

## REPORT SUMMARY

<b>REFERENCE NO - 16/506224/FULL</b>		
<b>APPLICATION PROPOSAL</b> Demolition of existing building with erection of a replacement three storey apartment building containing 8 self contained flats together with associated landscaping and access.		
<b>ADDRESS</b> 80A London Road, Maidstone, Kent, ME16 0DR		
<b>RECOMMENDATION</b> GRANT PERMISSION subject to planning conditions.		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> <ul style="list-style-type: none"><li>- The proposal is considered acceptable in design and layout terms by promoting and reinforcing local distinctiveness in accordance with the provisions of the NPPF</li><li>- The size and layout of the proposed flats will provide an acceptable residential environment.</li><li>- There remains no objection to loss of Christmas Lodge notwithstanding its status as an NDHA.</li><li>- There remains no objection to the principle of the use of the site for flats.</li><li>- The proposal will contribute to the provision of small housing units within the Borough while being sited in a sustainable location close to the Town Centre.</li><li>- The proposal will not have any adverse impact on the London Road street scene or on the character and layout of the area.</li><li>- The proposal does not result in any material harm to the outlook and amenity of properties overlooking and abutting the site.</li><li>- Is acceptable in highway and parking terms.</li><li>- Is acceptable in wildlife and habitat terms.</li></ul>		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Called in by Cllr Pickett on the grounds that: <ul style="list-style-type: none"><li>- The distance between any new build and Sweet Briar Court is still insufficient.</li><li>- The proposed block still has too much mass for this location and could be harmful to the street scene.</li><li>- The roof nearest to Sweet Briar Court is too high and should be lowered.</li><li>- There is insufficient planting in the vicinity of the Millennium Green Park.</li><li>- No confirmation that materials from the Christmas Lodge house are to be recycled where possible to maintain the character of the area while respecting the history and character of the old house.</li></ul>		
<b>WARD</b> Bridge Ward	<b>PARISH/TOWN COUNCIL</b> Maidstone urban area	<b>APPLICANT</b> Mrs S Ackerman <b>AGENT</b> DHA Planning
<b>DECISION DUE DATE</b> 11/10/15	<b>PUBLICITY EXPIRY DATE</b> 24/10/15	<b>OFFICER SITE VISIT DATE</b> 28/08/15

## MAIN REPORT

### 1.0 SITE DESCRIPTION

- 1.01 The site is occupied by a two storey detached dwelling set just over 13 metres back from London Road (A20) fronting the site to the south west. The existing dwelling is

designed in an 'arts and crafts' style but has been unsympathetically extended at the rear. The building is not listed, nor is it located within a conservation area but is considered to represent a Non Designated Heritage Asset (NDHA).

- 1.02 Abutting the site to the north west and north east is an area of open space, which includes a bowling green, while to the south east is a block of flats (Sweet Briar Court) set just over 29 metres back from London Road and just behind the rear main wall of the house occupying the application site. On the common boundary there are TPO trees.
- 1.03 On the opposite side of London Road are blocks of flats between 3 and 4 storeys in height. The existing dwelling currently has off street parking for at least 3 cars while there is unrestricted on street parking available on nearby roads. With two storey residential properties also located nearby on London Road there is some variety in the design, scale and appearance of nearby buildings.
- 1.04 There are buildings close to the site at the rear used in connection with the bowls club.

## **2.0 RELEVANT HISTORY**

- 2.01 **15/504311:** Demolition of existing detached dwelling, erection of four storey block of eight 2 bedroom flats with new access and associated car parking. – **REFUSED**- 22<sup>nd</sup> March 2016 for the following reasons:

*“The proposed development by virtue of its design, bulk, massing and poor articulation fails to promote or reinforce local distinctiveness as set out in in Para. 64 of the NPPF and that the site is a high profile location on the approach to Maidstone Town Centre and as a result fails to achieve good design contrary to paragraph 60 of the NPPF”*

## **3.0 PROPOSAL**

- 3.01 The proposal seeks to address the objections to the development of this site for flats set out in connection with application ref: 15/504311 above. Though continuing to propose a block of flats with accommodation on 4 floors (comprising 7 no: 2 bedrooms flats and 1 no: 1 bedroom flat) to be sited partly on the footprint of Christmas Lodge, the block has been redesigned to appear more traditional in appearance. This includes the use of pitched and tiled roofs, installation of small dormers at eaves level and in the roof along with the design, spacing and proportions of doors and windows giving the building more vertical emphasis. In response to additional design concerns all dormers are now capped by pitched roof gablets while a gable roof treatment has been replaced with a hip on the wing of the block closest to Briar Court.
- 3.02 The block has also been resited and reduced in size in an attempt its impact to reduce its impact on the outlook and amenity of Briar Court while the main entrance to the block is sited on the north west side of the building abutting the area of open space and on the opposite side of the building to Sweet Briar Court.
- 3.03 Parking and turning for 8 cars including a bin store is shown in front of the block on the London Road frontage with tree planting and perimeter landscaping both for the parking area and block of flats.

#### 4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Maidstone Borough-Wide Local Plan 2000: T13, H21  
Maidstone Borough Council (Submission Version) Draft Local Plan: SS1,DM1, DM2,  
DM3, DM4, DM12,

#### 5.0 LOCAL REPRESENTATIONS

5.01 34 neighbours notified – 5 objections received in connection with the proposal as originally submitted which are summarised as follows:

- Application description incorrect in that it refers to a three storey building where the building is 4 storey.
- Loss of light, outlook and privacy to residents abutting the site in Sweetbriar Court.
- Will result in increased traffic along London Road harmful to the free flow of traffic and highway safety while also adversely affecting the safety of the access to Sweetbriar Court.

5.02 **Sweet Briar Court Residents Association:**

- Proposal does not address the reasons for objection in connection with refused application ref: 15/504311. Proposal still represents substantial overdevelopment of the site out of character with the locality.
- Application description incorrect in that it refers to a three storey building where the building is 4 storey.
- Will cause loss of outlook, overshadowing, loss of daylight and privacy to residents of Sweet Briar Court.
- Proposal will result in loss of sight lines to access serving Sweetbriar Court.

5.03 4 letters of objection received in connection with amended proposal essentially reiterating the concern set out above. In particular raise highway related concerns as to how large vehicles will turn within the site as this is clearly impossible. As such will result in parking on the A20 harmful to the free flow of traffic and highway safety while obscuring sight lines of residents leaving Sweetbriar Court.

#### 6.0 CONSULTATIONS –

6.01 **Kent Highways:** No objection subject to conditions to secure on site parking and turning and measures to mitigate impact of construction activity.

6.02 **MBC Heritage:** Comments made in connection with refused application ref:15/504311 remain relevant to this proposal and are set out below:

- Considers Christmas Lodge unlikely to be listable as it represents a relatively late example of its style while not representing a good design for this type of building. Not sure who architect was but if it was Hubert Bensted he is not an architect of national repute but only of local note (although some of his buildings were illustrated in the contemporary architectural press).
- Based on comparison with old OS maps appears the building has been significantly extended to the rear.
- Building is not unique (there are a few other and earlier examples of similar style, also probably by Bensted in Maidstone).

- Paragraph 135 of the NPPF relating to Non Designated Heritage Assets (NDHA) states that the effect on the significance of an NDHA should be taken into account in determining the application and that a balanced judgement is required having regard to the scale of loss and the significance of the asset.
- Though an appeal dismissed on another Bensted building, (the old St.Luke's School in St. Luke's Road, Maidstone) on the basis of the loss of a NDHA, in this case the building had additional value because of its grouping with the listed St. Luke's Church (the school having been the original mission church).

6.03 **EHO:** No concerns in relation to air quality or site contamination. However the site is adjacent to the heavily trafficked A20 and conditions should be imposed to ensure that acceptable internal noise environment is achieved.

Site lies within the Maidstone Town Air Quality Management Area but does not consider the scale of the development or its siting requires any specific air quality mitigation measures. Suggests construction activities are controlled.

## **7.0 BACKGROUND PAPERS AND PLANS**

The development proposals are shown in the design and access statement planning statement both dated the July 2016 and drawing nos: DHA/11442/01,02, 03 revA, 05 revB and 06 revA.

## **8.0 APPRAISAL**

8.01 No objection was identified to the principle of redeveloping this site for flats in connection with refused application ref: 15/504311(Demolition of existing detached dwelling, erection of four storey block of eight 2 bedroom flats with new access and associated car parking) given that flats are immediately opposite and abut the site to the south east while the site benefits from good access to facilities and public transport being on a main bus route into Maidstone and close to Maidstone Barracks Railway Station.

8.02 The proposal nevertheless still has to be considered against policy H21 of the adopted local plan. This policy states, amongst other things, that proposals for redevelopment to secure self contained flats will be permitted subject to the intensified use of the site not harming the character, appearance or amenity of the surrounding area, the internal layout of the flats providing acceptable living accommodation, no resulting harm to the amenity of adjoining residents and that sufficient on site parking is provided in a manner that does not harm the setting of the proposal or the street scene.

8.03 The status of Christmas Lodge as a Non-Designated Heritage Assets (NDHA) also needs to be assessed.

### **Heritage Asset:**

8.04 The proposal still involves the demolition of Christmas Lodge which given its design, age and historic associations qualifies as an NDHA. Paragraph 135 of the NPPF states that the effect of an application on the significance of an NDHA should be taken into account in determining the application. In weighing applications that affect directly or indirectly an NDHA a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 8.05 The Council's heritage advisor previous comments on the status of Christmas Lodge in relation to the previously refused proposal (attached to this report) lead to the conclusion that Christmas Lodge does not possess significant architectural or historic merit and which was accepted in the context of the previously refused proposal. The council's heritage advisor has confirmed his view remains the same for the current application and as such when set against the benefits of developing this site for housing as proposed, the loss of Christmas Lodge again continues not to represent a significant factor weighing against the provision of 8 flats in this sustainable location.

**Design siting and layout:**

- 8.06 The application site occupies an exposed location on one of the main routes into Maidstone. It is therefore remains important to ensure any proposal makes a positive visual contribution to the locality reflecting the significance of this site in the streetscape.
- 8.07 The NPPF at paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. The previously refused proposal for a square profiled building of contemporary design, though having Design Panel support and a favourable officer recommendation, was considered by Members to fail to sufficiently promote or reinforce local distinctiveness in accordance with the provisions of the NPPF.
- 8.08 The adjoining block of flats abutting the site to the south east known as Briar Court and The Pippin Public House are of traditional appearance with pitched and tiled roofs featuring prominently in their design. These buildings substantially set the context against which any proposal will be viewed. As such, the block has been redesigned to appear more traditional in scale and appearance and more reflective of adjoining development with the use of pitched and tiled roofs, installation of small dormers at eaves level and in the roof, along with the design, spacing and proportions of doors and windows giving the building more vertical emphasis. In addition all dormers are now capped by pitched roof gablets while a gable roof treatment has been replaced with a hip on the wing of the block closest to Sweet Briar Court.
- 8.09 Details submitted on pages 10 and 11 of the Design and Access statement show the relative height and scale of the proposed development in relation to Sweet Briar Court along with a perspective view of the development from London Road again including Sweet Briar Court. It is considered these details show how the scale and design of the proposed development respects the character of the area and how it will complement the adjoining Sweet Briar Court development.
- 8.10 Furthermore given the reduced size and amended siting of the block it is not considered it will result in an overly cramped or overcrowded appearance or appear out of character with development on this side of London Road. Furthermore views will still be available down the side of the proposed block. As such it is considered this proposal can now be seen to promote and reinforce local distinctiveness in a manner that materially resolves the design concerns expressed by Members in connection with the previously refused proposal.

- 8.11 The proposal still shows parking to the front of the block separated from London Road by areas of landscaping. Again this reflects the layout of Sweet Briar Court abutting the site to the south east. The existence of boundary hedges on both site boundaries means this parking area will not result in any material harm to the street scene or character of the area. The proposal continues to show an area of communal private amenity space at the rear of the proposed block. This external space in addition to the balconies serving 6 flats is considered to improve the standard of residential accommodation being provided.
- 8.12 In conclusion it is considered the proposal reaches a sufficiently high standard of design appropriate to this high profile site lying on one of the principal routes into Maidstone thereby complying with the design provisions of the NPPF and policy H21 of the adopted local plan.

**Internal layout of the flats:**

- 8.13 It is considered the size and layout of rooms provides sufficient space for the normal range of furniture to be installed while enabling reasonable circulation space. As such the layout of the flats is acceptable.

**Impact on the outlook and amenity of adjacent properties:**

- 8.14 The main consideration here remains the impact on the residents of Sweet Briar Court being the 4 storey block of flats immediately abutting the application site to the south east. This block of flats has flank windows in its north west elevation which will directly overlook the south east elevation of the proposed block of flats. These existing windows provide the sole means of natural light and outlook to kitchens.
- 8.15 Whilst less important than living rooms and bedrooms, kitchens are recognised as rooms whose amenity should be safeguarded where possible. Though outlook from these windows will be materially changed, plans submitted with the previously refused proposal showed a minimum 'flank to flank' block spacing distance of just under 5 metres increasing to just under 11 metres. However it now transpires that Sweet Briar Court was incorrectly plotted at the time. As such though the current building is set further off the application site boundary than that previously refused, the block separation distances when scaled off the submitted plans are just under 5 metres at the closest point at the front of the proposed block increasing to just under 7.5 metres at the rear of the block.
- 8.16 The assessment now is whether this reduced distance has any material bearing on the outlook and amenity of residents in Sweetbriar Court.
- 8.17 It is again reiterated that views from these flanks windows are gained over land not in the ownership and control of the occupants of Sweet Briar Court. In planning terms there is no right to a view as such while if maintenance of outlook from these windows is given overriding weight this would compromise any development of the application site. In any case objections to the previously refused application were design based and did not include harm to the outlook and amenity of the occupants of Sweetbriar Court.
- 8.18 Turning to daylight considerations, daylight refers to background light levels available on an overcast day. It is considered the block separation distances will still enable sufficient daylight to the existing kitchens in the neighbouring building.

- 8.19 Acceptable access to daylight and sufficient outlook, facilitated by the separation distances, is still being maintained and as such there is still considered to be no overriding objection to the proposal based on a material loss of outlook or daylight to the north - west facing kitchen windows in Sweet Briar Court.
- 8.20 Regarding the impact on lounge windows at the front of Sweet Briar Court facing towards London Road, the submitted plans show the proposed block of flats projecting just over 6 metres forward of Briar Court with a separation distance of just over 5 metres between the blocks. Comparable distances for the refused scheme are just under 7 metres and just over 4.5 metres respectively.
- 8.21 As with the previously refused scheme where a potential conflict is identified in domestic situations the Council applies a 45 degree test to the nearest affected windows. When this test was applied to the refused proposal it complied with this guideline in relation to these windows. Given the revised proposal projects less further forward and replaces a gable roof with a hipped roof at the part of the block closest to Sweet Briar Court there is still insufficient evidence of material harm to sustain an objection to the proposal on loss of outlook from these windows
- 8.22 It should be reiterated that in determining the impact of the refused proposal on residents in Sweet Briar Court an internal inspection of the outlook from typically affected flats was undertaken to assess the impact on the outlook from both flank and living rooms windows. Though no similar inspection has been undertaken in connection with this proposal, for the reasons set out above, it was not considered necessary to reassess this.
- 8.23 Nevertheless to again ensure that residents of Sweet Briar Court do not experience a material loss of privacy, all windows on the south east elevation of the proposed block of flats should be obscure glazed. The use of obscure glazing will not impact upon the standard of the proposed accommodation as these windows are either to bathrooms or secondary habitable room windows.
- 8.24 Regarding any impact on residents to the east of the site in Cloudberry Close and Little Buckland Avenue the nearest property in Cloudberry Close and Little Buckland Avenue are sited well away from the application site with a bowling green intervening. Given this separation and that these properties already have outlook onto the rear of Sweet Briar Court, it is not considered they will experience a material loss of visual amenity.

**Highway considerations:**

- 8.25 Access is still to be gained centrally to the site from London Road which has good sight lines in both directions. Parking is being provided at a ratio of one space per unit which is consistent with the Council's expectations for this type of accommodation in a sustainable location being only a short distance from the town centre and well served by public transport.
- 8.26 In the absence of objection to the proposal from Kent Highways no harm is identified to the proposal on parking grounds or that it have any material impact on the free flow of traffic or highway safety along London Road.
- 8.27 The specific comments of residents in Sweet Briar Court on the adverse impact on their highway safety are noted. However in the absence of objection from Kent Highways on these grounds (either in connection with the previously refused scheme

or the current proposal) there is considered to be no support for seeking to now resist the proposal on these grounds.

**Wildlife and habitat considerations:**

- 8.28 The application site still comprises an occupied building with areas of hardstanding with the remaining area mainly covered by lawn. The NPPF requires development to make provision for wildlife where possible. In order to secure this a condition requiring the provision of bat/swift boxes is considered to remain an appropriate response in the circumstances.

**Other Matters:**

- 8.29 The Housing Standards Review by the Government resulted in the withdrawal of the Code for Sustainable Homes and introducing a new system of optional Building Regulations on water and access, and a new national space standard (“the new national technical standards”). This system complements the existing set of Building Regulations which are mandatory. This does not preclude renewable or low-carbon sources of energy within new development which is considered intrinsic to high design standards and sustainable development in accordance with the provisions of the NPPF.
- 8.30 Such measures contribute towards achieving the NPPF’s key sustainability aim, support the transition to a low carbon future while encouraging the use of renewable sources being one of the core planning principles of the NPPF. A condition should therefore be imposed on how renewable energy will be incorporated into the proposal.
- 8.31 There is also a requirement that surface water drainage be dealt with via a SUDS in order to attenuate water run off on sustainability and flood prevention grounds and is a matter that can also be dealt with by condition.
- 8.32 Concern has been raised that the proposal fails to sufficiently landscape the site with additional planting being sought on the north west boundary abutting the adjoining area of open space and along the common boundary with Sweet Briar Court. This is a matter that can be dealt with by condition.
- 8.33 In connection with the reuse of materials, only the use of reclaimed tiles was considered by the applicant. They advise however that as the roof area of the proposed block of flats is significantly greater than Christmas Lodge their reuse would appear out of keeping. Nevertheless it is intended to re-use them on the cycle/bin store which is considered an appropriate and proportionate response in the circumstances.
- 8.34 Finally concerns that the application description in referring to a three storey building is misleading are noted. The submitted plans show accommodation in the roof area with three storeys beneath this and reflects exactly the applicants own description of the proposal. Guidance makes clear that application descriptions must not be amended without good cause and without first obtaining the agreement of the applicant. In this case reference to the submitted plans and details revealed the precise nature of the application as shown by objections received. In the circumstances it is not considered that objectors have been materially misled or disadvantaged by the description of the development.

## 9.0 CONCLUSIONS

9.01 These are considered to be as follows:

- The proposal is considered acceptable in design and layout terms by promoting and reinforcing local distinctiveness in accordance with the provisions of the NPPF.
- The size and layout of the proposed flats will provide an acceptable residential environment.
- There remains no objection to loss of Christmas Lodge notwithstanding its status as an NDHA.
- There remains no objection to the principle of the use of the site for flats.
- The proposal will contribute to the provision of small housing units within the Borough while being sited in a sustainable location close to the Town Centre.
- The proposal will not have any adverse impact on the London Road street scene or on the character and layout of the area.
- The proposal does not result in any material harm to the outlook and amenity of properties overlooking and abutting the site.
- Is acceptable in highway and parking terms.
- Is acceptable in wildlife and habitat terms.

9.02 In the circumstances it is considered the balance of issues fall in favour of the proposed development and planning permission should therefore be granted.

## 10.0 RECOMMENDATION - GRANT 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) Prior to commencement of the development hereby approved details of all external materials (including surfacing for the roads, turning and parking areas) and details of new, replacement or retained boundary treatment shall be submitted for prior approval in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and retained permanently thereafter.

Reason: In the interests of visual amenity.

- (3) The development hereby approved shall not commence until details have been submitted for prior approval in writing by the Local Planning Authority of decentralised and renewable or low-carbon sources of energy and how they will be incorporated into the development. The approved details will be in place before first occupation of the development hereby approved and maintained as such at all times thereafter.

Reason: To secure an energy efficient and sustainable form of development that accords with the provisions of the NPPF.

- (4) Before first occupation of the development hereby approved all windows in the south east elevation of the building hereby approved shall be glazed in obscure

glass and limiters installed to ensure that any opening parts of the windows do not open more than 150mm in any direction. The windows shall be retained as approved permanently thereafter.

Reason: To maintain privacy standards in the interests of amenity.

- (5) Prior to commencement of the development hereby approved on site provision for the parking and turning of all construction and personnel vehicles along with wheel washing facilities shall be provided. These facilities shall be retained throughout the construction phase of the development.

Reason: In the interests of highways safety and the free flow of traffic.

- (6) The development hereby approved shall not be occupied until the access onto London Road, car and cycle parking and turning areas all as shown on the approved plan no:DHA/11442/03 revA have first been provided. They shall be retained at all times thereafter in accordance with the approved details with no impediment to their intended use.

Reason: In the interests of highway safety and the free flow of traffic.

- (7) Prior to the commencement of the development hereby approved a scheme to demonstrate that the internal noise levels within the residential units will conform to the standard identified by BS 8233 2014 (Sound Insulation and Noise Reduction for Buildings - Code of Practice) shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall be carried out in accordance with the approved details prior to first occupation of the any of the flats and be retained at all times thereafter.

Reason: In the interests of aural amenity.

- (8) No surface water shall discharge onto the public highway during the course of implementing the development hereby approved or at any time thereafter.

Reason: In the interests of highway safety and the free flow of traffic.

- (9) Before first use of the access onto London Road a bound surface shall be provided for the first 5 metres of the access from the edge of the highway and retained as such at all times thereafter.

Reason: To prevent surface material being dragged onto the public highway in the interests of the free flow of traffic and public safety.

- (10) Within 3 months of first occupation of the development hereby approved two swift boxes and two bat boxes shall be in place that are in accordance with details (including size, design and siting) that have previously been submitted to and approved in writing by the Local Planning Authority with the boxes shall be retained in accordance with the approved details at all times thereafter.

Reason: To ensure that adequate provision is made for wildlife in accordance with the provisions of the NPPF.

- (11) Prior to the commencement of development barriers and/or ground protection in accordance with BS 5837 (2005) 'Trees in Relation to Construction -

Recommendations' shall be in place for all trees to be retained with this protection in accordance with details that have been previously been submitted to and approved in writing by the Local Planning Authority. The approved barriers and/or ground protection 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;

Reason: To safeguard existing trees to be retained and to ensure a high quality setting and external appearance to the development in accordance with the National Planning Policy Framework (2012).

- (12) Prior to first occupation of any of the dwellings hereby approved details of landscaping (including long term management) shall be provided along the whole length of north west site boundary and that with Sweet Briar Court, for the two landscaped areas abutting the access onto London Road and the areas of proposed ground cover planting. The approved landscaping scheme shall be carried out in the first available planting season following completion of the development. Any part of the approved landscaping scheme becoming dead, dying or diseased within 5 years of planting shall be replaced with a similar species of a size to be agreed in writing beforehand with the Local Planning Authority.

Reason: In the interests of visual amenity.

- (13) The development hereby permitted shall not commence until a scheme for the disposal of surface water (which shall be in the form of a sustainable drainage scheme) has been submitted to and approved by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details and retained permanently thereafter

Reason: To prevent pollution of the water environment and to ensure satisfactory drainage in the interests of flood prevention.

- (14) Demolition/construction activities shall only take place between 0800 -1800 hours (Monday to Friday) and 0800 -1300 hours (Saturdays) with no working activities on Sunday or Bank Holiday.

Reason: In the interests of amenity.

- (15) The development hereby approved shall be carried out at the level shown on the drawing at page 10 of the Design and Access statement dated July 2016.

Reason: In the interests of visual amenity.

- (16) The development hereby permitted shall be carried out in accordance with the following approved plans being drawing nos: DHA/11442/01,02, 03 revA, 05 revB and 06 revA.

Reason: In the interests of amenity.

## **INFORMATIVES**

### Construction:

As the development involves demolition and / or construction the development should be carried out in accordance with the Mid Kent Environmental Code of Development Practice.

### Highways:

Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: [www.kent.gov.uk/roads\\_and\\_transport.aspx](http://www.kent.gov.uk/roads_and_transport.aspx) or telephone: 03000 418181) in order to obtain the necessary Application Pack.

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

### Noise and Vibration transmission between properties:

Attention is drawn to Approved Document E Building Regulations 2010 "Resistance to the Passage of Sound" - as amended in 2004 and 2010. It is recommended that the applicant adheres to the standards set out in this document in order to reduce the transmission of excessive airborne and impact noise between the separate units in this development and other dwellings.

### Asbestos:

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. Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.

### 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 pre-application advice.

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 application, following amendment, was acceptable.

Case Officer: Graham Parkinson

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