

**Len House, Mill Street / Palace Avenue, Maidstone
Proposed Conditions**

20/501029/FULL

Std Time Limit

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.

Approved Plans (summary wording)

The development hereby permitted shall be carried out in accordance with the following approved plans:

[ENTER PLAN TITLE/ DRG NOS/ DATE RECEIVED FOR ALL PROPOSED PLANS AND RELEVANT INFO]

Reason: To clarify which plans have been approved.

River Len

(Notwithstanding the landscaping drawings hereby approved) prior to the commencement of the new build elements above slab level (and within a period of no later than 6 months from the grant of planning permission), a feasibility and viability assessment of the 'daylighting' of the River Len within the application site shall be submitted to and approved in writing by the local planning authority. Should the assessment identify that the works are feasible, the submitted scheme shall include details of landscape and biodiversity measures, phasing / timing of the works and future management measures. In addition, the submitted scheme shall set out potential delivery strategies, including the option for the Council to deliver.

Reason: The 'daylighting' of the River Len would deliver key townscape and ecological benefits and the Council, in accordance with its approved Planning Brief for the site, wishes to ensure that the potential opportunity to deliver such works is fully investigated.

Archaeology 1

No development shall take place until the applicant has secured and had implemented a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the local planning authority;

Reason: To enable the recording of any items of historical or archaeological interest.

Archaeology 2

Prior to occupation of the building or commencement of the use hereby approved a final report detailing all archaeological results and finds resulting from the approved scheme of archaeological

work shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of recording any below ground structures or finds and to inform KCC Heritage's archives.

Contamination

The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

b) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

d) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in 3. 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. The scheme shall thereafter be implemented as approved.

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

Slab Levels

The new build elements of the development hereby approved shall not commence until, details of the proposed slab levels of the new build elements and the existing site levels have been submitted to and approved in writing by the local planning authority and the development shall be completed strictly in accordance with the approved levels;

Reason: In order to secure a satisfactory form of development having regard to the topography of the site and the relationship of the development to properties to the north.

Material Samples – Len House

The approved works to Len House shall not commence above slab level until, written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted have been submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing by the LPA, such details shall include a scale mock-up of a typical bay of the roof extension to Len House at a suggested scale of ## erected on site, details of the vehicular entrance shutter, all windows and doors. In addition the following internal details shall be submitted - the winter garden dividing screens and the partition between the vehicular ramp. The development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development and to protect the character and appearance of the heritage asset.

Material Samples – New Build

The new build elements of the development hereby approved shall not commence above slab level until, written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted have been submitted to and approved in writing by the local planning authority. . The development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

Hard Landscaping

The development hereby approved shall not commence above slab level until, details of hard landscape works have been submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details before the first occupation of the building(s) or land;

Reason: To ensure a satisfactory appearance to the development.

Soft landscape scheme

The development hereby approved shall not commence above slab level until a detailed landscape planting scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall 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, provide details of on site replacement planting to mitigate any loss of amenity and biodiversity value [together with the location of any habitat piles] and include a planting specification, implementation details and a [5] year management plan.

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

Soft landscape implementation

The use or occupation of each phase of the development hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details 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

Ecological enhancements

Within 6 months of the first commencement of works on site, a scheme for the enhancement of biodiversity on the site shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of a scheme for the enhancement of biodiversity within the Mill Pond and through integrated methods into the design and appearance of the buildings by means such as swift bricks, bat tube or bricks and habitat for solitary bees. The development shall be implemented in accordance with the approved details and all features shall be maintained thereafter.

Reason: To protect and enhance the ecology and biodiversity on the site in the future.

Landscape and Ecological Management Plan

A landscape and ecological management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped and open areas other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to first occupation of any dwelling on the site. Landscape and ecological management shall be carried out in accordance with the approved plan unless the local planning authority gives written consent to any variation.

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

INTERNAL/EXTERNAL SOUND LEVELS

The development hereby approved shall not commence until, a scheme to demonstrate that the internal noise levels within the proposed residential units (both new build and listed building conversion) and the external noise levels in relevant amenity areas will conform to the standard identified by BS 8233 2014, Sound Insulation and Noise Reduction for Buildings - Code of Practice, have been submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter. The scheme must include an assessment of

and necessary mitigation to address potential late night noise from nearby entertainment and leisure venues and include an assessment of the relationship between commercial and residential uses within the converted Len House.

Reason: In the interests of aural amenity and to ensure that the development does not prejudice the ongoing viability of nearby entertainment and leisure venues.

Parking/Turning Implementation

The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted 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.

Use

With the exception of the former showroom directly fronting Mill Street, the commercial elements of the buildings hereby approved, together with the Mill Street forecourt, shall only be used for purposes falling within Classes A3 and A4, together with associated A1 sales only and for no other purpose (including any other purpose in Classes A, B, D of the Schedule to 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: Unrestricted use of the building or land would cause demonstrable harm to the character, appearance and functioning of the surrounding area and/or the enjoyment of their properties by adjoining residential occupiers.

Advertisements (summary wording)

Notwithstanding the TCP Advertisements Regulations, no advertisements shall be placed on the site or buildings hereby approved without the express consent of the LPA

Reason: To ensure that the LPA has adequate control of the character, appearance and setting of the listed building.

Kiosk (summary wording)

A detailed scheme for the forecourt kiosk shall be submitted to and approved in writing by the local planning authority. Such a scheme shall include the design, materials, lighting strategy and hard landscaping / seating proposals for the external area. The approved scheme shall be completed prior to the first occupation of the main A3/A4 element within Len House.

Reason: To ensure that forecourt enhancement scheme is delivered to a satisfactory standard.

Boardwalk (summary wording)

A detailed scheme for the proposed Mill Pond boardwalk shall be submitted to and approved in writing by the local planning authority. Such a scheme shall include the form of attachment, design and materials for both surfaces and handrails, lighting strategy and access and management plan. The approved scheme shall be completed prior to the first occupation of commercial elements of the scheme.

Reason: To ensure that the boardwalk scheme is delivered to a satisfactory standard.

Lighting Strategy

Any external lighting of the buildings and public areas shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. These details shall include, inter alia, measures to shield and direct light from the light sources so as to prevent light pollution and illuminance contour plots covering sensitive neighbouring receptors, including the Mill Pond. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter;

Reason: In the interest of visual amenity, heritage sensitivity and ecology

CCTV (draft suggested condition)

Notwithstanding the GPDO, no CCTV or other communications or monitoring equipment, including satellite dishes shall be erected on Len House without the prior written consent of the LPA.

Reason: To ensure that the character and appearance of the listed building is not harmed.

Subdivision (summary wording)

Unless otherwise agreed in writing pursuant to this condition, the main ground floor commercial space shall not be subdivided into separate units of accommodation or divided by the way of internal partitions.

Reason: To ensure that the character and appearance of the listed building is not compromised.

Plant and Ducting Systems

The use of the premises shall not commence until details of any plant (including ventilation, refrigeration and air conditioning) or ducting system to be used in pursuance of this permission have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The scheme shall include an acoustic assessment which demonstrates that the noise generated at the boundary of any noise sensitive property shall not exceed Noise Rating Curve NR35 as defined by BS8233: 2014 Guidance on sound insulation and noise reduction for buildings and the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide 2006. The equipment shall be maintained in a condition so that it does not exceed NR35 as described above, whenever it's operating. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority

Reason: In the interests of visual and aural amenity.

Cooking Odour

The development hereby approved shall not commence until, details of a scheme for the extraction and treatment of cooking fumes have been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented prior to the first use of the premises and thereafter maintained to the satisfaction of the local planning authority. Such a scheme should typically include a grease filter, pre-filter and activated carbon treatment, together with high level fume dispersion;

Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers and the amenities of the surrounding area.

Roof Details (summary wording)

Submission of detailed roof strategy, including design, materials, specification and management plans for all roof level planting beds, green roofs and solar PV array as detailed within the (*report name*)

Reason: To ensure that the approved renewable energy measures set out within (insert report) are provided and maintained thereafter to an acceptable standard and to ensure that all roof level details are so not adversely affect the overall appearance of development.

EV Charging (summary wording)

The development hereby approved shall not commence above slab level until details of the location and specification of the accessible electric vehicle charging point (*insert reference report*), including a programme for their installation, maintenance and management, shall be submitted to and approved in writing by the local planning authority. The electric vehicle charging points as approved shall be installed prior to occupation of the building(s) hereby permitted and shall thereafter be retained and maintained in accordance with the approved details.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with the Local Plan and the NPPF.

Access

The approved details of the access points to the site shall be completed before the commencement of the use of the land or buildings hereby permitted and, where relevant' the sight lines maintained free of all obstruction to visibility above 1.0 metres thereafter;

Reason: In the interests of road safety.

S278 Works (summary wording)

No operation of the development hereby permitted shall take place until highway works, to include installation reinstatement of closed crossways, new access points and pavement crossovers have been secured in accordance with a scheme to be agreed with the LPA and KCC;

Reason: In the interests of highway safety.

Construction Management

The development hereby approved shall not commence until a method statement for the demolition and/or construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved method statement. Details submitted in respect of the method statement, incorporated on a plan, shall provide for wheel-cleaning facilities during the demolition, excavation, site preparation and construction stages of the development. The method statement shall also include details of the means of recycling materials, the provision of parking facilities for contractors during all stages of the development (excavation, site preparation and construction) and the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials.

Reason: To ensure that the construction of development does not prejudice highway safety.

SUDS (summary wording)

Approval of SUDS scheme and management in accordance with submitted drainage strategy.

Drainage (summary wording)

Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water

Air Quality Mitigation (summary wording)

Prior to the first occupation of the development, a scheme of air quality mitigation measures in accordance with the (insert report reference) shall be submitted to an approved by the LPA.

Reason: In order to ensure that an acceptable level of mitigation of potential air quality impacts is secured.

20/501030/LBC

Time Limit

The works to which this consent relates must be begun before the expiration of three years from the date of this consent;

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

[ENTER PLAN TITLE/ DRG NOS/ DATE RECEIVED FOR ALL PROPOSED PLANS AND RELEVANT INFO]

Reason: To clarify which plans have been approved.

Submission of Details (Listed Building)

With the exception of remedial and survey works, no development within the listed building shall take place until details in the form of large scale drawings (at a scale of 1:20 or 1:50) of the following matters have been submitted to and approved by the Local Planning Authority;

- i) Details of those windows and doors which are to be retained, restored or replaced
- ii) Details of existing brickwork or other external finishes that are to be restored/made good or replaced, including details of any new materials that are intended to match existing
- iii) A fully detailed schedule of repairs and redecoration shall be provided for approval for all internal surfaces. This shall include specifications of materials and methods where appropriate and recommendations for a maintenance regime. Such details shall also include:
 - o Alterations to staircases and stair compartments
 - o Internal ramps
 - o New internal opening or closures
 - o Any proposed secondary glazing

The development hereby approved shall thereafter be undertaken in accordance with the subsequently approved details.

Reason: To ensure the quality of the development is maintained and to prevent harm to the special architectural and historic interest of the listed building.

Historic Features

All existing historic features shall be retained in situ, except where indicated otherwise on the approved drawings, unless otherwise agreed in writing by the Local Planning Authority.

Prior to the commencement of any works to the listed building, a method statement shall be submitted for proposed internal and external repair works, including façade repairs;

Reason: To ensure the quality of the development is maintained and to prevent harm to the special architectural and historic interest of the listed building.

Internal Services

Prior to the commencement of development a method statement shall be submitted and approved in writing by the Local Planning Authority covering the below listed items of work. The statement shall be supplemented with drawings/specifications as necessary showing the ductwork/pipework/wiring runs.

- Plumbing including all ground and above level drainage
- Ventilation provision
- Mechanical & Electrical services for heating and lighting
- Fire strategy - measures for prevention, detection, and means of escape (some
- Acoustic attenuation between spaces
- Removal of any asbestos
- New interior lighting scheme
- Any special measures for kitchens and kitchen storage areas

The development shall be carried out in complete accordance with the approved details.

Reason: To protect and preserve the appearance and character of the listed buildings

Historic Archive

Prior to the commencement of development a full set of record photographs of the existing building shall be taken. Photos should be cross referenced to key plans and elevations in accordance with recommendations for a level 1 recording standard as specified in English Heritage's publication 'Understanding Historic Buildings' A guide to good recording practice. Copies shall be made available to the LPA for inclusion on the Historic Environment Record. In addition, the record shall include acceptable quality reproductions of all available photographic and documented historic images of the site that are available to the applicant.

Reason: To ensure that the heritage benefits associated with archiving the buildings history are secured.