

APPLICATION: MA/09/1751 Date: 28 September 2009 Received: 29 April 2010

APPLICANT: Bluebell Development Services Ltd.

LOCATION: LAND ADJACENT TO SURRENDEN MEWS, HIGH STREET,  
STAPLEHURST, KENT

PARISH: Staplehurst

PROPOSAL: Erection of 5 dwellings with integral parking as shown on site location plan and Design and Access Statement, Arboricultural Survey, Ecological Survey, and Planning Statement received 30/09/2009 and as amended by Arboricultural Implications Survey received 29/04/2010 and further amended by drawing no drawing no 0758-Fig2 received 04/11/2010 and Landscape Management and Environmental Principles Statement received 11/11/2010, further amended by drawing nos. P-02(A), P03(B), P-04(A), P-05(C), and P06(A) received 09/12/2010 and further amended by drawing nos. 0758(C) (1:100 Street elevation uncoloured), 0758 (Coloured Site plan) and drawing no 0758-P-01(K) received 08/02/2011 and 0758(C) (coloured street elevation 1:100) received 08/03/2011.

AGENDA DATE: 7th April 2011

CASE OFFICER: Steve Clarke

The recommendation for this application is being reported to Committee for decision because:

- It is contrary to views expressed by Staplehurst Parish Council
- Councillor Hotson has requested it be reported for the reason set out in the appended report

## 1. **POLICIES**

- Maidstone Borough-Wide Local Plan 2000: ENV6, H28, T13
- South East Plan 2009: SP2, SP3, CC1, CC4, CC6, H4, H5, NRM5, NRM7, BE1, BE6, T4, AOSR6, AOSR7
- Government Policy: PPS1, PPS3, PPS5, PPS9

## 2. **BACKGROUND**

2.1 This application was reported to the Planning Committee on 16 December 2010. A copy of the previous report is attached at Appendix One. The minutes of the meeting confirm that Members deferred consideration of the application for the following reasons:-

- Larger scale and better quality plans;
- More details of materials;

- Negotiations to secure an improved landscaping scheme with the possibility of increasing the maintenance period; and
- Negotiations regarding the possibility of moving the housing eastwards into the wildflower meadow area to increase the separation from Crowther Close.

### **3. CONSULTATIONS**

3.1 Previously received responses to formal consultation are set out in the appended committee report. The responses received as a result of consultation on the amended details received on 08 February 2011 are as follows.

3.2 **Staplehurst Parish Council (22/02/2011):** 'Members noted the amended plans but did not consider that they had addressed any of their earlier concerns. Councillors agreed to maintain their earlier recommendations for REFUSAL for the reasons previously stated. They also requested this application be reported to MBC Planning Committee.'

3.3 **MBC Conservation Officer (01/03/2011):**

'No objections to the revised site plan submitted subject to the Landscape Officer being satisfied that no additional harm will be caused to trees.

**Recommendation:** It is, therefore, recommended that on heritage/design grounds **NO OBJECTION IS RAISED** subject to the following conditions.

Conditions:

Conditions re samples of materials, removal of all PD rights, landscaping and tree protection will be appropriate.'

3.4 **MBC Landscape Officer (03/03/2011)**

'No objections in principle to the revised scheme provided it is still in compliance with the recommendations of the arboricultural report for the site.'

3.5 **Kent Highway Services (23/02/2011):**

'I refer to the submission of Drawing Number 0758-P-01 rev K in respect of the application and indicating the proposed pedestrian visibility splays and passing bay. I confirm that these are acceptable and I have no objections to the proposal in respect of highway matters.'

### **4. REPRESENTATIONS**

4.1 Previously received representations are summarised in the appended previous report.

4.2 Further representations from the occupiers of three adjoining properties have been received, objecting to the revised details and the scheme in general. The points made are in addition to earlier comments and are summarised as follows.

- Despite the somewhat doubtful green 'credentials' the applicants appear to try and introduce with their fashionable contemporary design the proposal is out of keeping with the very near listed Surrenden manor and also at odds with the 70's houses in Crowther Close. The building of three storeys is also over intensification of the site and unsuitable.

- The new buildings are still too close to the boundary wall (*with Crowther Close*) no substantial movement away has been made in the latest plans. We presume the reason for this is that the builder leaves little or no room for manoeuvre because he is trying to maximise on greed by cramming too many properties into too small a space.
- Added to previous comments concerning the entrance/exit to the A229. The KCC Highways Authority at the last meeting stated that there had been no accidents reported at this point for a number of years. Clearly - they entirely miss the point. They should be concerned about the future not the past. Some Surrenden occupants have told us that there have already been several near misses at this point. There is obviously a far greater potential for accidents to occur by adding more traffic. We are submitting photos showing that cars, vans and lorries park directly opposite the entrance/exit and that vehicles are parked on the pavement. As seen in the photos vehicles are forced over the middle white line in order to pass and the vehicle repair unit opposite has no car park so everybody is forced to park in the road. There is also a drive from the house 'Oakhurst' which is directly opposite the Surrenden entrance/exit and immediately to the garage. It must be obvious to anyone, given the above that the potential for more accidents will be far greater if this development is allowed in its present form.
- The development fails to preserve or enhance the character of the Conservation Area as required by legislation. The Conservation Officer is contradictory. He says the development will not adversely impact on the setting of the listed building. He then goes on to list an array of different ways the developer is using to hide the development. If the development does not adversely impact - why is it necessary to hide it? The concealment is as stated by the Officer and is as follows:
  - It is set back behind the front elevation of Surrenden
  - It is screened by trees.
  - It is seen "end on" from the road - reducing its impact
  - New trees will soften the impact of the new buildings.

There should be no need to "reduce impact" effectively this is an admission that the buildings do not conform with Government legislation. There must be a grave element of doubt from the Conservation Officer's point of view in that he is not sufficiently supportive of the architecture of these properties to give them a firm approval as conforming to the integrity of the area.

- 4.3 Formal complaints have also been made by an adjoining resident of Crowther Close regarding the processing of the application hitherto and particular aspects of the consideration of the application at the Planning Committee meeting on 16 December 2010. These complaints have been addressed through the Council's formal complaints procedure.

## **5. CHANGES TO THE SCHEME**

- 5.1 The scheme has changed in the following ways following its deferral at the Planning Committee meeting on 16 December 2010.

### **Larger scale and better quality plans**

Coloured plans showing the site layout and a street elevation have also been received.

### **More details of materials**

The applicant has produced a 1:1 scale model of a section of a typical elevation. This shows oak boarding, a rendered area and a window projection. This will be available for Members to view at the meeting.

### **Negotiations to secure an improved landscaping scheme with the possibility of increasing the maintenance period**

The applicants have further considered the treatment of the planting along the western boundary of the site. Based on horticultural advice that the applicants have received, they consider it prudent to remove the existing Lawson Cypress hedge line identified in the submitted arboricultural survey as sparse and in a fair/poor condition.

This is to be replaced with new planting of Heavy Standard Trees (12-14cm girth and 3.5m-4.25m in height when planted) comprising a mix of Silver Birch, Mountain Ash and Whitethorn. Hazel is also to be planted along the boundary wall, along with Allegheny Serviceberry (*Amelanchier laevis*).

The applicants have indicated that they would accept a ten year maintenance requirement for the new planting.

### **Negotiations regarding the possibility of moving the housing eastwards into the wildflower meadow area to increase the separation from Crowther Close**

Unit 4 has been moved eastwards to achieve a minimum distance of 6m from the western site boundary (with Crowther Close) and the stair core of the dwelling and 6.4m from the western boundary at its south west corner.

Plot 4 is now 2.5m further away from the site boundary. This has been achieved by encroaching into the proposed wildflower meadow east of proposed Plot 1 by approximately 1.5m and narrowing the gap between plots 1 and 2 by 1m from 4m to 3m.

Unit 5 has been moved eastwards to achieve a separation distance of 4.7m between its rear wall and the western boundary of the site. This is an increase of 1.7m.

5.2 In the light of the submitted changes to the scheme it is necessary to consider whether they affect the original recommendation to grant planning permission.

## **6. CONSIDERATIONS**

### **6.1 Principle of Development**

6.1.1 This issue is addressed in the previous report. The changes to the scheme have not affected the conclusions set out in that report that the development is acceptable in principle.

6.1.2 The site remains located within the settlement boundary in a village which is subject to saved policy H28 of the Borough-wide Local Plan 2000 as capable of minor development.

6.1.3 It is acknowledged that the site is a greenfield site and that the site is open in character and visible from Nicholson Walk. It is also acknowledged that there is no need for residential development in housing supply terms within the Borough. However, this is a sustainable location close to local amenities and community facilities and I consider that it is an appropriate site for residential development as proposed. Furthermore, because there is a five year supply of housing land this should not mean that windfall sites should be refused. The key issue is whether the development causes harm to the area.

6.1.4 The fact that the development has a different density and is of a different character than existing development in the area should also not warrant an objection solely on this basis in the light of advice in PPS3 (para 50).

6.1.5 The Conservation Officer has considered the amended scheme and continues to raise no objections to the development in terms of the setting of the Listed Building or the character of the Conservation Area. I concur with this view.

### **6.2 Visual Impact**

6.2.1 The revised scheme has retained the space around the buildings, the wildflower meadow area to the east of plot 1 as a buffer to the retained woodland and the trees along Nicholson Walk. It is acknowledged that the current openness of the site would be lost.

6.2.2 The changes to the scheme have not resulted in the general position of the proposed dwellings changing in respect of their relationship to Nicholson Walk. I consider that this relationship and the resultant visual impact of the development, remains acceptable.

6.2.3 The impact on the amenities of the occupiers of adjoining residential properties is assessed later in the report. I consider however, that the re-siting of the dwellings now proposed has increased the separation from the properties in

Crowther Close and has not resulted in any adverse change in relation to 'White Willows.'

6.2.4 I remain of the view that the development as now proposed would not on balance have such an adverse visual impact on the character of the area as to warrant an objection on this ground.

### **6.3 Design**

6.3.1 The overall design of the dwellings has not changed as a result of the most recent amendments. The changes made to the application prior to the last meeting and summarised in the attached urgent update report have been retained. These have been clarified through the submitted model and the coloured elevations and site plan, which clearly show the potential detailing.

6.3.2 The extent of buildings and hard surfaces is sensitive to the context of the site. Some 74% of the site has been retained as 'soft' area free from buildings and hard surfaces. The use of green roofs will further soften the impact of the development. The development has been designed to fit into the existing landscaped context of the site. The proposed dwellings have been given adequate separation and there are four differently designed house types, which follow a common theme in the use of materials but provide diversity in appearance and a choice of size. The proposed materials will ensure a crisp finish to the elevations which will be tempered by the use of the cedar/oak cladding to soften the upper floors. The design is sustainable and will achieve at least Level 3 of the Code for Sustainable Homes.

6.3.3 Subject to appropriate conditions to safeguard the indicated detailing of the design and the quality of the proposed materials, I remain of the view that development is acceptable in terms of its design.

### **6.4 Impact on Listed Building and Conservation Area**

6.4.1 The proposed houses on plots 1-4 are sited to achieve an acceptable degree of separation from the listed building in excess of 24m. The ridge height of Surrenden is approximately 10.5m and the eaves height 9.2m. Plot 1, the tallest proposed house, is around 9m to the top of the curved roof and 7.8m to eaves level.

6.4.2 The 24m separation between the existing buildings to the north of the site and the proposed development has resulted in a proposed development that appears significantly lower than the adjacent listed building and has maintained an acceptable space and setting for the listed building. The revised position of Plot 1 does not extend eastwards beyond the front façade of Surrenden House, which the Conservation Officer has been concerned to ensure. The Conservation Officer has not raised objections to the development's impact on the character or setting of the listed building.

6.4.3 In terms of the impact on the wider Conservation Area, as stated above, the development will result in the loss of a currently open area. Clearly there will be a change to the site's appearance when viewed from Nicholson Walk as a result. However, existing tree planting in the site will be retained and enhanced through further tree planting and the proposed hedgerow. The new houses will be seen through these trees and in my view will not harm the character of the area. On balance, I consider that the development will not harm the character of Nicholson Walk. Members will note as stated previously that there have been no objections raised by English Heritage or the Conservation Officer to the impact of the development on the character of the Conservation Area. There will be no change as to how Surrenden is seen in the context of the High Street given that the woodland close to the street is to be retained.

## **6.5 Residential Amenity**

6.5.1 This is discussed at length in section 5.7 (paragraphs 5.71.-5.7.7) of the previous appended committee report. The changes made to the application result in the following revised separation distances and potential impacts on the properties in Crowther Close to the west of the site and 'White Willows' to the south of Nicholson Walk.

6.5.2 9 Crowther Close: The house on plot 5 would now be sited approximately 19.7m to 21.7m from the two-storey dwelling at 9 Crowther Close (previously approx. 18m-20m.) Number 9 Crowther Close would have an angled view of the proposed unit on plot 5 being sited to its northwest.

6.5.3 11 Crowther Close: This is the closest property to plot 5 and is two-storeys in height and the distance from Plot 5 to the rear wall of no.11 would now be approximately 15.7m (previously approx. 14m.)

I would remind Members that Plot 5 has no rear (west) facing windows and is of a low overall height at approximately 5.8m. I remain of the view that this degree of separation is acceptable and that I do not consider that the development would have such an unacceptable impact on the occupiers of that property as to sustain an objection on these grounds. Clearly there will be some change over time as it is proposed to remove the cypress trees (10m in height currently) and replant them on a phased basis with native species trees. Again I consider that this change would not have an unacceptably detrimental impact. Members should also bear in mind that the upper floor of the proposed building would be clad in cedar/oak and thereby have a relatively softer more natural appearance.

6.5.4 13 Crowther Close: This is a two-storey property that lies to the west of the unit on Plot 4. The projecting stair core on plot 4 is now sited 6m from the site boundary and the main flank wall approximately 8m. The rear garden of 13 Crowther Close is approximately 8m in length giving a revised separation distance of around 16m to the main flank of the proposed dwelling building, (previously 14m.)

6.5.5 15 Crowther Close: Number 15 Crowther Close is two-storey has a rear garden of approximately 8.5m in length, which, given the approximate 6.5m set-in from the boundary of the southern half of the proposed house, now results in a minimum separation distance of approximately 14.5m between the two dwellings.

The proposed unit on Plot 4 is a part three and part-two storey dwelling a maximum of 8.7m in height with the two storey section 5.8m in height. The taller section of the building (4.5m in length) would be sited approximately 8m from the site boundary with the semi-circular stair core projecting 2.1m towards the boundary.

The element of the house on plot 4 immediately to the rear of number 15 is 5.8m in height.

There is no first or second floor fenestration facing to the west on Plot 4 and again the upper floors would be timber clad. Whilst clearly there will be some change in the outlook of the occupiers of 13 and 15 Crowther Close, I do not consider that the impact would be so unacceptable as to warrant and sustain an objection.

6.5.6 'White Willows': This property is located on the south side of Nicholson Walk. It is a bungalow which has two rear facing windows and a rear conservatory (sited towards the southern half of the property's rear elevation) as well as a long rear garden that abuts Nicholson Walk. The north-west corner of the rear wall of White Willows is situated approximately 15m east of the point where the rear garden of Plot 1 meets Nicholson Walk.

Following the eastward movement of plot 1 by approximately 1.5m, the new dwelling would be sited approximately 23.5m from and at an angle to the rear wall of White Willows. The rear conservatory on White Willows is sited approximately 8m south of the north-west corner of the dwelling and projects approximately 5.7m into the garden from the rear wall of the bungalow. This would mean that the house on plot 1 would be sited approximately 28m north of the westernmost extent of the conservatory. This is unchanged as a result of the recent amendments.

Additionally, with the exception of one poor quality (due to its condition and evident decay) Horse Chestnut tree, that is recommended for removal or pollarding, the existing tree planting within the site is to be retained, providing additional screening. Although in the winter months this screening would be reduced, I remain of the view that the separation distance and the angles involved are sufficient to maintain an acceptable level of privacy to the occupiers of White Willows.

6.5.7 I consider that the most recent changes would still not cause such an unacceptable loss of privacy or amenity to the occupiers of neighbouring properties in Crowther Close or White Willows as to warrant and sustain an objection on this basis.



## **6.6 Highways**

6.6.1 No highway objections have been raised to the development as now proposed. Previously requested passing bays within the site along the access road and 2m x2m pedestrian visibility splay as the site access to the High Street are now indicated on the submitted plans and are considered acceptable by Kent Highway Services.

## **6.7 Ecology and Landscaping**

6.7.1 The amendments to the scheme have not resulted in changes in the impact of the scheme in relation to ecology or landscaping within the site. An ecological survey has been submitted which has been considered by Natural England. They are content with its findings. The applicants have proposed to enhance the potential for bats and birds on the site through the provision of nest and roosting boxes within the woodland area and retained trees. I consider that the proposed landscape management plan for the site will further enhance the biodiversity potential for the site.

6.7.2 The re-siting of the dwellings has no implications in terms of the submitted arboricultural report and has resulted in no differing impact on the existing trees within the site that are to be retained.

6.7.3 I consider that the development remains acceptable in terms of its impact on ecology and existing trees within the site.

## **7. CONCLUSION**

7.1 Two issues have required consideration firstly, do the revisions address the reasons for deferral and secondly, is the development acceptable otherwise?

7.2 I consider that the scheme now proposed has addressed the reasons for deferral at the meeting on 16 December 2010. The scheme is now better detailed and greater information on materials is available, the landscaping has been changed and the proposed dwellings have been re-sited further away from the site's western boundary and the properties in Crowther Close.

7.3 In terms of the second issue it is acknowledged that the development will have an impact on the character and appearance of the area. However, I consider the design to be appropriate and well detailed. The proposed houses will not unacceptably harm this part of the Staplehurst Conservation Area or the setting of Surrenden a Grade II listed building. There are no highway objections to the development

7.4 The impact of the development on its neighbours has been carefully considered. Whilst the development will have some impact on the outlook of adjacent properties I do consider that, for the reasons assessed earlier in the report, the impact will not be sufficient to warrant and sustain an objection to the development on this ground.

7.5 I consider the proposed design of the dwellings to be acceptable and that the changes to the scheme that have been made do not lead to a different recommendation being warranted. Subject to appropriate safeguarding conditions the following recommendation is therefore appropriate.

## **8. RECOMMENDATION**

GRANT PLANNING PERMISSION subject to the following conditions:

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

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

2. The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of the buildings 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. The submitted details of the proposed cedar/oak cladding shall show that it is pre-treated to avoid fading.

Reason: To ensure a satisfactory appearance to the development pursuant to the advice in PPS1 and policies CC6 and BE6 of the South East Plan 2009.

3. The development shall not commence until, details of the proposed slab levels of the buildings and the existing site levels have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels;

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

4. Notwithstanding the planting details shown on drawing no. 0758-P-01(K) no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines. the submitted scheme shall include the following details:

(a) The detailed design of the proposed pond which shall be wildlife friendly in terms of its depth and cross-sections and the species and planting specification of any marginal plants

(b) The detailed species mix for the wildflower area to the east of Plot 1.

(c) The details of the provision of bird and bat boxes within the site.

Reason: No such details have been submitted and to ensure a satisfactory external appearance to the development pursuant to policy ENV6 of the Maidstone Borough-wide Local Plan 2000.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development pursuant to policy ENV6 of the Maidstone Borough-wide Local Plan 2000.

6. The development shall not commence until an Arboricultural Method Statement detailing any works required to trees within the site and details showing all trees to be retained protected by barriers and/or ground protection (as indicated in the Arboricultural Survey and Implications Assessment received 29/04/2010) have been submitted to and approved by the local planning authority. The Arboricultural Method Statement and tree protection measures shall accord with the requirements of BS5837:(2005) 'Trees in Relation to Construction-Recommendations'. The subsequently approved barriers and ground protection measures shall provided before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the areas protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas without the written consent of the Local Planning Authority;

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development pursuant to policy NRM7 of the South East Plan 2009.

7. The dwellings shall achieve a minimum of Level 3 within the Code for Sustainable Homes. No dwelling unit shall be occupied until a final certificate has been issued certifying that the unit has achieved a minimum of Level 3 within the Code for Sustainable Homes.

Reason: To ensure a sustainable and energy efficient form of construction pursuant to the advice in PPS1 Kent Design and Policy CC4 of the South East Plan 2009.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the

Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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, F and G to that Order shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character, appearance and functioning of the surrounding area pursuant to the advice in PPS1.

9. The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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.

10. With the exception of the landscaping details shown on drawing no. 758-P01(K), the development hereby permitted shall be carried out in accordance with the following approved plans: 758-P-01(K), P-02(A), P-03(B), P-04(A), P-05(C), P-06(A), 758(C) and drawing no. 0758-Fig2.

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers in accordance with PPS1.

11. Pedestrian visibility splays 2m x 2m with no obstruction over 0.6m above the access footway level as shown on drawing no 0758-P-01(K) shall be provided prior to the commencement of any other development in this application and shall be subsequently maintained thereafter.

Reason: In the interests of pedestrian and highway safety pursuant to policy T23 of the Maidstone Borough-wide Local Plan 2000.

12. The development shall not commence until, an acoustic survey, to identify the Noise Exposure Category (NEC) of the site, as described in PPG 24 has been carried out and submitted to the local planning authority for approval.
  - (i) Where habitable rooms will be exposed to noise levels that are in excess of NEC A as set out in PPG24, mitigation should include a scheme of acoustic protection sufficient to ensure internal noise levels (LAeqT) no greater than 30 dB in bedrooms and living rooms with windows closed. Where the internal noise levels (LAeqT) will exceed 35 dB in bedrooms (night-time) and 45dB in living rooms (daytime) with windows open, the scheme of acoustic protection should incorporate appropriate acoustically screened mechanical ventilation.

- (ii) Within gardens and amenity areas, the daytime 07.00-23.00 hours level of noise should not exceed 55dB (LAeq) free field. This excludes front gardens.
- (iii) The required mitigation and acoustic protection measures should be included within the report submitted to the local planning authority for approval;

The subsequently approved acoustic protection measures shall be implemented prior to the first occupation of any of the affected units and maintained thereafter.

Reason: To protect residential amenity pursuant to the advice in PPG24.

13. The development shall not commence until and in conjunction with the details submitted pursuant to condition 2 above, the following details have been submitted to and approved by the local planning authority;

- (i) Large scale drawings at a scale of 1:50 or 1:20 showing;
  - (a) The detailed design of the galvanised steel banding detail at the junction of the render and cedar cladding,
  - (b) Details showing the proposed 250mm recesses for the garage doors and entrances,
  - (c) Details of the projecting windows and their surrounding frames,
  - (d) Details of the window and door reveals not otherwise required by (b) above,
  - (e) Details of rainwater goods and;
  - (f) Details of the design and proposed species mix for the green roofs.

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

Reason: To maintain the quality and integrity of the design and to ensure a satisfactory external appearance to the development pursuant to the advice in PPS1.

14. The development shall not commence until details of the retention, location and extent within the site of a proportion of the cord wood arising from felled trees have been submitted to and approved by the local planning authority. The development shall thereafter be undertaken in accordance with the subsequently approved details.

Reason: In the interests of ecology and biodiversity, pursuant to the advice in PPS9 and Policy NRM5 of the South East Plan 2009.

15. No unit within the development hereby permitted shall be occupied until the passing bay on the access driveway as shown on drawing no 0758-P-01(K) has been provided. The bay shall be constructed using a no-dig construction method and surfaced with a permeable surface. Details of the construction method and surfacing shall be submitted to and approved by the local planning authority prior to the commencement of the development and the development thereafter undertaken in accordance with the subsequently approved details.

Reason: In the interests of pedestrian and highway safety pursuant to policy T23 of the Maidstone Borough-wide Local Plan 2000.

### **Informatives set out below**

Attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and to the Associated British Standard Code of practice BS5228:1997 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the Environmental Health Manager regarding noise control requirements.

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

No vehicles may arrive, depart, be loaded or unloaded within the general site except between the hours of 0800 and 1900 Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

As an initial operation on site, adequate precautions shall be taken during the progress of the works to guard against the deposit of mud and similar substances on the public highway in accordance with proposals to be submitted to, and agreed in writing by the Local Planning Authority. Such proposals shall include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances.

During construction provision shall be made on the site, to the satisfaction of the Local Planning Authority, to accommodate operatives' and construction vehicles loading, off-loading or turning on the site. In addition, on-site parking for site personnel/operatives/visitors shall be provided and retained throughout the construction of the development.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.