



Mr & Mrs R White
C/O Consilium Town Planning Services Limited
FAO: Mr A Street
62 The Landway
Bearsted
Maidstone
Kent
ME14 4BG

4 May 2017

PLANNING DECISION NOTICE

APPLICANT:	Mr & Mrs R White
DEVELOPMENT TYPE:	Minor Dwellings
APPLICATION REFERENCE:	16/507377/FULL
PROPOSAL:	Erection of one detached dwelling with car parking provision, new access.
ADDRESS:	The Gables Maidstone Road Sutton Valence Kent ME17 3LS

The Council hereby **GRANTS** planning permission subject to the following Condition(s):

- (1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing and Proposed Block Plan 3729/p02 received on 21.10.16, Site Plan received on 20.10.16, Proposed Elevations and Floor Plans 3729/sk02 received on 13.10.16,

MKPS – Working in Partnership with: Maidstone Borough Council

Please Note: All planning related correspondence for MBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: planningsupport@midkent.gov.uk

Access planning services online at: www.maidstone.gov.uk; or submit an application via www.planningportal.gov.uk

Proposed Access Plan 3729/p04 received on 05.12.16, Arboricultural Impact Assessment and Preliminary Method Statement dated 26.09.16, received on 13.10.16, Arboricultural Survey dated 26.09.16, received on 13.10.16.

Reason: To clarify which plans have been approved.

- (3) The development shall not commence above slab level 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.

- (4) The development shall not commence above slab level until, details of all fencing, walling and other boundary treatments 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 before the first occupation of the building(s) or land and maintained thereafter;

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.

- (5) Prior to the commencement of development above slab level details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and all features shall be maintained thereafter;

Reason: To ensure an energy efficient form of development.

- (6) 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) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them.

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

- (7) The approved details of the access shall be completed before the commencement of the use of the land or buildings hereby permitted

Reason: In the interests of road safety.

- (8) Any gates at the vehicular access to the application site must be set back a minimum of 5m metres from the back edge of the footway or highway boundary.

Reason: In the interests of highway safety.

- (9) No retained tree as shown on drawing number PJC/4149/16B contained within the Arboricultural Impact Assessment and Preliminary Method Statement received on 13.10.16 shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. If any retained tree is removed, uprooted or destroyed or dies, a replacement tree shall be planted and that tree shall be of such size and species, and shall be planted at such time and in a position to be agreed with the local planning authority, as may be specified in writing by the local planning authority;

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

- (10) No equipment, plant, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection as detailed within the Arboricultural Impact Assessment and Preliminary Method Statement received on 13.10.16 except to carry out pre commencement operations approved in writing by the local planning authority. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Reason: In the interests of arboricultural amenity

- (11) No pedestrian access shall be formed within the existing landscaping/hedge along the boundary of the site with Maidstone Road unless express permission has been given by the Local Planning Authority.

Reason: In the interests of the character and appearance of the streetscene.

- (12) The development shall not commence above slab level until a plan has been submitted to and approved by the Local Planning Authority which details the location of the existing mature conifer hedge between The Gables and Rosmann. The identified hedge shall be retained on the site in perpetuity unless permission is granted for its removal by the Local Planning Authority. . If any part of the hedge is removed, uprooted or destroyed or dies, a replacement section of hedge shall be planted and that hedge shall be of such size and species, and shall be planted at such time and in a position to be agreed with the local planning authority, as may be specified in writing by the local planning authority;

Reason: In the interests of visual and residential amenity.

- (13) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification 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.

- (14) Prior to the occupation of the building hereby permitted, a minimum of one electric vehicle charging point shall be installed upon or within the approved garage building. The charging point shall be maintained and retained in perpetuity.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 35 of the NPPF.

- (15) The development shall not commence above slab level until details for a scheme for the enhancement of biodiversity on the site shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through integrated methods into the design and appearance of the dwellinghouse by means such as swift bricks, bat tubes or bricks. The development shall be implemented in accordance with the approved details and all features shall be maintained thereafter.

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

- (16) No development shall take place above slab level until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed. It shall include a planting specification, a programme of implementation and a 5 year management plan.

Reason: In the interests of visual amenity and landscape impact.

- (17) All planting, seeding and turfing specified in the approved landscape details shall be completed no later than the first planting season following occupation. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: In the interests of visual amenity.

The Council's approach to this application:

Note to Applicant:

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

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

R. L. Jarman

Rob Jarman
Head of Planning Services
Maidstone Borough Council

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of service of the enforcement notice, or within **6 months [12 weeks** in the case of a **householder** or **minor commercial** application decision] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA's decision, or any of the conditions imposed, then you must do so within **12 weeks** of the date of this notice.
- In all other cases, you will need to submit your appeal against the LPA's decision, or any of the conditions imposed, within **6 months** of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.