

Chailey Homes Limited  
C/O Advoco Planning Limited  
FAO: Mr Richard Goodall  
14 Oak Hill  
Aldersford  
Hampshire  
SO24 9LB



4 January 2019

## PLANNING DECISION NOTICE

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<b>APPLICANT:</b>	<b>Chailey Homes Limited</b>
<b>DEVELOPMENT TYPE:</b>	<b>Minor Dwellings</b>
<b>APPLICATION REFERENCE:</b>	<b>18/505459/FULL</b>
<b>PROPOSAL:</b>	<b>Erection of two-storey detached house including creation of access onto Queens Avenue</b>
<b>ADDRESS:</b>	<b>Land Rear Of 335 Queens Road Maidstone Kent ME16 0ER</b>

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

- (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 past slab level until written details and samples of the external facing materials and hard surfaces (including the vehicular crossover onto Queens Avenue) have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials and maintained thereafter. The details shall include bat and sparrow boxes/bricks incorporated into the development.

Reason: To ensure a satisfactory appearance to the development.

**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](mailto:planningsupport@midkent.gov.uk)

Access planning services online at: [www.maidstone.gov.uk](http://www.maidstone.gov.uk); or submit an application via [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

- (3) Prior to first occupation of any part of the development hereby approved decentralised and renewable or low-carbon sources of energy shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority with the details including how they will be incorporated into the development and the approved details maintained as such at all times thereafter.

Reason: To secure an energy efficient and sustainable form of development to accord with the provision of the NPPF.

- (4) Prior to occupation of the proposed new dwelling a minimum of one electric vehicle charging point shall be installed and ready for use in accordance with details that have previously been submitted to and approved in writing by the local planning authority with the charging point retained thereafter and maintained in accordance with the approved details;

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

- (5) Prior to first occupation of the building hereby approved fencing, walling and other boundary treatments (to include gaps for the passage of wildlife and reuse on the site of the ragstone removed to form the entrance) shall be in place that are in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority with the approved fencing, walling and other boundary treatments and maintained as such thereafter;

Reason: To ensure a satisfactory appearance to the development and safeguard residential amenity.

- (6) The development shall be carried out in strict accordance with Phlorum's Arboricultural Impact Assessment submitted with the application including the re protection measures before work commencing;

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- (7) The development hereby approved shall not commence 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. The scheme shall include details of on site replacement planting and include a planting specification, a programme of implementation and a 5 year management plan. The landscape scheme shall specifically address the need to provide suitable landscaping along the inside of the front boundary to Queens Avenue.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

- (8) 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 dwelling hereby approved 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;

Reason: To ensure a satisfactory external appearance to the development.

- (9) The approved details of the parking/turning areas shall be completed before the commencement of the use of the 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) (Amendment) (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 inconvenience to other road users and in the interests of road safety.

- (10) Prior to first occupation of the dwelling hereby approved the first floor dormer window openings on the south-east facing elevation (side elevation facing towards 'The Old Laundry'), and first floor window serving the bathroom on the north-west elevation (side elevation facing Tall Trees (NB north 'west' elevation annotated as as north 'east' on drawing no.1770-07 Rev. B received on 20th December 2018) shall be fitted with obscure glazing 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 to the satisfaction of the Local Planning Authority.

Reason: To prevent overlooking of adjoining property and to safeguard the privacy of existing and prospective occupiers.

- (11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), any development that falls within Schedule 2, Part 1, Class A, B, C and E or any erection of outbuildings, boundary treatments or laying of hardstanding 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 prospective occupiers.

- (12) No development shall take place until details of a sustainable drainage scheme for the disposal of surface water and waste water have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure that the principles of sustainable drainage are incorporated into this development and to ensure ongoing efficacy of the drainage provisions.

- (13) No development shall take place until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include measures to minimise nuisance to adjacent residents during the construction period and details of on site parking and turning for all construction and delivery vehicles with the plan implemented before construction commences and retained until the completion of the construction.

Reason: To minimise potential harm to amenity and ensure adequate on site parking and turning provision is made for construction traffic In the interest of highway safety and the free flow of traffic.

- (14) The development hereby approved shall not commence above slab level until, details of satisfactory facilities for the storage of refuse on the site have been submitted to and approved in writing by the local planning authority and the approved facilities shall be provided before the first occupation of the building and maintained thereafter;

Reason: No such details have been submitted and in the interest of amenity.

- (15) The development hereby approved shall not commence above slab level until details of scheme for the enhancement of biodiversity on the site has 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 development by means such as swift bricks, bat tube or bricks. The approved measures shall be implemented in accordance with the approved details prior to first occupation of the approved house and all features shall be maintained thereafter.

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

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

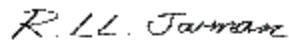
Proposed Site Plan, no. 1770-03 Rev C received on 12th December 2018  
Proposed Block Plan, no. 1770-02 Rev B received on 12th December 2018  
Proposed Ground Floor Plan, no. 1770-04 Rev B received on 12th December 2018  
Proposed First Floor Plan, no. 1770-05 Rev C received on 20th December 2018  
Proposed Roof Plan, no. 1770-06 Rev B received on 20th December 2018  
Proposed Elevations, no. 1770-07 Rev B received on 20th December 2018

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

The Council's approach to this application:

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application. In this instance the agent was provided with formal pre-application advice and was advised of minor changes required to the application and these were agreed.

If your decision includes conditions, there is a separate application process to discharge them. You can apply online at, or download forms from, [www.planningportal.co.uk](http://www.planningportal.co.uk) (search for 'discharge of conditions').



**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](http://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.