

## REPORT SUMMARY

<b>REFERENCE NO:</b> - 22/500222/FULL		
<b>APPLICATION PROPOSAL:</b> Demolition of Heather House Community Centre and construction of a New Community Centre and change of use of land to Parkwood Recreation Ground. Demolition of the Pavilion Building and erection of 11no. dwellings on the site of the Pavilion and partly on adjacent Parkwood Recreation Ground. Both with associated parking, vehicular and pedestrian access and landscaping.		
<b>ADDRESS:</b> Heather House and Pavilion Building Bicknor Road Maidstone Kent ME15 9PS		
<b>RECOMMENDATION:</b> Approve subject to Memorandum of Understanding		
<b>SUMMARY OF REASONS FOR RECOMMENDATION:</b> There is a net loss of community facilities in this scheme in the order of 732 sqm but significant qualitative benefits in the new Community Centre will arise as required by the Community facilities policy DM20(2) being more storage, 4 RFU compliant changing rooms, better and more accessible WC facilities, more energy efficiency and modern social accommodation.  Conditions can be imposed to ensure adequate replacement of facilities in the Pavilion currently benefitting local sports clubs and to seek a minimisation of interruption of their use. This is considered necessary to address the objections of Sport England as far as is practicable.  The design, landscaping and density accord with policies DM1 and DM12 of the MBLP and there is a high score of 10/12 in terms of Maidstone Building for Life 12 (2018).  The scheme is acceptable in terms of residential amenity criteria of policy DM1.  There is an overall net gain in Public Open Space and provision of a 15m landscaped buffer to the Ancient Woodland and potential for 20% Biodiversity Net Gain.  On-site affordable housing provision of 4 First Homes is to be secured and this is considered to be acceptable in terms of numbers and tenure.		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> The applicant is Maidstone Borough Council.		
<b>WARD:</b> Park Wood	<b>APPLICANT:</b> MBC Regeneration and Economic Development <b>AGENT:</b> Calfordseaden LLP	
<b>CASE OFFICER:</b> Marion Geary	<b>VALIDATION DATE:</b> 02/03/22	<b>DECISION DUE DATE:</b> 30/11/22
<b>ADVERTISED AS A DEPARTURE:</b> NO		

### Relevant Planning History

n/a

### MAIN REPORT

#### 1. DESCRIPTION OF SITE

- 1.01 The site comprises of 2 separate areas within the Parkwood area of Maidstone: Heather House and the Pavilion which are both Council owned buildings adjacent to the Council owned Parkwood Recreation Ground.



- 1.02 The existing Pavilion building is the northernmost and is single storey and mainly flat roofed. It was originally occupied by the Royal British Legion, now being a licensed bar/social area and changing room facilities used by 2 Rugby Clubs (who also use the recreation ground sports pitches).
- 1.03 The Pavilion fronts Bicknor Road, close to the redevelopment scheme at Wallis Avenue/Longshaw Road, part of which is up to 4 storeys high. To the north are adjoining bungalows at Rosemary Gardens. The western and southern boundaries are to Parkwood Recreation Ground.
- 1.04 Heather House is the southernmost building, also fronting Bicknor Road and is a part 1-storey and part 2-storey building with low pitched roofs, with a brick faced ground floor and corrugated panels to the upper level. It includes a sports hall, offices and storage and a boxing gym. It is a community facility with on-site parking that is wholly owned and directly managed by the Council.
- 1.05 It is situated separated from the Pavilion site by a children's play area and skate park. It is surrounded by Parkwood Recreation Ground on all 3 sides but the Heather House site abuts designated Ancient Woodland (AW) on its southwestern side is
- 1.06 There are several mature trees in the Recreation Ground close to both of the sites.

## **2. PROPOSAL**

- 2.01 The application has 2 elements: the first is that the land on which the Pavilion sits (plus 843sqm of the Parkwood Recreation Ground) is proposed for the redevelopment of 11 new houses. The Pavilion site is to be given a more developable shape by adding 2 areas of public open space from the neighbouring recreation ground.

- 2.02 The housing development is for mix of 3 x 4 bed dwellings and 8 x 3 bed dwellings. Initially, the application proposed only market rent and market sale. However, the exclusion of any affordable housing was not justified by financial viability and has now been amended to include 4 affordable units in the form of First Homes.
- 2.03 The proposed residential properties include a row of 5 x 2-storey terrace homes which face onto Bicknor Road. Towards the rear of the site are 6 x 2.5 storey detached houses formed around an informal cul-de-sac. Plot 11's siting has been revised since original submission to move it away from existing trees and to re-orientate it relative to Rosemary Gardens to reduce impact thereon.
- 2.04 The second element is to demolish the existing Heather House building and build a single combined community centre with indoor sports hall, bar and 4 separate changing rooms with direct access to the sports pitches. The new community centre would include facilities to replace some of those in the existing Pavilion eg a base for Rugby Teams. The new community building will be 580sqm and there is a net loss of floorspace overall of 732sqm.
- 2.05 The proposed redevelopment of the site will re-site the building and thereby create a 15m wide buffer to the Ancient Woodland to become part of the Recreation Ground. This area totals 1016sqm.

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

Maidstone Borough Local Plan (2011-2031): SS1, SP1, SP19, SP20, ID1, DM1, DM3, DM6, DM12; DM19, DM20; DM21, DM23,  
Kent Waste and Minerals Plan (amended 2020):  
The National Planning Policy Framework (NPPF):  
National Planning Practice Guidance (NPPG):  
Supplementary Planning Documents: Maidstone Building for Life; Affordable and Local Needs Housing.

- 3.01 In terms of Regulation 22 of the Local Plan Review, it comprises the draft plan for submission (Regulation 19) dated October 2021, the representations and proposed main modifications. It is a material consideration and some weight must be attached because of the stage it has reached. This weight is limited, as it is currently the subject of an examination in public.
- 3.02 There are not considered to be any draft policies in the Regulation 22 that need to be considered in the determination of this specific planning application.

### **4. LOCAL REPRESENTATIONS**

**Local Residents:** 1 representation received from a local resident

- Loss of privacy from new houses
- Need secure boundaries to Rosemary Gardens

### **5. CONSULTATIONS**

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

#### Sport England

- 5.01 Initially objected to loss of buildings used by Sports Clubs but no objections to the trade off of Sports Playing Field land. They request that Weaving Warriors need

security of tenure; a mezzanine floor adjacent to the sports hall should be included; need storage for mobile lighting units; the boxing club at Heather House should be relocated by agreement of the club.

- 5.02 Final Comments: Sport England would have no objection to the proposal subject to its model community use agreement condition so that the rugby clubs get comparable access to the changing and social facilities in the new building and are involved in future management and access arrangements.

KCC (Waste and Minerals)

- 5.03 No comments

KCC (Flood and Water Management)

- 5.04 No objections

Forestry Commission

- 5.05 Standing Advice on Ancient Woodland.

Environment Agency

- 5.06 Standing Advice on contamination and development site waste.

Natural England

- 5.07 No comments

KCC Ecology

- 5.08 An area of Ancient Woodland is directly to the south of the site and is adjacent to the proposed community centre and there is potential for birds and bats. To minimise the impact of recreational pressure, the buffer between the development and the woodland should be enhanced with scrub planting.

- 5.09 External lighting must minimise light spill into the open space.

- 5.10 Need to enhance biodiversity by ecological enhancement features within buildings and increased native species planting.

Southern Water

- 5.11 No objections

KCC Infrastructure

- 5.12 Development will create a demand on KCC services including education.

Kent Police

- 5.13 Comments made re off plot car parking; lighting; cycle parking, need for passive surveillance.

KCC Highways

- 5.14 No objection subject to a Construction Management Plan. Parking, access and visibility splays and refuse freighter turning is acceptable for both sites. In terms of traffic generation on the wider Sutton Road corridor, conditions worsen but not an unacceptable impact on highway safety, or severe residual cumulative impacts on the road network.

MBC Environmental Protection

- 5.15 Noise: Needs an acoustic assessment of the new community centre. The upgraded windows and alternative ventilation will need to be confirmed.

- 5.16 Lighting: Potential for security lighting to cause disturbance.

- 5.17 Asbestos containing materials will need to be safely removed.

- 5.18 Air Quality. The development will not be impacted by or negatively impact on local air quality, subject to mitigation of dust emissions during construction.
- 5.19 Land contamination. The site investigation, risk assessment and remediation strategy are acceptable subject to verification reporting.

MBC Parks and Open Space

- 5.20 The application does not indicate any on-site open space provision so request a contribution of £1,575 per property for off-site improvements or maintenance to open space in Parkwood Recreation Ground; as sports pitch refurbishment and Tree planting and woodland management at Parkwood Recreation Ground.

MBC Arboricultural Officer

- 5.21 The construction of the new residential plots at the rear of the site may result in future pressure for continuous pruning and/or removal due to shading and leaf drop.

## **6. APPRAISAL**

- 6.01 The key issues are:

- Principle of Development
- Community facilities
- Design and Landscaping
- Residential amenity
- Parking and Access
- Open Space
- Biodiversity
- Affordable Housing

### **Principle of Development**

- 6.02 The site is within the urban area of Maidstone. Policy SP1 encourages the redevelopment of appropriate urban sites that contributes positively to the locality's distinctive character subject to retaining green spaces and positive contributes to their setting, accessibility, biodiversity and amenity value. Parkwood is a locality that would benefit from development that improves its social and environmental well-being. The housing sizes being 3 and 4 bedrooms and market/ First Home tenure is considered to accord with policy SP19 which aims for sustainable mixed communities.

### **Community facilities**

- 6.03 The scheme includes demolition of 2 Community buildings and policy DM20 (2) requires qualitative benefits to arise.
- 6.04 The new facility at Heather House is an acceptable replacement facility for the Pavilion on the basis of the qualitative improvements with more storage, inclusion of 4 RFU compliant changing rooms, better and more accessible WC facilities, more energy efficiency and modern social accommodation for the clubs' source of income.
- 6.05 However, it is necessary for an appropriate commitment to the new Community building before the demolition of the Pavilion can take place and a condition is suggested of a let contract for the erection of the new Community Centre, the

timetable for its first use by Community groups and any interim accommodation measures.

- 6.06 Regarding the comments of Sport England, the use of their standard condition should ensure that the sporting use of the building being demolished will be safeguarded in the new Heather House. A condition will also be needed in regard of ensuring storage for the mobile lighting units used for evening training sessions.
- 6.07 **Design and Landscaping**
- 6.08 Policy DM1 requires high quality and respect of the amenities of occupiers of neighbouring properties and adequate residential amenities for future occupiers of the development.
- 6.09 The dwellings are either 2 or 2.5 storeys and all with a simple gabled hipped roof with a contemporary appearance, some with windows angled into the tops of the gables, and colour coded windows and panels with a vertical emphasis to reflect the proportions of the dwellings. The houses all incorporate brickwork on the ground floor with vertical timber effect weatherboarding to upper floors and composite Aluminium windows and doors. All units have a garden and 6 also have glazed inset balconies. Roofs are indicated to be either slate tile (5 units) and standing seam metal (6 units). I am satisfied that the scale, height, materials, detailing, articulation and site coverage are acceptable and a condition can secure the materials indicated.
- 6.10 Off-site landscaping in the Recreation Ground to partly screen the development on the western and southern boundaries has been negotiated with the relevant officers of the Council. This is indicated to comprise native hedgerow to augment the existing trees within the Park. Street trees will also be included within the housing development of oak, upright hornbeam etc and overall will provide a good level of landscaping to the development.
- 6.11 The density is 11 units on 0.26ha which is 42dph which is greater than the standard aim of 35dph for urban area in policy DM12 of the MBLP. However, this is a site which is adjacent to a very large public open space on 2 boundaries which, when viewed in that open setting, does not appear unduly overdeveloped. Most of the density is created by the 5 terraced units at the front to Bicknor Road: the setting to the rear of the site where the units are more spaced out and densities are consequently lower does integrate better with the context by being transitional.
- 6.12 Maidstone Building for Life 12 is a design tool designed for proposed new residential development. The housing development is relatively dense on land that abuts and includes a Recreation Ground and replaces a low rise community building so is not ideal in terms of integration into the neighbourhood and working with its context. As mentioned above, the layout of the development is suitably transitional in regard of its relationship to Bicknor Road and to the recreation ground. Beneficially, it is close to services and facilities, public transport and will help to meet local housing requirements. It is not out of character with that established by the development at Wallis Avenue, creates a well-defined and legible cul de sac which will be low speed with adequate car parking, private spaces and external storage and amenity areas. I consider it scores 10 out of 12 assessed against Maidstone BfL12.
- 6.13 The replacement building for Heather House is also contemporary in appearance, being a flat roofed single storey building with double height over the sports hall with uppermost area faced with U-shaped profiled glazing to allow natural light to the hall. The main walls of the building will have timber effect cladding, face brickwork and composite aluminium glazing. Roof projections to the front, side and rear of the building provide articulation and are also intended to provide shelter. The main part of the roof will have a parapet so that any roof plant is visually screened and the upper part of the roof will have aluminium trim. The scale, height,

materials, detailing, articulation and site coverage are therefore acceptable and a condition can secure the materials indicated.

### **Residential Amenity**

- 6.14 In terms of the housing site, there are adjoining residential bungalows at Rosemary Gardens to the northwest. There is adequate separation to avoid an overbearing relationship and upper floor landing windows to 3 new dwellings that face Rosemary Gardens are obscure glazed. A high brick/ragstone wall is shown along the common boundary at the back of the parking bays to replace the mesh fence in situ.
- 6.15 Within the site, units 6- 11 have side gardens rather than rear gardens. The relationships between the houses on the site has been the subject of consideration of orientation and fenestration arrangements (eg high level windows where necessary) and screening boundary treatments to private gardens to ensure that future occupants have both acceptable privacy and outlook.
- 6.16 Plot 11 has been re-sited by negotiation to reduce any overbearing impact on the neighbouring bungalows at Rosemary Gardens.
- 6.17 The submitted noise report states that subject to glazing specification and ventilation strategy, there are no acoustic issues with the scheme. The Community Centre is a potential source of noise to houses in Bicknor Road due to the likely hosting of social events and a noise management plan is suggested by condition. This is to take account of Policy DM1 which requires respect the amenities of occupiers of neighbouring properties and uses by ensuring that development does not result in excessive noise to the occupiers of nearby properties.
- 6.18 The scheme is acceptable in terms of residential amenity criteria of policy DM1 subject to conditions referred to above.

### **Parking and Access**

- 6.19 The parking for the housing is all independently accessible and comprises 22 spaces for 11 units which for this suburban area exceeds the parking standards in Policy DM23 by 4 spaces. Cycle parking stated in SPG4 1 space per bedroom of each dwelling will be provided.
- 6.20 Tracking drawings for adequate on site turning by refuse freighters are provided and a condition for a refuse collection strategy is also suggested.
- 6.21 For the Community Centre, 27 spaces need to be provided which meets the requirement for 1 space per 15 seats. 3 motorcycle spaces will also be provided. Based on minimum standards for cycle parking stated in SPG4, 5 spaces are in excess of the minimum standards.

### **Open Space**

- 6.22 The housing site does not provide any onsite public open space as required by policy DM19. The small size of the site means that any resulting open space typologies would be very small and be under the sizes that are viable. However, the site lies immediately adjacent to Parkwood Recreation Ground, where there is a net gain of 173 sqm of open land to the Recreation Ground across the 2 development areas, including a very significant gain in the provision of a landscaped buffer to the Ancient Woodland. The site thus has close proximity to play space, Sport fields, Amenity Green Space and semi- natural habitat.
- 6.23 Therefore, new residents in the scheme will reside immediately adjacent to a large public open space used for the majority of the typologies of open space in DM19 and it is not considered that there would be any harm arising from a quantitative on-site deficiency. The market units in the development will be CIL liable. CIL can

be used fund Open Space provision/improvement such as sports pitch refurbishment and Tree planting and woodland management at Parkwood Recreation Ground.

### **Biodiversity**

- 6.24 The NPPF requires that planning decisions should contribute to and enhance the natural and local environment and provide net gains for biodiversity. Legislation is due next year for to specify a 10% minimum BNG. The Local Plan Review has a draft policy which, if adopted, will require 20% minimum BNG
- 6.25 Policy DM3 protects ecological interests including areas of Ancient Woodland which abuts the application site of Heather House on its SW boundary. Natural England's Standing Advice requires a 15m wide buffer to the boundary for root protection purposes. The new buffer zone would contribute to wider ecological networks, be part of the green infrastructure of the area and a condition can require semi-natural habitat comprised of scrub planting of local and appropriate native species.
- 6.26 The submitted ecological report does not provide a % for BNG but it has been informally assessed against the latest Natural England matrix and 20% BNG is feasible from new hedgerow around part of the housing site, if wildflower meadows are established around the new Community building and new broadleaf woodland planting in the AW buffer. Therefore, a condition is suggested to secure this.
- 6.27 A condition is also suggested to achieve ecological enhancement by way of features within both the residential and community buildings and increased native species planting within the wider proposed development site.

### **Affordable Housing**

- 6.28 Policy ID1 of the MBLP has affordable housing as the priority form of infrastructure and the applicant's initial approach of not providing any affordable housing in order to maximise the cross subsidy of the replacement community facility would have been contrary to that policy.
- 6.29 As a site in the urban area, a minimum of 30% affordable housing is required under policy SP20. This has been no evidence by a viability review that will unacceptably impact on viability and a standard percentage of developer profit will still be achieved (which can be re-invested towards the cost of replacing Heather House).
- 6.30 The NPPF, Policy SP20 and the recently adopted SPD on Affordable Housing would, in combination, require the following affordable tenures:
- 1 First Homes
  - 1 Shared Ownership/intermediate
  - 2 Social Rent.
- 6.31 The very low numbers of affordable units on the site creates practical management issues for a Registered Provider to be interested in taking on this mix. Therefore, 4 First Homes have been offered as an alternative. This equates to on-site affordable housing provision of 36% and this is considered to be acceptable in terms of numbers and tenure and will ensure that the Government's policies are complied with for First Homes and "routes to affordable home ownership".
- 6.32 It is standing advice from MKLS that Affordable Homes (including First Homes) cannot be secured by planning condition. Moreover, because the Council owns the site, it is not possible to secure affordable housing under a Section 106 Agreement under the Town & Country Planning Act. The advice of MKLS is that the mechanism to secure this is a Memorandum of Understanding between the relevant Directors

to provide the necessary affordable housing, MKLS consider this to be enforceable and in accordance with the Constitution of this Council. A MoU requires a small sub group of Members and Officers (with one independent person) to be set up to monitor compliance with its terms.

### **Other Matters**

- 6.33 Policy DM3 relates to arboricultural impacts. The submitted tree report concluded that the installation of foundations for the Community Centre is situated just outside the Root Protection Areas. In regard of the original housing layout, it concluded that Plot 11 was marginally within the RPA of one tree though said it was marginal and non-harmful. In terms of hard surfaces, it also concluded no long-term adverse effects on the trees. However, in response to concerns over the very close position of Plot 11 to the neighbouring trees, it has been revised in its siting to exclude the RPA.
- 6.34 There will be shade constraints and leaf fall/debris due to the proximity and orientation of existing retained trees within the neighbouring park to the west of plots 9-11. Most affected was plot 11's original siting and so this has been relocated further from the trees by an extra average of 4m and this relationship is now considered to be acceptable.
- 6.35 An Archaeological Report concludes that the site is in an area of high archaeological potential for the Iron Age and Roman period and trial trenching is recommended.
- 6.36 In terms of Policy DM 6 on Air Quality, there are no concerns in principle other than the need for dust mitigation during construction which can be the subject of an informative.
- 6.37 The Energy statement says that the community centre will be constructed using energy-efficient building techniques and efficient mechanical and electrical systems. Mechanical ventilation with heat recovery will be used in the Community Centre and a wastewater heat recovery system will be used in the showers. PV panels will be installed on the south facing roof of each dwelling. A BREEAM condition is also suggested. The scheme therefore acceptably complies with Policy DM 2 (Sustainable design).
- 6.38 KCC have referred to a need for contributions to local education facilities but this would need to be funded by CIL rather than the financial contributions requested.

### **PUBLIC SECTOR EQUALITY DUTY**

- 6.39 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.

### **CIL**

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

## **7. CONCLUSION**

- 7.01 Whilst there is a net loss of floorspace within community facilities from this scheme, in mitigation there would be significant qualitative benefits in the new Community Centre as required by the Community facilities policy DM20(2). Conditions are

proposed to ensure adequate replacement of facilities in the Pavilion currently to benefit local sports clubs and to seek a minimisation of interruption of their use. This is considered to address the concerns raised by Sport England to an acceptable degree.

- 7.02 The design, landscaping and layout of the new housing broadly accord with policy DM1, whilst the net density is considered to be acceptable having regard to the character of the area and thus accord with DM12 of the MBLP. In addition, there is a satisfactory score in term of Maidstone Building for Life 12 (2018).
- 7.03 The scheme as amended is now acceptable in terms of residential amenity criteria of policy DM1.
- 7.04 There is an overall net gain in Public Open Space when the 2 elements are considered in combination and ecological improvement in provision of a 15m landscaped buffer to the Ancient Woodland. The scheme has potential for 20% Biodiversity Net Gain.
- 7.05 On-site affordable housing provision of 4 First Homes is to be secured and this is considered to be acceptable in terms of numbers and tenure.

## 8. RECOMMENDATION

### Subject to:

The conditions set out below, and the prior completion of a Memorandum of Understanding to secure the heads of terms set out below:

**the Head of Planning and Development BE DELEGATED POWERS TO GRANT PLANNING PERMISSION** (and to be able to settle or amend any necessary Heads of Terms and planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee).

Monitoring Fee £1,530

### HEADS OF TERMS

- Provision on site of 4 No. 3 bedroomed First Homes

### CONDITIONS:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
TBC in Urgent Update.  
  
Reason: To clarify which plans have been approved.
- 3) Prior to first use of the Community Centre, details of a community use agreement (CUA) prepared by the operator in consultation with Sport England and the principal users of the facility, shall be submitted to and approved in writing by the Local

Planning Authority, and a copy of the completed approved agreement provided to the Local Planning Authority. The agreement shall apply to the facilities within the community centre including the changing rooms, bar area, kitchen and sports hall, ancillary facilities and circulation areas and include details of pricing policy, hours of use, access by sports clubs and other community users, management responsibilities and a mechanism for review. The CUA shall seek to make comparable access arrangements to those that currently exist for the sports clubs related to the use of Parkwood Recreation Ground whilst accommodating the requirements of all other users. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To ensure adequate accommodation for the Sports Club facilities in the existing Pavilion community building being removed.

- 4) No demolition of any part of the Pavilion building shall take place until details have been submitted to and approved by the Local Planning Authority demonstrating proof of a let contract for the erection of the new Community Centre, the timetable for its first use by Community groups and any interim accommodation measures. The development shall be carried out in accordance with the approved details and timetable.

Reason: To ensure timely replacement of the existing Pavilion community building being removed.

- 5) Prior to first use of the new Community Centre hereby approved, details of storage facilities for mobile floodlighting equipment shall be submitted and approved by the Local Planning Authority and such facilities shall be implemented as approved.

Reason: To ensure adequate accommodation for the Sports Club facilities in the existing Pavilion community building being removed.

- 6) The Community Centre building shall be used for Community Use and by Sports Clubs related to Parkwood Recreation Ground and for no other purpose (including any other purpose in Class F.2 of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 or permitted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any statutory instrument revoking and re-enacting those Orders with or without modification).

Reason: To allow control of the use of the building or land to safeguard the character, appearance and functioning of the surrounding area and/or residential amenities.

- 7) Prior to commencement of the new Community Centre hereby approved, details of access to Parkwood Recreation Ground for grounds maintenance vehicles shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the Public Open Space can be maintained.

- 8) Prior to the commencement of the housing development about slab level, a refuse/recycling collection strategy shall be submitted to and approved by the Local planning Authority. It shall show both bin storage areas and "day of collection" areas.

Reason: To ensure adequate refuse/recycling collection in the interests of amenity.

- 9) Prior to the commencement of each element, the following shall be secured and implemented to the related part of the site:
- i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
  - ii) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority
- Reason: To ensure that features of archaeological interest are properly examined and recorded.
- 10) The Community Centre and housing hereby approved shall not commence above slab level until written details and photographs of samples of the materials to be used in the construction of the external surfaces of the related buildings have been submitted to and approved in writing by the local planning authority. These shall include:
- Community Centre: profiled glazing; timber effect cladding, face brickwork and composite aluminium glazing; aluminium trim to roof.
- Housing: facing brickwork; vertical weatherboarding; composite Aluminium windows and doors; natural slate tiles; standing seam metal roofs.
- The development shall be constructed using the approved materials.
- Reason: To ensure a satisfactory appearance to the development.
- 11) Above ground construction work on the Community Centre and housing hereby approved shall not commence until details of related fencing, walling and other boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The details shall include a ragstone/brick wall to the north-east boundary of the housing site. The development shall be carried out in accordance with the approved details before the first occupation of the related building and retained thereafter.
- Reason: To ensure a satisfactory appearance to the development and in the interests of residential amenity.
- 12) The Community Centre and housing hereby approved shall not commence until details of the proposed slab levels of the related building(s) and the related existing site levels 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: In order to secure a satisfactory form of development
- 13) The approved details of the access points to each element of the site shall be completed before the commencement of the use of the related buildings hereby permitted and, any approved sight lines shall be retained free of all obstruction to visibility above 1.0 metres thereafter.
- Reason: In the interests of highway safety.
- 14) The approved details of cycle parking and vehicle parking/turning areas related to each building hereby permitted shall be completed before that building's first use and shall thereafter 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) Neither element of development hereby approved shall commence above slab level until details of a scheme for biodiversity net gain on the overall site of at least 20% (based on the latest Natural England matrix) have been submitted to and approved in writing by the Local Planning Authority.

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

- 16) Neither element of development hereby approved shall commence above slab level until details of an Ecological Management Plan to accord with the recommendation of the Preliminary Ecological Appraisal by Greengage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through integrated methods (such as swift bricks, bat tubes and bee bricks) and through the provision within the site (such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and native hedgerow corridors) and use of hedgehog friendly boundary treatments. The relevant part of the development shall be implemented in accordance with the related approved details prior to first use/occupation and all features shall be retained thereafter.

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

- 17) Neither element of development hereby approved shall commence above slab level until details of a Construction And Environmental Management Plan to accord with the recommendation of the Preliminary Ecological Appraisal by Greengage have been submitted to and approved in writing by the Local Planning Authority. The relevant part of the development shall be implemented in accordance with the related approved details prior to first use/occupation and all features shall be retained thereafter.

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

- 18) Prior to occupation of any element of development hereby approved, a lighting design plan for biodiversity should be submitted to and approved by the Local Planning Authority. The plan will show the type and locations of external lighting, demonstrating that areas to be lit will not disturb bat activity. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter. This scheme shall take note of and refer to the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005 (and any subsequent revisions) and shall 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. No lighting shall be installed except in accordance with the approved scheme which shall be retained and operated in accordance with the approved scheme.

Reason: In the interests of biodiversity and rural amenity.

- 19) A glazing and ventilation strategy for the new residential units shall be submitted for approval by the local planning authority. This shall be based upon the Acoustic

Assessment Report P1420/03 (October 2021) and implemented as approved and retained thereafter.

Reason: In the interest of the amenity of future occupants.

- 20) The rating level of noise emitted from the proposed plant and equipment to be installed on the community building (determined using the guidance of BS 4142: 2014 Rating for industrial noise affecting mixed residential and Industrial areas) shall be low as can be possible. In general, this is expected to be 5dB below the existing measured background noise level LA90, T.

Reason: In the interests of residential amenity.

- 21) Prior to its first use, a noise management plan for the operation of the community centre shall have been submitted to and approved by the local planning authority. The approved noise management plan shall be implemented prior to first use and retained thereafter.

Reason: In the interests of residential amenity.

- 22) Any development within 30m of Ancient Woodland or within 10m of the canopy or Root Protection Area of any other tree shall accord with the Arboricultural Implementations Assessment by "Down to Earth". The approved barriers and/or ground protection measures shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the areas protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority. The measures set out in the Arboricultural Implementations Assessment shall be adhered to in accordance with the approved details.

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

- 23) All existing trees and hedges on and immediately adjoining the site shall be retained unless identified on the approved site plan (or block plan in the absence of a site plan) as being removed. All trees and hedges shall be protected from damage in accordance with the current edition of BS5837. Any trees or hedges removed, damaged or pruned such that their long term amenity value has been adversely affected shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions to mitigate the loss as agreed in writing with the Local Planning Authority.

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

- 24) No development of either element (including site clearance and demolition) shall take place until an Arboricultural Method Statement (AMS) in accordance with the current edition of BS 5837 has been submitted to and approved in writing by the local planning authority. The AMS should detail implementation of any aspect of the development that has the potential to result in the loss of, or damage to trees, including their roots and, for example, take account of site access, demolition and construction activities, foundations, service runs and level changes. It should also

detail any tree works necessary to implement the approved scheme and include a tree protection plan.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development C100

- 25) Prior to commencement of any element hereby approved, related details of foundation design shall have been submitted to and approved in writing by the Local Planning Authority. The foundations of the proposed development shall be designed to take into account the growth to maturity of such trees that are planted as part of the landscape scheme or which may reasonably be expected to be planted by future owner/ occupiers of the site.

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

- 26) Prior to commencement of any element hereby approved, related details of protection for retained structural planting and ground designated for new structural planting in accordance with the current edition of BS 5837 shall have been submitted to and approved in writing by the local planning authority. All planting to be retained must be protected by barriers and/or ground protection.

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

- 27) Neither the new community centre nor housing hereby approved shall commence above slab level until a related landscape scheme designed in accordance with the principles of the Council's landscape character guidance Landscape Guidelines (Maidstone Landscape Character Assessment Supplement 2012) has been submitted to and approved in writing by the local planning authority for the related element of the development. The scheme shall use predominantly native or near-native species as appropriate and show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed. It shall also provide details of onsite replacement planting to mitigate any loss of amenity and biodiversity value, the location of any habitat piles of cut and rotting wood and include a planting specification, a programme of implementation details, a maintenance schedule and a 5 year management plan. The landscape scheme shall specifically address the need to provide robust hedge planting to the southern and western boundaries of the housing site, the inclusion of street trees as detailed on Landscape Masterplan drawing and the need to provide a 15m wide buffer to the Ancient Woodland appropriately landscaped with broadleaved planting.

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

- 28) The use or occupation of the new community centre or housing hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details related to that element has been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, 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 unless the local planning authority gives written consent to any variation.

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

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

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles.

- 30) Prior to first use of the Community Centre hereby approved, a minimum of one publicly accessible rapid charge electric vehicle charging point (of 22kW or faster) shall be installed and shall thereafter be retained for public use thereafter.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles

- 31) Surface Water Drainage for each element of the development hereby approved shall be carried out in accordance with the Drainage Strategy ref K220363/C5/004 dated 29.07.22.

Reason: In the interests of pollution and flood prevention.

- 32) The Energy Strategy for each element of the development hereby approved shall be carried out in accordance with the Energy Statement Issue 2 (10 November 2021)

Reason: To promote the reduction of CO2 emissions.

- 33) Within 6 months of first use of the Community Centre hereby approved, a Post-Construction Review Certificate issued by the Building Research Establishment or other equivalent assessors confirming that the non-residential development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good' has been submitted to and acknowledged in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources.

- 34) Prior to occupation of each element of the development hereby approved, a related Closure Report shall be submitted for approval by the Local Planning Authority demonstrating completion of decontamination and remediation detailed in the approved Remedial Strategy And Verification Plan ref P2519J1849/TE version 1.2. This should 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. Any changes to these components require the express consent of the local planning authority and the scheme shall thereafter be implemented as approved.

Reason: In the interests of protecting the health of future occupants from any below ground pollutants.

- 35) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for a supplementary remediation strategy detailing

how this unforeseen contamination shall be dealt with. The supplementary remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the LPA.

Reason: There is always the potential for unexpected contamination to be identified during development groundworks

### **INFORMATIVES**

- 1) The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25th October 2017 and began charging on all CIL liable applications approved on and from 1st October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.
- 2) You are advised to adhere to a Construction Management Plan to include
  - Routing of construction and delivery vehicles to / from site
  - Parking and turning areas for construction and delivery vehicles and site
  - personnel
  - Timing of deliveries
  - Provision of wheel washing facilities
  - Temporary traffic management / signage
  - Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.
  - Provision of measures to prevent the discharge of surface water onto the highway.
  - Dust mitigation measures.

Case Officer: Marion Geary

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