

APPLICATION: MA/13/1434 Date: 25 July 2013 Received: 23 August 2013

APPLICANT: Mr Roy Davis, Hospital Estates

LOCATION: MAIDSTONE HOSPITAL, HERMITAGE LANE, MAIDSTONE, KENT, ME16 9QQ

PARISH: Maidstone

PROPOSAL: Reduction of land levels to form extension to existing car park including external lighting, landscaping and associated works as shown on Kent Historic Environmental Record, Arboricultural Survey and Arboricultural Impact Assessment, Column lighting detail, Desk Study and Extended Phase 1 Habitat Survey, Reptile Survey, Stage 1 Bat Inspection, Design & Access Statement and drawing nos. JMSH101/100017/1, JMSH101/9999/1, 03-1133-P1, P2, P3 & P4 received 16/08/13, Transport Statement received 19/08/13 and amended drawing no. JEC/328/01 received 11/11/13.

AGENDA DATE: 21st November 2013

CASE OFFICER: Kathryn Altieri

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

- Councillor Harwood has requested it be reported to Planning Committee.

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: ENV6
- Government Policy: National Planning Policy Framework

2. RELEVANT HISTORY

- MA/12/1219 - Reduction of land levels to form extension to existing car park. Works to include drainage and external lighting (resubmission of MA/11/0732) – Withdrawn
- MA/11/0732 - Clearance of trees and reduction of land levels to form an extension to the existing car park. Works to include drainage and lighting – Withdrawn

3. CONSULTATIONS

3.1 **Councillor Harwood:** Raises objections;

- 3.1.1 *"Please can I formally request, as a Planning Committee spokesman, that this application is reported to Committee if an officer recommendation of approval. The rationale for my request being the level of local public concern at the extent of semi-natural green space and its wildlife currently threatened by a number of significant green field development proposals. Further, there is a body of interested opinion that suggests this car park proposal will not yield the number of additional spaces required by the hospital and that a more radical approach is required (decked parking on the existing car park footprint has been mooted)."*
- 3.2 **KCC Highways Officer:** Raises no objection;
- 3.2.1 *"A survey of current parking patterns indicates that there is often a shortage of staff and visitor parking spaces on site. Vehicular access is to be gained via the existing main access to the site from Hermitage Lane and a pedestrian access to the parking area is to be relocated further along Hermitage Lane to link with the existing footway. The additional parking provision is not likely to lead to any significant increase in traffic and will ease current parking problems on site."*
- 3.3 **KCC Biodiversity Officer:** Raises no objection with recommended condition;
- 3.3.1 *The Desk Study and Extended Phase 1 Habitat Survey, Stage 1 Bat Inspection and Reptile Survey reports have been submitted in support of this application. The Desk Study and Extended Phase 1 Habitat Survey identifies the potential for impacts to nesting birds, common toads, hedgehogs and bats. Recommendations to avoid impacts to nesting birds, common toads and hedgehogs are provided (sections 7.1.3 and 7.1.4). We advise that these measures are secured by condition as part of an ecological mitigation strategy for the site.*
- 3.3.2 *The Stage 1 Bat Inspection reports the results of the tree assessment for bat potential. The trees within the proposed development site and buffer strip have been assessed as of negligible potential for roosting bats. No further survey work for bats is therefore necessary at this time. We advise that trees within the retained woodland were not assessed and may support roosting, foraging and/or commuting bats. We therefore recommend that any lighting required in relation to the proposed development is sensitive to bats by implementing the recommendations in Bats and Lighting in the UK, a summary of which is provided at the end of this note.*
- 3.3.3 *The Reptile Survey reports that during the seven survey visits one grass snake was recorded. It is stated that the survey was "undertaken during the optimal time of year for surveys for this species group and during suitable weather conditions". While the timing and reported temperatures could ordinarily be appropriate, April 2013 followed a long, cold winter and the coldest March since 1962. As such April 2013 should not be considered an optimal survey month as many reptiles were still in the process of emerging from hibernation. Given the shortcomings in the survey method, the results are uncertain and we are unable to agree that the proposed mitigation method is acceptable. We advise that further survey results are required to ensure that the conclusions are robust and that Maidstone BC is adequately addressing the potential for harm to protected species. Surveys undertaken in respect of proposed developments on adjacent land could help to inform the likelihood of reptile presence.*

- 3.3.4 *One of the principles of the National Planning Policy Framework is that "opportunities to incorporate biodiversity in and around developments should be encouraged". As it stands, the proposed development will result in a loss of semi-natural habitat, with some replanting of native tree and shrub species at part of the woodland edge and Hermitage Lane boundary. Areas of grassland are also proposed but will be 'regularly mown'. We would like to see limited management of the areas of soft landscaping so that it forms a natural edge to the woodland habitat and advise that the area planted as 'Mix A' should border the whole of the woodland edge to form a buffer that deters access to the area of ancient woodland."*
- 3.3.5 I am conscious that the applicant has made the best efforts to obtain acceptable reptile survey results in a month that would usually be acceptable as an "optimal time", and so I did go back the Biodiversity Officer and questioned if, in this specific instance, this issue could be dealt with by way of a prior to commencement condition. In response, the Biodiversity Officer states;
- 3.3.6 *"There are surveys available for the adjacent land, as it is within the 'Land east of Hermitage Lane' development which is now a live application with information available on your planning portal. I have had a look through the documents and unfortunately the survey report doesn't give as much information as I would have expected so there isn't that much evidence to go on. The best that can be concluded is that there are three species of reptile present within the area and for the purposes of the 'Land east of Hermitage Lane' survey there were low numbers recorded (though I am not convinced that the survey is as good as it should be).*
- 3.3.7 *In my opinion there is potential for all three species to be present on the proposed car park site, further surveys might not give much more than this so if you wish to use planning conditions, I recommend:*

No development shall take place (including any demolition, ground works and site clearance) until a method statement for ecological mitigation and enhancement has been submitted to and approved in writing by the local planning authority, the content of the method statement shall include the following:

- a) Purpose and conservation objectives for the proposed works;*
- b) Review of site potential and constraints;*
- c) Detailed design(s) and/or working method(s) necessary to achieve stated objectives;*
- d) Extent and location/area of proposed works on appropriate scale maps and plans;*
- e) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;*
- f) Persons responsible for implementing the works;*
- g) Details of initial aftercare and long-term maintenance*

The method statement shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

3.3.8 *This does not change our other comments relating to lighting and the management of the landscaped areas for the benefit of reptiles and protection of the ancient woodland."*

3.4 **Natural England:** Raises no objections.

3.5 **Kent Wildlife Trust:** Raise no objection;

3.5.1 *"I have no objection in principle to the car park extension. The woodland and the hedgerows alongside the footpath to the north of the car park serve as a crucial natural corridor connecting the remnant ancient woodland block further to the north-east with its larger neighbour to the west, Fullingpits Wood. The corridor is likely to be particularly valuable for foraging bats. It is important therefore, that conditions are imposed to secure implementation of the proposed landscape scheme and a car park lighting scheme that is designed to avoid any light spillage onto the woodland and hedgerow."*

3.6 **Landscape Officer:** Raises no objections with recommended condition;

3.6.1 *"The site is dominated by recently planted mixed species broadleaved woodland (numbered as W2 on the tree survey) that is establishing well with many species now reaching 3m in height. An area of ancient woodland consisting of lapsed Sweet Chestnut coppice lies to the northwest corner of the site. This area of woodland has been numbered as W1 on the tree survey. The impact assessment confirms that a total of 11 individual trees and an area of approximately 39% of the young recently planted woodland (identified as W2 on the tree survey) will need to be removed in order to construct the car park extension. The majority of these trees have been designated as category C trees (trees of low quality under BS5837:2012). Given the low grading of the trees to be removed to implement the scheme and the fact that the location of the car park is at least 37m from the edge of the area of semi natural ancient woodland growing to the northwest corner of the site, I can see no arboricultural grounds to refuse the application, provided the need for the development outweighs the loss of the small area of young woodland. Should you be minded to approve this scheme suitable tree protection conditions should be applied.*

3.6.2 *With regards to the proposed mitigation scheme as shown on the planting proposals plan, I would suggest the following change of species:*

*Replace London Plane with Hornbeam (Carpinus betulus "Frans Fontaine")
Replace Double flowering Cherry (Prunus avium Plena) with just Wild Cherry (Prunus avium)
Replace Betula costata with Small leaved Lime (Tilia cordata)*

3.6.3 *A management program of not less than 5 years should also be submitted to ensure the successful establishment of the proposed landscaping."*

3.7 **Environmental Health Officer:** Raises no objections;

3.7.1 *"The lighting report submitted with the application clearly shows that within 25m of the installation, the illuminance levels fall well below that of concern; and there are also obstacles in between the nearest property and the car park which will screen any lighting*

further. It is my considered view therefore that no residential property will be adversely affected by this scheme and in particular the lighting units."

3.8 Environment Agency: Raise no objection;

3.8.1 *"We have assessed this application as having a low environmental risk. We therefore have no comments to make."*

3.9 Conservation Officer: Raises no objection;

3.9.1 *"There will be no impact on the settings of any of the listed buildings at the former Oakwood Hospital site given the large distance of the development site from them and the intervening substantial buildings of the modern hospital. However, given the large number of archaeological finds and sites in close proximity I recommend that a condition requiring an archaeological watching brief be attached."*

3.10 KCC Archaeological Officer: Raises no objection with recommended condition;

3.10.1 *"The site lies in an area of Bronze Age, Iron Age and Roman activity, including settlement and burial. Comparatively intensive remains have been found both to the north and east and associated features could survive within the area to be lowered. As such I recommend the following condition is placed on any forthcoming consent:*

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded."

3.11 Parking Services: Raise no objections.

3.12 Tonbridge and Malling Borough Council: Raise no objection.

4. REPRESENTATIONS

4.1 One neighbour representation has been received raising no objection to the proposal, although this neighbour also questions whether there can be a more efficient scheme put forward to maximise on site parking.

5. CONSIDERATIONS

5.1 Site description/background information

5.1.1 Maidstone Hospital occupies a large site close to the north-western boundary of the Maidstone Borough. Its main vehicle access points are from Hermitage Lane, with the main hospital buildings located some 250m to the north of the

junction with Oakapple Lane. More specifically, the application site is an undulating area of grass/coppiced woodland and scrub surrounding an existing parking area, in the north-western corner of the hospital. The application site's south-western boundary is close to Hermitage Lane; a wooded area/scrub lies beyond the site to the north, adjacent to a public footpath (KB18); and an existing hospital building is to the immediate east of the site (believed to be a crèche).

- 5.1.2 In general terms, the hospital is surrounded by densely built residential properties to the east and south, with a more open feel in terms of landscape to the west and north. The application site is within the defined urban area, as shown by the Maidstone Borough-Wide Local Plan 2000; and does not fall within any other specially designated economic or environmental areas.
- 5.1.3 Please note that withdrawn planning application MA/11/0732 was for a larger car park that was deemed unacceptable; and that MA/12/1219 was for the same development as what is now being considered, but withdrawn to carry out further ecological work.

5.2 Proposal

- 5.2.1 The proposal is for the extension of an existing car park to the north-west of the hospital site that would involve the lowering of the site's land level and the installation of 5m high external lighting columns. The excavated material would be removed from the site.
- 5.2.2 156 car parking spaces would be provided by this proposal, in addition to the 1316 existing car spaces at the hospital (855 for staff, 418 for visitors & 43 for the mobility impaired). This proposal would see a 12% increase in the level of parking provision on site.
- 5.2.3 The proposed extension to the car park is to provide additional staff parking, to help cope with new facilities and departments moving to Maidstone Hospital such as Cellular Pathology, a new birthing unit and various administrative departments moving from Tunbridge Wells. Providing this car park extension would facilitate the relocation of existing car parking towards the rear of the hospital, improving patient accessibility to other units such as the Eye, Ear and Mouth Unit, Peggy Wood Breast Care Screening Unit, Pre-assessment Unit and the Pharmacy.

5.3 Principle of development

- 5.3.1 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development which should be seen as a golden thread running through decision-taking.
- 5.3.2 The submitted Transport Statement states that there is more demand for spaces than there is capacity during the day, leading to indiscriminate parking within the hospital site. The statement also states that the hospital's current Travel Plan (2009) is being updated and although it is not possible to compare the recent success of this plan against the objectives it set (given that it is being updated), it is possible to consider the surveys completed in 2004 and 2009. These surveys showed that over this five year period, single occupancy vehicle use by staff did noticeably decrease, falling from 84.6% to 77.5%. This does demonstrate that the hospital has made some effort to reduce car use. Notwithstanding this, the Travel Plan still acknowledges that at peak clinic times on-site parking demand exceeds parking capacity.
- 5.3.3 Although the Transport Statement does not appear to have gone through a sequential assessment of alternative travel plans before arriving at this proposal to extend this car park, reference has been made to how the hospital is trying to encourage more sustainable modes of transport for staff. I also give allowance to the fact that staff and visitors do come and go at all hours of the day, so it is more difficult to make full use of public transport and car-sharing schemes; and visitors may have medical reasons to not use public transport. With this considered and because the proposal would not appear visually harmful, I do not regard it as necessary in this instance to pursue this issue further.
- 5.3.4 This proposal would extend the existing hospital parking provision by 12%; it is agreed that the number of increased traffic movements to and from the hospital as a result of this development would not be significant; the site is within the defined urban area; and it would help ease the current parking problems for the hospital and the surrounding residential area. I am therefore satisfied that this proposal would be a sustainable form of development and would be in accordance with the National Planning Policy Framework.
- 5.3.5 There is no Development Plan policy that specifically relates to this type of development within the urban area.

5.4 Design, siting and appearance

- 5.4.1 The proposed development would be located close to Hermitage Lane and the public footpath to the north of the site (KB18), so its visual impact from these public highways does need to be assessed.

- 5.4.2 The application site is generally set on higher ground than Hermitage Lane but it is for the most part screened from the road by the site's existing boundary hedging. The proposal would see land put over to hardstanding, but I am of the view that the proposed change in land levels and the existing and proposed planting put forward by the applicant, would ensure that this development would not have a significant adverse impact on the character of the area. Furthermore, the dense wooded area to the north of the site would ensure very limited views of the proposal when approaching the site from the north-west along Hermitage Lane; and when approaching the site from the south-east along Hermitage Lane, there would be no long views of the development, given the direction of the road, the topography of the land and the existing planting.
- 5.4.3 I am also of the view that the proposal, given its location, would not inappropriately extend built development within the site to an unacceptable level. Indeed, the car park would be naturally bordered by the existing woodland and footpath to the north of the site; by Hermitage Lane to the south-west; and by the existing crèche building and associated parking to the east of the site. The proposal would also be largely screened when viewed from the public footpath that runs in a general east to west direction (to the north of the site), by the existing well established planting that is to be retained between the application site and this footpath.
- 5.4.4 To emphasise again, the submitted landscaping scheme shows the retention of the planting along the south-western boundary of the site; new planting of native trees/shrubs behind this existing hedge; and further planting to the north/north-west of the site. The proposal would also be 30m away from the edge of the area of semi-natural ancient woodland growing to the northwest corner of the site; and I am satisfied that the development would not cause unacceptable prejudice to this woodland or green space. I consider a suitable landscaping scheme (to be ensured by way of condition) would enhance the setting of the proposed car park, whilst further reducing its visual impact.
- 5.4.5 The site would not be significantly visible, in terms of short, medium and long views from any other public vantage point. I also have no strong objection to the number and positioning of the proposed lighting columns. I am therefore of the view that this proposal would not appear visually dominant or incongruous when viewed from any public highway, but a well screened development read very much in context with its hospital location. The application site is within the designated urban area, there is no direct policy against this type of development, and I am of the opinion that the detail of the scheme is acceptable.

5.5 Ecology

- 5.5.1 The applicant has submitted a Desk Study and Extended Phase 1 Habitat Survey, a Stage 1 Bat Inspection report and a Reptile Survey report. The reports do identify the potential for the proposal to have an impact to nesting birds, common toads, hedgehogs and bats. Given this recognised potential harm and after taking advice from the KCC Biodiversity Officer, I do consider it reasonable to secure the recommendations made in sections 7.1.3 and 7.1.4 of the Desk Study and Extended Phase 1 Habitat Survey by way of condition to form part of an ecological mitigation strategy for the site.
- 5.5.2 The Stage 1 Bat Inspection report has shown there to be negligible potential for roosting bats within the site and adjacent to the site. As such, the Biodiversity Officer is satisfied that no further survey work for bats is therefore necessary at this time. However, the report did not assess the retained woodland and so the applicant will be advised by way of an informative that any lighting required in relation to the proposed development is sensitive to bats by implementing the recommendations in Bats and Lighting in the UK.
- 5.5.3 The National Planning Policy Framework states that "*opportunities to incorporate biodiversity in and around developments should be encouraged*". In line with this, the applicant has agreed to provide little maintenance to the area of grassland next to the woodland, so that a natural edge to the woodland is formed; and plant 'Mix A', as shown on the landscaping drawing, will border the entire woodland edge to form a buffer that deters access to the area of ancient woodland (ensured by way of condition).
- 5.5.4 The results of the Reptile Survey showed 1 grass snake recorded. Whilst the timing and reported temperatures in this report could ordinarily be appropriate, April 2013 did follow a long, cold winter. The Biodiversity Officer is of the view that April 2013 should not be considered an optimal survey month as many reptiles were still in the process of emerging from hibernation. However, I am conscious that the applicant has made the best efforts to obtain acceptable reptile survey results in a month that would usually be acceptable as an optimal time, and relayed this back to the Biodiversity Officer.
- 5.5.5 In response, and based on the information available, the Biodiversity Officer surmised that there are three species of reptile present within the area, and that there is potential for all three species to be present on the proposed car park site. This said, it has been conceded that further surveys might not give much more information than this, and so in this instance it is agreed that a pre-commencement condition dealing with this issue is suitable and reasonable. This condition will request that a method statement for ecological mitigation and enhancement has been submitted to and approved in writing by the local

planning authority. The specific detail required in this method statement has been set out in the condition duly recommended.

5.5.6 Subject to the imposition of relevant conditions and receipt of appropriate mitigation strategies, I am satisfied that this proposal would not have a significant adverse impact on the ecology and biodiversity of the site and surrounding area, and therefore raise no objections in this respect.

5.6 Arboricultural/landscaping matters

5.6.1 The applicant has submitted an Arboricultural Survey (AS) and Arboricultural Impact Assessment (AIA), and the Council's Landscape Officer is satisfied that an accurate assessment of the trees present on the site has been given. As set out, the site is dominated by recently planted mixed species broadleaved woodland; and there is an area of ancient woodland (lapsed Sweet Chestnut coppice) that lies to the northwest corner of the site.

5.6.2 The AIA sets out that the proposal would involve the removal of eleven individual trees and an area of approximately 39% of the young recently planted woodland. The majority of these trees have been designated as category C trees (trees of low quality under BS5837:2012).

5.6.3 Given the low grading of the trees to be removed, and given that the proposal is more than 30m away from the edge of the area of semi-natural ancient woodland growing to the northwest corner of the site, the Landscape Officer confirms that this proposal cannot be refused on arboricultural grounds. I have no reason to question this view and subject to a tree protection condition, raise no objections to this proposal on this issue.

5.6.4 After further advice from the Landscape Officer, the applicant has also agreed to amend the planting scheme (as shown on drawing no. JEC/328/01 received 11/11/13. Indeed, the London Plane will be replaced with Hornbeam; the Double flowering Cherry will be replaced with Wild Cherry; and the Birch will be replaced with Small leaved Lime. A management programme of not less than 5 years will also be requested by way of condition to ensure the successful establishment of the proposed landscaping.

5.7 Highway safety implications

5.7.1 The KCC Highways Officer is satisfied that the additional car parking spaces would not result in a significant increase in traffic movements to and from the hospital, with a worse case scenario of an additional 35 car movements being generated in the morning peak hour and 18 during the evening peak hour; and no alterations are proposed to the existing vehicular access onto any public

highway. Moreover, the footpath connecting Hermitage Lane with the hospital at this point in the site would be relocated immediately to the south of the car park, so pedestrian access would be unaffected by this proposal.

5.7.2 I am therefore satisfied that the proposal would ease the current parking problems on site; it is not likely to generate any significant increase in traffic movements; and it would not be to the detriment of highway safety or capacity. The KCC Highways Officer and the Council's Parking Services also raise no objection.

5.8 Residential amenity

5.8.1 No residential property would be within 70m of the proposal and so I am therefore satisfied that the proposal (including the lighting columns) would not have a significant impact on the residential amenity of any property, enough to justify refusal alone. The Council's Environmental Health Officer has also raised no objection in terms of the potential impact of the lighting proposed upon local residents.

5.9 Other matters

5.9.1 No specific details relating to a scheme of foul and surface water drainage has been submitted with the application. To ensure there will be adequate drainage arrangements and to prevent pollution of the water environment, I do consider it reasonable to ask for these details prior to the commencement of any works.

5.9.2 After consultation with the KCC Archaeological Officer, it has been confirmed that the site lies in an area of Bronze Age, Iron Age and Roman activity, including settlement and burial. In addition, remains have been found to the north and east of the site and it is reasonably thought that other associated features could survive within the application site. I therefore consider it reasonable to impose a pre-commencement condition for the implementation of a programme of archaeological work to be secured.

5.9.3 The site is not within a Flood Zone, as designated by the Environment Agency, and it is not within close proximity of any noticeable watercourse. I take the view that this development would not be prejudicial to flood flow when compared to what exists on site already.

5.9.4 The Council's Environmental Health Officer confirmed there is no evidence of the site having any potential sources of historic or current contamination; and that no conditions are necessary in regards to air quality.

6. CONCLUSION

- 6.1 One neighbour representation gave conditional support subject to an amended scheme. However, I can only assess the merits of what has been applied for and cannot enter into discussions on changing parking arrangements elsewhere within the hospital grounds. In terms of the objections raised by Councillor Harwood, I can again only assess the merits of what has been applied for; and I am satisfied that the arboricultural and ecological impact of the proposal would not be so significant as to warrant refusal.
- 6.2 I consider that this proposed development would not cause any demonstrable harm to the character and appearance of the area, and would not significantly harm the landscape and ecology of the area. It is therefore considered that the proposal is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant; and recommend conditional approval of the application on this basis.

7. 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. All site clearance works shall be completed outside of the breeding bird season (i.e. clearance works should be undertaken between September and February inclusive). If this is not possible, an ecological watching brief for protected species should be submitted to and approved in writing by the Local Planning Authority. All works shall then proceed in accordance with the approved strategy unless any amendments are agreed in writing by the local planning authority;

Reason: In the interests of ecology and biodiversity.

3. To mitigate potential harm of hedgehogs and common toads, any clearance of logs and vegetation piles within the woodland shall only be undertaken following a hand search conducted by a qualified ecologist. Should a hedgehog or common toad be found during the search it should be caught and moved to an area of suitable habitat on site that will not be lost to the development;

Reason: In the interests of ecology and biodiversity.

4. The development shall not commence (including any demolition, ground works and site clearance) until a method statement for ecological mitigation and enhancement has been submitted to and approved in writing by the local planning authority, the content of the method statement shall include the following:

- a) Purpose and conservation objectives for the proposed works;
- b) Review of site potential and constraints;
- c) Detailed design(s) and/or working method(s) necessary to achieve stated objectives;
- d) Extent and location/area of proposed works on appropriate scale maps and plans;
- e) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- f) Persons responsible for implementing the works;
- g) Details of initial aftercare and long-term maintenance

The method statement shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interests of ecology and biodiversity.

5. The landscaping scheme shown on drawing no.JEC/328/01 received 11/11/13 shall be fully implemented, and shall include the area planted as 'Mix A' to border the whole of the woodland edge to form a buffer that deters access to the area of ancient woodland. Any changes to the approved details must be submitted to and approved in writing by the Local Planning Authority and the development shall be implemented with the approved landscaping scheme;

Reason: To ensure a satisfactory appearance of the development and in the interests of ecology and biodiversity.

6. The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a 5 year programme for the approved landscaping 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;

Reason: No such details have been submitted and in the interests of ecology and biodiversity.

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 appearance of the development and in the interests of ecology and biodiversity.

8. All trees to be retained must be protected in accordance with the Arboricultural Survey and Arboricultural Impact Assessment received 16/08/13, 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 fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, 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.

9. The development shall not commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority;

Reason: To ensure that features of archaeological interest are properly examined and recorded.

10. 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.

11. 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.

12. The development hereby permitted shall be carried out in accordance with the following approved plans:
03-1133-P2, P3 and P4 received 16/08/13 and amended drawing JEC/328/01 received 11/11/13;

Reason: To ensure the quality of the development is maintained, to prevent harm to the residential amenity of neighbouring occupiers and in the interests of ecology and biodiversity.

Informatives set out below

The applicant is advised to contact the Environment Agency directly on 03708 506 506 or <http://www.environment-agency.gov.uk/netregs/>, to see if any further consents are required.

The two most important features of street and security lighting with respect to bats are:

1. The UV component. Low or zero UV installations are preferred to reduce attraction of insects to lighting and therefore to reduce the attraction of foraging bats to these areas.
2. Restriction of the area illuminated. Lighting must be shielded to maintain dark areas, particularly above lighting installations, and in many cases, land adjacent to the areas illuminated. The aim is to maintain dark commuting corridors for foraging and commuting bats. Bats avoid well lit areas, and these create barriers for flying bats between roosting and feeding areas.

UV characteristics:

Low

- Low pressure Sodium Lamps (SOX) emit a minimal UV component.
- High pressure Sodium Lamps (SON) emit a small UV component.
- White SON, though low in UV, emit more than regular SON.

High

- Metal Halide lamps emit more UV than SON lamps, but less than Mercury lamps
- Mercury lamps (MBF) emit a high UV component.
- Tungsten Halogen, if unfiltered, emit a high UV component
- Compact Fluorescent (CFL), if unfiltered, emit a high UV component.

Variable

- Light Emitting Diodes (LEDs) have a range of UV outputs. Variants are available with low or minimal UV output.

Glass glazing and UV filtering lenses are recommended to reduce UV output.

Street lighting

Low-pressure sodium or high-pressure sodium must be used instead of mercury or metal halide lamps. LEDs must be specified as low UV. Tungsten halogen and CFL sources must have appropriate UV filtering to reduce UV to low levels.

Lighting must be directed to where it is needed and light spillage avoided. Hoods must be used on each lamp to direct light and contain spillage. Light leakage into hedgerows and trees must be avoided.

If possible, the times during which the lighting is on overnight must be limited to provide some dark periods. If the light is fitted with a timer this must be adjusted to reduce the amount of 'lit time' and provide dark periods.

Security and domestic external lighting

The above recommendations concerning UV output and direction apply. In addition:

- Lighting should illuminate only ground floor areas - light should not leak upwards to illuminate first floor and higher levels;
- Lamps of greater than 2000 lumens (150 W) must not be used;
- Movement or similar sensors must be used - they must be carefully installed and aimed, to reduce the amount of time a light is on each night;
- Light must illuminate only the immediate area required, by using as sharp a downward angle as possible;
- Light must not be directed at or close to bat roost access points or flight paths from the roost - a shield or hood can be used to control or restrict the area to be lit;
- Wide angle illumination must be avoided as this will be more disturbing to foraging and commuting bats as well as people and other wildlife;
- Lighting must not illuminate any bat bricks and boxes placed on buildings, trees or other nearby locations.

Clearance and burning of existing woodland or rubbish must be carried 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.

Lighting should be installed in such a manner as not to cause nuisance to nearby residents, as described in the guidance from the Institute of Lighting Engineers.

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.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Offering a pre-application advice and duty desk service.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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 there are no overriding material considerations to indicate a refusal of planning consent.