

APPLICATION: MA/14/0114 Date: 22 January 2014 Received: 22 January 2014

APPLICANT: Wry Developments Ltd.

LOCATION: KENT HOUSE, BEAVER ROAD, ALLINGTON, MAIDSTONE, KENT,
ME16 0XR

PARISH: Maidstone, Not in Borough Area

PROPOSAL: Outline application for residential development comprising eight detached and semi detached houses, including access and parking provision, with design, external appearance and landscaping reserved for subsequent approval as shown on Planning Statement, Ecological Walkover Survey, Noise Impact Assessment, Design and Access Statement, Geo-Environmental Desk Study, Tree Survey, Landscape Planting Strategy, Transport Report, Site Location Plan, Site layout Plan, Cross Sections and Landscape Strategy received January 2014.

AGENDA DATE: 1st May 2014

CASE OFFICER: Annabel Hemmings

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

- it is a departure from the Development Plan

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, T13
- Maidstone Borough Local Plan Regulation 18 Consultation 2014: SP5, H1, H2, DM1, DM2, DM4, DM6, DM13, DM14
- MBC Affordable Housing DPD 2006
- National Planning Policy Framework 2012: Chapters 3, 4, 6, 7
- National Planning Practice Guidance 2014

2. RELEVANT HISTORY

- 2.1 A 2-storey office building erected on the site in the 1970s was demolished in 2011 following the grant of planning permissions by both authorities for redevelopment of the site for use as offices (Use Class B1(a)) or consulting rooms (Use Class D1) (TM/10/02899 and MA/10/1790 (expired in January 2014)).

- 2.2 Since 2010, the site has been used as a hand car wash centre, planning permission having been granted by both authorities (TM/11/02741 and MA/10/1790).
- 2.3 To the south of the site, Bunyards Farm buildings were used for many years as a transport yard. In 2006 permission was sought for 18 apartments in a landscape setting to replace the transport yard use, but the application was deferred by Area Planning Committee 3 of Tonbridge and Malling Borough Council for investigation as to whether a larger development capable of accommodating 40% affordable housing could be accommodated on the site.
- 2.4 This resulted in an outline application submitted under reference TM/11/00617 for the erection of 43 dwellings. Permission was granted to that application in July 2012 and permission for that part of the access required to serve that development lying within Maidstone Borough was subsequently granted (MA/12/1324). The site of this permitted application encloses the present application site on its southern and western sides but the application site is a separate planning unit.
- 2.5 MA/14/0054 - Article 10 consultation with Tonbridge and Malling Council with regard to an outline application for residential development comprising eight detached and semi-detached houses with details of access, layout and scale with appearance and landscaping reserved for future consideration. No objection raised 6th February 2014.

3. CONSULTATIONS

- 3.1 **KCC Highways:** *"In terms of traffic generation potential in relation to the adjacent highway network it is considered that this potential is acceptable. If not already considered as part of the land management plan, it is considered that, should this application be approved, attention to the evergreen trees bordering Beaver Road is required in terms of:*
- *Minimising future overhang on the highway and any future encroachment and potential restrictions to visibility; and*
 - *Improving the effectiveness of the three street lights on this boundary with the site.*
- 3.2 *I note the Transport Statement provided and the comment regarding the site's sustainable transport relation to the nearby park and ride service. In this context it is also considered that a corner of footway should be provided at the*

southern corner at the junction with Beaver Road and it is considered that this could be dealt with by condition."

- 3.3 **MBC Landscape:** "There are no protected trees on or adjacent to this site.
- 3.4 *The applicant's tree survey is considered acceptable and I therefore raise no objections on arboricultural grounds subject to conditions requiring landscape details and an arboricultural method statement in compliance with BS5837:2012 including a tree protection plan."*
- 3.5 **Environmental Health:** "A transport noise assessment has been included with the submission. It is a concise report which uses accepted methodology and includes continuous 24 hour readings taken over day time and night time periods. The readings were then extrapolated into the development and mitigation measures considered. The report and measures suggested are acceptable and should, if implemented, provide an acceptable noise environment for future residents.
- 3.6 *Allington is well known for having several closed former landfill sites and other areas of potential land contamination. However, this site is over 600 metres distant from any known areas of potential contamination and thus there is no necessity for this issue to be considered here. However, if anything suspicious is found during excavation works, due consideration to contamination remediation measures will be needed.*
- 3.7 *There should be no adverse impact on local air quality from this development.*
- 3.8 *The usual issues concerning the construction of new residential development will apply here.*
- 3.9 *Raise no objection subject to the imposition of a condition relating to unexpected contamination."*
- 3.10 **Southern Water:** Require a formal application for a new connection to the foul sewer to be made by the applicant or developer and recommend that an informative to that effect is attached to any grant of planning permission.
- 3.11 Initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development area required. This should not include disposal to a public foul sewer. The council's building control officer/technical staff or Environment Agency should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

- 3.12 Request that a condition is attached requiring the details of the proposed means of foul and surface water sewerage disposal to be agreed.
- 3.13 Due to changes in legislation regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the numbers of properties served and potential means of access before any further works commence on site.
- 3.14 **UK Power:** No objection.
- 3.15 **KCC Ecology:** "Under the Natural Environment and Rural Communities Act (2006), "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". In order to comply with this 'Biodiversity Duty', planning decisions must ensure that they adequately consider the potential ecological impacts of a proposed development.
- 3.16 *The National Planning Policy Framework states that "the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and delivering net gains in biodiversity where possible."*
- 3.17 *Paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological Conservation - Statutory Obligations & Their Impact Within the Planning System states that "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision."*
- 3.18 *Natural England has published Standing Advice on protected species and Ancient Woodland. When determining an application for development that is covered by the Standing Advice, Local Planning Authorities must take into account the Standing Advice. The Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation.*
- 3.19 *We are satisfied that sufficient information has been provided to determine the planning application.*
- 3.20 *We had some concerns that the ecological survey had not fully considered the impact the proposed development would have on reptiles and bats. However the applicant has provided photos of the site confirming there is limited suitable for*

habitat for reptiles and details of bat surveys which have identified that is unlikely that bats are foraging within the area.

3.21 *As such, based on the above information we are satisfied that there is limited potential for protected species to be present within the site.*

3.22 *Bats*

Lighting can be detrimental to roosting, foraging and commuting bats. We advise that the Bat Conservation Trust's Bats and Lighting in the UK guidance is adhered to in the lighting design.

3.23 *Enhancements*

One of the principles of the National Planning Policy Framework is that "opportunities to incorporate biodiversity in and around developments should be encouraged".

Details of ecological enhancements which will be incorporated in to the site must be provided for comments."

4. REPRESENTATIONS

4.1 None received.

5. CONSIDERATIONS

5.1 Site Description

5.1.1 The application relates to a site of 0.33 hectares located on the side of Beaver Road close to its signal-controlled junction with London Road, on the northwest outskirts of Maidstone. The site is partly within the Borough of Maidstone and partly within Tonbridge and Malling. A 2-storey office building, which stood in the southwest corner of the site, was demolished in 2011. The concrete apron of the building remains.

5.1.2 The site is at a lower level than Beaver Road, typically about 6 metres below it, and is enclosed on its west and east sides by lines of Leyland cypress that effectively screen views into the site. A hand car wash currently operates within the site. Access is via a road at the northern end of the site over which the site has the benefit of a right of way.

5.1.3 Bounding the site to the south and west is Bunyards Farm, where planning permission has been granted for a residential development of 43 units replacing the farm buildings which had a longstanding haulage use. The area of this permission bounds the southern and much of the western boundary of the Kent

House site. To the west is open agricultural land and beyond that the Maidstone East - West Malling railway.

- 5.1.4 On the south side of Beaver Road is a retail warehouse occupied by DFS Furniture and beyond that is the Sir Thomas Wyatt public house and hotel. To the south of these is a large park-and-ride car park serving Maidstone and beyond that residential development. To the north of the site, The Lodge is a residential property, currently empty, where there is also a longstanding haulage use.
- 5.1.5 The location is just off A20 London Road, which is the main approach to Maidstone from the northwest. Maidstone town centre is about 3km distant to the southeast. Junction 5 of the M20 is about 800 metres to the northwest. The Mid Kent Shopping Centre, a large local centre, is located some 700 metres from the site, with two primary schools nearby. The Bridge Nursery site, which is allocated for residential development (165 units) in the emerging Local Plan, is also close by
- 5.1.6 The application site straddles the boundary between Tonbridge and Malling and Maidstone, with the smaller part of the site (housing units 1 -4 as shown on the drawings) with Maidstone Borough. As dictated by procedures, an identical planning application has been submitted to Tonbridge and Malling Council for their consideration.

5.2 Proposal

- 5.2.1 This application seeks planning consent for the erection of eight dwellings around a shared access road in accordance with the following schedule:
- 2 three bed semi-detached 2 storey houses;
 - 2 four bed semi-detached 3 storey houses with integral garaging;
 - 2 four bed semi-detached 2 storey houses;
 - 1 four bed detached 2 storey house;
 - 1 five bed detached 2 storey house with attached double garage.
- 5.2.2 The proposal includes details of the number of dwellings and the proposed layout and scale, together with a landscape strategy; however, details of the design and external appearance of the proposed houses and a scheme for landscaping are reserved for subsequent approval.
- 5.2.3 The dwellings would be two storey on the northern, western and southern sides of the site with two semi detached three storey units. The three storey units would be set against the existing bank on the eastern boundary and would have parking on the ground floor and a first floor which leading out to the garden.

These units would be seen as two storey from Beaver Road due to the local level changes. Each property would have a separate garden and two parking spaces.

- 5.2.4 Whilst the external appearance of the dwellings are reserved for future consideration the applicants advise that they plan to utilise a mixture of materials including brick, ragstone and weatherboarding.
- 5.2.5 Landscaping is also a reserved matter, but it is noted that the applicants proposes to retain most of existing trees and hedges on the site in the proposal. These would be enhanced by additional native trees and shrubs to encourage and create a network of habitats.
- 5.2.6 Policy H2 of the emerging plan relates to Housing densities. Its preamble states *"the development strategy for the borough is based on meeting future housing requirements through best use of previously developed land before releasing Greenfield sites for development in order to protect the borough's valuable landscape and biodiversity assets."* To this end the Council is proposing to introduce a range of densities that take account of development site characteristics and locations, however, in all cases development will only be acceptable where schemes are well designed and do not compromise the overall distinctive character of the area in which it is situated. Under this policy sites adjacent to the urban area new residential development will be expected to achieve a density of 35 dwellings per hectare. Eight dwellings on the site would give a density of 24 units per hectare. This is clearly below the density anticipated for edge of urban areas under the emerging policy. In this instance the site crosses the boundary between two boroughs and is separated from the residential areas of Ditton, Larkfield and Leybourne by open land. This land is identified as a Strategic Gap in the Tonbridge and Malling Local Plan. In this instance, I consider that the proposed density is appropriate for the site.

5.3 Supporting Information

- 5.3.1 The application is supported by a Planning Statement, Design and Access Statement, Noise Impact Assessment, Ecological Walkover Survey, Landscape Planting Strategy, Tree Survey, Geo Environmental Desk Study and a report on the Transport implications of residential development.

5.4 Principle of Development

- 5.4.1 The Development Plan is the Maidstone Borough Wide Local Plan 2000 (MBWLP). The Proposals Map shows the site as falling just outside the urban boundary of Maidstone i.e. within the countryside. There are no specific designations for the site.

5.4.2 Policy ENV28 provides that in the countryside development which harms the character and appearance of the area or the amenities of surrounding occupiers will not be permitted, and such development as is permitted will be restricted to certain defined categories, including those indicated by other policies within the plan. None of the relevant policies make provision for residential development in the countryside.

5.4.3 Central government planning policy is set out in the National Planning Policy Framework 2012 (NPPF). At paragraph 14 it states that:

“At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking....

For decision-taking this means:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.”*

5.4.4 Core planning principles set out in paragraph 17 of the NPPF include:

- proactively supporting the delivery of homes and making every effort to meet the housing needs of the area;
- always seeking to secure high quality design and a good standard of amenity for future occupiers;
- taking account of the different roles and character of different areas;
- allocating land for development which is of lesser environmental value;
- encouraging the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- actively managing growth to make the fullest possible use of public transport, walking and cycling and focussing development in sustainable locations.

5.4.5 In relation to provision of housing, the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies should not be considered up-to-date if a 5-year housing land supply cannot be demonstrated (NPPF paragraph 49). It is clear that Maidstone does not yet have a five year land supply.

- 5.4.6 The NPPF stresses that good design is a key aspect of sustainable development (NPPF paragraph 56) and requires the establishment of a strong sense of place, the optimisation of site potential, response to local character and history, the creation of a safe and accessible environment and the use of good architecture and appropriate landscaping (NPPF paragraph 58).
- 5.4.7 The NPPF again encourages the re-use of brownfield land in the context of protection of the natural environment, provided that the land is not of high environmental value (NPPF paragraph 111).
- 5.4.8 This is a brownfield site in a sustainable location on the edge of the town which relates well to the existing built up area. Given the guidance in the NPPF, the previous consent for a large office on the site and the issues with Maidstone's five year housing land supply, it is considered that the residential development of the site is acceptable in principle.

5.5 Visual Impact

- 5.5.1 In terms of visual impact, in many ways the site has more in common with the urban character of the nearby retail warehouse, housing, etc. than it does with the more open countryside.
- 5.5.2 As mentioned above, the site is set at a lower level than Beaver Road and the proposed scheme has been designed to work with the changes of level in the local area. Whilst the detailed design and external appearance of the proposed dwellings are reserved matters, this application seeks to agree the scale and layout at this stage.
- 5.5.3 The dwellings would be set within the area of the previous office consent and would result in smaller units of built form interspersed with gardens and areas of landscape. This, combine with the changes of level and retention of established landscaping will minimise the visual impact of the proposed development on the wider area.

5.6 Residential Amenity

- 5.6.1 The site is remote from any existing residential properties and therefore no loss of privacy or amenity to any neighbouring occupier will arise.
- 5.6.2 The development itself has been well designed and laid out to allow adequate amenity, public and private areas for the dwellings. I am satisfied that the occupiers of the development would enjoy an appropriate level of residential amenity.

5.7 Highways

- 5.7.1 In terms of highways issues, there is no objection from Kent Highway Services and I agree that the local roadwork network is capable of accommodating the traffic generated from the development. This has been considered against the cumulative impact of the residential consent on Bunyards Farm and the proposed allocation of Bridge Nursery.
- 5.7.2 Each of the proposed dwellings would be served by 2 parking spaces and this is considered acceptable in this location.
- 5.7.3 The proximity of the site to a number of local centre, schools and other facilities such as the Park and Ride is noted as is its accessibility from a variety of transport modes. It is considered a sustainable location for residential development.

5.8 Landscaping

- 5.8.1 Whilst landscaping is a reserved matter on the application, the proposal is supported by a Tree Survey and Landscape Planting Strategy.
- 5.8.2 The Council's Landscape Team have reviewed these and raise no objections on arboricultural grounds subject to conditions requiring landscape details and an arboricultural method statement in compliance with BS5837:2012 including a tree protection plan.

5.9 Other Matters

- 5.9.1 Given the location and nature of the site it is unlikely to be of any significant value for ecology. The application is supported by an Ecological Walkover Survey which supports this view and highlights the opportunities available, when introducing garden areas etc, to enhance opportunities for biodiversity and ecology.
- 5.9.2 The Council's DPD on Affordable Housing seeks to secure 40% affordable on developments of 15 dwellings or more or on site of 0.5 hectares or more. This application is for 8 dwellings on a site of 0.33 hectares, there is no requirement for affordable housing for this scheme.
- 5.9.3 In order to achieve a sustainable development as advocated under the NPPF and, to a lesser degree, in line with emerging policy, I consider it is reasonable and appropriate to apply a condition for the dwellings to achieve Code for Sustainable Homes Level 4.

6. CONCLUSION

- 6.1.1 Although this site is in a rural area in policy terms, it is functionally and for all practical purposes part of the Maidstone urban area, having been in office use for many years prior to demolition of the office building in 2011. The principle of redevelopment of the site was established with the grant of permission to an office proposal shortly before the demolition took place. The proposal will fulfil policy objectives of securing best possible use of previously developed land in a location that is highly sustainable in transport terms.
- 6.1.2 The NPPF places a strong emphasis on sustainable development on brownfield sites and this proposal is wholly consistent with NPPF guidance.
- 6.1.3 The proposal will have no adverse impact on the function of the strategic gap in this vicinity and so is consistent with development plan policy objectives for the area. The present proposal is consistent in scale with the previously permitted office redevelopment, but the form of development now proposed will have a softer and less intrusive character. The retention of the existing tree screen will ensure that the visual impact of development on the site is minimised.
- 6.1.4 The proposal represents an opportunity to provide a small cluster of houses in a location that is accessible by a variety of transport modes, and close to a local centre and two primary schools, so is not specifically dependent on the use of the private car.
- 6.1.5 No harm to residential or rural amenity will arise from the proposed development, and no unacceptable conflict with development plan policy arises. Accordingly, it is requested that planning permission be granted to this proposal.

7. RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development shall not commence until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-
 - a. Appearance
 - b. Landscaping

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

The development hereby permitted shall be begun before the expiration of two

years from the date of approval of the last of the reserved matters to be approved;

Reason: No such details have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. The details of landscaping submitted pursuant to condition 1 above shall be based on the Tree Survey (November 2013) and Landscape Planting Strategy (December 2013) and provide for the following:

(a) details of the species, diameter and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (b) and (c) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site] [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree];

(e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

f) the location, species and size of all new trees, shrubs and hedgerows to be planted, those areas to be grassed and/or paved, and for a programme of planting and transplanting. The landscaping scheme shall include details of all surfacing materials and existing and proposed ground levels. The landscaping scheme shall be completed during the first planting season after the date on which any part of the development is completed for occupation or in accordance with a programme of planting agreed in writing by the Local Planning Authority. Any newly planted tree, shrub or hedgerow dying, uprooted, severely damaged or seriously diseased or existing tree, shrub or hedgerow to be retained, dying, severely damaged or seriously diseased, shall be replaced within the next planting season with others of the same species and of a similar size, unless the Local Planning Authority gives prior written consent to any variation.

(g) An Arboricultural Method Statement in compliance with BS5837:2012.

Reason: To ensure that the proposed development is satisfactorily integrated

with the its immediate surroundings and provides for adequate protection of trees.

3. The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of any buildings and hard surfaces 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.

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of the locations, heights, designs, materials and types of all boundary treatments to be erected on site. The boundary treatments shall be completed in strict accordance with the approved details before the dwellings hereby approved are occupied.

Reason: In the interests of visual amenity, privacy and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings.

5. The development shall not commence until a detailed surface water drainage scheme for the site following the principles established in the flood risk assessment and drainage strategy, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The details shall include, inter alia, a long term management and maintenance plan for the SUDS included in the approved scheme. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, to improve habitat and amenity and to ensure the long term management/maintenance of the SUDS.

6. The development shall not commence until details of foul water drainage have been submitted to and approved by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interest of pollution prevention.

7. The dwellings shall achieve at least Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it

certifying that Code Level 4 has been achieved.

Reason: to ensure a sustainable and energy efficient form of development.

8. The development shall not be occupied until details of any lighting to be placed or erected within the site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include, inter-alia, details of measures to shield and direct light from the light sources so as to prevent light pollution and in order to minimise any impact upon ecology. The development shall thereafter be carried out in accordance with the subsequently approved details.

Reason: To prevent light pollution in the interests of the character, amenity and biodiversity of the area.

9. If during construction /demolition works evidence of contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to, and approved in writing by, the Local Planning Authority. The closure report shall include details of:

A) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

B) Details of any post-remedial sampling and analysis to show the site has reached the required clean up criteria shall be included in the closure report together with the necessary documentation detailing what materials have been removed from the site.

C) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10. The development hereby permitted shall be carried out in accordance with the following approved plans:
Planning Statement, Ecological Walkover Survey, Noise Impact Assessment, Design and Access Statement, Geo-Environmental Desk Study, Tree Survey, Landscape Planting Strategy, Transport Report, Site Location Plan, Site layout Plan, Cross Sections and Landscape Strategy received January 2014.

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

Informatives set out below

A formal application for connection to the public sewage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development please contact Southern Water, Southern House, Sparrow grove, Otter Bourne, Hampshire, SO21 2SW (tell 0330 303 0119) or www.southernwater.co.uk

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.

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.

- 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.

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.

The proposed development does not conform with policy ENV28 of the Maidstone Borough-wide Local plan 2000. However, the development is at a sustainable location, immediately adjoins an existing settlement, and is not considered to result in significant visual harm to the area. Given the current shortfall in the required five-year housing supply, the low adverse impacts of the development are not considered to significantly outweigh its benefits. As such the development is considered to be in compliance with the National Planning Policy Framework and this is sufficient grounds to depart from the Local Plan.