

APPLICATION: MA/12/0616 Date: 31 March 2012 Received: 3 April 2012

APPLICANT: Clarendon Homes

LOCATION: 8, MANOR CLOSE, BEARSTED, MAIDSTONE, KENT, ME14 4BY

PARISH: Bearsted

PROPOSAL: Erection of 2(no) detached chalet bungalows including new vehicle access and all other associated works to replace existing dwelling as shown on fencing details, site location plan, Design & Access Statement, existing elevations and block plan received 03/04/12 and letter, proposed street elevation and drawing nos. 03C, 06 and 07 received 02/07/12.

AGENDA DATE: 9th August 2012

CASE OFFICER: Kathryn Altieri

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

- Councillor Ash, Councillor Springett and Bearsted Parish Council have both requested it be reported for the reasons set out in the report.

1.0 POLICIES

- Maidstone Borough-Wide Local Plan 2000: ENV6, T13
- South East Plan 2009: SP3, CC1, CC4, CC6, BE1, H4, H5, T4, NRM5
- Village Design Statement: N/A
- Government Policy: National Planning Policy Framework

2.0 HISTORY

- MA/12/0093 - Erection of 2(no) detached chalet bungalows including new vehicle access and all other associated works to replace existing dwelling – refused
- 54/0025/MK3 - The erection of ten dwellings - approved/granted with conditions
- 54/0025B/MK3 – bungalow – approved/granted

3.0 CONSULTATIONS

- Councillor Ash:

"If you are minded to approve this application, please report it to the planning committee, to give local residents, via one spokesperson, the opportunity to address the planning committee."

- Councillor Springett:

"If you are minded to approve it, I would like this amended planning application be sent to Planning Committee in order to allow the neighbours who oppose it to make their representations to the committee."

- Bearsted Parish Council wish to see the application refused;

"The further reduction in size of the two replacement dwelling houses and their setting back further into the application site does not overcome the Parish Council's previously held view that the shoehorning of two new dwellings onto the site will result in a poorly configured, cramped and unacceptable form of development, out of character with the surrounding street scene and detrimental to the amenity of the adjoining properties."

In addition, I need to remind you that although accepting that it is not a planning consideration, the Parish Council has previously informed you that it has been made aware of restrictive covenants on the application site that could legally prevent two dwellings from being built on it."

The following consultee responses were received for the previous application refused under MA/12/0093. The site and surrounding area has not significantly changed since these comments were received; and in terms of density, highway access, landscaping and ecology there have been no significant changes in circumstances and therefore considered still relevant;

- KCC Highways Officer: Raises no objections subject to conditions;

"1. As an initial operation on site, adequate precautions shall be taken during the progress of the works to safeguard 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 LPA. 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."

2. The area shown on the submitted layout as vehicle parking space or garages shall be provided, surfaced and drained to the satisfaction of the LPA before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space."

2. *Before the dwellings hereby approved are first occupied, a properly consolidated and surface access (not loose stone or gravel) shall be constructed, details of which shall have been submitted to and approved by the Local Planning Authority.*
3. *The hedging along the frontage shall be no greater than 600mm in height for a distance of 2m measured from the edge of the driveway and shall be subsequently maintained."*

- KCC Bio-Diversity Projects Officer: Raises no objections;

"No ecological information has been submitted with this application. We are satisfied that the site in its current state has minimal potential to impact protected species and we require no further information to be submitted for comment. We recommend that the current management is continued to ensure that the site remains unsuitable for protected species.

We were disappointed that the site has been recently cleared. From the aerial photos it appears that the site contains habitat which may have been suitable for protected species. An ecological survey should have been carried out prior to any work commencing to assess if any further surveys were required before works were carried out.

Enhancements must be incorporated in to the proposed development site to create habitat for biodiversity which may have been lost as a result of the clearing works. Recommendations include the inclusion of bat tiles/bricks/tubes within the new building, the creation of a wildflower area or planting native species hedgerows on the site."

- Landscape Officer: Raises no objections subject to conditions;

"The application does not contain any information about existing trees on the site. There are currently no significant trees on or adjacent to the site, although the 2008 aerial photograph suggests that the site contained a large number of trees, most of which have been felled recently. However, these appear to have mainly been old fruit trees, the removal of which I would not have considered a reason to refuse the application. Whilst there may have been little of individual value present, the character of the site was clearly quite green and I would expect any proposal for the site to reflect this, in the interests of biodiversity and local landscape character.

Several hedges currently remain, but I note that it is proposed to remove existing hedges on the perimeter of the site and to replace them with fencing. I would prefer to see these hedges retained, together with the additional hedge planting proposed (although hedging is usually supplied as bare root plants or if pot grown, would be unlikely to be supplied in 300mm pots as detailed).

Although the layout of the proposal does not allow much opportunity for new planting, I consider the proposed landscaping to be insufficient and unimaginative and recommend that a better quality scheme is required by condition."

- Environmental Health Officer: Raises no objections

4.0 REPRESENTATIONS

- 8 representatives (including the Bearsted and Thurnham Society) have objected over issues concerning;
 - The scale of the development
 - It being a cramped development
 - Inappropriate infilling
 - Cramped development
 - Its impact upon the character of the surrounding area
 - Parking and highway safety
 - Need for more affordable housing in area
 - Biodiversity
 - Loss of light
 - Drainage & foundation issues
 - Disturbance during construction phase of development
 - Covenant on the land

5.0 CONSIDERATIONS

5.1 Background information

5.1.1 A proposed development for two detached dwellings on this site was recently refused under MA/12/0093 for the following reasons;

1. *The proposed dwellings by virtue of their scale, design and siting, would create a cramped and visually incongruous development which would cause harm to the character and appearance of the area. This is contrary to the advice in PPS1 - Delivering Sustainable Development, PPS3 - Housing and policies CC1, CC6 and BE1 of the South East Plan 2009.*
2. *The proposed dwellings, by virtue of their bulky, awkwardly figured roof style, excessive width, choice of external materials and close relationship with one another, would constitute poor design, and would thereby fail to respond positively to the character of the area. This is contrary to the advice in PPS1 - Delivering Sustainable Development, PPS3 - Housing and policies CC1, CC6 and BE1 of the South East Plan 2009.*

5.1.2 Due to the poor design of the refused development, it would have appeared cramped within the site, to the detriment of the character of the street.

5.1.3 This resubmission has amended the scheme refused under MA/12/0093 as follows;

- The first 4m of each proposed unit (when measured from the front) reduced in width by 1m, with the rearmost part of the buildings having been reduced by 0.5m.
- At the closest point, this would now give a separation distance of some 5.6m between the two proposed dwellings, which is an increase of 1.8m.
- The over large barn-hipped inner-side projections to each unit have been removed, to be replaced by single rooflights.
- The outer-side dormer windows to each unit have been reduced in scale so that the hipped roofs are now set down 0.5m from the main ridge line.
- The alterations would see the ridge heights of the proposed dwellings marginally reduced by 0.15m.
- The inappropriate gable-end weatherboarding has been replaced with tile hanging at first floor level.
- Further planting has been shown to the front of the buildings.

5.1.4 Whilst informal discussions were held with the agent after MA/12/0093 was refused, there was no official written advice sought by the agent before this resubmission.

5.2 Site Description

5.2.1 The application site relates to an irregular shaped residential plot of land that is currently occupied by a detached, chalet-style bungalow (8 Manor Close) with side garage, flat roofed rear dormer window, greenhouse and existing vehicle access from the road. The site has been cleared of a number of, thought to be, fruit trees and a well established native hedge is found to the front. The site is largely enclosed by hedging/planting for boundary treatment and also includes post and rail fencing along the eastern and southern boundaries; and 1.8m close boarded fencing along the rearmost section of the western boundary.

5.2.2 Manor Close is a quiet cul-de-sac within the urban area and parish of Bearsted and the application site itself is sited at the eastern most end of this road, adjacent to the turning head. Manor Close is largely characterised by detached bungalows and chalet-styled bungalows of differing scale, design and age, although it should also be noted that the properties in Manor Court (accessed at the western end of Manor Close) are two storey and clearly noticeable from Manor Close (in particular 1 & 3 Manor Court). To the rear of the site is the Bearsted Scout Group hut and grounds and a public footpath (KM76) runs in a

general east to west direction along the southern boundary of the application site.

5.2.3 The application site does not fall within any other specially designated economic or environmental area, as shown by the Maidstone Borough-Wide Local Plan 2000.

5.3 Proposal

5.3.1 This proposal is an amended scheme to MA/12/0093 and is still for the erection of two detached chalet-style bungalows to replace the existing dwelling currently on site.

5.3.2 Set back some 13m from the road, the two properties would be of similar design and handed in appearance. Each dwelling would have the following;

Ground floor

- One bedroom (with ensuite)
- Kitchen/dining area
- Living room
- Conservatory
- W.C/attached single garage/Utility room

First floor

- Two bedrooms
- Bathroom

5.3.3 The front and rear elevations of both dwellings would have a barn-hipped end; and each outer-side flank would have an individually hipped dormer window. When measured from the front elevation, the two properties would have a main ridge height of some 6.45m from ground level and from the barn-hipped end an eaves height of some 4.9m. When measured from the side flanks, the eaves height would be some 2.25m in height from ground level. In terms of width, the front elevation of each property would measure some 6.9m wide (some 9.9m when including the garages) and the depth of each property would be some 12m (some 15.6m when including the conservatories).

5.3.4 In terms of external materials, the following has been annotated;

- Redland Duo Plain roof tiles
- Stock facing brickwork at ground floor level
- Plain tile hanging to dormer windows and gable-ends

5.4 Principle of development and sustainability

5.4.1 Since MA/12/0093 was refused, the National Planning Policy Framework (NPPF) has superseded all Planning Policy Statements and Guidance. However, Development Plan policy and central Government guidance contained within the

NPPF still encourages new housing in sustainable urban locations, which is where this site is found.

5.5 Design, siting and appearance

- 5.5.1 The revised scheme has been assessed to ascertain whether the previous reasons for refusal have been overcome.
- 5.5.2 Manor Close is typically characterised by simply designed detached bungalows and chalet-style bungalows set in relatively large plots with good separation distances between each one (not including the subordinate single storey side extensions/garages). I am of the view that whilst there is no distinct building line, Manor Close does benefit from a sense of openness with how the buildings are scaled, set and designed.
- 5.5.3 Given the amendments to this proposed scheme, I consider that it would no longer disrupt this informal pattern of development, as the two dwellings at the pinch point would now have a 5.6m gap, widening to more than 14m towards the rear. The ridge heights of the two proposed dwellings would be lower than the ridge lines of both 7 and 9 Manor Close; and the orientation of each dwelling would give a good sense of space, which would be positively more apparent with the reduced width of each unit, the reduced ridge height, the removal of the awkward and bulky barn-hipped side projections and the reduced bulk of the outer-side dormer windows. Moreover, there would be more than 9m of separation from the two proposed dwellings (not including the garages) and the main houses at 7 and 9 Manor Close. I am therefore of the view that this more simply designed and better proportioned proposal would no longer appear as a cramped and unacceptable cumulative mass of built form, but a cohesive development in terms of the visual integrity of the street.
- 5.5.4 The removal of the barn hipped end side projection, the reduction of the bulk of the outer-side dormers, together with the narrowing of both dwellings, the reduction in ridge height and the addition of the more suitable tile hanging is considered to be an improvement to previous refusal MA/12/0093, in that it would relate more sympathetically to the existing neighbouring dwellings and the surrounding area.
- 5.5.5 A public footpath (KM76) does run past the southern boundary of the site and the development would be visible from this public vantage point. However, given that the site is already in residential use and within the built up urban area, I do not consider that this development would appear visually incongruous, enough to justify refusal alone. The retained boundary hedging, the proposed landscaping and the significant set back of the dwellings from any public

highway would also ensure that this proposed development would not appear over dominant when viewed from public viewpoints.

5.5.6 In my opinion, this resubmission would no longer appear as a poorly designed, cramped and visually incongruous development and therefore has positively overcome the previous reasons for refusal.

5.6 Residential Amenity

5.6.1 Existing shared boundary treatments and the garages of 7 and 9 Manor Close would maintain acceptable levels of privacy at ground floor level for the occupants of these neighbouring properties. Moreover, the only first floor opening to overlook either of these neighbours would serve a bathroom (Plot 1 over 7 Manor Close and Plot 2 over 9 Manor Close). These openings will be conditioned to be obscure glazed and fixed shut except for a fan light 1.7m above floor level, in order to maintain acceptable levels of privacy for the occupants of these properties.

5.6.2 The main dwelling proposed for Plot 2 (not including the garage) would be more than 9.5m away from 9 Manor Close; and the main dwelling proposed for Plot 1 (not including the garage) would be more than 9m away from 7 Manor Close. Given these separation distances and the set back of both proposed dwellings away from the immediate neighbours, it is my view that the development would not result in a significant loss of light or outlook to any of their habitable rooms or immediate outdoor amenity space.

5.6.3 The proposed driveways would be adjacent to the driveways of 7 and 9 Manor Close. I do not consider this unreasonable and have no concern in terms of general disturbance to the occupants of these properties in terms of traffic generated noise.

5.6.4 Given the proposed siting of the two new dwellings; the proposed boundary treatments; and the arrangement of the fenestration detail, I am of the view that neither property would have an adverse impact upon the amenity of the other.

5.6.5 No other property would be within a significant distance of this development to have their residential amenity adversely affected.

5.6.6 Therefore, given the proposal's scale, design, orientation and location, I do not consider that it would have a significant detrimental impact upon the residential amenity of any neighbour, in terms of loss of light, privacy and outlook.

5.7 Amenity for Future Occupiers of new dwellings

5.7.1 The fenestration arrangements of the new dwellings would result in acceptable levels of outlook, daylight and privacy for the occupants. The proposed outdoor amenity space is also considered sufficient.

5.8 Highways

5.8.1 The proposal would retain the existing vehicle access for plot 1 (eastern side of plot) and would involve the creation of an additional vehicle access for plot 2 (western side of plot). Each plot would have three car parking spaces, including the attached garages. The site is within a sustainable area, within walking distance of local amenities and bus routes; and it should also be noted that the '*Kent Design Guide - Residential Parking*' has not been formally adopted by Maidstone Borough Council and that there are no minimum or maximum parking standards that residential development has to adhere to. With everything considered, I take the view that the proposed level of parking is acceptable and reasonable.

5.8.2 Manor Close is an unclassified, quiet cul-de-sac where vehicles should not be travelling at any great speed. So whilst there is no vehicle turning areas for the two plots, I am of the view that the vehicle movements generated by the proposal would not result in a frequency of use that would be detrimental to highway safety. Furthermore, the majority of properties along Manor Close (including the application site) do not have turning areas and there is no record of traffic related incidents to warrant concern over an additional vehicle entrance being created (existing access is to remain). I also consider it unacceptable to ask for additional hardstanding, as this would have a detrimental impact upon the visual amenity of the area.

5.8.3 Moreover, I consider it unreasonable to condition set visibility splays for both accesses, given that the front hedge and one of the access points already exists; and given the low frequency of use and location sited at the end of a quiet cul-de-sac. In terms of visual amenity, I am of the opinion that as much of the front hedge is retained as possible.

5.8.4 I therefore believe that this proposal would not generate significant enough vehicle movements to and from the sites, to justify refusal on the grounds of highway safety.

5.9 Landscaping

- 5.9.1 There are currently no significant trees on or adjacent to the site although there are a number of hedges within and around the site. The proposal does largely show the retention of the boundary hedging that surrounds the application site and I will ensure that this planting is retained and bolstered by way of condition.
- 5.9.2 Concern has been raised that there is no gap between the proposed driveways and the retained outer hedges. It has been advised that the driveways should therefore either be of no-dig, permeable construction (which will raise finished levels above existing) in order to ensure the successful retention of the hedge. To ensure the retention of the boundary hedging, full details of the driveway construction methods will be requested by way of condition.
- 5.9.3 After consultation with the Council's Landscape Officer, I consider the overall landscaping scheme to be acceptable subject to further information being obtained by way of condition.

5.10 Ecology

- 5.10.1 The site has been largely cleared and so as conceded by the KCC Biodiversity Projects Officer under MA/12/0093, "*...the site in its current state has minimal potential to impact protected species*". I still consider these comments to be relevant and so whilst there may have been habitat which may have been suitable for protected species, there is no way of now proving this.
- 5.10.2 Further enhancements to the scheme will be requested by way of conditioned, those being the introduction of swift bricks and/or bat boxes and details of rear boundary treatments to incorporate a minimum gap of 150mm from ground level;
- 5.10.3 I therefore do not consider there to be any significant issues with regards to a possible impact upon protected species and consider it unjustified to request any further details with regards to ecology or biodiversity.

5.11 Other Matters

- 5.11.1 This proposal would seek to achieve Code Level 3 of the 'Code for Sustainable Homes', to ensure a sustainable and energy efficient form of development.
- 5.11.2 The site is not within a Flood Zone, as designated by the Environment Agency and is not within close proximity of any noticeable watercourse. Therefore, this development would not be prejudicial to flood flow, storage capacity and drainage within the area.

6.0 CONCLUSION

- 6.1 The comments raised by Bearsted Parish Council and the neighbours have been dealt with in the main body of this report. However, I would like to add that a proposed development for two houses does not need to provide any level of affordable housing; issues with regards to foundation works and sewers are covered by separate legislation; and a private covenant on the land is a civil matter and not a material planning consideration.
- 6.2 For the reasons outlined above, I consider the development would not cause any demonstrable harm to the character of the area, it would not harm the amenities of existing residents and it would provide sufficient parking. It is therefore considered overall that the proposal is acceptable with regard to the relevant provisions of the Development Plan, the National Planning Policy Framework and all other material considerations such as are relevant. I therefore recommend conditional approval of the application on this basis.

7.0 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 building(s) hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development. This is in accordance with polices CC1, CC4, CC6 and BE1 of the South East Plan 2009 and the National Planning Policy Framework.

3. The development shall not commence until details of the proposed materials (not loose stone or gravel) to be used in the surfacing of the parking areas within the site have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the

subsequently approved details;

Reason: To ensure that the development positively responds to the character and appearance of the locality and to ensure highway safety. This is in accordance with polices CC1, CC4, CC6 and BE1 of the South East Plan 2009 and the National Planning Policy Framework.

4. Before the development hereby permitted is first occupied, the proposed first floor bathroom windows to both properties shall be obscure glazed and shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such;

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of existing and prospective occupiers. This is in accordance with the National Planning Policy Framework.

5. Notwithstanding the boundary treatments shown on drawing no. 03C received 02/07/12, the development shall not commence until details of rear boundary treatments to incorporate a minimum gap of 150mm from ground level have been submitted and maintained thereafter;

Reason: In the interests of ecology and biodiversity pursuant to the National Planning Policy Framework.

6. The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall be in accordance with BS 5837 (2012) 'Trees in relation to design, demolition and construction - Recommendations' with 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 and shall include the following;

- i) the retention and details of the reinforcement of the existing hedges along the outer boundaries of the site (that are within the application site);
- iii) the retention of the front boundary hedge as shown on drawing no. 03C received 02/07/12;
- iii) details of the species, size, density and location of all new planting within the site;
- iv) the planting of two nursery standard sized trees to the front of the site.

Reason: In the interests of visual amenity. This is in accordance with policy ENV6

of the Maidstone Borough-Wide Local Plan 2000 and the National Planning Policy Framework.

7. 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 five 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. This is in accordance with policy ENV6 of the Maidstone Borough-Wide Local Plan 2000 and the National Planning Policy Framework.

8. The development shall not commence until full details of the driveway construction have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details;

Reason: To ensure the retention of existing boundary hedging and a satisfactory appearance to the development. This is in accordance with policy ENV6 of the Maidstone Borough-Wide Local Plan 2000 and the National Planning Policy Framework.

9. 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, Class(es) A, B, C, D, E, F, and G shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character and appearance of the development and the enjoyment of their properties by existing and prospective occupiers. This is in accordance with the National Planning Policy Framework.

10. The dwellings shall achieve Level 3 or better of the Code for Sustainable Homes. The dwellings shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 or better has been achieved;

Reason: To ensure a sustainable and energy efficient form of development. This is in accordance with the National Planning Policy Framework.

11. 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 provision is likely to lead to parking inconvenient to other road users and in the interests of road safety. This is in accordance with the National Planning Policy Framework.

12. The development shall not commence until details of a scheme of foul and surface water drainage for the site have been submitted to and approved by the local planning authority. The development shall thereafter be carried out in accordance with the subsequently approved details;

Reason: To ensure adequate drainage arrangements. This is in accordance with the National Planning Policy Framework.

13. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways;

Reason: To prevent pollution of the water environment. This is in accordance with the National Planning Policy Framework.

14. The development shall not commence until details of the following have been submitted to and approved in writing by the Local Planning Authority;

i) details of the provision of swift and/or bat boxes within the development.

Reason: In the interests of ecology and biodiversity pursuant to the National Planning Policy Framework.

15. The development hereby permitted shall be carried out in accordance with the following approved plans: proposed street elevation and drawing nos. 03C, 06 and 07 received 02/07/12;

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

with the National Planning Policy Framework.

Informatives set out below

Pursuant to condition 8, the applicant is advised that the driveways should be of no-dig, permeable construction where necessary to prevent damage to roots of retained hedges.

In order to minimise dust and dirt being blown about and potentially causing a nuisance to occupiers of nearby premises the following precautions should be taken.

- Reasonable and practicable steps should be used during any demolition or removal of existing structure and fixtures, to dampen down the general site area, using a suitable water or liquid spray system.
- Where practicable, all loose material on the site should be covered during the demolition process.
- During the construction, reconstruction, refurbishment or modification of the building and where practicable the exterior should be sheeted, enclosing openings etc. as necessary.

Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed.

Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.

Clearance and burning of existing woodland or rubbish must be carried out without nuisance from smoke etc to nearby residential properties. Advice on minimising any potential nuisance is available from the EHM.

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.

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

Adequate and suitable provision in the form of water sprays should be used to reduce dust from the site.

Provision should be made for the separate storage of recyclables from household waste. Advice on recycling can be obtained from the Environmental Services Manager.

The developer may be required to produce a Site Waste Management Plan in accordance with Clean Neighbourhoods and Environment Act 2005 Section 54. This should be available for inspection by the Local Authority at any time prior to and during the development.

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.

The importance of notifying local residents in advance of any unavoidably noisy operations, particularly when these are to take place outside the normal working hours is advisable.

Where possible, the developer shall provide the Council and residents with a name of a person and maintain dedicated telephone number to deal with any noise complaints or queries about the work, for example scaffolding alarm misfiring late in the night/early hours of the morning, any over-run of any kind.

Attention is drawn to Sections 60 & 61 of the COPA 1974 and to the Associated British Standard COP BS 5228:2009 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 EHM regarding noise control requirements.

In order to avoid future conflict with the trees to be planted to the front of the site, it is advised that the location of the soakaways is reconsidered.

The applicant is encouraged to create a wildflower area within the site.

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.