

NOTES FOR TECH

**APPLICATION PROPOSAL**

**Ref No** 24/502169/SUB

Submission of details pursuant to condition 4 - Archaeology, condition 6 - Details of foundations designs, condition 8 - Materials, condition 10 - Surface treatment, condition 17 - boundary treatments, condition 19 - Details of colour of the external finish, condition 20 - Details of external lighting, condition 26 - Code of Construction Practice, in relation to plots 20 to 24 of planning permission 11/0511.

**ADDRESS** Wierton Place Wierton Road Boughton Monchelsea Maidstone Kent ME17 4JW

**RECOMMENDATION** - Application Permitted

**WARD**

Boughton Monchelsea  
And Chart Sutton

**PARISH/TOWN COUNCIL**

Boughton Monchelsea

**APPLICANT** Wierton Place

Homes Ltd

**AGENT** Woodstock  
Associates

**DECISION DUE DATE**

08/08/24

**PUBLICITY EXPIRY DATE**

08/11/24

**RELEVANT PLANNING HISTORY (including relevant history on adjoining site)**

11/0511 Change of use of existing nightclub and apartments to 1 dwelling and 6 apartments, including extensions; conversion of the existing ball room to 2 dwellings, including extensions; demolition of existing garage block and erection of 4 terraced properties; conversion of existing glasshouses to 4 dwellings, including extensions; and the erection of 5 detached dwellings to the north and south of the access track, together with associated access and landscape works (PLEASE SEE MA/11/0512 FOR LISTED BUILDING CONSENT APPLICATION). Approved.

**PROPOSAL**

Submission of details pursuant to condition 4 - Archaeology, condition 6 - Details of foundations designs, condition 8 - Materials, condition 10 - Surface treatment, condition 17 - boundary treatments, condition 19 - Details of colour of the external finish, condition 20 - Details of external lighting, condition 26 - Code of Construction Practice, in relation to planning permission 11/0511.

**CONSULTEE COMMENTS**

**Conservation Officer comment:**

Conservation Officer has been consulted, see the detailed comment in appraisal section.

**KCC Highways and Transportation:**

I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

**Environmental Services:**

Environmental Services has been consulted; no comment received.

### **KCC Flood and Water Management:**

Kent County Council as Lead Local Flood Authority have reviewed the application, and as no referenced conditions relate to surface water drainage, we have no objection to discharge of the named conditions.

### **KCC County Archaeologist:**

KCC Archaeology has been consulted, see the detailed comment in appraisal section.

### **BACKGROUND PAPERS**

Application form

Drawing number: BD/21/131.01 CMP Plots 20-24 Condition 26 Construction Management Plan

Drawing number: S1868-1600-008 Rev A Plots 20-24 Condition 6 Foundation Plan Plot 20

Drawing number: S1868-1600-010 Rev A Plots 20-24 Condition 6 Foundation Plan Plot 21

Drawing number: S1868-1600-012-Rev A Plots 20-24 Condition 6 Foundation Plan Plot 22

Drawing number: S1868-1600-014 Rev A Plots 20-24 Condition 6 Foundation Plan Plot 23

Drawing number: S1868-1600-016 Rev A Plots 20-24 Condition 6 Foundation Plan Plot 24

Plots 20-24 – Conditions 8-10-19 External Materials-External Brick Photo

Plots 20-24 – Conditions 8-10-19 External Materials – Road and Parking Area

Plots 20-24 – Conditions 8-10-19 External Materials – Sedum Roof and Wall

All received 23 May 2024.

Drawing number: BD/21/131.01 LND Rev A Plots 20-24 Conditions 16-17-20 Walls Lighting Parking Plan – received 29 July 2024.

Plots 20-24 Conditions 8-10-19 External Materials- External Elevations Rev A– Render – received 29 July 2024.

Plots 20-24 Conditions 8-10-19 External Materials Windows and Doors Rev A– Received 29 July 2024.

Plots 20-24 Conditions 8-10-19 External Materials – External Boarding Rev A– received 29 July 2024.

Specification for Archaeological Evaluation – received 17/10/2024.

### **APPRAISAL**

The original permission is for - 11/0511 Change of use of existing nightclub and apartments to 1 dwelling and 6 apartments, including extensions; conversion of the existing ball room to 2 dwellings, including extensions; demolition of existing garage block and erection of 4 terraced properties; conversion of existing glasshouses to 4 dwellings, including extensions; and the erection of 5 detached dwellings to the north and south of the access track, together with associated access and landscape works (PLEASE SEE MA/11/0512 FOR LISTED BUILDING CONSENT APPLICATION).

The applicant seeks to discharge Condition 4 - Archaeology, condition 6 - Details of foundations designs, condition 8 - Materials, condition 10 - Surface treatment, condition 17 - boundary treatments, condition 19 - Details of colour of the external finish, condition 20 - Details of external lighting, condition 26 - Code of Construction Practice of above planning permission.

Condition 4 (Archaeology) states:

*No development shall take place until the applicant has secured and had implemented a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority;*

*Reason: To enable the recording of any items of historical or archaeological interest.*

Specification for an Archaeological Watching Brief has been submitted with the application dated 23 May 2024. KCC County Archaeologist has been consulted and provided the comment below dated 26/07/2024.

*“The specification submitted to address condition 4 is not sufficient. The condition does require a phased programme of archaeological works. This would comprise a WSI for evaluation (trial trenching); detailed mitigation (excavation or watching brief); post excavation work. The WSI submitted is an old SWAT WSI for watching brief only. This was fine for the house itself, although I am not sure I have received a report on this yet.*

*Condition 4; I need a WSI for evaluation with provision for further archaeological works stated.”*

Additional information has been requested from the applicant. The revised ‘Specification for Archaeological Evaluation’ has been submitted on 17/10/2024. KCC Archaeologist has been reconsulted and provided the comment on 04/11/2024 *“On the basis of the submitted information I would be happy for conditions 4.”*

Based upon KCC Archaeologist comment, the submitted details considered sufficient to discharge condition 4. Therefore, approval to be recommended.

Condition 6 (Details of foundation designs) states:

*No development shall take place until details of foundations designs and any other proposals involving below ground excavation have been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.*

*Reason: To ensure due regard is had to the preservation in situ of important archaeological (including garden history) remains.*

Foundation Plans for plots 20-21-22-23-24 has been submitted with the application. KCC Archaeologist has been consulted and provided the following comment dated 26/07/2024.

*“Condition 6: I need details of foundations which reflect the results of the archaeological work undertaken for condition 4.”*

Additional information requested from the applicant in line of KCC Archaeologist comment. The information has been submitted on 17/10/2024 and KCC Archaeologist has been re-consulted and provided the comment below dated 04/11/2024 *“On the basis of the submitted information I would be happy for condition 6 to be discharged.”*

Based upon KCC Archaeologist comment, the details are considered sufficient to discharge condition 6. Approval to be recommended.

Condition 8 (Materials) states:

*No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development 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 high-quality appearance to the development and safeguard the fabric, appearance, character and setting of listed buildings.*

Conservation Officer has been consulted and provided the following comment dated 14/06/2024, regarding the condition 8:

*“Cladding- Reading through the information of the previously approved scheme the drawings suggest that timber cladding was proposed and what has been submitted through this application is composite concrete boards which is a downgrade in quality of materials.*

*Doors- Again as above, it would have likely been assumed that timber doors were proposed in the context of heritage structures to ensure a traditional material palette, rather than composite which has been proposed through this application.*

*Brickwork, sedum roof, render appear matching and acceptable. Windows are proposed in aluminium which I believe is correct.”*

The originally submitted documents were not sufficient to discharge the condition. Additional information requested and the details submitted on 29/07/2024. The details include the following information for external materials:

Black Stained Feather Edge Boarding  
White Feather Edge Boarding  
Monocouche Silicone Render in XF Dove Grey  
Black/Graphite Grey powder coated windows  
Exterior Oak Doors  
Brickwork Ibstock Crowborough Multi Stock  
Sedum Flat Roofs  
Enclosing brick walls

The photographic samples of the materials have been provided with the application.

Conservation Officer has been re-consulted and provided the comment that *“the scheme appears to now align with approved scheme.”*

Therefore, it has been considered that the proposed materials are sufficient and acceptable to discharge condition 8. Approval to be recommended.

Condition 10 (Surface treatment) states:

*No development shall take place until samples and details of the surface treatment of all hardstandings, courtyards, pathways driveways and access ways of the development 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 high-quality appearance to the development and safeguard the fabric, appearance, character and setting of listed buildings and the historic gardens.*

A photographic sample of road and parking area materials (charcoal grey tegular pavements) has been submitted with the application. The applicant has not been provided any block plan with the current application to show where this surface treatment will be going to take place. However, checking the site plan in the original application, the hard surface between unit 20-24 has been clearly identified and the proposal seems to align with approved scheme. Therefore, on balance, the details could be considered acceptable and condition 10 can be discharged. Approval to be recommended.

Condition 16 (Details of the parking/turning areas):

*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 highway and pedestrian safety.*

The condition 16 would not require active discharge, it requires compliance. Therefore, condition 16 removed from the description as it does not require active discharge. An e-mail dated 15/07/2024 received from the applicant to confirm they agree to remove condition 16 from the description.

Condition 17 (Boundary treatments) states:

*Prior to the commencement of the development, details of all fencing, walling and other boundary treatments including gates, together with any vehicle barriers to be erected within the site shall be 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 development and maintained thereafter;*

*Reason: To ensure a satisfactory appearance to the development and a high quality of design, safeguard and enhance the character, appearance and setting of heritage assets and to safeguard the enjoyment of their properties by existing and prospective occupiers.*

Conservation Officer has been consulted and provided the following comment dated 27/06/2024.

*“The application form says that drawing reference is Drawing BD/21//131.01 LND, which does state height of brick wall with coping detail. However, I would not consider this efficient as there is not an understanding what it is going to look like and with what brick. Reference has been made to external brick elsewhere, but this would appear this is more for core construction and not boundary treatments.”*

Additional information requested from the applicant and the details received on 29/07/2024 with more in line the Conservation Officer comment.

Drawing number 'BD/21/131.01 LND Rev A' includes the following information.

"The elevation for 2.3m high boundary wall has been provided.

2.3m high enclosing 2115mm thick brick walls

450mm square piers

Brick recessed panel

Brick on edge coping

Piers and walls in Flemish bond

Recessed panel in stretcher bond.

The elevation for - 1.8m high enclosing garden wall has been provided and the materials of it would be Ibstock Crowborough Multi Stock."

After receiving the additional information Conservation Officer re-consulted and provided the following comment dated 30/07/2024, "*details appear to now align with approved scheme.*"

Based on the Conservation Officer comment, the details now considered sufficient and acceptable to discharge condition 17. Therefore, approval to be recommended.

Condition 19 (Details of colour of the external finish) states:

*The development shall not commence until, details of the colour of the external finish of the new build dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The approved colour scheme shall be fully implemented before the first occupation of the buildings and thereafter maintained;*

*Reason: To ensure a satisfactory appearance to the development and a high quality of design, and safeguard and enhance the character, appearance and setting of heritage assets and to safeguard the enjoyment of their properties by existing and prospective occupiers.*

The proposed external materials would be as follows:

Monocouche Silicone Render in XF Dove Grey

Black/graphite grey powder coated windows

Exterior oak doors

Black stained feather edge boarding

White feather edge boarding.

Conservation Officer has been consulted and provided the following comment dated 30/07/2024.

*"Details appears to now align with approved scheme."*

It is considered that the details provided are sufficient and acceptable to discharge condition 19. Therefore, approval to be recommended.

Condition 20 (Details of external lighting) states:

*No external lighting shall be placed or erected within the site without the prior written approval of the Local Planning Authority. Any 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 minimise effects on fauna including bats. The development shall thereafter be carried out and retained in accordance with the subsequently approved details;*

*Reason: To prevent light pollution in the interests of the character and amenity of the area in general and to prevent harm to biodiversity assets.*

Drawing number: BD/21/131.01 LND Rev A includes the following information regarding the details of external lighting.

“External lighting to drive: It is confirmed that the proposal follows recommendations from the Bat Conservation Trust and the Institution of Lighting Professionals, titled Guidance Note 8 Bats and Artificial Lighting Low level LED luminaires to drive areas with auto cut-off, lower intensity, good colour rendition and dimming capability Luminaires will be mounted on the horizontal, i.e. no upward tilt; They will be set on motion-sensors and short (1min) timers. The measures will ensure negligible disturbance to bat activity. Warm light' colour temperature ideally 2700K. Luminaires should feature a peak wavelength of >550nm to avoid the component of light most disturbing to bats.”

A plan and photographic samples of the proposed lighting have been provided with the application.

It is considered that the details are acceptable to discharge condition 20. Therefore, approval to be recommended.

Condition 26 (Code of Construction Practice) states:

*Prior to the commencement of the development a Code of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall then be carried out in accordance with the approved Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of dust from construction sites (BRE DTi Feb 2003), unless previously agreed in writing by the Local Planning Authority.*

*The code shall include:*

- o An indicative programme for the carrying out the works*
- o Measures to minimise the production of dust on the site*
- o Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s)*
- o Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site*
- o Design and provision of site hoardings*
- o Management of traffic visiting the site, including temporary parking or holding areas*
- o Provision of off road parking for all site operatives*
- o Measures to prevent the transfer of mud and extraneous material onto the public highway*
- o Measures to manage the production of waste and to minimise the re-use of materials*
- o Measures to minimise the potential for pollution of groundwater and surface water*
- o The location and design of site office(s) and storage compounds*
- o The location of temporary vehicle access points to the site during the construction works*

*o The arrangements for public consultation and liaison during the construction works*  
*Reason: To prevent harm to human health and pollution of the environment.*

Drawing number: BD/21/131.01 CMP sets out the details related to condition 26 as set out below:  
"Construction and delivery / collection hours- Monday to Friday 08.00-18.00, Saturday 08.00-13.00.

No work is permitted on Sundays or Bank Holidays.

The parking of vehicles of site operatives and visitor is indicated on the plan.

Construction vehicles will enter/leave the site via the existing entrance on Wierton Road. Loading and unloading of plant and materials will be as shown on the plan. The storage of plant and materials are indicated on the plan.

Wheels/chassis washing facilities will be provided. Excavation plant is to be cleaned and washed before leaving the site and entering the highway. Any mud or debris accidentally deposited on the highway is to be scrapped off and hosed down to prevent further spread of the material.

Where adequate dust control cannot be achieved by the choice of appropriate plant, equipment and work method a water spray system will be available.

Site plant and tools will be noise suppressed in accordance with the recommendations set out in BS5228-1:2009 +A1:2014, Code of practice for noise control on construction and demolition sites.

A scheme of any lighting required during the construction phase is not required as construction will take place only during daylight hours.

Pollution incident control will be undertaken by the site manager with a reporting method in place to the Environment Agency.

Site contact details will be clearly displayed on the security fencing at the front of the site."

Details provided considered acceptable and sufficient to discharge condition 26. Therefore, approval to be recommended.

## **CONCLUSION**

I therefore recommended approval for discharge of condition 4 (Archaeology), condition 6 (Details of foundations designs), condition 8 (Materials), condition 10 (Surface treatment), condition 17 (boundary treatments), condition 19 (Details of colour of the external finish), condition 20 (Details of external lighting), condition 26 (Code of Construction Practice), in relation to planning permission 11/0511.

**RECOMMENDATION** – Application Permitted subject to the following conditions/reasons:

## **INFORMATIVES**

(1) The plans used to arrive at the decision were as follows:

Application form

Drawing number: BD/21/131.01 CMP Plots 20-24 Condition 26 Construction Management Plan

Drawing number: S1868-1600-008 Rev A Plots 20-24 Condition 6 Foundation Plan Plot 20

Drawing number: S1868-1600-010 Rev A Plots 20-24 Condition 6 Foundation Plan Plot 21

Drawing number: S1868-1600-012-Rev A Plots 20-24 Condition 6 Foundation Plan Plot 22

Drawing number: S1868-1600-014 Rev A Plots 20-24 Condition 6 Foundation Plan Plot 23

Drawing number: S1868-1600-016 Rev A Plots 20-24 Condition 6 Foundation Plan Plot 24

Plots 20-24 - Conditions 8-10-19 External Materials-External Brick Photo

Plots 20-24 - Conditions 8-10-19 External Materials - Road and Parking Area

Plots 20-24 - Conditions 8-10-19 External Materials - Sedum Roof and Wall

All received 23 May 2024.

Drawing number: BD/21/131.01 LND Rev A Plots 20-24 Conditions 16-17-20 Walls Lighting Parking Plan - received 29 July 2024.

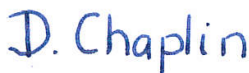
Plots 20-24 Conditions 8-10-19 External Materials- External Elevations Rev A- Render - received 29 July 2024.

Plots 20-24 Conditions 8-10-19 External Materials Windows and Doors Rev A- Received 29 July 2024.

Plots 20-24 Conditions 8-10-19 External Materials - External Boarding Rev A- received 29 July 2024.

Specification for Archaeological Evaluation - received 17/10/2024.

(2) Condition 16 (details of parking/turning areas) was stated in the description. However, condition 16 does not require active discharge, it is a compliance condition. Therefore, condition 16 removed from the description. And an e-mail received from the applicant/agent dated 15/07/2024 to confirm that they agree the removal of condition 16 from the description.

Delegated Authority to Sign:	Date:
 PRINT NAME: D. CHAPLIN	05.11.2024