



Mr Robert Knight  
C/O Taylor Roberts Ltd  
FAO: Miss Nicola Harvey  
2 Dane John  
Watling Street  
Canterbury  
Kent  
CT1 2QU

2 December 2020

## PLANNING DECISION NOTICE

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<b>APPLICANT:</b>	<b>Mr Robert Knight</b>
<b>DEVELOPMENT TYPE:</b>	<b>Householder</b>
<b>APPLICATION REFERENCE:</b>	<b>20/504086/FULL</b>
<b>PROPOSAL:</b>	<b>Erection of a two storey rear extension with first floor balcony and first floor side extension. Changes to fenestration.</b>
<b>ADDRESS:</b>	<b>Amber House, Otham Street, Otham, Maidstone, Kent, ME15 8RL</b>

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The Council hereby **GRANTS** permission/consent for the proposal referred to above 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.

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**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.co.uk](http://www.planningportal.co.uk)

- (2) The two-storey extension hereby permitted shall not commence above slab level until details for a scheme for the enhancement of biodiversity on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through either integrated methods into the design and appearance of the extension by means such as swift bricks, bat tubes or bricks, or bee bricks, or through provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, hedgehog houses, hedgerow corridors, and indigenous tree and wildflower planting. Except in the case of any planting, the biodiversity enhancements shall be provided in accordance with the approved details within three months of the first occupation of the extension and all features shall be maintained thereafter. Any planting specified in the approved details shall be carried out during the first planting season (October to February) following first use of the two-storey extension hereby permitted;

Reason: To enhance the ecological value and biodiversity on the site in the future.

- (3) The materials to be used in the construction of the external surfaces of the building(s) hereby permitted shall match those used in the existing building;

Reason: To ensure a satisfactory appearance to the development.

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

20/17/01A, 20/17/05A, 20/17/06A, 20/17/07A and 20/17/08 received on 09/09/2020;

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

Informative(s):

- (1) You are advised that there is a separate application process to discharge planning conditions which require written approval of details. You can apply online at, or download forms from, [www.planningportal.co.uk](http://www.planningportal.co.uk) (search for 'discharge of conditions').
- (2) Details pursuant to Condition 2 should show, on a scaled drawing, the positions of the proposed ecological enhancements including, where appropriate, the height above ground level to demonstrate that this would be appropriate for the species for which it is intended. Any bird boxes should face north and bat boxes should face south.
- (3) It is the responsibility of the developer to ensure, before the development hereby approved is commenced, that approval under the Building Regulations (where required) and any other necessary approvals have been obtained, and that the details shown on the plans hereby approved agree in every aspect with those approved under such legislation.
- (4) Your attention is drawn to the following working practices which should be met in carrying out the development:

Your 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: if necessary you should contact the Council's environmental health department regarding noise control requirements.

Clearance and burning of existing woodland or rubbish must be carried out without nuisance from smoke etc. to nearby residential properties. Advice on minimising any potential nuisance is available from the Council's environmental health department.

Plant and machinery used for demolition and construction should 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 in connection with the construction of the development should only arrive, depart, be loaded or unloaded within the general site between the hours of 0800 hours and 1900 hours on Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.

The importance of notifying local residents in advance of any unavoidably noisy operations, particularly when these are to take place outside the normal working hours is advisable. Where possible, the developer shall provide residents with a name of a person and maintain a dedicated telephone number to deal with any noise complaints or queries about the work.

Adequate and suitable provision in the form of water sprays should be used to reduce dust from the site.

It is recommended that the developer produces a Site Waste Management Plan in order to reduce the volumes of waste produced, increase recycling potential and divert materials from landfill. This best practice has been demonstrated to both increase the sustainability of a project and maximise profits by reducing the cost of waste disposal.

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.

If relevant, the applicant must consult the Environmental Health Manager regarding an Environmental Permit under the Environmental Protection Act 1990.

- (5) Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

The Council's approach to this application:

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 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 application was acceptable as submitted and no further assistance was required.

The application was approved without delay.

If your decision includes conditions that need to be discharged, please be advised that there is a separate application process to discharge them which includes a fee. For more information on this please visit

[https://www.planningportal.co.uk/info/200126/applications/60/consent\\_types/12](https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12) and to submit an application for approval of details (discharge conditions) please use this link <https://www.planningportal.co.uk/applications>



**Rob Jarman**  
**Head of Planning Services**  
**Maidstone Borough Council**

**Please be advised that irrespective of whether your proposal requires planning permission or not, it may still require Building Regulation Approval. For more information on this please visit our website**  
<https://www.maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/building-control>

**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 LPAs 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 can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority ( [planningappeals@midkent.gov.uk](mailto:planningappeals@midkent.gov.uk) ) and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

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.