

| | | |
|---|----------------------------|---|
| REFERENCE NO – 20/505808/FULL | | |
| APPLICATION PROPOSAL Section 73 - Application for variation of condition 2 (materials) and minor material amendment to approved plans condition 9 (to allow changes to materials and fenestration, the addition of solar panels and replacement of rear gable with rear dormer) pursuant to 15/506025/FULL for - New attached single residential development. | | |
| ADDRESS Land Adjacent 2 School Lane, Maidstone, Kent, ME15 8DU | | |
| RECOMMENDATION Grant planning permission subject to conditions | | |
| SUMMARY OF REASONS FOR RECOMMENDATION The amended materials and replacement rear dormer on the revised scheme is of an appropriate design, bulk and appearance. | | |
| REASON FOR REFERRAL TO COMMITTEE The Applicant is related to an employee of Maidstone Borough Council. | | |
| WARD Shepway North | PARISH/TOWN COUNCIL | APPLICANT Mr M Cox AGENT Richard Architectural Designs |
| TARGET DECISION DATE 04/06/21 (EOT) | | PUBLICITY EXPIRY DATE 15/02/21 |

1. Background

1.01 This application was reported to Planning Committee on 22 April 2021 where officers recommended approval subject to conditions. The previous committee report is attached at the Appendix. Planning Committee deferred consideration of the application for the following reasons:

- A. *Negotiate the use of ragstone only for the exterior walls of the whole building;*
- B. *Add a landscaping condition to secure native species hedgerow planting along the rear and side back garden boundaries;*
- C. *Add a condition relating to external lighting given the proximity of Mote Park; and*
- D. *Amend the wording of condition 11 (Biodiversity Enhancements) to remove reference to native species planting and to require integral niches for wildlife (bird, bat and bee bricks) and gaps under fences to allow the movement of wildlife.*

1.02 In response to these points, the applicant has provided revised scheme on 3 May 2021 in addressing the external materials issue. The approved plans as listed under condition 9 in permission 15/506025/FULL and amended proposed elevation drawings are shown below in **Figure 1, 2 and 3**. The current proposal has revert the use of ragstone as approved in permission 15/506025/FULL with the use of timber cladding at the single storey rear extension. The use of yellow decorative bricks around the fenestration and edge of the building has been removed. These changes are discussed and assessed in the appraisal section below.

Figure 1. Approved and proposed front elevation

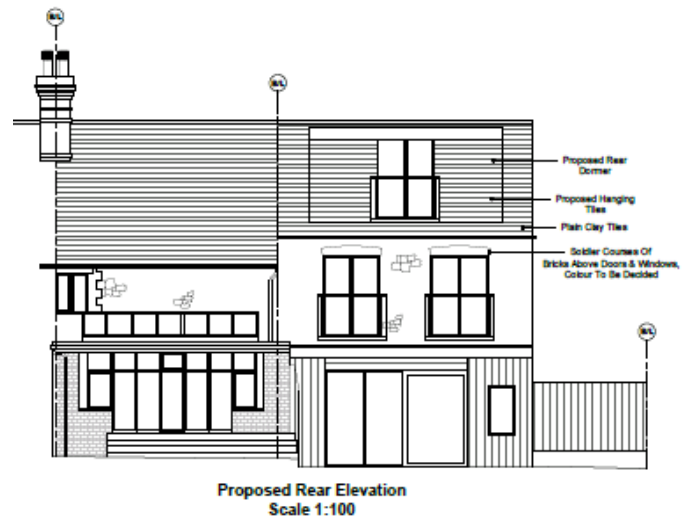
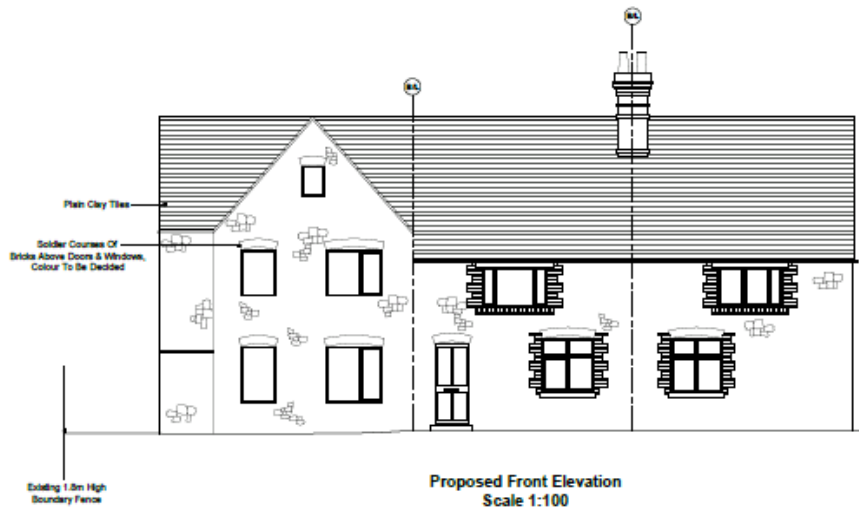
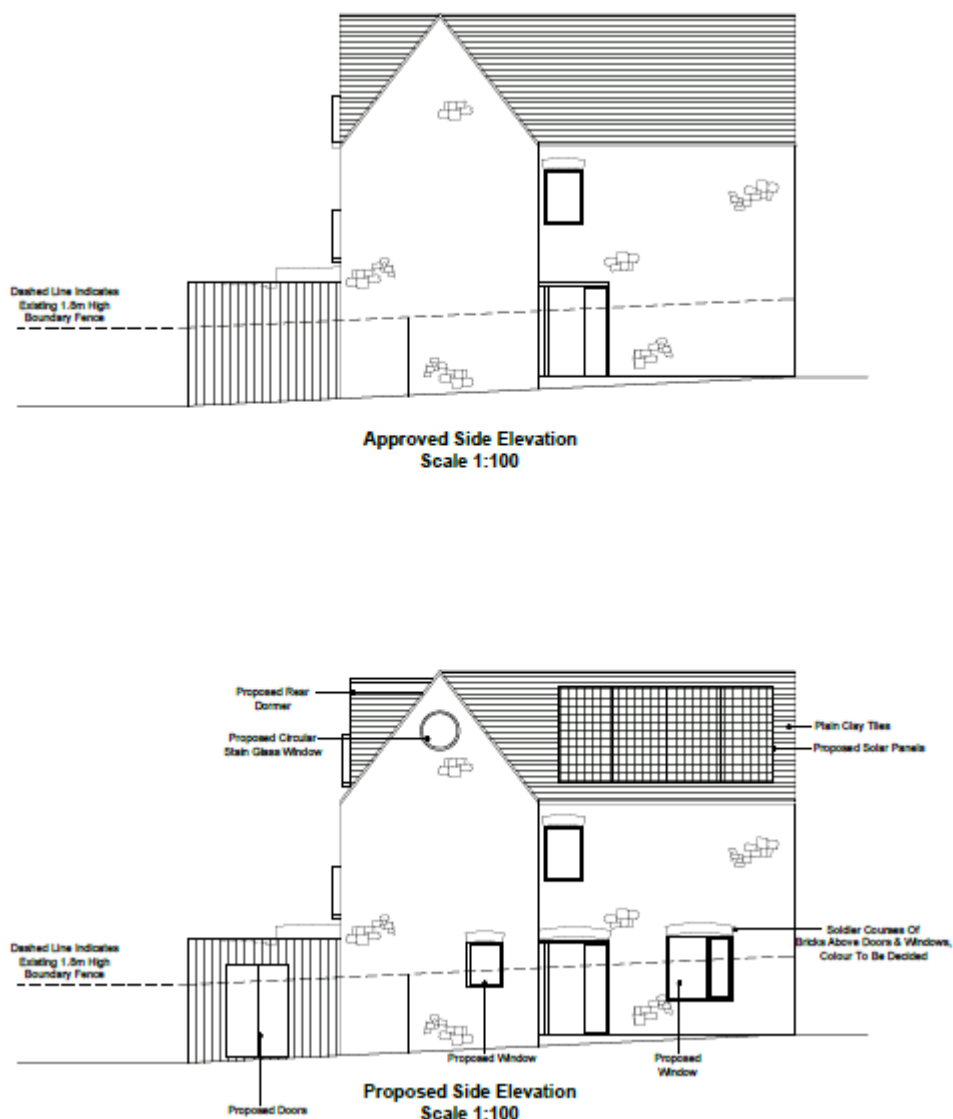


Figure 2. Approved and Proposed Rear Elevations

Figure 3. Approved and Proposed Side Elevations



2. APPRASIAL

- 2.01 The appraisal will focus on the reasons for deferral of the application regarding to use of ragstone and removal of yellow decorative bricks.
- 2.02 The amended scheme has revert to the use of full ragstone as approved under the original permission (15/506025/FULL) and the use of timber cladding for the single storey rear extension. Given the fall back option to the original permission, the amended scheme would largely be identical to the approved scheme hence is considered to be acceptable and in keeping with the character of the ragstone cottages and would not materially deviate from the approved scheme.
- 2.03 It should be noted the use of soldier courses of bricks above doors and windows have been approved in the original permission, the Applicant has agreed to include a separate material condition requesting the submission of samples material and colour of the soldier courses to ensure a satisfactory appearance to the development.

- 2.04 **The additional and amendment to conditions on the reasons for deferral of the application regarding to landscape, lighting and biodiversity are considered to be relevant and proportionate to the development, the revised list of suggested conditions have been amended accordingly in section 4.0 below.**

3. CONCLUSION

- 3.01 It is considered that the applicant has appropriately responded to the deferral reason with the provision of a revised scheme which is identical to the approved scheme in terms of materials.
- 3.02 The proposal would assist in the provision of an appropriately design dwelling at this sustainable location in accordance with the national and local plan policies. I do not consider there are justifiable material planning reasons to withheld granting permission.

4. RECOMMENDATION

GRANT planning permission subject to the following conditions:

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

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

(2) The materials to be used in the development approved shall be as indicated on the approved Proposed Plans and Elevations, No. PA1443/01 Rev I received on 3 May 2021 matching to those of the existing building at 2 School Lane.

Reason: In the interests of visual amenity.

(3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A (which includes the installation of any windows other than already approved) and B to that Order shall be carried out without first obtaining the permission of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard privacy.

(4) The dwelling hereby approved shall not be occupied until the parking area to serve the proposed dwelling shown on drawing no:091 rev A has first been provided. The parking area shall be retained at all times thereafter with no impediment to its use.

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

(5) The dwelling hereby approved shall not be occupied until the first floor window on the side elevation has first been fitted with obscured glazing and limiters installed to ensure that no part of the window can open more than 150mm in any direction, with the window retained as such permanently thereafter. No new windows or openings shall be formed on the side elevation of the dwelling.

Reason: In the interests of privacy.

(6) The area of the proposed access and parking area within 5 metres of the back edge of the public pavement highway shall be surfaced in a bound material.

Reason: In the interests of visual amenity and pedestrian safety.

(7) Any gates to the proposed new access shall not open over the adjacent highway and shall be set back at least 5.5 metres from the edge of the carriageway.

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

(8) The development shall not be occupied until the existing redundant crossover has been removed by raising the kerb and reinstating the footway in accordance with the requirements of the Highway Authority.

Reason: In the interests of the safety of pedestrians and vehicles.

(9) The development hereby approved shall be carried out in accordance with the following plans being:

Proposed Plans and Elevations, No. PA1443/01 Rev I received on 3 May 2021

Reason: In the interests of amenity.

(10) Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties.

(11) Notwithstanding the requirement from condition 2, 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 and the development shall be constructed using the approved materials, this should include the use of clay tiles for the main roof;

Reason: To ensure a satisfactory appearance to the development.

(12) The development hereby approved shall not commence above ground level until details of a scheme for the enhancement of biodiversity on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through at least one integrated method into the design and appearance of the building structure such as swift bricks, bat tubes or bee bricks, and additionally through provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting, hedgerow corridors and gaps under fences to allow the movement of wildlife. The development shall be implemented in accordance with the approved details prior to first use of the building and all features shall be maintained permanently thereafter.
Reason: To enhance ecology and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development.

(13) The dwelling hereby approved shall not be occupied until a minimum of one electric vehicle charging point has been installed with the charging point thereafter retained for that purpose.

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

(14) The development hereby approved shall not commence above slab level until a landscape 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 include native species hedgerow planting along the rear and side back garden boundaries, and soft and hard landscaping of the rear garden and include a planting specification, a programme of implementation 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

(15) The approved landscaping shall be in place at the end of the first planting and seeding season following completion of the dwelling. Any trees or plants, which, within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: In the interest of visual amenity of the area.

(16) Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and

Planning Committee Report
27 May 2021

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. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter; External lighting should be in accordance with Bat Conservation Trust guidelines.
Reason: In the interest of amenity and wildlife.

Case Officer: Michelle Kwok