

<b>REFERENCE NO</b> 21/502307/OUT			
<b>APPLICATION PROPOSAL</b> Outline application with access matters sought for a residential development. (Matters of appearance, landscaping, layout and scale are reserved for future considerations.)			
<b>ADDRESS</b> The Three Ashes Boxley Road Walderslade Chatham Kent ME5 9JG			
<b>RECOMMENDATION</b> GRANT OUTLINE PLANNING PERMISSION subject to conditions			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The proposal would be acceptable with regard to the Local Plan, the NPPF and all other relevant material considerations. All material considerations indicate that planning permission should be approved.  A previous full application (19/506003/FULL) was granted for one dwelling, and whilst the current application would have a similar footprint the current outline submission does not specify a number of units but a 'developable area'.			
<b>REASON FOR REFERRAL TO COMMITTEE</b> Cllr Hinder requested that the application be referred to the Planning Committee for consideration if officers were minded to approve due to the reduction of protected trees on the site over the years, and concern regarding the impact on the character of the locality.			
<b>WARD</b> Boxley	<b>PARISH/TOWN</b> Boxley	<b>COUNCIL</b>	<b>APPLICANT</b> M Worsfold <b>AGENT</b> Graham Simpkin Planning Ltd
<b>TARGET DECISION DATE</b> 01/10/21 (EOT)		<b>PUBLICITY EXPIRY DATE</b> 19/07/21	

**Relevant Planning History**

- 19/506003/FULL Erection of a detached 4 bed eco-house and carport. Approved 27.02.2020 and extant until 27.02.2023  
The application was for an eco dwelling. It had a grass frontage and was located at an angle within the site which enabled views beyond it at either side to the wooded area at the rear



**Image of previously granted application referenced 19/506003/FULL**

- 13/1760 Erection of a detached bungalow. Refused 09.12.2013 for the following reasons: *"The loss of openness of the street scene between Brushwood and Jasmine and subsequent consolidation of the built environment, resulting in harm to the character and appearance of the Beechen Bank Area of Local Landscape Importance"*.
- 13/1760 An appeal made against the refusal of permission was dismissed on 09.05.2014. The Inspector's main comments were as follows: *"The appeal site is located within the Beechen Bank Area of Local Landscape Importance. In these areas particular attention will be given to the maintenance of open space and the character of the*

*landscape. In the vicinity of the site the locality is characterised by sporadic frontage residential development separated by substantial 'green' gaps which provide landscape relief and prevent coalescence. The proposal would result in a more substantial and wider domestic built frontage, consolidating and intensifying the existing sporadic development and this would be exacerbated with the modest gap to the boundary with Brushwood. (Officer comment: The Beechen Bank Area of Local Landscape Importance no longer exists, and the application site does not have any landscape designation)*

- 09/1222 Erection of a detached four bedroom chalet bungalow. Refused 11.09.2009

## **MAIN REPORT**

### **1. DESCRIPTION OF SITE**

- 1.01 The application site is located to the north east side of Boxley Road and to the south east (side) of the detached property, Brushwood. The site is to the northwest of the detached property, Jasmine, which is in the applicant's ownership. The land is within the urban area with no landscape designation although the site is within the groundwater source protection zone.
- 1.02 The land on the application site slopes down from a wooded ridge to Boxley Road with two protected ash trees (TPO 20/2007) towards the front section of the site. A wooded area (designated as Ancient Woodland and protected by TPO 1/1972) extends from Lords Wood Lane along the north-eastern and south-eastern boundary to Boxley Road and is covered by TPO 14/1994. It appears that a large number of trees have previously been cleared from the entire site right up to the wooded area set back 100 metres from Boxley Road (covering an area of approximately 0.3 hectares) in around 2007, although this tree clearance is unconnected to the current planning application. Trees are also located adjacent to the south-eastern boundary of the application site.
- 1.03 There is a dilapidated building just outside the northwest boundary of the application site with Brushwood. There is 1.8m high close boarded fencing to the front and side boundaries of the plot and generally the site is grassed over. Another fence divides the plot diagonally.



**View towards the northwest of the site with the building shown just outside the boundary.**

## 2. PROPOSAL

- 2.01 The proposal seeks outline planning permission for a residential development on the site with 'access' to be considered as this stage. (Matters of appearance, landscaping, layout and scale are reserved for future consideration.)
- 2.02 When compared to the development previously approved, the overall application site has been reduced in depth to avoid the 15 metre deep ancient Woodland buffer zone. The developable area identified on the submitted site plan has a width of 28 metres and a depth of 18 metres. The developable area extends across the majority of the site width and approximately 9.5 metres forward of the neighbouring dwelling called Brushwood. Where hardstanding and a garage were shown in the southern corner (front) of the plot referenced 19/506003/FULL, hardstanding and car parking spaces are proposed on the indicative plans.



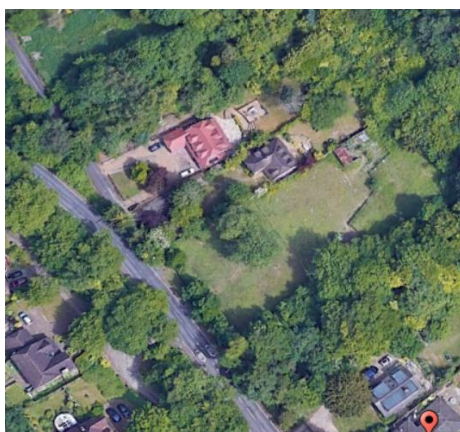
**19/506003/FULL Previously approved application**



**Current application**

### Background

- 2.2 This site originally belonged to Maidstone Borough Council but was sold in 2005 and appears to have been cleared of trees in 2007. In the previous Local Plan the site was within the Area of Local Landscape Importance. In the current Local Plan the site does not have any landscape designation.



Aerial view of the application site dated 06.02.2020



Map showing blanket TPOs on the Maidstone Local Plan Proposals map 2017 to the southeast of the site, and including approximately half of the application site. Ancient woodland outside the site and to the northeast, and TPOs (stars) within the site to the southwest.

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

Maidstone Borough Local Plan 2017 SS1, SP1, DM1, DM3, DM6, DM9, DM23

Supplementary Planning Documents: Maidstone Landscape Character Guidance

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

### **4. LOCAL REPRESENTATIONS**

#### **Local Residents:**

- 4.01 31 representations received from local residents objecting to the proposal and raising the following (summarised) issues
- Urbanisation of semi-rural area
  - Poor precedent
  - Intensification of the use of the plot
  - A number of historic planning applications which were refused and dismissed on appeal were referred to on the application site and neighbouring sites.
  - Over half of the plot is still under a Woodlands TPO
  - The land on which the car parking spaces are located is unregistered land.
  - The current application is no different to previous applications.
  - Adverse impact on the character of the area
  - Lost TPO trees should be reinstated
  - Increase in pollution and air quality
  - Loss of wildlife habitat
  - Development proposal would place an additional strain on the infrastructure.
- 4.02 1 letter was received in support, noting that the applicant had nothing to do with the removal of the trees covered by a TPO.
- 4.03 Officer comment: Issues relating to applications that pre-date the planning application, and Local Plan designations that pre-date the current planning policies, decreases over time in terms of relevance and weight. The other matters raised by neighbours and other objectors are discussed in the detailed assessment below.

### **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)

#### Boxley Parish Council

- 5.01 No material reasons to object to the application.

#### KCC Ecology

- 5.02 The ecological information is sufficient. The current proposals will not impact the adjacent ancient woodland (being at least 15m from the woodland boundary), protected species, like reptiles, are unlikely to be present and the two mature trees will be retained. Conditions relating to the incorporation of biodiversity enhancements, the submission of a lighting plan to protect bats, and mitigation measures to be carried out in accordance with the details provided, were requested.

#### Environmental Services

- 5.03 In terms of noise issues, any impact as a result of the development (other than during the construction phase) would be unlikely. A condition relating to construction hours was requested. An informative was requested in terms of Radon levels and the removal of asbestos.



Tree officer

- 5.04 Based on the planning history for this site, there are no arboricultural grounds to refuse this outline application.
- 5.05 It is highlighted that the submitted tree details are outdated and refer to the previous permitted application for an eco-home (reference 19/506003/FULL). Therefore, the detailed stage of the development, the application must be accompanied by an updated tree survey, arboricultural impact assessment, arboricultural method statement and tree protection details, all in accordance with the current version of BS5837.
- 5.06 KCC Highways  
No comments received

**6. APPRAISAL  
Main Issues**

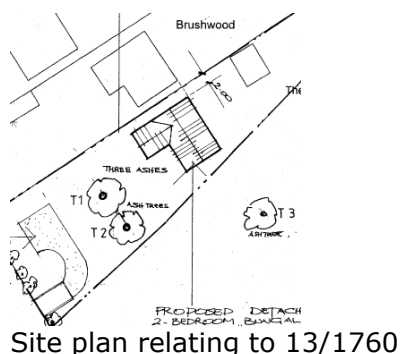
- 6.01 The key issues for consideration relate to:
- Sustainability
  - Visual and landscape impact
  - Ancient woodland and tree protection orders
  - Residential amenity
  - Ecology and biodiversity
  - Highways, parking, access and servicing

**Sustainability**

- 6.02 Local Plan policy and central Government guidance within the revised National Planning Policy Framework (NPPF) encourages new housing in sustainable urban locations as an alternative to residential development in more remote countryside situations. Policy SS1 (Spatial Strategy) of the Local Plan includes a sustainable development hierarchy that directs new housing to the most sustainable locations in the borough, with the Maidstone Urban Area being the preferred location at the top of this hierarchy, followed by the designated Rural Service Centres and then the larger villages.
- 6.03 The application site is within the urban area of Maidstone and, as such, is considered to be in a sustainable location in accordance with Local Plan policies and suitable in principle for new residential development subject to assessment against other adopted policies.

**Visual and landscape impact**

- 6.04 Local Plan policy SP1 states that new development in the urban area should be on appropriate sites, and contribute positively to the locality's distinctive character. Local Plan policy DM1 sets out the principles of good design, which include the requirement for new development to respond positively to, and where possible enhance local character.



Site plan relating to 13/1760



19/506003/FULL previously approved

Potential Impact on the street scene

- 6.05 As set out in the planning history section of this report and prior to the adoption of the current Local Plan, an appeal decision letter dated 09.12.2013 considered the refusal of planning application 13/1760. This proposal was for a single new house on the northern part of the current application site.
- 6.06 The Inspector highlighted the importance of gaps in the street scene, "...landscape relief, allowing attractive views of woodland and demarcating different areas of housing and preventing their coalescence The importance of this is demonstrated by the detrimental effect on the street scene where the development of adjoining plots in the locality has tended to coalesce into groups" (NB: former local plan policy in place at that time relating specifically to coalescence not carried forward to the current plan).
- 6.07 Although the landscape designation no longer applies to this site, the importance of retaining gaps between the dwellings is key as it helps to provide views through the continuous built development to the landscape at the rear.
- 6.08 The more recent approved planning application (19/506003/FULL) was double the width of the application plot that was considered by the planning inspector. The application was granted as the dwelling of a low height and unobtrusive design largely retained views of the ancient woodland through the site (as well as according with Local Planning policies overall). A computer generated image of the approved dwelling is provided below.
- 6.09 The current development proposal is the same width as the site that was previously granted planning permission, but the site depth has been reduced. The site depth has been reduced to ensure that no development takes place within the ancient woodland buffer zone towards the rear of the site.



**Computer generated image of approved eco-house (19/506003/FULL)**

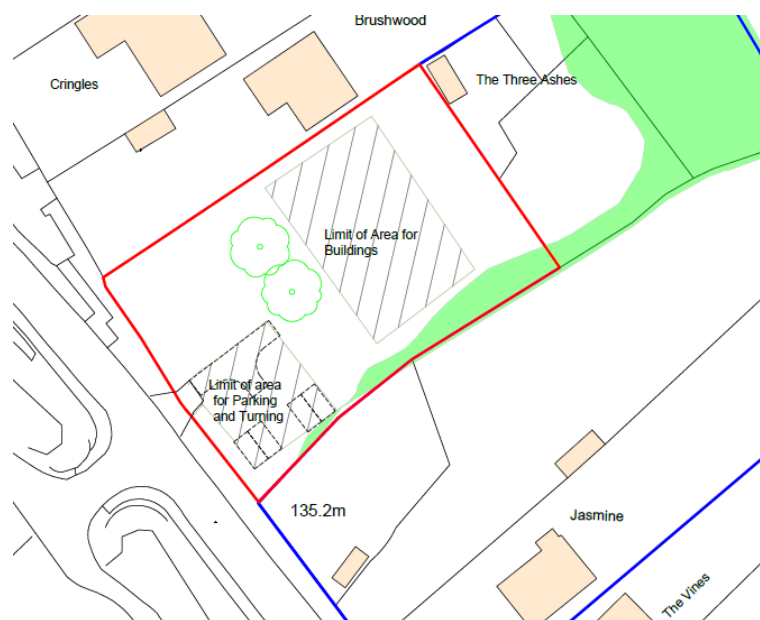
- 6.10 In assessing potential visual harm, it is important to consider the existing pattern of development and then subsequently to consider the potential way that a development would impact on this pattern of development.
- 6.11 The current application site is part of, and approximately half the width of a wider gap that exists in the street scene along Boxley Road. There is also a similar sized gap in the street scene two houses to the north of the application site.



**Location plan showing adjoining land in applicant's ownership**

- 6.12 The gap containing the application site has a width of approximately 67 metres. The land is located between the properties of Brushwood (to the northwest of the site) and Jasmine and its side garden (to the southeast of the site). With the property called Jasmine in the applicant's ownership as well as the application site, all of the land forming this gap in the street scene is in the control of the current applicant.
- 6.13 Nearby existing properties on the same side of Boxley Road have building widths generally of between 11.5 and 18 metres. The current planning application is in outline form with access the only matter being considered. In this context, the submitted plans do not provide the number of units or the precise location of future built development on the application site. The submitted plans do show a developable area in the centre of the site with a width of 28 metres and a depth of 18 metres.
- 6.14 With the nature of outline planning applications, if the principle of development is found to be acceptable planning conditions can be used to define the parameters of an acceptable future development submitted through separate reserved matters applications. Planning conditions are used in these circumstances to define parameters in matters such as position of buildings on the site, separation from boundaries and building heights.
- 6.15 The importance of the views through the application site have been highlighted earlier in this report, including the views of the planning appeal Inspector. The council approved the earlier planning application for a dwelling on this site on the basis that the proposal largely maintained the views through the site (19/506003/FULL). This planning permission which is extant until 27.02.2023 provides a fallback position for the development of this site and establishes the principle of residential development on this site.
- 6.16 In a situation where all the developable area shown on the outline plan was built on there would be a gap of 5.8 metres between the new building and the site boundary with Jasmine and 37 metres separating the new building and the actual property called Jasmine. On the other side of the site, the measurements are 2.4 metres to the boundary and 3.5 metres between the buildings in respect of Brushwood.

- 6.17 A building covering all of the developable area is considered inappropriate in this location and detrimental to local character. Planning conditions are as a result recommended restricting the extent of a future building on the site. These conditions state that any new built development building must be a setback a minimum of 8 metres from either of the two side site boundaries.
- 6.18 The front line of the developable area shown on the submitted plans is approximately 9.5 metres forward of the neighbouring property called Brushwood. With no defined building line in the local area, the developable area is also in contrast set behind other existing nearby properties including Cringles to the north and Jasmine to the south. In this context and with no set building line the extent of the developable area towards the front boundary is considered acceptable.
- 6.19 In relation to the building height and based on what was considered acceptable as part of the extant permission under 19/506003/FULL a planning condition is recommended stating a new building on the site shall not exceed a total height of 4.5 metres.



**Site plan of the current planning application**

**Ancient woodland and tree protection orders**

- 6.20 Policy DM3 states that development proposals should protect positive landscape character, including trees with significant amenity value and Ancient Woodland. The revised NPPF states: "Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists". Natural England standing advice has been considered and this states that new development should be a minimum of 15 metres away from the edge of any Ancient Woodland.
- 6.21 The developable area shown on the submitted plan illustrates that the proposals would be a minimum of 15 metres from the Ancient Woodland and sited to minimise the impact on the character of the area. In terms of the TPO trees on the south-eastern side of the site, the Tree Officer has not objected to the development based on the imposition of planning conditions. The tree officer has advised of the need for an updated tree survey, tree protection details, arboricultural impact assessment and method statement, all in accordance with the current version of BS5837, to be submitted as part of a future reserved matters application. In any



case, this information would be necessary when finalising the siting of the development.

- 6.22 I note that the application site was cleared in 2007, and the number of trees on it was significantly reduced as a result. The blanket TPO shown between Jasmine and the proposed development plot on the Maidstone Local Plan Proposals Map no longer contains the trees that are shown on historic maps on Google Earth. With this in mind, the current development proposal should incorporate a comprehensive landscaping scheme which seeks to mitigate the loss of these trees on the site. The scheme shall include native trees and hedging in accordance with the Maidstone Landscape Character Guidance. The resultant development would then provide a positive contribution in terms of the landscaping in the locality. This issue can be dealt with by condition.
- 6.23 In summary, subject to the recommended planning conditions the proposal is acceptable in relation to arboricultural matters.

#### **Residential amenity**

- 6.24 Policy DM1 sets out the importance of respecting the amenities of occupiers of neighbouring properties. DM1 also sets out the importance of adequate residential amenities for future occupiers in terms of noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion. A development should not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties.
- 6.25 The nearest property to the development proposal would be Brushwood. The limit for the area of buildings (hatched on the site plan) would be approximately 3.5 metres from the flank wall of the neighbour. The depth, height and siting of the flank wall of the development proposal is not known at this stage but it is considered possible for the future design of building to adequately respect the neighbours amenity.
- 6.26 The retention of boundary treatment (close-boarded fence and shrubbery) to the north-west of the application site would maintain screening of the site with regard to privacy and ground floor fenestration. The omission of any fenestration in the flank wall of the proposed development at first floor level would also reduce any potential loss of privacy for the neighbouring property. These are matters that can be considered at a future detailed design stage with conditions as necessary. .
- 6.27 Whilst no details of the future residential floorspace are available at this stage, there would be sufficient space for development on the site to take account of the amenities of future occupiers. The extant approval on this site also provided a good standard of amenity for future occupants.

#### **Ecology and biodiversity**

- 6.28 Policy DM3 sets out the importance of protecting the natural environment and providing net gain for biodiversity from all new development.
- 6.29 It is considered that the proposed location of residential development and associated garden would not impact the adjacent ancient woodland (being at least 15m from the woodland boundary). It is not considered that protected species like reptiles for example would be present on the site and the two mature trees near the front of the site would be retained.
- 6.30 Conditions are recommended relating to the incorporation of biodiversity enhancements within any new building on the site. Conditions are recommended seeking the submission of a lighting plan to protect bats, and mitigation measures

to be carried out in accordance with the details provided. The ecological information submitted with the current application was considered acceptable by KCC Ecology,

### **Highways, parking, access and servicing**

- 6.31 Policy DM1 and DM23 (and LP appendix B) take into account the type of the development, car parking, access, cycle facilities on new developments and the incorporation of electrical vehicle charging infrastructure.
- 6.32 Four car parking spaces are shown at the front of the site, along with a parking and turning area. This parking is in accordance with minimum standards set out in appendix B to the Local Plan (suburban edge) for two three bedroom dwellings. Cycle and bin storage would need to be provided, but this could be dealt with by condition, along with the provision of a car charging point for each dwelling.
- 6.33 In terms of the access, this would remain unchanged from the current arrangements. No adverse comments have been received by KCC Highways, and it is considered that the development will not have any impact on highway safety.
- 6.34 It is noted that the current application is outline only, with access being considered. This access is retained as per the existing one and was previously considered acceptable for a single dwelling on this site. Need to highlight in this section that the current outline application is only considering access and that this access is retained as existing and the access has previously been considered acceptable for a single dwelling on this site.

### **Other Matters**

- 6.35 The application site is located within a groundwater source protection zone. As such a condition relating to contamination will be added to ensure that it wouldn't be affected by the development.
- 6.36 A letter of objection set out that the land on which the car parking spaces are located is unregistered. However, the planning form states that the applicant owns all the land that forms part of the application.
- 6.37 Concerns have been raised with regard to pollution and air quality. However, this development proposal is relatively modest in size. The air quality in this location is clean, and the introduction of a modest development would not be likely to result in pollution. Finally, the introduction of a small development would be unlikely to place a strain on the infrastructure.
- 6.38 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.

### **PUBLIC SECTOR EQUALITY DUTY**

- 6.37 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.

## **7. CONCLUSION**

- 7.01 The proposed development complies with the Maidstone Local Plan 2017, although it is acknowledged that there would be some impact on the character, appearance and visual amenity of the locality. However, the incorporation of tree and landscaping conditions would assist in mitigating the loss of the TPO'd trees by former owners as well as enhancing the character of the locality.

- 7.02 Biodiversity conditions would also ensure the protection of the wildlife in this location. Contamination conditions would ensure the Groundwater Source Protection Zone is protected. Conditions relating to car parking and the storage of bins and cycles would ensure the character of the locality and the safety of the highway network would not be marred by the development, and the restriction of fenestration of the northwest flank wall would ensure that the privacy of the adjoining occupier of Brushwood would not be adversely affected.
- 7.03 The proposal would be acceptable with regard to the Local Plan, the NPPF and all other relevant material considerations. There are no overriding material considerations to indicate a refusal of planning permission and the recommendation is to approve planning permission.

#### **RECOMMENDATION**

GRANT planning permission subject to the following conditions:

- 1) The development hereby approved shall not commence until approval of the following reserved matters has been obtained in writing from the local planning authority:  
(a) Scale (b) Layout (c) Appearance (d) Landscaping  
Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved; Reason: No such details have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 2) With regards to the matters of access, the development hereby permitted shall be carried out in accordance with the following approved plans:  
26 May 2021 3268/01 Rev B Site Location Plan  
26 May 2021 3268/02 Rev B Existing Block Plan  
26 May 2021 3268/03 Rev B Proposed Block Plan  
27 Apr 2021 Design and Access Statement with Planning Statement  
Reason: For the avoidance of doubt.
- 3) The details submitted pursuant to condition 1 shall show all built development within the developable area shown on the submitted plan with no buildings over a total height of 4.5 metres or within 8 metres of the side boundaries of the application site.  
Reason: To ensure a satisfactory appearance to the development in its context.
- 4) Notwithstanding the information received, no development including site clearance 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 the hedgerow immediately to the south of the proposed dwelling), 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. The development shall only proceed in accordance with the agreed details including the installation of tree protection measures prior to any on site works and the retention of these measures for the duration of the construction works. Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.
- 5) The development hereby approved shall not commence until details of the a) the existing site levels and b) the proposed slab levels of the building and 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.

- 6) The development hereby approved shall not commence 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.
- 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.
- 7) A contamination closure report shall be submitted to the Local Planning Authority prior to first occupation of approved residential accommodation. The closure report shall include full details as set out in condition 5, including 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 as part of the closure report. 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.
- 8) No development including site clearance shall take place until all the precautionary mitigation measures for the ancient woodland and protected species contained in sections 12.2 and 12.4 through to 12.9 of the Ecological Impact Assessment (Native Ecology November 2019) have been carried out. The measures shall be retained in accordance with the submitted details.  
Reason: In the interests of biodiversity.
- 9) The development hereby approved shall not commence above slab level until details (manufacturer name, product name, and photographs) of the external facing materials to be used for the building 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 and maintained as such thereafter.  
Reason: To ensure a satisfactory appearance to the development.
- 10) The development hereby approved shall not commence above slab 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 to provide wildlife niches 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 and hedgerow corridors. The development shall be implemented in accordance with the approved details prior to the use of the first dwelling 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.

- 11) The development hereby approved shall not commence above slab level until details of foul sewage and surface water disposal have been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details before the first occupation of any dwelling hereby approved and maintained as such thereafter.  
Reason: To ensure adequate foul sewage and surface water disposal arrangements.
- 12) Prior to first use of the dwelling(s) hereby approved, landscaping shall be in place on the site that is in accordance with a landscape scheme that has previously been submitted to and approved in writing by the local planning authority. The landscape scheme shall be designed in accordance with the principles of the Council's landscape character guidance (Maidstone Landscape Character Assessment Supplement 2012). The scheme shall
  - a) 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,
  - b) include a planting specification, implementation details and a [5] year landscape management plan (Only non-plastic guards shall be used for the new trees and hedgerows, and no Sycamore trees shall be planted).
  - c) provide details of screening, including trees and hedging, around the perimeter of the site to mitigate for the development and strengthen the front (southwest) boundary to enhance the locality.Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.
- 13) All approved 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 use of the dwelling(s) 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.
- 14) Prior to the first occupation of the development, facilities for the (a) storage and screening of refuse bins (b) collection of refuse bins, and (c) cycle storage shall be in place that are in accordance with details that have previously been submitted to and approved by the Local Planning Authority. These details will be maintained thereafter.  
Reason: In the interests of amenity and the street scene.
- 15) The development shall not commence above slab level until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the Local Planning Authority (to include gaps at ground level in the boundaries to allow the passage of wildlife) and the development shall be carried out in accordance with the approved details before the first occupation of the buildings and maintained as such thereafter.



Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers and for the passage of wildlife.

- 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 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 and the sensitive landscape location. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter. Reason: In the interest of amenity and landscape.
- 17) Prior to the first occupation of any individual dwelling, a minimum of one operational electric vehicle charging point for low-emission plug-in vehicles for each dwelling shall be installed and ready for the use of the new occupant with the electric vehicle charging point thereafter retained and maintained operational as such for that purpose.  
Reason: To promote to promote sustainable travel choices and the reduction of CO2 emissions through use of low emissions vehicles.
- 18) Notwithstanding the information submitted, prior to the first occupation of the development, parking spaces and a sufficient turning area to enable vehicles to enter and leave the site in forward gear shall be in place in accordance with details that shall be submitted to and approved in writing by the local planning authority. The parking and turning area will be retained for these purposes thereafter.  
Reason: Development without adequate parking/garage provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

#### **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) The applicant should be aware that the site is in a radon affected area with a 3-5% probability of elevated radon concentrations. If the probability of exceeding the action level is 3% or more in England and Wales, basic preventative measures are required in new houses, extensions, conversions and refurbishments (BRE 1999, 2001, AND 2007). If the probability rises to 10% or more, provision for further preventative measures are required in new houses. Test(s) for the presence of radon gas are recommended to be carried out. Further information can be obtained from Public Health England.
- 3) The applicant is reminded that, as the development involves demolition and/or construction, broad compliance with the Mid Kent Environmental Code of Development Practice is expected.

Case Officer: Jocelyn Miller