

APPLICATION: MA/11/0478 Date: 12 April 2011 Received: 12 April 2011

APPLICANT: Mr C. Brown, Galamast

LOCATION: YMCA, MELROSE CLOSE, MAIDSTONE, ME15 6BD

PARISH: Maidstone

PROPOSAL: Application to discharge conditions relating to MA/03/1147/02 (approval of reserved matters of siting, means of access, design, external appearance and landscaping pursuant to conditions 1, 2 and 3 of outline permission MA/03/1147 for a replacement community centre, junior football pitch, 83 dwellings associated parking, access road and landscaping, resubmission of MA/03/1147/01) being submission of details received on 24th March 2011 and 8th March 2012 pursuant to conditions 11 - slab levels, 14 - floodlighting and 16 - perimeter fencing to the sports pitch

AGENDA DATE: 10th January 2013

CASE OFFICER: Catherine Slade

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

- Councillor Chittenden has requested it be reported for the reason set out in the report.

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV49, CF14
- South East Plan 2009: SP3, CC1, CC6, BE1, S5
- Government Policy: National Planning Policy Framework 2012

2. HISTORY

MA/11/1010 Amendments to Community Centre and Car Park approved under MA/03/1147/02 (application for approval of reserved matters of siting, means of access, design, external appearance & landscaping pursuant to conditions 1, 2 & 3 of outline permission MA/03/1147 for a replacement community centre, junior football pitch, 83 dwellings, associated parking, access road & landscaping) being amendments to entrance

canopy & entrance feature, revised position of a first floor window to south elevation & revisions to parking layout including knee guard rail and dwarf wall, and lighting to car parking areas (resubmission of MA/10/1126) – CURRENTLY UNDER CONSIDERATION

MA/10/1126 Amendments to Community Centre and Car Park approved under MA/03/1147/02 (application for approval of reserved matters of siting, means of access, design, external appearance & landscaping pursuant to conditions 1, 2 & 3 of outline permission MA/03/1147 for a replacement community centre, junior football pitch, 83 dwellings, associated parking, access road & landscaping) being amendments to entrance canopy & entrance feature, revised position of a first floor window to south elevation & revisions to parking layout – WITHDRAWN

MA/10/0515 Application for a non-material amendment following a grant of planning permission MA/03/1147/02 (Application for the approval of reserved matters of sitting, means of access, design, external appearance and landscaping pursuant to conditions 1, 2 and 3 of outline permission MA/03/1147 for a replacement community centre, junior football pitch, 83 dwellings associated parking, access road and landscaping) being a single first floor window in lieu of two separate windows on the north and south elevations, changes to the size and colour of panels on the north, south and west elevations, a reduction of projecting brick piers and louvers above two doors in lieu of coloured metal cladding on the east elevation, vertical profile metal cladding instead of horizontal and external rainwater goods – APPROVED

MA/10/0087 Application for a non-material amendment following a grant of planning permission MA/03/1147/02 (Application for the approval of reserved matters of sitting, means of access, design, external appearance and landscaping pursuant to conditions 1, 2 and 3 of outline permission MA/03/1147 for a replacement community centre, junior football pitch, 83 dwellings associated parking, access road and landscaping) being the revised external rainwater pipe locations, revised entrance feature and canopy to North elevation, vertical metal cladding in lieu of brick work at high level in the central section of the East elevation – REFUSED

MA/09/1076	Variation of Condition 10 of MA/03/1147/02 (Application for the approval of reserved matters of siting, means of access, design, external appearance and landscaping pursuant to conditions 1, 2 and 3 of outline permission MA/03/1147 for a replacement community centre, junior football pitch, 83 dwellings associated parking, access road and landscaping) to allow a Level 2 or better to be achieved for each of the residential units for private sale instead of Level 3, under The Code for Sustainable Homes – APPROVED
MA/03/1147/02	Application for the approval of reserved matters of siting, means of access, design, external appearance and landscaping pursuant to conditions 1, 2 and 3 of outline permission MA/03/1147 for a replacement community centre, junior football pitch, 83 dwellings associated parking, access road and landscaping – APPROVED WITH CONDITIONS
MA/03/1147/01	Application for the approval of reserved matters of siting, means of access, design, external appearance and landscaping pursuant to outline planning permission MA/03/1147 for a replacement community centre, junior football pitch, play area, 88 no. dwellings, associated parking, access road and landscaping – WITHDRAWN
MA/03/1147	Outline application for demolition of existing buildings and redevelopment to provide for a replacement community centre with open space and play area, provision of residential development at a minimum density of 30 DPHA and construction of a revised access – APPROVED WITH CONDITIONS

3. SITE HISTORY

- 3.1 Outline planning permission was granted subject to conditions in 2005 for the redevelopment of the site to provide a replacement community facility and residential development. Reserved matters were subsequently approved subject to conditions in 2007 under MA/03/1147/02.
- 3.2 In addition to the planning history detailed above, various applications to discharge and vary conditions attached to the permissions have been submitted and determined.

3.3 Prior to the history set out above, the site was the subject of various applications relating to the historic use of the land by the YMCA as a sports and recreation facility which date back decades.

4. CONSULTATIONS

4.1 Councillor Chittenden has requested that the application be reported to Planning Committee for the following reasons:

4.1.1 *"I still have concerns, although the situation has improved. You will have seen the copy of the NLRA letter containing comments from their lighting consultant which I believe still raises 2 major issues before we can consider the current situation to be satisfactory.*

4.1.2 *Firstly I refer you to the comment relating to the difference in lighting levels between new bulbs and older ones which suffer from Lumen deprivation. Bearing in mind the current lighting has been in place for almost 2 years it is clear that in making an assessment that this should have been taken into account, and it does not seem to have been considered.*

4.1.3 *Secondly, as you know on the night, we were not able to obtain readings from numbers 19 or 21 Westwood Close, who have clear problems relating to lighting from the car park. My understanding is that these rules do not just relate to sports pitches, they are general guidelines for all lighting of this nature adjacent to housing and therefore these must be checked. From the visual inspection on the night, it would seem that the residents of 19 and 21, could be justified in their comment. I have said all the way along that this is about the height of the poles in relation to the respective levels between the car park and the level of the housing levels which are lower by 2m. To clarify, the residents did point out that they were not available that night due to the very short notice.*

4.1.4 *I do think these points need to be considered before a decision is made. With regard to my call in to committee, I am confirming that this is still required."*

4.1.5 To confirm, the lighting to the car park referred to in the second point is the subject of a separate application for full planning permission which is currently under consideration. Councillor Chittenden has confirmed that he wishes the full text of his call in to be included in this report.

4.1.6 Members will be aware that applications to discharge conditions are not normally reported to Planning Committee, however in the circumstances of this case due to the significant public interest and indeed the expenditure on consultants by the representatives of members of the public I consider it appropriate for the details to be heard in the public arena.

4.2 The **Maidstone Borough Council Environmental Health Officer** raises no objection to the details, and makes the following detailed comments:

4.2.1 *"It is clear to me that the situation has improved greatly. To my mind, the question to ask now is what else can be done to improve the situation? In my view, there is very little – the only concrete measure that could be employed would be to raise the height of the boundary fence in the vicinity of No. 8 Skye Close, the property mentioned above whose garden seems to be the most adversely affected property, to a similar height to that at neighbouring properties. This would go a long way to ensure compliance with the E3 zone, though a reading would be helpful to prove this beyond doubt; this would be a matter for the Y centre and/or residents of the property to carry out. To reiterate previously, complaints have been made to Environmental Health, Planning and the Y centre concerning the lighting principally from the sports pitches, and car park as well as noise from participants. The current situation is that the levels of illumination have been altered and are no longer as intrusive. It is clear that there is one locality where it could be argued that the lighting is still intrusive; also there is, at present, no reading at the window of the affected property to prove/disprove ILE E3 compliance; this issue needs definitive proof by a reading being taken. However, it still needs to be stated that the lights are switched off at 10 p.m. every evening – at this time of the year, the floodlights have very little effect on ambient lighting as the sunset is well after 9 p.m. – this is a major factor in convincing me that this situation is not unreasonable, because it does not affect the sleep pattern for the majority of people and is certainly not a statutory nuisance. Therefore from my perspective, it is just the issue of the low fencing around No. 8 Skye Close that needs confirmation of ILE zone E3 compliance."*

(comments received 6th July 2012)

4.2.2 *"I suggested that a fence should be erected on the boundary between the YMCA site and No. 8 Skye Close. This work has now been completed and a light spillage reading was taken on 26th July 2012 by Mechelec (Lighting Engineers) at window level in the garden of 8 Skye Close, which was my other suggested condition. As hoped for, the reading was 8-9 Lux and therefore compliance with zone E3 of the 2005 ILE guidance. I revisited the site on 2nd August 2012 and was satisfied with the fence, its position, height and type. I therefore am satisfied that the adjusted lighting positions now conform to E3 guidance and that the lighting issue has now been resolved. The situation will improve further with the passage of time, as the vegetation will mature and should provide further protection to surrounding residential properties. The new properties do not have the benefit of enhanced vegetation, but were built after the sports pitch was in place and are at a higher level than the established properties, thus the*

spillage is less of an issue and in any case, predicted readings indicate compliance with E3 zone. This information leaves me with no doubt that the outstanding lighting condition can now be removed."

(Comments received 3rd August 2012)

4.2.3 *"Following a meeting at MBC offices on 23rd August 2012, it was agreed that another set of light readings would be taken from within neighbour's gardens so that there would be confirmation of previous readings taken nearer to the sports pitches. The readings were carried out on the evening of Monday 10th September. As expected, the readings, taken at selected properties around three sides of the floodlit pitches showed compliance with zone E3 of the ILE guidance. The one exception was a reading taken at the new properties on Melrose close, where a conservatory had been added and was closer to the pitch than the original façade. This reading marginally exceeded the 10 lux level. However, another property showed compliance at the façade. The original layout of the property complies with the guidance and I am not aware of any complaints concerning light nuisance from this or any other address in Melrose Close.*

4.2.4 *I am also aware of a communication from Nick Smith Associates dated 27th September 2012 which was prepared to answer continuing concerns expressed by the North Loose Residents Association. The first point mentions the continued exceedence at the one property at Melrose close. This point is dealt with in my comments above. All other readings are less than the 10 lux stipulated in the ILE guidance. There is nothing in this guidance that takes account of lumen deprivation. I have not been able to find out the frequency of lamp replacement at this site and how significant this factor is. We cannot comment on the significance of the current light levels due to an unknown factor of illumination drop-off. The third point reinforces our view over the suitability of the engineer that took the light readings.*

4.2.5 *These readings have given extra reassurance to the previous readings and isoline predictions. As previously stated, the lighting condition can be discharged."*

(comments received 5th December 2012)

4.2.6 *"In my memo dated 4th December 2012, I referred to the communication from Nick Smith Associates dated 27th September 2012 which was prepared to answer continuing concerns expressed by the North Loose Residents Association. I have now been sent technical information concerning the mortality/degradation of the lamps installed at the YMCA. They were installed in January 2011 and have currently had less than 10% usage/degradation based on an average daily usage of 4 hours. I am told that the lights are rated at 10% degradation up to 6000*

hours or approximately 4 years at current usage. On this basis, the current light levels should not degrade by more than 10% until early 2015. I am therefore satisfied that, based on this level of usage, any degradation would have had no noticeable effect on the light readings, compared with those on installation, obtained on 10th September 2012. Therefore the readings taken on that date are accurate and are consistent with my view that they are acceptable and comply with E3 zone as described in the 2005 ILE guidance."

(comments received 13th December 2012)

- 4.3 The **Kent County Council Biodiversity Officer** raises no objection to the details.

5. REPRESENTATIONS

- 5.1 **North Loose Residents Association** (NRLA) raised objection to the application on the grounds that the lighting to the sports pitch causes harm to residential amenity. The NLRA also expressed concern that the measurements taken on site were close to and, in one instance, exceeded ILE guidance levels. Objection was also raised in respect of the procedural matter of the readings being taken.

- 5.2 In addition, the NRLA has provided an assessment of the information provided undertaken by an independent lighting consultant, who raised the same concerns in relation to the readings taken on site, as well as the issue that lumen deprivation of the lamps and build up of dirt in the structures had not been taken into consideration. A copy of the most recent letter from the consultant is attached as Appendix 1.

- 5.3 8 neighbour representations have been received. They raised the following concerns relating to the current application:

- Light spillage and glare from the floodlighting to the sports pitch.
- Disturbance and damage to property as a result of the use of the sports pitch.

- 5.4 In addition, the following concerns, which do not relate to the current application to discharge conditions, were received:

- Light spillage and glare from the lighting to the car park.
- Noise as a result of the use of the sports pitch and the car park.
- Highway safety and on street parking.
- Foul language.
- Lack of privacy.
- Security.
- Failure to retain existing landscaping on the site.

- Insufficient screening to the development.

5.5 The lighting has also been the subject of formal complaints to the Council.

6. CONSIDERATIONS

6.1 Site Description

6.1.1 The site comprises a large area of approximately 2.56Ha. The site is located within the defined settlement boundary of Maidstone, and has no specific environmental or economic designations in the Local Plan. The site is surrounded by residential development fronting onto Melrose Close and Cripple Street (to the north), Loose Road (to the east), Anglesey Avenue and Skye Close (to the south) and Westwood Road (to the west).

6.1.2 As set out in sections 2 and 3 above, the site has been the subject of planning permissions for the redevelopment of the land, and planning permission has been granted at outline and reserved matters stages for the erection of a replacement sports/community facility and residential development. The residential development is predominantly located in the north and east of the site, whilst the sports/community facility, and associated parking is located in the north west of the site and the sports pitch in the south/west of the site.

6.1.3 The community facility and residential development are complete, and have been operational for some time.

6.1.4 Site visits have been undertaken on numerous occasions during 2010, 2011 and 2012, including during the hours of darkness on 9th May 2012, 25th June 2012 and 10th September 2012. On the two latter occasions light readings were taken in the presence of Council officers and representatives of the local community.

6.2 Current Application

6.2.1 The current application relates to the discharge of conditions attached to planning permission MA/03/1147/02. These are conditions 11 (slab levels), 14 (sports pitch floodlighting) and 16 (sports pitch perimeter fencing).

6.3 Principle of Development

6.3.1 The principle of the redevelopment of the land for the purposes of providing a replacement sports/community facility with floodlighting and residential development has been accepted, and is not for consideration at the current time.

6.4 Condition 11 – Slab Levels

- 6.4.1 The details of the slab levels of the Y Centre are shown on drawing number 09060 009 rev C received , and show the building to have a finished floor level of 73.2000 AOD rather than 73.650 AOD as approved under MA/08/1917 (the previous application to discharge slab level conditions). The levels shown on the drawing are considered to be acceptable, being lower than those previously approved; it is not considered that the variation from the approved details would result in harm either visually or to residential amenity.
- 6.4.2 The details of the slab levels of the Y Centre are therefore considered to be acceptable, and I therefore recommend discharge of this condition.

6.5 Condition 14 - Sports Pitch Floodlighting

- 6.5.1 The details of the sports pitch floodlighting are set out on drawing number KL 3771 received 24th March 2011 in respect of the height and form of the lighting columns, and a Kingfisher Lighting specification received 24th March 2011. The floodlights used in the development are the Sport 7 2000 2kW. Further supporting information has also been provided in respect of the requirements of Sport England for facilities of the kind that the lighting serves.
- 6.5.2 There is a Local Plan policy which seeks to restrict the detrimental impact of external lighting on the character of the surrounding area and the residential amenity of the occupiers of neighbouring properties, and requires that the lighting is necessary and the minimum required for the task satisfactorily and with the minimum of light spillage. In this, the Local Planning Authority is supported by the National Planning Policy Framework 2012. Notwithstanding this, the widely accepted Guidance Notes for the Reduction of Obstrusive Light published by the Institution of Lighting Engineers (ILE) is a material consideration in the assessment of applications such as this. The guidance sets out design guidance for exterior lighting installations, which for developments in locations such as this which are considered to fall within category E3 of the guidance (medium district brightness areas – small town centres or urban locations), the limitation on maximum light trespass into windows is 10Lux pre-curfew (which in the circumstances of the case of the Y Centre is 2200, controlled by condition, which is within the suggested curfew hours set out in the guidance).
- 6.5.3 Members will be aware that the lighting serves an existing sports and community facility which has the benefit of planning permission, and as such the need for and acceptability of floodlighting to the sports pitch, and the location of the sports pitch and therefore the lighting within the site, has been accepted in principle by the Council, and the matter for consideration at the current time

under the application to discharge condition 14 is the detail of the floodlighting only.

- 6.5.4 Following the original submission, concern was raised by the Case Officer and the Council's Environmental Health Officer in regard to the impact of the lighting on the amenity of the occupiers of the residential properties and the quality of the information initially provided in support of the application. Subsequently the tilt and orientation of the lighting installations have been altered to reduce light spillage outside the sports pitch from the lighting. These details are shown on drawing number D16498/PY/G received 8th March 2012.
- 6.5.5 The floodlights are arranged in six pairs of floodlights, each pair sharing a lighting column. Three columns are located to the north and south of the pitch. The columns have a height of 12m, and although the floodlights have differing orientations subject to their exact position in relation to the sports pitch (detailed in a table on drawing number D16498/PY/G), they are all oriented at 15° to horizontal. It is my view that the level of detail submitted in support of the application is adequate to ensure compliance and enforcement of the floodlighting.
- 6.5.6 Lux readings were taken around the perimeter of the site during the hours of darkness on 25th June 2012 in order to assess the accuracy of the light spillage calculations. These readings, which were witnessed by Council Officers and representatives of the local community, were all in accordance with or below the predicted values shown on the submitted spillage drawing which indicated that the calculated values would satisfy ILE guidance in respect of light spillage to neighbouring properties, however concern was subsequently raised by Councillor Chittenden and the NLRA that the readings taken did not accurately reflect the impact of the lighting at the windows of people's houses, and therefore could not be said to be in compliance with the ILE guidance.
- 6.5.7 In view of these concerns, a 2m close boarded fence was erected along the boundary of the site with numbers 8 Skye Close and 1 Anglesey Avenue by the developers, in accordance with comments received from the Council's Environmental Health Manager, and 10 further readings were taken; 1 to the rear of 8 Skye Close by the lighting contractor which recorded levels of 8-9Lux to the side elevation of this property, and 9 on 10th September 2012, which were witnessed by Council Officers and representatives of the local community. On the latter occasions measurements were taken in the gardens of properties adjacent to the sports pitch, in the manner recommended in the guidance of the ILE, i.e. adjacent to openings of the properties.
- 6.5.8 The readings recorded on 10th September 2012 were taken at various points at the rear elevations of numbers 25 and 27 Westwood Road, 78 and 84 Melrose

Close, and numbers 8 and 9 Skye Close, which is considered to be a representative sample of the neighbouring properties.

- 6.5.9 All but one of the readings recorded were lower than 10Lux and therefore in compliance with the ILE guidance, with the exception of a reading taken to the rear of 78 Melrose Close. This reading was taken at the rear elevation of a conservatory to this property which projects 2.8m beyond the main rear elevation of the property. The measurements taken at the main rear elevation of this property and a neighbouring dwelling fronting onto Melrose Close satisfied the ILE guidance.
- 6.5.10 Members will be aware that the process of decision making in the determination of planning applications is a matter of balancing harm and benefit. In this case, the lighting serves a community/sports facility which has a historic use of the land for such purposes, and whilst a single reading exceeds the recommended levels of lighting trespass by 1Lux, it is my view that this does not justify refusal of the scheme; the failure of a single reading to accord with the guidance is to my mind de minimus in the wider context of the scheme. This assessment accords with that of the Council's Environmental Health Officer who supports discharge of the condition. Complaints have been received by the Environmental Health team in respect of lighting to both the sports pitch and the car parking (8 complaints during 2011/12), of which 4 were received on the same day and are believed (by reason of their date and the originator) to have resulted from the reconsultation exercise relating to the current application. Given the scale and intensity of the activities taking place on the site, this is not considered to represent a significant level of public disturbance or a statutory nuisance.
- 6.5.11 I am aware that the lighting consultant employed on behalf of the NLRA has raised concern that the values recorded do not take into account the degradation of the lights and associated apparatus, and in response to this concern further information was sought from the applicant in this regard. Notwithstanding the fact that the ILE guidance does not refer to degradation, it has been confirmed that the lamps installed would be expected to degrade by approximately 10% in four years of usage. If that is the case, it is reasonable to expect that during the 18 months that the lighting has been installed, the lumen output has reduced by less than 10%. I am advised that, as the Lux levels measured at the windows of adjacent properties are proportionate to the level of luminance of the lamps, the measurements taken on site, allowing for a degradation of 10% from the optimum 100% brightness of lights as installed, satisfy the guidance in the ILE. This view accords with that of the Council's Environmental Health Officer. I therefore do not consider that there is any merit to the objection raised in this regard.

6.5.12 Whilst I note the objections received from the occupiers of the properties located adjacent to the sports pitch, the fact remains that although the glare resulting from the lighting is bright when viewed from the surrounding properties, there is limited light spillage into the gardens and to the windows of these properties. This is confirmed by all but one of the readings that have been taken on three separate occasions.

6.5.13 Furthermore, it is the case that the landscaping to the south and west of the pitch (adjoining the neighbouring properties fronting onto Westwood Road, Anglesey Avenue and Skye Close) approved under conditions MA/08/1917 and the long term management plan approved under MA/10/0133, which requires the planting and long term maintenance of "native mix planting" including Downy Birch, Field Maple, Pendunculate Oak and Common Beech. This planting has been undertaken, and whilst currently relatively immature will, in the fullness of time, provide additional screening to these boundaries of the site.

6.5.14 The Kent County Council Biodiversity Officer has confirmed that due to the site's location in urbanised surroundings, the use of the floodlights is unlikely to have any implications for bats or other nocturnal animals.

6.5.15 For the reasons set out above, I consider that in the circumstances of the case that the details of the floodlighting to the sports pitch are acceptable, and I therefore recommend discharge of this condition subject to an additional condition requiring the lighting to be maintained in accordance with the approved details. Condition 15 attached to MA/03/1147/02 restricts the use of the lighting to between the hours of 0800 and 2200, and as such a further condition in this regard is considered to be unnecessary in the circumstances of this case.

6.6 Condition 16 - Sports Pitch Perimeter Fencing

6.6.1 The sports pitch perimeter fencing is shown on un-numbered drawings, which show the fencing to extend around the entirety of the pitch area. The fencing comprises a 3m chain link fence, above which is netting to a height of 7m, with intermediate supporting posts at approximately 7m intervals. It is my understanding the fencing was erected in response to complaints to the operators of the site

6.6.2 The chain link fencing and netting, whilst of a considerable height, allows through views and allows light to pass whilst preventing balls from exiting the pitch area. It is therefore not considered to be detrimental to the residential amenity of the occupiers of the neighbouring properties. In the context of the site and its surroundings, the green finished fencing is considered to be visually acceptable.

6.6.3 The details of the sports pitch perimeter fencing are therefore considered to be acceptable, and I therefore recommend discharge of this condition.

6.7 Other Matters

6.7.1 A number of representations are raised concern with regard to the issue of noise and language resulting from the use of the sports pitch. Noise arising from the use of the pitch and the matter of foul language is not a planning issue in the circumstances of this case. The Council's Environmental Health team are aware of complaints having been made in this regards, and the matter is currently the subject of an Environmental Health investigation.

6.7.2 Concerns have been raised in regard to the landscaping of the site and the car park lighting. These matters are the subject of a separate application for full planning permission for amendments to the approved scheme, which is currently under consideration, and will be fully assessed in the determination of that application.

7. CONCLUSION

7.1 The current application seeks discharge of conditions 11, 14 and 16 attached to planning permission MA/03/1147/02 relating to slab levels and floodlighting and perimeter fencing to the sports pitch permitted under that consent. The details submitted in support of the application are considered to be acceptable for the reasons set out above, and as such I recommend discharge of the conditions, subject to the additional conditions detailed in paragraph 5.5.15 above.

8. RECOMMENDATION

Maidstone Borough Council hereby **APPROVES** the details received pursuant to the Conditions set out in the proposal above, **SUBJECT TO** following conditions:

1. The floodlighting to the sports pitch hereby approved shall be implemented and maintained in accordance with the details shown on drawing number KL 3771 and the Kingfisher Lighting Specification received 24th March 2011 and drawing number D16498/PY/G received 8th March 2012 and maintained henceforth in accordance with the approved details;

Reason: In the interests of minimising light pollution, securing the character and appearance of the surrounding area, and preventing harm to the residential amenity of the occupiers of neighbouring residential properties pursuant to policies ENV49 of the Maidstone Wide Local Plan 2000, and CC1, CC6 and BE1 of

the South East Plan 2009, and central government planning policy and guidance as set out in the National Planning Policy Framework 2012.

Note to Applicant

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

Offering a pre-application advice and duty desk service.

Where possible, suggesting solutions to secure a successful outcome.

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

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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 the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.