

## REPORT SUMMARY

<b>REFERENCE NO:</b> - 22/502266/FULL		
<b>APPLICATION PROPOSAL:</b> Erection of 1no. three-bed detached dwelling with dedicated off-street parking and associated hard and soft landscaping; utilising existing highways access and including alterations to drop kerb and new access driveway (resubmission of 21/506844/FULL).		
<b>ADDRESS:</b> 21 Station Road, Headcorn, Kent, TN27 9SB		
<b>RECOMMENDATION:</b> GRANT PLANNING PERMISSION subject to planning conditions		
<b>SUMMARY OF REASONS FOR RECOMMENDATION FOR APPROVAL:</b>		
<ul style="list-style-type: none"> <li>• It is concluded that the submitted proposal with the reduced number of units is acceptable in relation to matters of design, appearance and character. The imposition of planning conditions will resolve issues relating to landscaping and biodiversity.</li> <li>• The potential impact on the amenity of adjacent neighbours including in relation to noise, privacy, and overlooking have been considered and with suitable planning conditions the proposal for a single house is acceptable. The arrangements for access, parking and servicing were found to be acceptable.</li> <li>• As such, it is considered that the development is in accordance with local and national planning policies and is recommended for approval subject to planning conditions.</li> </ul>		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> Call in from Headcorn Parish Council for the reasons set out below in Section 4 of this report.		
<b>WARD:</b> Headcorn	<b>PARISH:</b> Headcorn	<b>APPLICANT</b> Mrs A Porter  <b>AGENT:</b> Judge Architects Ltd
<b>CASE OFFICER:</b> Tony Ryan	<b>VALIDATION DATE:</b> 05/05/2022	<b>DECISION DUE DATE:</b> 30/09/2022
<b>ADVERTISED AS A DEPARTURE:</b> No		

### Relevant planning history

- 21/506844/FULL Erection of 2no. three bedroom detached dwellings with dedicated off-street parking and associated hard and soft landscaping, utilising existing highways access and including alterations to drop kerb and new access driveway. Refused 08.03.2022 (delegated) for the following reasons:
  1. *The proposed dwellings, due to their design, site coverage and siting would have a harmful impact on the character and appearance of this site and the local area with the development failing to respect the existing pattern of development and resulting in a poorly integrated and over-developed scheme contrary to DM1, DM9, and DM12 of the Maidstone Local Plan and guidance in the NPPF (2021).*

2. *The application has failed to demonstrate that the proposal would not have an immediate detrimental impact on the health of trees covered by a Tree Preservation Order in terms of incursion of the proposed building footprint, hardstanding areas and cycle store into root protection areas and in relation to the proximity of the trees to proposed habitable windows there is a failure to demonstrate that the proposal would not result in significant pressure for removal or works from future occupiers to trees shown as retained on and around the site with the resulting negative impact on local character. Contrary to policy DM1 of the adopted Maidstone Local Plan 2017 and the NPPF (2021).*

- Appeal currently in progress against the refusal of permission under application 21/506844/FULL (NB: no. of houses reduced from two to one in current planning application)
- Applications to carry out works to trees covered by Tree Preservation Order (TA/0068/12 refused 03.09.2012); (TA/0041/13 Refused 11.10.2013), (TA/0060/14 Approved 20.08.2014) and (TA/0114/11 – pending)

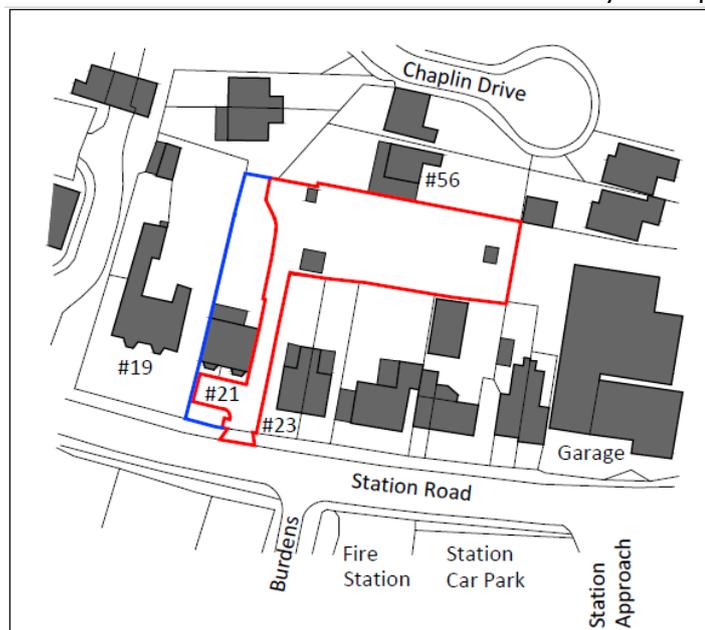
### 1.0 DESCRIPTION OF SITE

1.01 The application site at 21 Station Road is located within the local plan designated rural service centre of Headcorn. On the opposite side of Station Road is Headcorn Fire Station and set behind a substantial car park, Headcorn Railway Station.

1.02 The site is not located in a conservation area and there are no listed buildings nearby. The site is in Flood Zone 1 (low risk of flooding). The site and surrounding gardens contain a number of trees that are covered by tree preservation orders

#### **Site location plan**

(red line application site and blue line other land owned by the applicant)



1.03 The application site is currently garden land attached to 21 Station Road. 21 Station Road is a detached two storey dwelling on the north side of Station Road with an existing access and off-street parking area.

1.04 The large land area and 'dog leg' shape of the residential plot of land at 21 Station Road is unique in the local area, extending behind the properties at 23, 25 and 27 Station Road. Properties in the Chaplin Drive are located to the north of the site, in

the east is a motor vehicle repair garage that is within the Texaco petrol filling station that fronts Station Road. The rear garden of 19 Station Road is to the west and beyond this garden is the back land development of Beckett Close that extends some distance to the north of Station Road.

- 1.05 The general layout of buildings in the local area consists of backland development with a number of cul de sacs including Chaplin Drive, Beckett Close, Woodcocks and on the opposite side of the Road Burdens and Knowles Gardens.

## **2.0 PROPOSAL**

- 2.01 The proposals involve the retention of the existing detached dwelling with the extension of the existing side vehicle access to the rear of the site. The new access will be to a part single part double storey detached three bedroom dwelling constructed at the rear of the site. The proposal also includes dedicated off-street parking and associated hard and soft landscaping.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

- Maidstone Borough Local Plan policies SS1, SP5, SP7, SP21, DM1, DM3, DM9, DM11, DM23
- The National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Maidstone Borough Council – Local Plan Review, draft plan for submission (Regulation 22) dated October 2021. - The Regulation 22 draft is a material consideration however weight is currently limited, as it is the subject of an examination in public that commenced on the 6 September 2022. The relevant policies are as follows: \_

LPRSP10:	Housing
LPRSP10(A):	Housing mix
LPRSP10(B):	Affordable housing
LPRSP12:	Sustainable transport
LPRSP14:	The environment
LPRSP14(A):	Natural environment
LPRSP14(C):	Climate change
LPRSP15:	Design
LPRSS1:	Maidstone borough spatial strategy
LPRSP6:	Rural service centre
LPRSP6(C):	Headcorn
LPRSP14A:	Natural environment
LPRSP14(C):	Climate change
LPRSP15:	Principles of good design
LPRHOU 2:	Residential extensions, conversions, annexes and redevelopment in the built up area
LPRHOU 4:	Residential garden land
LPRHOU 5:	Density of residential development
LPRTRA2:	Assessing the transport impacts of development
PRTRA4:	Parking
LPRQ&D 1:	Sustainable design
LPRQ&D 2:	External lighting
LPRQ&D 6:	Technical standards
LPRQ&D 7:	Private amenity space standards

#### **4.0 LOCAL REPRESENTATIONS**

4.01 Six responses have been received objecting to the application for the following reasons:

- Nuisance during the construction phase for neighbours
- Negative impact on operation of nearby garage
- Flooding with current lack of surface water run off and soak away
- Development would make neighbours feel hemmed in
- Loss of amenity from vehicles, parking and general activity
- Increase in local on street parking demand
- Building out of keeping with properties in Station Road and Chaplin Drive.
- Potential damage to trees
- Would like to see the land kept as garden and question the accuracy of the ecology assessment especially in terms of slow worms.
- No need for new housing
- Site access between 21 and 23 is insufficient width (2.8 metres) and will not allow service or emergency vehicle access.
- The vehicle access would harm privacy being close to existing windows and gardens.
- The proposal is overdevelopment

#### **Headcorn Parish Council**

4.02 Objection and recommend refusal on the following grounds:

- Revisions do not address issues with the earlier application.
- Neighbour amenities in terms of increased flooding and overlooking
- Noise issues for future residents due to proximity to a busy garage
- Concerns about adequacy of the site access
- Site notice does not appear to have been displayed.
- "The committee does however comment the design of the building with its Sedum roof etc"

#### **5.0 CONSULTATIONS**

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

#### **KCC Highways (comment on application for 2 dwellings)**

5.01 No objections subject to conditions for a construction management plan, provision and retention of vehicle parking.

#### **KCC Ecology**

5.02 No objection subject to a planning condition requiring an ecological appraisal and a mitigation plan.

#### **6.0 APPRAISAL**

6.01 The key issues are:

- Site location
- Loss of the existing garden land
- Design, appearance and character
- Trees and landscaping and biodiversity
- Amenity - neighbours
- Amenity – future occupiers
- Access, parking, and traffic

**Site location**

- 6.02 The application site is located in the Rural Service Centre of Headcorn. Outside the Maidstone Urban Area, the Rural Service Centres are the second most sustainable settlement in the hierarchy to accommodate growth.
- 6.03 The application site is located in a sustainable location (short walk from Headcorn Railway Station) where future occupiers can meet their daily needs without the use of a private motor vehicle. Local Plan policy SS1 encourages development to be located within sustainable locations in the borough.

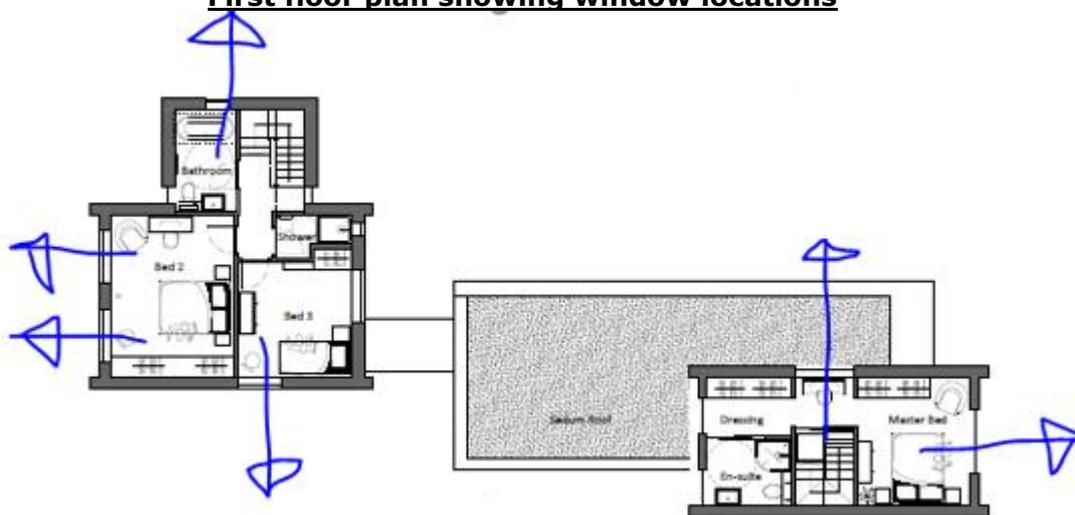
**Rear of properties fronting Station Road**



**Loss of the existing garden land**

- 6.04 The application site is currently residential garden land, Policy DM 11 of the adopted Local Plan states the development of residential garden land will be permitted where certain criteria are met. These criteria are considered below:

**First floor plan showing window locations**



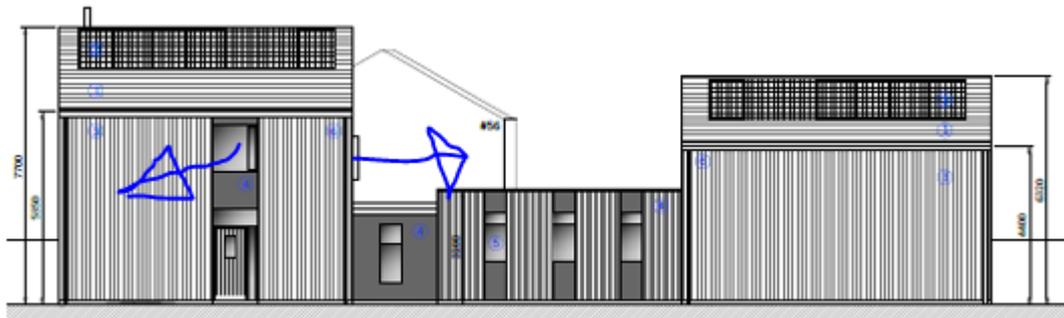
**The higher density would not result in significant harm to the character and appearance of the area**

- 6.05 There is currently great variety in residential plot sizes in the area of the application site. Although involving the subdivision of a garden, as this garden is so big, the plot size of the application site is larger than some others nearby. The subdivision of the garden would therefore not result in any harm to the character and appearance of the area.

There is no significant loss of privacy, light or outlook

- 6.06 With screening from boundary fences and landscaping, the proposed windows at ground floor level are considered acceptable. There is one window in the proposed building at first floor level to the south elevation.
- 6.07 The properties at 23 -31 Station Road located to the south have circa 13-metre-long rear gardens and the proposed window is a further circa 3 metres from the boundary. The window in question is to bedroom 3 which also has a second east facing window. As the separation distance is less than the standard 21 metres and in order to avoid overlooking and loss of privacy a planning condition is recommended to ensure that the south facing window of bedroom three is obscured glazed and fixed shut below 1.7 metres from finished internal floor level.
- 6.08 To the north of the application site, the property at 56 Chaplin Drive has a single first floor window to the side elevation overlooking the application site. This window appears to have been installed under permission 86/0884 which was related to extensions to the building and the window appears to be the only window to a bedroom.
- 6.09 In the north elevation of the proposed dwelling there are two windows at first floor level to the north elevation. These windows are to a bathroom and the master bedroom. The bathroom window would be 6.5 metres from the side wall of 56 Chaplin Drive, and whilst typically obscured anyway, a planning condition is recommended to ensure that this takes place. The master bedroom does not directly face any nearby window and is set back 10.6 metres from the side boundary with 56 Chaplin Drive. With this context and separation distance it is not considered that the master bedroom window will result in loss of privacy or overlooking.

**South elevation (with first floor views highlighted)**



- 6.10 As shown on the floor plan, there are also first floor windows facing east and west, these windows face towards the parking court of the Texaco Petrol Filling (east) and to the retained garden of 21 Station Road. With a separation distance of 12.7 metres from the retained garden boundary it is not considered that the west facing windows will result in overlooking or loss of privacy.
- Highway access of an appropriate standard can be provided
- 6.11 There is an existing vehicular access from Station Road to the front garden of 21 Station Road. The proposed use of this access with the proposed alterations is considered acceptable for the proposed one additional dwelling.
- 6.12 The access was previously assessed by the highways authority who found the access suitable to accommodate the two houses that were proposed as part of the earlier planning application.

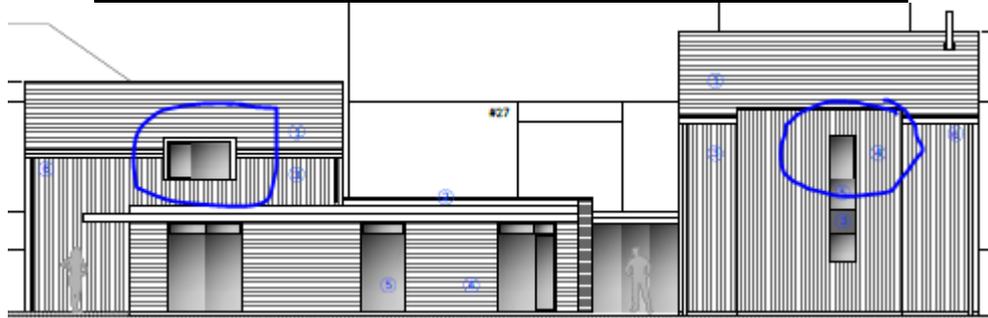
**Property at 56 Chaplin Drive (with first floor windows highlighted)**



There would be no significant increase in noise or disturbance from traffic gaining access to the development.

- 6.13 The potential noise and disturbance from back land development has been considered by appeal inspectors in relation to other proposals. It has been determined the noise and disturbance generated by an additional 'single' household would not increase vehicle noise and activity to a level that would harm the living environment of adjoining occupiers and the recreational enjoyment of their gardens. (APP/U2235/W/20/3262474 Rear of Redic House, Warmlake Road Sutton Valence, ME17 3LP). As an additional safeguard the submitted plans in this case are annotated with the provision of a 1.8-metre-high acoustic fence along the side boundary with 23 Station Road.

**North elevation (with first floor windows highlighted)**



**Design, appearance and character**

- 6.14 Policy DM1 sets out that development proposals should respond positively to, and where possible enhance, the local, natural and historic character of the area. Particular regard will be paid to scale, height, materials, detailing, mass, bulk, articulation, and site coverage – incorporating a high quality modern design approach and making use of vernacular materials where appropriate.
- 6.15 The proposed materials are listed as natural slate roof tiles, sedum roof over kitchen/dining, Cedar cladding - dark grey stain, Cedar cladding - natural / light grey, double-glazed windows - RAL 7016, PPC Aluminium rainwater goods - RAL 7016, and PPC Aluminium gable trim - RAL 7016.

### **Proposed east elevation**



- 6.16 The application site is in a backland location and as a result and unlike an infill scheme there is greater flexibility in the design and appearance of new buildings. It is also highlighted that the site is not in a conservation area and that there is some variety in the design and appearance of local buildings. The design and appearance of the dwelling whilst distinctly contemporary with the roof form and some of the materials the design also has more traditional references.

#### **Trees and landscaping and biodiversity**

- 6.17 Policy DM1 sets out that proposed development should respond to the location of the site and sensitively incorporate natural features such as such as trees, hedges worthy of retention within the site.
- 6.18 The NPPF (para 174) states that planning decisions should contribute to and enhance the natural and local environment providing net gains for biodiversity, and (para 180) opportunities to improve biodiversity in and around developments should be integrated as part of their design.
- 6.19 The application site is currently open rear garden open to 21 Station Road with ancillary buildings such as a greenhouse and sheds. In addition, the applicant has carried out a protected species assessment of the site and a tree survey. This use of the site as garden space reduces the potential for protected species to be present with further evidence available through the protected species assessment. In this context it is unlikely that the site will support habitat for protected species. Planning conditions are recommended seeking biodiversity enhancements and landscaping as part of the development.

#### **Residential amenity – neighbours**

- 6.20 Policy DM1 states that proposals will be permitted where they “respect the amenities of occupiers of neighbouring properties...by ensuring that development is not exposed to, excessive noise, activity, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties”.
- 6.21 As it is short term and unavoidable with construction work, the impact of construction work on residential amenity is not grounds on which to refuse planning permission. A planning condition is recommended that seeks to reduce the extent of the nuisance through the submission of a construction management plan. As set out earlier in this report the proposal has been found to be acceptable in terms of the potential impact on privacy, overlooking, outlook and in general terms in relation to noise and disturbance.

**Residential amenity – future occupiers**

- 6.22 Policy DM1 advises that proposals will be permitted where they "...provide adequate residential amenities for future occupiers of the development by ensuring that development does not result in, or is exposed to, excessive noise..., overlooking or visual intrusion...".
- 6.23 The standard of the proposed accommodation is acceptable with adequate natural light, sufficient internal space, privacy and external amenity space.

**Access, parking, and traffic**

- 6.24 Adopted policies seek to ensure that new development does not harm highway safety and that there is adequate site access, servicing arrangements, off street car parking, cycle parking and electric vehicle charging. Local Plan policy DM1 sets out that new development should provide adequate vehicular and cycle parking to meet adopted council standards, and policy DM23 encourages good access routes through the site with electric charging points incorporated into the development proposals.
- 6.25 Headcorn is recognised as being in the second tier of accessible and sustainable locations (Rural Service Centre) in the borough only behind the Maidstone Urban Area in the hierarchy. On the opposite side of Station Road to the site is Headcorn Railway Station and the site benefits from nearby bus stops and the services and facilities in Headcorn that are in easy walking distance.
- 6.26 As set out earlier in this statement the amended vehicle access arrangements to the site from Station Road have been assessed and are considered acceptable. In terms of access arrangements within the site, the submitted application is supported by an access plan. This plan confirms that the access width (3.75 metres) is suitable for a fire appliance and a Maidstone refuse truck which is 2.5 metres wide. This access is also in line with Building Regulations Approved Document B Section 11: Vehicle Access.
- 6.27 Off street parking standards for residential uses are provided in Appendix B of the adopted Local Plan. These standards require 2 car parking spaces for 3 bedroom dwellings and 0.2 for visitors. The submitted drawings show two marked car parking spaces, with further space available for a third visitor vehicle to park when required. No objections were received from KCC Highways in relation to parking or access arrangements.
- 6.28 Planning conditions are recommended in relation to electric vehicle charging points, bin storage and collection and the provision and retention of the access arrangements and parking.
- 6.29 NPPF paragraph 111 states "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*". It is found that there would not be any severe impact on the highway or local parking demand as a result of this proposal.

**Other matters**

- 6.30 In terms of the other consultation responses the follow comments are made.
- 6.31 The operator of the garage that is immediately to the east of the site has expressed concern that the greater residential occupation will potentially lead to more noise complaints about the garage. The application site is located in a rural service centre that is in the second tier of sustainable locations in the borough and opposite Headcorn Railway Station. In this context and in seeking the efficient use of land

the presence of the motor vehicle repair garage would not be grounds to refuse planning permission.

- 6.32 The application site is not in an area at risk from flooding. A planning condition is recommended seeking details of a sustainable urban drainage system.
- 6.33 In relation to consultation individual letters were sent to adjacent occupiers. As the original case officer has now left the Council it is unclear whether a site notice was originally displayed but following the comments from the parish council it can be confirmed that a site notice has been displayed.
- 6.34 The previously refused proposal consisted of 2 new dwellings in a tandem layout. It was found that this layout resulted in a cramped appearance that was harmful to the character of the area. In addition, it was found that the buildings and associated development and the close relationship the two dwellings to trees would have harmful impact. After consideration of the revised proposal, it was concluded that a single dwelling was more appropriate and that the previous grounds for refusal had been overcome.

#### **Public Sector Equality Duty**

- 6.35 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.

### **7.0 CONCLUSION**

- 7.01 It is concluded that the submitted proposal with the reduced number of units is acceptable in relation to matters of design, appearance and character. The imposition of planning conditions will resolve issues relating to landscaping and biodiversity.
- 7.02 The potential impact on the amenity of adjacent neighbours including in relation to noise, privacy, and overlooking have been considered and with suitable planning conditions the proposal for a single house is acceptable. The arrangements for access, parking and servicing were found to be acceptable.
- 7.03 As such, it is considered that the development is in accordance with local and national planning policies and is recommended for approval subject to planning conditions.

### **8.0 RECOMMENDATION**

#### **GRANT planning permission subject to the following conditions**

with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

- 1) Commencement: 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) Plans: The development hereby approved shall be carried out in accordance with the following approved plans and documents:
  - 21-11-51-P1-Location and Block Plans
  - 21-11-52 P1-Existing Site Plan Inc Tree Survey Plan
  - 21-11-53-P1-Proposed Site Plan
  - 21-11-54-P1-Proposed Site Access Plan

- 21-11-55-P1-Proposed Ground Floor Plan
- 21-11-56-P1-Proposed First Floor, Roof, And Shed Plans
- 21-11-57-P1-Proposed Elevations 1
- 21-11-58-P1-Proposed Elevations 2
- 21-11-D03 – Tree Survey
- Protected Species Survey Assessment
- Planning Statement

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) Construction Management Plan: The development hereby approved shall not commence until a Construction Management Plan for the development has been submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include the following details-
- (a) Routing of construction and delivery vehicles to / from site
  - (b) Parking and turning areas for construction and delivery vehicles and site Personnel
  - (c) Timing of deliveries
  - (d) Provision of wheel washing facilities
  - (e) Temporary traffic management / signage
  - (f) Measures to control dust.
  - (g) Measures to prevent the discharge of surface water onto the highway.
- The construction works shall proceed only in accordance with the approved Construction Management Plan. Reason: In the interests of residential amenity and highway safety.
- 4) Slab levels: The development hereby approved shall not commence until details of the following have been submitted to and approved in writing by the local planning authority
- a) the existing site levels and
  - b) the proposed slab levels of the building
- 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.
- 5) Facing materials: The external facing materials used in the construction of the approved dwelling shall be those listed on drawing 21-11-57 P1. Reason: To ensure a satisfactory appearance to the development. (NB: This condition requires action but not any formal discharge)
- 6) Preliminary Ecological Appraisal The development hereby approved shall not commence until an ecological mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. The ecological mitigation strategy shall contain the following:
- Preliminary Ecological Appraisal
  - Following the appraisal any recommended specific species surveys
  - Overview of the mitigation required.
  - Detailed methodology to implement the mitigation.
  - Timings of the works.
  - Maps showing the mitigation areas (if required)
  - Simple management plan to maintain those areas.
- The plan must be implemented as approved with the relevant mitigation in place prior to first occupation of the approved dwelling and retained thereafter. Reason: In the interests of the ecology. (NB: This condition requires action and formal discharge).
- 7) Biodiversity: 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 integrated methods into the structure, design and appearance of the new dwelling by means such as swift bricks, bat tubes or bee bricks, and through provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgehog corridors. The development shall be implemented in accordance with the approved details prior to first occupation of the development hereby approved and all features shall be maintained thereafter. Reason: To enhance the ecology and biodiversity on the site. (NB: This condition requires action and formal discharge).

- 8) Renewables: The development hereby approved shall not commence above slab level until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved to provide at least 10% of total annual energy requirements of the development, have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details prior to first occupation of the development hereby approved and all features shall be maintained thereafter. Reason: To ensure an energy efficient form of development. (NB: This condition requires formal discharge)
- 9) Landscaping details: The development hereby approved shall not commence above slab level until a soft landscaping scheme (designed using the principle's established in the Council's adopted Landscape Character Assessment 2012) has been submitted to and approved in writing by the local planning authority. The soft landscaping scheme shall include the following:
  - a) Indications of all existing trees and hedgerows on the land, and confirmation of those to be retained,
  - b) A planting schedule using indigenous species (including location, planting species, spacing, maturity and size). Only non-plastic guards shall be used for the new trees and hedgerows.
  - c) A programme for the approved scheme's implementation and long term management, including long term design objectives, management responsibilities and a maintenance schedule for the landscaped areas.Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development (NB: This condition requires formal discharge)
- 10) Landscaping implementation: All planting, seeding and turfing specified in the approved landscape scheme shall be completed by the end of the first planting season (October to February) following first occupation of the dwelling hereby approved. The approved long term management details shall be carried out with the approved details and any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, 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. Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development (NB: This condition requires action but not formal discharge)
- 11) Surface water drainage: The development hereby approved shall not commence above slab level until a sustainable surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The submitted details shall:

- a) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site, including any requirement for the provision of a balancing pond.
- b) Include a timetable for implementation surface water drainage scheme in relation to the development; and,
- c) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker, or any other arrangements to secure the operation of the scheme throughout its lifetime.

The sustainable surface water drainage scheme shall be implemented in accordance with the approved timetable and all features shall be maintained thereafter.

Reason: In the interests of pollution and flood prevention.

- 12) Boundary treatment: 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.
- 13) EV charging: Prior to the first occupation of the dwelling hereby approved, a minimum of one operational electric vehicle charging point for low-emission plug-in vehicles 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 sustainable travel choices and the reduction of CO2 emissions through use of low emissions vehicles. (NB: This condition requires action but not formal discharge).
- 14) Bin and cycle storage: Prior to the first occupation of the dwelling hereby approved, facilities for
  - (a) the storage and screening of refuse bins,
  - (b) the collection of refuse bins, and
  - (c) secure bicycle storageshall 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 as such thereafter. Reason: To ensure a satisfactory appearance to the development
- 15) Obscure glazing Prior to the first occupation of the dwelling hereby approved the south facing window of bedroom three shall be fitted with obscured glazed (Pilkington level 3 or higher (or equivalent)) and fixed shut below 1.7 metres from finished internal floor level. Reason: In the interests of residential amenity.
- 16) Parking, turning and access implementation: Prior to the first occupation of the dwelling hereby approved the parking, turning and access\_details on the approved plans shall be completed and shall thereafter be retained. 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 their operation. Reason: Development without adequate parking, turning and access provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.
- 17) External lighting: 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. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter (NB: temporary lighting required during the construction phase used between 0800hrs and 1800hrs are excluded from this condition). Reason: In the interests of amenity.

- 18) Removal of permitted development: Notwithstanding the provisions of the Town and Country Planning General Permitted Development (Amendment) (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, B, C, D, E and F; and Schedule 2, Part 2, Class A, to that Order shall be carried out. Reason: To ensure a satisfactory appearance to the development.
- 19) Bound surface to access: The private vehicle access to the site shall be provided with a bound surface for at least the first 5 metres measured from the boundary with the public highway. Reason: In the interests of highway safety.

### **INFORMATIVES**

- (1) CIL: Them applicant is advised that 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) Construction: The applicant is advised of the Mid Kent Environmental Code of Development Practice produced by the Mid Kent Environmental Protection Team (shared service between Maidstone Tunbridge Wells and Swale). This guidance is available on the Tunbridge Wells website at the following link: <https://tunbridgewells.gov.uk/environment/environmental-code-of-development-practice>
- (3) Highways: The applicant is advised that planning permission does not convey any approval to carry out works on or affecting the public highway. Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.
- (4) Highways: The applicant is advised that across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil. Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.
- (5) Highways: The applicant is advised that Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works

affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

- (6) Highways: The applicant is advised that it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in 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 the relevant 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.
- (7) Highways: The applicant is advised that guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181