application, cut into the land and increased landscaping surrounding the site.

The layout of the development has changed to move the refuse collection area further into the site in order to allow for greater landscaping around the access point minimising the area of proposed hardstanding at the entrance and that visible from Marley Road. The layout of the properties at plots 4 to 6 have altered to take greater account of their location adjacent to the boundary of the village with the countryside.

It is therefore considered that this proposal would overcome the two previous grounds for refusal, by virtue of the loss of bulk, the reduction in the level of hardstanding, the improvement to the landscaping, and the improved design of the buildings proposed. It is therefore considered that in respect of these matters, this application is now



acceptable in the context of this transitional site from the village to the open countryside.

### **IMPACT ON RESIDENTIAL AMENITY**

The properties in Mercer Drive, located to the east of the site, are bungalows and would back onto the site, in particular 1, 2 and 3 Mercer Drive.

The dwelling at plot 1 would be approximately 19 metres from the rear of 1 Mercer Drive. This distance would ensure that there would be no loss of light or an overwhelming impact on the occupiers of 1 Mercer Drive. The orientation of plot 1 would mean that there would be an acute angle of approximately 40 degrees. This angle would ensure that there would be no direct overlooking of 1 Mercer Drive and that the level of privacy of the occupiers would be maintained.

The bungalows of 2 and 3 Mercer Drive would be approximately 26.5 and 27.5 metres away respectively from the garage with flat above at plot 9. This distance would ensure that there would be no loss of light or an overwhelming impact on the occupiers of these bungalows. The two rear facing windows to this flat serving a bathroom and kitchen area would be in excess of previous guideline of 21 metres that was contained in the Kent Design Guide 2000 and therefore the development would not result in a loss of privacy to the occupiers.

The dwellings in Marley Road are separated by Marley Road and a minimum of 25 metres from the proposed development. This distance and the fact that the resultant development would be a front to front relationship where privacy is not a significant issue. The distance would ensure there would be no loss of light to the existing occupiers and there would be no overwhelming impact.

### **HIGHWAY CONSIDERATIONS**

The existing vehicular access would be improved to provide access to the new development, the access width is approximately 3.5 metres with no footway providing for additional landscaping. Kent Highway Services raise no objections to the proposed access to the development in terms of highway matters.

The proposed development would include 16 parking spaces for the nine residential units. This level of provision is acceptable and accords with guidance in PPS3. There are no objections raised by Kent Highway Services to the level of car parking proposed.

A number of objectors have raised issues regarding the level of car parking and the additional pressure for on street parking. I do not consider that the level of parking is inadequate and in the absence of any objections from Kent Highway Services there is no highway safety reason for refusal that could be justified. Furthermore, the level of

proposed hardstanding was one of the issues picked out by Members in the reason for refusal on the previous application.

The provision of a footpath linking up with that on the corner of Mercer Drive would provide a pedestrian route into the village that would encourage residents to walk to the various amenities on offer in Harrietsham. The Parish Council have concerns that this would encourage on street car parking, however, I do not consider that this concern would justify a reason for refusal.

In terms of access for emergency vehicles, this would be a requirement of the Building Regulations application. Notwithstanding this, the access point is sufficiently wide to afford access to emergency vehicles and Kent Highway Services have not raised an objection to the access arrangements.

### **OTHER CONSIDERATIONS**

The arboricultural report submitted has resulted in the reduction of the numbers of units from 10 to 9 to protect the identified trees. The Root Protection Areas have been drawn and a no dig surface as recommended in BS 5837, 2005 has been recommended for the proposed footpath. No comments have been received from the landscape department, however, the report has been carried out by a competent professional, the layout has been revised and recommendations relating to no dig methods of construction included. Therefore I consider that there would be no unacceptable impact on the trees on or around the site.

The site is currently covered in hardstanding and does not offer any suitable habitat for protected wildlife. There are no ponds or rivers in the vicinity and the site is not in or near any SSSIs or SNCIs. There are a number of mature trees surrounding the site that could provide habitats for a variety of species. It is proposed to retain all these trees and therefore I do not consider that there would be a significant impact on any protected species.

Details of the construction of the development have been submitted to show how level 2 of the Code for Sustainable Homes will be met. The delivery of this will be secured by way of a condition.

Harrietsham Parish Council raise concern regarding the provision of refuse storage and collection points. There is sufficient space within the site at the property frontages to provide adequate bin storage space and to enable collection.

The Parish raise concern regarding the servicing of the electricity sub station. This would be a private matter for arrangement between the developer and EDF Energy.

There are no street lights proposed as part of this application and the scale of the development is such that none would be required.

## **CONCLUSION**

Residential development on this site is acceptable in principle and accords with national and local policies, the identification of the site for development in the Urban Capacity Study and the lack of a reason for refusal on principle on the last application.

The scheme has been altered following the previous refusal to take into account Members concerns and the resultant scheme of development would result in a development that would sit well in this edge of village location and would complement the rural character of the area.

The development would incorporate a high level of detailing with traditional materials to maintain the rural character of this edge of village site.

## **RECOMMENDATION**

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not commence until written details and samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development in accordance with Policy QL1 of the Kent and Medway Structure Plan 2006.

3. The development shall not commencement until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape

Character Assessment and Landscape Guidelines;

Reason: No such details have been submitted and to ensure a satisfactory appearance to the development in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan (2000) and QL1 of the Kent & Medway Structure Plan 2006.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan (2000) and QL1 of the Kent & Medway Structure Plan 2006.

5. The recommendations and protection measures contained within the Tree Survey carried out by Philip Wilson Arboriculture dated 18 February 2009 shall be fully adhered to prior to any machinery being brought onto the site or the commencement of any works on the site, including clearance, and shall be kept in place until the completion of the development;

Reason: To safeguard existing trees on the site and maintain the character and appearance of the area in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan (2000) and QL1 of the Kent and Medway Structure Plan (2006).

6. The dwelling shall achieve Level 2 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 2 has been achieved;

Reason: To ensure a sustainable and energy efficient form of development in accordance with policy NR1 of the Kent and Medway Structure Plan (2006) and Kent Design 2000 and PPS1.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended 2008 (or any order revoking and re-enacting that Order with or without modification) no development within

Schedule 2, Part 1, Classes A, B and C and Part 2 Class A to that Order shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character, appearance and functioning of the surrounding area in accordance with policies H27 in Maidstone Borough-Wide Local Plan (2000) and QL1 of the Kent and Medway Structure Plan (2006).

8. No development shall commence until:

1. The application site has been subjected to a detailed scheme for the investigation and recording of site contamination and a report has been submitted to and approved by the Local planning authority. The investigation strategy shall be based upon relevant information discovered by a desk study. The report shall include a risk assessment and detail how site monitoring during decontamination shall be carried out. The site investigation shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology and these details recorded.

2. Detailed proposals in line with current best practice for removal, containment or otherwise rendering harmless such contamination (the 'Contamination Proposals') have been submitted to and approved by the Local Planning Authority. The Contamination Proposals shall detail sources of best practice employed.

3. Approved remediation works shall be carried out in full on site under a Quality Assurance scheme to demonstrate compliance with the proposed methodology. If, during any works, contamination is identified which has not previously been identified additional Contamination Proposals shall be submitted to and approved by, the local planning authority.

4. Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the local planning authority. The closure report shall include full details of the works and certification that the works have been carried out in accordance with the approved methodology. The closure report shall include details of any post remediation sampling and analysis together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Reason: To prevent harm to human health and pollution of the environment pursuant to policy NR6 of the Kent and Medway Structure Plan (2006).

### **Informatives set out below**

Provision should be made for the separate storage of recyclables from household waste. Advice on recycling can be obtained from the Environmental Services Manager.

Attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and to the Associated British Standard Code of practice BS5228:1997 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the Environmental Health Manager regarding noise control requirements.

Clearance and subsequent burning of existing woodland or rubbish must be carried out without nuisance from smoke, etc. to nearby residential properties. Advice on minimising any potential nuisance is available from the Environmental Health Manager.

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

No vehicles may arrive, depart, be loaded or unloaded within the general site except between the hours of 0800 and 1900 Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reasonable and practicable steps should be used during any demolition or removal of existing structure and fixtures, to dampen down, using suitable water or liquid spray system, the general site area, to prevent dust and dirt being blown about so as to cause a nuisance to occupiers of nearby premises.

Where practicable, cover all loose material on the site during the demolition process so as to prevent dust and dirt being blown about so as to cause a nuisance to occupiers of nearby premises.

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.

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 the Council and residents with a name of a person and maintain dedicated telephone number to deal with any noise complaints or

queries about the work, for example scaffolding alarm misfiring late in the night/early hours of the morning, any over-run of any kind.

It is strongly recommended that building control be consulted about the means necessary to reduce the transmission of excessive airborne and impact noise between the separate units in this development and other dwellings in accordance with Approved Document E Building Regulations 2003 'Resistance to the Passage of Sound'. I further recommend you seek building control advice on the Vibration Dose Values (VDV's) as defined in BS 6472.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and Kent and Medway Structure Plan 2006) and there are no overriding material considerations to indicate a refusal of planning consent.