

**REPORT SUMMARY**

<b>REFERENCE NO:</b> - 23/504229/FULL		
<b>APPLICATION PROPOSAL:</b> Conversion of existing 3no. flats to a single residential dwelling, including erection of 2no. rear and 1no. front dormers, and erection of 1no. detached dwelling with associated parking		
<b>ADDRESS:</b> La Torre, Boxley Road Walderslade, Kent, ME5 9JE		
<b>RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions</b>		
<b>SUMMARY OF REASONS FOR RECOMMENDATION:</b> The development is acceptable regarding the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant.		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> Boxley Parish Council have called the application to committee based on the comments set out below at paragraph 4.01 of this report.		
<b>WARD:</b> Boxley	<b>PARISH COUNCIL:</b> Boxley	<b>APPLICANT:</b> Mr F Fard <b>AGENT:</b> Colin Smith Planning Ltd
<b>CASE OFFICER:</b> Tony Ryan	<b>VALIDATION DATE:</b> 20/09/23	<b>DECISION DUE DATE:</b> 15/11/2023
<b>ADVERTISED AS A DEPARTURE:</b> No		

**Relevant planning history**

- a) **20/502292/FULL:** Erection of a detached dwelling - Refused 07.08.2020 for the following reasons:
  - i) Height, scale, bulk, and siting will give a cramped appearance out of keeping and detrimental to local character.
  - ii) Proximity and height will have overbearing impact on neighbours and the flank windows of apartments within 'La Torre' will lose outlook and light. Terraces and balconies due to location, height and proximity will harm the privacy of neighbouring dwellings and their gardens.
  - iii) Inadequate on-site parking and turning and likely conflict between vehicle use from households sharing use of a steep and narrow driveway which accesses onto a lane without footways or streetlighting.
  - iv) Due to lack of arboricultural assessment, impact from parking provision on trees with significant amenity value is unclear.
  
- b) **20/503848/FULL:** Erection of a detached dwelling and engineering to rebuild retaining wall to widen driveway. (Resubmission of 20/502292/FULL)- Refused 17.11.2020 for the same reasons as 20/502292/FULL which are listed above.
  
- c) **22/501592/FULL:** Erection of detached dwelling. (NB: In addition to the new detached dwelling, the current application now also includes the conversion of the property called 'La Torre' to a single dwelling and roof extensions) Refused 14.06.2022 for the following reasons:
  - i) Siting, massing and design, and loss of the green visual gap would be obtrusive with harm to local character and the appearance of the streetscene. Cramped appearance out of keeping and detrimental to character. Identified harm

- exacerbated by the loss of the Hornbeam tree which had significant value.
- ii) Proximity and height will result in an overbearing impact to the rear elevation and garden of Swiss Cottage and the flank windows of apartments within La Torre in terms of loss of outlook and natural light.
- d) Appeal against the decision to refuse **22/501592/FULL** – Appeal dismissed on a single issue relating to the impact on amenities of neighbouring property known as 'La Torre'. The Inspector made the following summarised points:

Neighbour amenity

- i) Main consideration were the three flats in neighbouring building 'La Torre' (owned by the applicant/appellant) and neighbouring dwelling 'Swiss Cottage'.
- ii) Scale found to be overbearing due to proximity of proposed two-storey flank wall from side elevation window of 'La Torre'.
- iii) Whilst some windows are obscure glazed, no substantive evidence provided on natural light for occupiers of the three flats of 'La Torre'.
- iv) Unacceptable adverse impact on living conditions of occupiers of the three flats.
- v) As proposed house only visible from oblique angles from the rear windows of Swiss Cottage, no overbearing impact or loss of light.
- vi) Separation distance between new dwelling and Swiss Cottage garden is sufficient to avoid adverse impact on outlook or loss of light.

Character and appearance

- i) Existing gaps to both sides of 'La Torre' much larger than those typical within the surrounding area with 'La Torre' having a unusually spacious garden.
- ii) Whilst gap would be reduced significantly, it would nonetheless reflect the broader pattern and density of existing development.
- iii) Maximum height of proposed house comparable to neighbouring dwellings.
- iv) Proposal would not be overly prominent or obtrusive and the overall scale, bulk and massing would assimilate well with neighbouring buildings.
- v) The Hornbeam tree referred to by the Council has already been removed and site contributes little to local character.
- vi) Proposal still allows views towards the ancient woodland to the rear of the site.

## **MAIN REPORT**

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

- 1.01 The application site is in the Maidstone urban area on the northeast side of Boxley Road just to the south of the junction with Brownelow Copse. A linear area of designated ancient woodland to the rear of the site extends a significant distance to the rear of properties fronting Boxley Road. A Tree Preservation Order also in place for this land (Reference: 491/TPO Woodland and trees at Beechen Bank, Walderslade).
- 1.02 The application site and neighbouring dwellings are on sloping ground with buildings set above the level of the road. This change in level is visible in the 'La Torre' elevations with three building floors to the front elevation and two floors to the rear elevation. 'La Torre' is currently converted into three residential dwellings (2 flats and a maisonette). The existing building has a total of 5 off street car parking spaces (one with direct access from the street and the others from a sloping access ramp) and a garage.
- 1.03 'La Torre' is unique along this stretch of Boxley Road with a building plot significantly wider than other properties. There is greater separation between 'La Torre' and 'Troodos' to the northwest and noticeably from 'Swiss Cottage' to the south east. The application site comprises the building called 'La Torre' and garden land to the southeast (side) of the existing dwelling.

## 2. PROPOSAL

2.01 The proposal is in the two parts that are set out below:

- Firstly, conversion of the existing property 'La Torre' from 3 residential units (2 one bedroom flats and a one bedroom maisonette) to a single residential 4 bedroom dwelling. The conversion includes a front roof extension, two dormer windows to the rear elevation and provision of a double garage at lower ground level. The conversion and extension to the existing dwelling did not form part of the earlier refused planning applications.

**Fig 1: 'La Torre' elevation drawings**



- Secondly, construction of a detached 3 bedroom two storey dwelling on existing garden land to the side of 'La Torre'. Internally the ground and first floors of the proposed house are split level to account for the changes in external ground levels.

**Fig 2: Street scene drawing – proposed.**



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

Maidstone Borough Local Plan (2011-2031):

Policy SS1 Maidstone borough spatial strategy  
Policy SP23 Sustainable transport  
Policy DM1 Principles of good design  
Policy DM3 Natural environment  
Policy DM9 Redevelopment in the built up area.  
Policy DM11 Residential garden land  
Policy DM12 Density of development  
Policy DM21 Assessing the transport impacts of development.  
Policy DM23 Parking standards

The Regulation 22 Local Plan Review (LPR) submission comprises the draft plan for submission (Regulation 19) dated October 2021, the representations and proposed main modifications. It is therefore a material consideration and attracts some weight. The LPR has been through Stage 1 and 2 Hearings and the main modifications the Inspector considers are required to make it sound are out to public consultation, so it is at an advanced stage. However, responses to the consultation need to be considered by the Inspector along with him producing his Final Report so the LPR is considered to attract moderate weight at the current time.

SS1 – Maidstone borough spatial strategy  
SP2 – Maidstone urban area  
SP10(a) – Housing mix  
SP15 – Principles of good design  
HOU2 – Residential extensions, conversions...in the built-up area  
HOU5 – Density of residential development  
TRA4 – Parking standards (Appendix B)  
Q&D6 – Technical Standards  
Q&D7 – Private open space standards  
Residential extensions SPD (2009)

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

### **4. LOCAL REPRESENTATIONS**

#### **Boxley Parish Council**

4.01 Objection on following grounds:

- a) Siting, size, and design will result in a cramped appearance.
- b) Overdevelopment of garden land with loss of wildlife habitat.
- c) Overbearing impact on both La Torre and Swiss Cottage
- d) Loss of outlook and light for La Torre and loss of light and privacy to rear and garden of Swiss Cottage.
- e) The hornbeam tree 'has' significant amenity value and its loss 'would' have a negative impact on the street scene".
- f) Inadequate off-street parking which will lead to more on street parking where demand is high.
- g) If officers are minded to approval Boxley Parish Council would like this application determined by the Planning Committee.

#### **Neighbour consultation**

4.02 Representations received from 2 residents objecting on the following (summarised) grounds:

- a) Scale, bulk, and siting will give a cramped appearance to the street scene, out of keeping and detrimental to the character of the area.
- b) Will result in the loss of the 'green gap' which is of amenity value allowing views of the ancient woodland.
- c) If approved will set a precedent for new houses in similar gaps with the detrimental impact on the character of the area.
- d) The new house will have an overbearing impact on neighbouring dwellings particularly outlook and light to the ground floor side windows to Swiss Cottage.
- e) The upstairs windows to the rear elevation will result in a loss of privacy to Swiss Cottage, La Torre and Glypsada.
- f) Vehicle access to the elevated vehicle bay will involve reversing on to Boxley Road that does not footpaths or streetlighting.
- g) Elevated bay will adversely impact the amenity of occupiers of Swiss Cottage.
- h) Parking on the elevated bay will adversely impact visual character.
- i) Will reduce flood storage capacity and is likely to lead to flash floods.

## 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)*

Environmental Health (comments on 22/501592/FULL)

5.01 No objection subject to conditions

Kent Highways (comments on 22/501592/FULL)

5.02 No objection subject to conditions

Forestry Commission

5.03 Standing Advice on ancient woodland.

Tree Officer (comments on 22/501592/FULL)

5.04 No objections subject to conditions but it is unfortunate the Hornbeam Tree is removed.

## 6. APPRAISAL

6.01 The key issues are:

- Spatial strategy
- Development of residential garden land (including amenity and highways)
- Design siting and appearance
- Landscaping, sustainability, and biodiversity

### **Spatial strategy**

6.02 Local Plan policy SS1 (Maidstone Borough spatial strategy) states that the focus for new development in the borough will be Maidstone urban area (as the largest and most sustainable location in the borough) followed by the designated rural service centres and then the designated larger villages.

6.03 The application site is in the Maidstone urban area. As the most sustainable location in the borough the location is therefore generally suitable for new residential development subject to the consideration of other adopted planning policies and assessing its detailed impact.

### **Development of residential garden land**

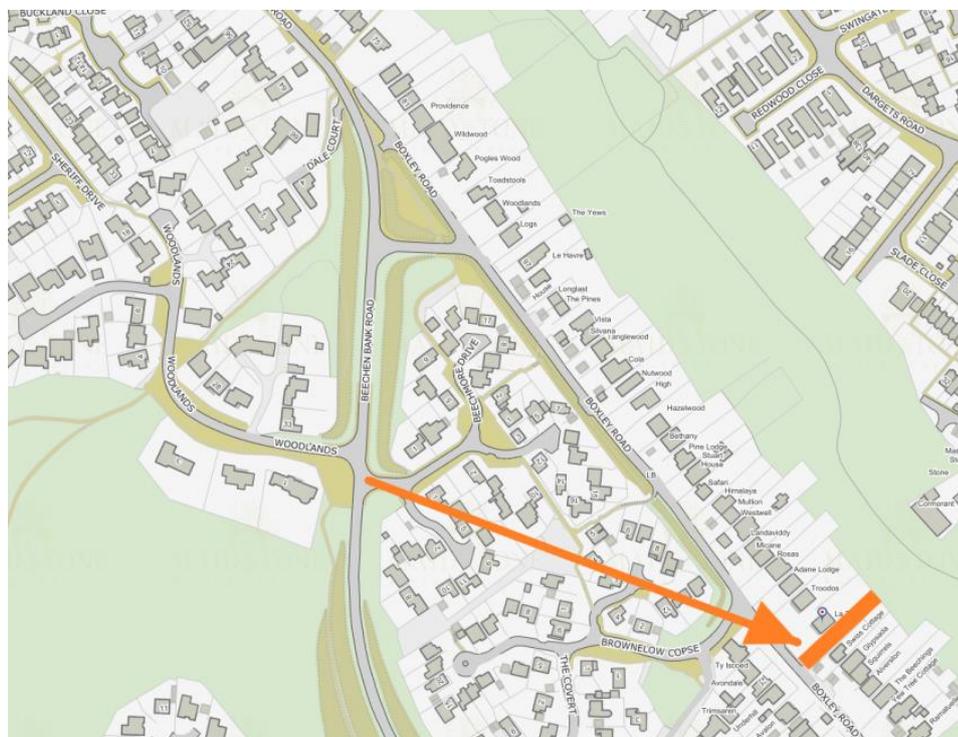
6.04 The application site is currently garden land to the side of the converted building known as 'La Torre'. Local Plan policy DM 11 advises that within designated

settlements development of domestic garden land to create new buildings will be permitted subject to the four criteria ((i) to (iv)) that are considered below.

Criteria DM11 (i). The higher density resulting from the development would not result in significant harm to character and appearance.

- 6.05 The gap in the street scene provided by the side garden land on the application site is unusual on the northeast side of Boxley Road, with the general pattern of development consisting of buildings much closer together.
- 6.06 An earlier planning application (22/501592/FULL) was refused on grounds that included the view that infilling the gap in the street scene would result in a 'cramped appearance'. The applicant appealed against the Council's decision and the recent appeal decision letter is a strong material consideration to the assessment of the current resubmitted planning application.
- 6.07 The Inspector did not uphold the Council's objections to the proposal in relation to visual impact on the street scene. The Inspector found *"Whilst the gap between the proposed dwelling and those either side would be reduced significantly, it would nonetheless reflect the broader pattern and density of development prevalent in the wider surrounding area.*
- 6.08 *The Inspector concludes that the proposal "...would be in keeping with the character and appearance of the surrounding area. It would therefore accord with Local Plan Policies ...insofar as they seek to ensure that new development responds positively to local character, including landscape character".*
- 6.09 In the context of the recent appeal decision, the development is found to be in accordance with DM 11 (i) in that the higher density resulting from the development would not result in significant harm to the character and appearance of the area.

**Fig 3: Site context**



Criteria DM11 (ii). No significant loss of privacy, light or outlook for adjoining properties and/or their curtilages.

6.10 In addition to Local Plan policy DM 11, policy DM1 states that development should not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties. DM9 (iii) refers to safeguarding the privacy, daylight, sunlight, and maintenance of a pleasant outlook of adjoining residents.

- 'La Torre' (existing retained building with proposed conversion to a single unit)

6.11 The appeal on the earlier planning application was dismissed on a single ground relating to the impact on the residential amenity of the occupiers of 'La Torre'.

6.12 The appeal decision found that due to the proximity of the proposed two-storey flank wall of the detached dwelling, the scale of the building would be overbearing on the side elevation window of 'La Torre'. The appeal decision sets out "Whilst some windows are obscure glazed, no substantive evidence provided on natural light for occupiers of the three flats of 'La Torre'.

6.13 In response to the appeal conclusions, the current application now involves the conversion of 'La Torre' from three residential units to a single dwelling. The conversion allows greater flexibility in the internal layout of the building and the 6 existing side elevation windows (2 per floor) will be reduced to one window. The retained window serves a bathroom at first floor. The bathroom window is level with the rear elevation of the new house, and there is circa 2.1 metre separation between the buildings. A bathroom is also a non-habitable space where natural light is not essential.

**Fig 4: Block plans**

Proposal considered at appeal.  
(22/501592/FULL)

Current application  
(23/504229/FULL)



- 'Swiss Cottage' (adjacent dwelling to the southeast of La Torre)

6.14 The standard starting measure of potential loss of sunlight is the 45° rule. The proposal passes this test, with the new building behind a notional line drawn from the middle of the rear elevation of Swiss Cottage at an angle of 45°. With the path of the sun in the southern half of the sky and the new building to the northwest of Swiss Cottage, there will be minimal resulting overshadowing.

6.15 The position of the new house remains the same as that considered as part of the appeal, separated from Swiss Cottage by circa 2.9 metres. The appeal decision found that the proposal would have no overbearing impact or loss of light. This conclusion

is reached because the proposed house would only be visible from oblique angles from the rear windows of Swiss Cottage. The appeal decision concluded that the separation distance between the new house and Swiss Cottage was sufficient to avoid adverse impact on outlook or loss of light.

- 6.16 Views towards Swiss Cottage from a small secondary ground floor lounge window in the new house will be screened by boundary treatments and a planning condition will require the first floor bathroom window to be fitted with obscured glass. The windows to the rear and front elevations of the new house do not face towards Swiss Cottage or its rear garden. In this context, the proposal will not result in a loss of privacy to the occupiers of Swiss Cottage.

**Fig 5: Proposed new build dwelling rear and side elevations.**



- 6.17 The dwelling known as 'Glypsada' mentioned in a neighbour consultation response is further away from the application site beyond Swiss Cottage. There is no harm identified to this dwelling or its garden.
- 6.18 A neighbour consultation response has raised concerns relating to the amenity impact from an 'elevated vehicle bay'. This 'elevated vehicle bay' is at the closest point circa 7.5 metres from the front elevation of Swiss Cottage. The 'elevated vehicle bay' is parallel to Boxley Road (in front of the location for the new house) and is one of four off street parking spaces located above the level of the Boxley Road carriageway assessed via an existing ramp. The other three spaces are directly in front of 'La Torre' (a fifth space and garage are accessed directly off Boxley Road).
- 6.19 All these five car parking spaces are existing and linked to the current three residential dwellings. The existing off street parking requirement is for three car parking spaces (1x space for each dwelling). The proposal provides two four-bedroom houses requiring a total of 4 off street parking spaces (2x spaces for each dwelling). With this background it is not anticipated that the parking spaces or the level of future use will be significantly different than the current situation. Cars parking in similar locations to the building frontages above the level of the road are also common locally with examples including, Westhill, Pine Lodge and Hazelwood to the north west
- 6.20 The application is in accordance with Local Plan policy DM9 (iv) that requires sufficient parking to be provided within the curtilage of the dwelling without diminishing the character of the street scene.

Criteria DM11 (iii) Highway access can be provided of an appropriate standard.

- 6.21 Local Plan policy DM 1 states that proposals will be permitted, where they safely accommodate the vehicular and pedestrian movement generated by the proposal on the local highway network and through the site access. Local Plan policy DM21 seeks to ensure that the vehicle trips generated by a use can be adequately accommodated on the road network.
- 6.22 The highway access is existing and considered acceptable for the anticipated level of use resulting from the proposal.
- 6.23 There was no objection from KCC highways when they considered the access and parking arrangements. Highway matters did not form part of the Council's reasons for previously refusing permission and they were not raised during the consideration of the appeal. Planning conditions are recommended seeking provision of cycle parking, and facilities for the storage and collection of waste for each of the two dwellings.
- 6.24 The proposal would provide policy compliant parking provision and would not cause detriment to highway safety in accordance with local plan policies DM1, DM11 and DM21.

Criteria DM11 (iv) should be no significant increase in noise or disturbance from traffic gaining access to the development.

- 6.25 The number of households on the application site will be reduced (3 to 2 houses) with standards showing the difference in demand to be one additional car parking space. It is not anticipated that the traffic gaining access to the two family dwellings will lead to any significant increase in noise or disturbance.

**Design siting and appearance**

- 6.26 Policy DM 9 requires the scale, height, form, appearance and siting of the proposal to fit unobtrusively with the existing building where retained and the character of the street scene and/or its context. The traditional boundary treatment of an area would be retained and, where feasible, reinforced. Policy DM1 requires development to respond positively to local character especially in relation to scale, height, materials, detailing, mass, bulk, articulation, and site coverage.
- 6.27 The proposed new dwelling respects and continues the pattern of existing development, providing a step between the adjacent building footprints of 'La Torre' and 'Swiss Cottage'. The scale massing and detailing of the proposed dwelling including the roof form are in keeping with the other houses in the locality, and in keeping with surrounding built form.
- 6.28 The facing materials for the new dwelling are red brick for the external walls and brown plain tiles, with interest and relief provided by a rendered section. Whilst there is some variety locally in terms of facing materials, both 'La Torre' and 'Swiss Cottage' are constructed of red brick. The brown plain tiles will also be in keeping with the majority of nearby properties.
- 6.29 The appeal decision found "*The proposed development would be set within the slope of the land such that its maximum height would be comparable with the dwellings located either side...The proposal would not be overly prominent or obtrusive and the overall scale, bulk and massing would assimilate well with neighbouring buildings. The proposed dwelling would also be set back significantly from Boxley Road. As such, whilst the land rises from the road the proposal would not be a prominent or harmful feature of the street-scene*".

- 6.30 The changes to the external appearance of the retained building include a front roof extension and two dormer windows to the rear elevation. The Council's SPD guidance on residential extensions advises that front roof extensions are likely to be acceptable where these front roof extensions currently form part of local character. There are existing front roof extensions to several neighbouring properties, including the three houses ('Troodos', 'Adane Lodge' and 'Rosas') to the north west of 'La Torre' and other houses beyond. In this context the proposed front extension to the application property and the rear dormers are in keeping with the general character of the area.
- 6.31 The new dwelling is in keeping with the existing character, pattern and layout of the surrounding built environment and subject to the imposition of conditions, its visual impact would accord with local plan policies DM1 and DM9.

### **Landscaping, sustainability, and biodiversity**

- 6.32 Local Plan policy DM3 states: "To enable Maidstone borough to retain a high quality of living and to be able to respond to the effects of climate change, developers will ensure that new development protects and enhances the natural environment...". DM3 states the need to appraise the value of the borough's natural environment through the provision of an ecological evaluation of development sites. Policy DM 3 requires protection of Ancient Woodland and trees with significant amenity value.
- 6.33 Given the application site is existing managed garden land it is not considered to offer any beneficial wildlife habitat. To provide biodiversity enhancement a planning condition is recommended seeking measures around the site including bird and bat boxes integral to the new dwelling. Landscape conditions are also recommended.
- 6.34 There is designated ancient woodland located adjacent to the rear boundary of the application site. National guidance is that ancient woodland should be provided with a buffer zone of at least 15 metres avoid root damage. The new dwelling will be located more than 30 metres from the ancient woodland.
- 6.35 Consultation responses have referred to a Hornbeam tree was previously on the application site. The applicant has confirmed that this tree has not been on the site for 18 months. The appeal decision letter states "*The Hornbeam tree referred to by the Council appears to have already been removed. Indeed, the site currently contributes little to the character of the surrounding area. The Council implies that the appeal site comprises a green visual gap. However, the proposal would still afford views from the highway towards the ancient woodland to the rear of the appeal site. As such, the existing gap is not particularly important and is actually an uncharacteristic feature of the area*".
- 6.36 A planning condition is recommended to seek on site renewable energy generation to cover 10% of predicted energy requirements of the proposed houses.

### **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.

### **CIL**

- 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.

## **7. CONCLUSION**

7.01 The proposal would introduce an additional dwelling into a sustainable location of an appropriate design, layout, and appearance and without harm to visual or neighbouring amenity or highway safety. With suitable conditions the proposal is acceptable, and it is recommended that planning permission is granted.

**8. 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) 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 development hereby permitted shall be carried out in accordance with the following approved plans: Drawings numbered - 2332 01, 2332 02, 2332 03, 2332 04, 2332 05, 2332 06, 2332 07, 2332 08, 2332 09, 2332 10, 2332 11, 2332 12, 2332 13, Arboricultural Impact Assessment and Method Statement, Planning Design and Access Statement

Reason: To clarify which plans have been approved.

(3) Prior to first occupation of the approved new build dwelling, the approved conversion of the existing building ('La Torre') to a single family dwelling shall be complete with the converted building ready for single family occupation.

Reason: In the interests of residential amenity and with reference to the conclusions of the appeal decision letter dated 31 July 2023 reference APP/U2235/W/22/33045

(4) The materials to be used in the development hereby approved shall be as indicated in the approved Design and Access Statement. The materials shall be permanently retained thereafter.

Reason: To ensure a satisfactory appearance to the development.

(5) The new build dwelling 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 approved details shall be installed prior to first occupation of the new build dwelling hereby approved and retained and maintained thereafter.

Reason: To ensure an energy efficient form of development.

(6) Prior to the first occupation of the relevant dwelling hereby approved ((i) conversion and (ii) new build), facilities for (a) the storage and screening of refuse bins, and (b) the collection of refuse bins, and (c) secure bicycle storage for the dwelling to be occupied 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 retained and maintained as such thereafter.

Reason: In the interests of amenity, to promote sustainable travel choices and the reduction of CO2 emissions.

- (7) Prior to the first occupation of the relevant dwelling hereby approved ((i) conversion and (ii) new build), a scheme for the enhancement of biodiversity on the dwelling to be occupied and external areas of the plot shall have been implemented that is in accordance with details that have previously 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 design and appearance of the buildings by means such as swift bricks, bat tube or bricks and measures such as bug hotels in the open areas of the site. All features shall be retained and maintained permanently thereafter.

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

- (8) Prior to the first occupation of the relevant dwelling hereby approved ((i) conversion and (ii) new build), landscaping shall be in place for the dwelling to be occupied that is in accordance with details that have previously been submitted to and approved in writing by the local planning authority. The landscaping 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) be designed in accordance with the principles of the Council's Landscape Guidelines (Maidstone Landscape Character Assessment Supplement 2012).
  - c) include a planting specification (species, quantities, spacing and maturity),
  - d) include a programme of implementation.
  - e) include a long-term [5] year management plan.
  - f) include measures to reduce the current areas of hard surfacing and maximise soft landscaping especially on the site frontage.
  - g) provide details of planting mitigation and enhancement.

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

- (9) Any trees or plants, which, within a period of 10 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 same size and species.

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

- (10) Prior to first occupation of the relevant dwelling the parking/turning areas shown on the approved plans shall be complete and available for occupiers and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them.

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

- (11) Upon completion of the two approved dwellings, no further development, whether permitted by Classes A, B, C or D of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out.

Reason: In the interests of the amenities of the area.

- (12) Prior to first occupation of the two dwellings hereby approved the upper floor windows to the side elevations of the dwelling to be occupied shall be obscured glazed (Pilkington level 3 or above) and non-openable below a height of 1.7 metres from internal finished floor level and retained as such for the lifetime of the development.

Reason: In the interests of residential amenity.

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