

MAIDSTONE BOROUGH COUNCIL

THE HOUSING ACT 1985

AND

THE ACQUISITION OF LAND ACT 1981

**THE MAIDSTONE BOROUGH COUNCIL (12 ROCHESTER HOUSE, MAIDSTONE) COMPULSORY
PURCHASE ORDER 2025**

**STATEMENT OF REASONS OF THE ACQUIRING AUTHORITY AND
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STATEMENT OF REASONS OF THE ACQUIRING AUTHORITY

1 INTRODUCTION

- 1.1 This is the Statement of Reasons of Maidstone Borough Council (“the **Council**”) for making the Maidstone Borough Council (12 Rochester House, Maidstone) Compulsory Purchase Order 2025 (“the **Order**”). This is a non-statutory statement provided in accordance with section 14 (Tier 2) of the guidance most recently issued by the Ministry of Housing, Communities and Local Government in October 2024 on the compulsory purchase process (“the **Guidance**”).
- 1.2 The Order is made pursuant to Section 17 of the Housing Act 1985 (“the **1985 Act**”) and the Acquisition of Land Act 1981 for the purposes of securing land necessary for the regeneration of the Shepway Estate by the demolition of existing residential properties at the end of their life span, and the delivery of up to 236 new affordable homes together with some commercial floorspace, and public realm and associated landscaping, play areas and amenity space (“the **Scheme**”). The Scheme is being taken forward by Golding Homes Limited (“**Golding Homes**”), a registered housing association which provides homes to more than 29,000 people across Kent. The land the subject of the Order is described in section 2 below but broadly speaking is a first floor flat known as 12 Rochester House, Maidstone which is located within the area of the Shepway Estate known as Cambridge Crescent (“the **Order Land**”).
- 1.3 On 23 July 2024 the Council’s Housing and Community Cohesion Policy Advisory Committee resolved to recommend to the Council’s Cabinet that the Council should utilise its powers of compulsory purchase to facilitate the Scheme. On 18 September 2024, the Council’s Cabinet resolved to utilise its powers of compulsory purchase in relation to outstanding interests in the Cambridge Crescent area of the estate to enable the Scheme to progress.
- 1.4 The Scheme benefits from a hybrid planning permission for the demolition of existing buildings, including 114 residential units, 15 retail units, 10 garages and former public WC, and redevelopment (100% affordable housing), for a mixed use development granted on 17 October 2022 under reference 22/500638/HYBRID (“the **Permission**”). The Permission has an outline part and a full part as follows:
 - 1.4.1 Outline planning permission (access and scale being sought) for demolition and redevelopment (phased) to provide buildings known as Blocks K, L, Houses M1 to 28 and N1 to 28 comprising 84 residential units; and
 - 1.4.2 Full planning permission for demolition and mixed-use redevelopment (phased) to provide buildings known as Blocks A, B, C, D, E, F, G, H, I & J comprising 152 residential units, 1400 sqm GIA of flexible commercial floorspace (Use Class E, inclusive of a, b, c), and including 200m² of class E(e) and 160m² of class E(g)(i), private and public car parking, servicing bays, public realm and associated landscaping, play and amenity space, plant and refuse areas and access arrangements.

- 1.5 The Order Land sits within that part of the Scheme the subject of the outline part of the Permission. Reserved matters approval for landscaping, layout and appearance was granted on 21 February 2024 under reference 23/505344/REM for the erection of two, three storey, apartment blocks (28 apartments) and twenty eight, two storey semi-detached houses (56 dwellings) comprising 84 dwellings in total, and parking (“the **RMA**”)
- 1.6 Further details of the Scheme and of the planning position are set out in sections 4 and 6 below.
- 1.7 The Order has been made and will be submitted to the Secretary of State for confirmation, as it is considered that there is a compelling case in the public interest which justifies interference with the existing private rights on the Order Land.

2 THE ORDER LAND

- 2.1 Details of the known interests to be acquired are listed in the schedule to the Order. The schedule has been prepared by the Council from information gathered through Land Registry documents, formal requests for information, and site inspections by Golding Homes. The Order Land has been carefully delineated to ensure that only what is required to facilitate the Scheme has been included.
- 2.2 The Order Land, which is located in the Cambridge Crescent area of the Shepway Estate and is within Phase 2 of the Scheme, comprises just the one property that Golding Homes has been unable to acquire to date by agreement. It is only this property which is not within the control of Golding Homes in relation to the Scheme.
- 2.3 It is for this dwelling (the freehold of which is owned by the Golding Homes) that the Order is sought, to ensure that the comprehensive redevelopment proposed by the Scheme can be successfully delivered. The compulsory acquisition of all interests in the Order Land, excluding Golding Homes own freehold interest, is therefore sought.

3 THE ENABLING POWERS AND THE COUNCIL’S PURPOSE IN ACQUIRING THE LAND

- 3.1 The Order is made by the Council under Section 17 of the 1985 Act (acquisition of land for housing purposes), which empowers the Council to compulsorily acquire land for the erection of houses, and to compulsorily acquire houses (or buildings which may be suitable as houses) together with any land occupied with the houses or buildings. The Guidance adds at section 6 of tier 2 that acquisition must achieve a quantitative or qualitative housing gain.
- 3.2 Section 17(4) of the 1985 Act provides that a housing authority may acquire land for the purposes described above even though it may not be immediately required for those purposes. However,

the Secretary of State will not authorise such acquisition unless the land is likely to be required within ten years from the date the relevant compulsory purchase order is confirmed.

- 3.3 The Council is using its powers of compulsory purchase contained in section 17 because it is satisfied that the acquisition of the Order Land will enable Golding Homes to continue and complete its redevelopment of the wider housing estate which will provide not only a clear quantitative gain in housing, but will also replace those homes (which are at the end of their life span) with new affordable homes built to modern standards.
- 3.4 The Guidance gives direction to acquiring authorities on the use of compulsory purchase powers. It provides that compulsory purchase orders should only be made where there is a compelling case in the public interest, and further that an acquiring authority must take reasonable steps to acquire all of the land and rights necessary by agreement. The Guidance further explains that whilst compulsory purchase is intended as a last resort, it may often be sensible given the amount of time it can take to complete the compulsory purchase process to initiate formal procedures so that the seriousness of the acquiring authority's intentions are clear from the outset. The Council has taken full account of the Guidance in making the Order and considers that the relevant tests are satisfied as explained below.

4 THE SCHEME

- 4.1 As touched on in the introduction above, the Scheme involves the comprehensive redevelopment of the Cambridge Crescent area of the Shepway Estate together with the provision of new commercial floorspace and various types of open space including landscaped areas, play areas and amenity space. The 114 existing homes will be demolished. In Phase 1, 40 homes have already been demolished. This will pave the way for the provision of 236 new affordable homes.
- 4.2 The Scheme will come forward in three phases via a phasing plan approved under condition 13 of the Permission. Broadly speaking:
- 4.2.1 Phase 1 comprises the centre of the redevelopment site, and the eastern third which includes Bristol House, Winchester House, Salisbury House, Exeter House, Truro House and Wells House. This phase will deliver 119 new homes; comprising of 91 one and two bedroom flats, 28 two and three bedroom houses and 4 commercial units.
- 4.2.2 Phase 2 comprises the western third of the site including the southern tip of Rochester House and the Order Land, Chichester House, Guildford House and Coventry House. This phase will deliver 57 homes; comprising of 29 one and two bedroom flats and 28 two and three bedroom houses.

4.2.3 Phase 3 comprises the existing commercial space (to be retained) and car park of Northumberland Court, bounded by St Martins Church to the east and the Beacon Church to the west.

4.2.4 The table below sets out the position as regards additional affordable homes to be provided.

		Phase 1	Phase 2	Phase 3	Total
1	Existing homes	40	40	34	114
2	Planning permission for new homes	119	57	60	236
3	Additional homes	79	17	26	122

4.3 Phase 1, benefitting from the detailed part of the Permission, has already commenced. The previous 6 blocks have been demolished and works have commenced to build the new 119 homes. Foundations have been poured and brickwork has commenced. It is due to be completed in March 2026.

4.4 Phase 2 is ready to commence pending acquisition (by agreement it is hoped, but under compulsory purchase if that cannot be achieved) of the Order Land. It is anticipating that moving out existing residents will be completed in Spring 2025 but for the Order Land. Shortly after that time, it is expected that works will start on site in earnest.

4.5 Phase 3 is scheduled to begin in Spring 2026, with conversations ongoing at the time of writing as regards the timing for decanting of the existing commercial occupiers.

4.6 Overall, the Scheme will provide a net increase of 122 new affordable homes. The Scheme will provide a number of benefits, including:

4.6.1 The meeting of local housing need in the district with 100% affordable housing provision on site.

4.6.2 Publicly accessible open space which will include high quality play areas and amenity space.

4.6.3 Enhanced pedestrian permeability through the site including landscape and safety enhancements.

4.6.4 All of the new homes are designed to meet Nationally Described Space Standards with a varied mix of tenures, sizes and property types which will assist with the futureproofing of the development.

4.6.5 An appropriate level of fully disabled adapted units will be provided.

- 4.6.6 Improved sustainability both in terms of building and design with enhanced biodiversity.
- 4.6.7 Replacement of existing residential and retail buildings in poor condition will also raise perceptions of the area.
- 4.7 The homes provided in the Scheme as a whole will be a significant improvement on the existing homes, and the design principles applied to the Scheme will enhance the quality of life for occupants now and in the future. Further, there will be an important quantitative gain in affordable homes.

5 THE JUSTIFICATION FOR THE USE OF COMPULSORY PURCHASE POWERS

- 5.1 The purpose of the Order is to facilitate the delivery of the Scheme, which will deliver both a quantitative and a qualitative housing gain. The Council has given careful consideration as to why it is necessary to acquire the Order Land. It is confident therefore that it is acquiring just what is needed for the Scheme to come forward.
- 5.2 Section 7 of Tier 2 of the Guidance sets out advice in relation to the use of the Section 17 power by local housing authorities. Paragraph 164 sets out information that the Secretary of State will expect to see in a statement of reasons. This information is set out immediately below:
- 5.2.1 In total there are an 72,149 domestic dwellings in the Council's administrative area which includes approximately 800 houses in multiple occupations.
- 5.2.2 There are an estimated 7,000 sub-standard dwellings in the Council's administrative area.
- 5.2.3 The population of the Council's administrative area is estimated by the ONS to be 184,187,000 (2023) and as at December 2024 there were 1,593 live applications on the Council's housing register.
- 5.2.4 The Council's housing stock was transferred to Golding Homes in February 2004 further to an agreement entered into between Golding Homes (in the guise of the Maidstone Housing Trust) and the Council. This followed consultation and a supportive ballot of residents.
- 5.2.5 One of the primary reasons for the stock transfer was the considerable investment required to improve the quality of the social housing homes held by the Council.
- 5.2.6 The completed transaction was a large scale voluntary transfer (LSVT); a term used to describe the transfer of the whole or a substantial part of a local housing authority's housing stock (500 or more tenanted and leasehold properties) to a usually new private registered provider of social housing (RP), who is registered and regulated by the Regulator of Social Housing (RSH).

- 5.2.7 The transfer could not go ahead unless a majority of secure and introductory tenants of the homes in question voted in favour in a ballot organised by the local authority and the consent of the Secretary of State.
- 5.2.8 Before giving that consent, the Secretary of State would have wished to be sure of the following when deciding whether to grant consent to the transfer:
- 5.2.8.1 that the proposal offered value for money;
 - 5.2.8.2 accorded with government policy;
 - 5.2.8.3 had the support of the tenants involved;
 - 5.2.8.4 provided them with the protection of a regulated landlord.
- 5.2.9 The transfer arrangement included a Nomination Rights Deed which allows the Council to nominate statutorily homeless persons and persons from council's statutory waiting list to vacancies occurring in Golding Homes' housing stock.
- 5.2.10 The properties were transferred subject to and with the benefit of various incumbrances (such as existing covenants which affected the legal title to the property), the tenancies (which included the transferring Council tenants and the former Council tenants occupying flats which they had bought under the Right to Buy) and the rights (which included rights of way and other matters which affected or benefited the legal title to the property).
- 5.2.11 The Scheme is not intended to meet special housing needs, but will provide affordable homes which Golding Homes will manage, as well as a number of homes that are disabled adapted.
- 5.2.12 The existing leasehold owner has not advanced any alternative proposals that would achieve the benefits to be derived from the proposed regeneration. The comprehensive redevelopment as permitted by the Permission is the most efficient way of achieving this while also providing for a quantitative gain. Only one property remains to be acquired. Without the Order, there can be no certainty or realistic prospect of the land required being completely assembled.

Housing need

The Council's Strategic Plan (March 2024)

- 5.3 The Council's Strategic Plan (2019-2045) sets out overarching goals for the future of the Council's area, including long term aspirations to benefit residents, businesses and partners. This repeats the Housing Strategy's "*ambition to deliver an additional 1,000 affordable homes for local people ensure availability of good quality housing that's sustainable in both financial and ecological terms*".
- 5.4 The Strategic Plan sets out a series of headings based on themes for desired outcomes:

- 5.4.1 Under the heading “Embracing growth and enabling infrastructure”, the Strategic Plan provides that among its desired outcomes by 2045 is that housing need is met including affordable housing, and that between 202 and 2028 it will proactively take a role in creating and investing in new places.
- 5.4.2 Under the heading “Homes and communities”, the Strategic Plan provides that between 2023 and 2028 the Council will focus on working on long term housing solutions, “*urgently identifying and delivering 1000 affordable homes to ensure availability of good quality housing that’s sustainable in both financial and ecological terms reduce health inequalities in the borough*” and on “*improving the quality of housing through the consistent use of our statutory powers to promote good health and wellbeing*”.
- 5.5 The Scheme will play an important role in delivery the affordable homes that the Strategic Plan says need to be delivered, and will provide good quality homes designed to modern standards. The Strategic Plan acknowledges that the Council should use its statutory powers to promote the objectives of the plan, which the Council is so doing by seeking a compulsory purchase order to ensure the delivery of the Scheme.

The Council's Housing Strategy

- 5.6 The Maidstone Borough Council Housing Strategy 2023 – 2028 (the “**Housing Strategy**”) sets out the Council’s vision to elevate Maidstone into “*a vibrant, prosperous, urban and rural community at the heart of Kent where everyone can realise their potential*”. The Scheme will help achieve the goals Council’s Housing Strategy in many ways including as follows:
- 5.6.1.1 Key Priority 1 – this priority sets out the need to deliver a mixture of housing types and tenures including 1000 new affordable homes to meet the needs of everyone in Maidstone. The Scheme is 100% affordable and so therefore directly contributes to the achievement of almost a quarter of the Council’s affordable housing target for the area. In addition, the Scheme includes a mixture of property types such as flats and houses of varying sizes to allow for a sustainable mix of dwellings as part of the development. In particular, the Housing Strategy identifies an increased need in the Borough for larger family homes with 3 or 4 beds and the Scheme includes forty 3 bedroom dwellings of varying sizes to directly address this need. Finally, the Scheme includes 14 dwellings adapted to meet disability requirements further providing for the different housing needs of the borough’s residents with housing that meets everyone’s needs.
- 5.6.1.2 Key Priority 2 – this priority sets out the need for existing homes to meet the decent homes standard, be energy efficient with compliance with fire safety standards to enable healthy independent living. The existing dwellings on the development site are in poor condition having

reached the end of their lifespan and are therefore unable to meet this priority. As a result, the Scheme would facilitate the replacement of these dwellings with modern sustainable dwellings capable of delivering a higher quality and standard of living with improved energy efficiency and a design focus aimed at improving the health and welfare of future residents. In addition, all dwellings forming part of the Scheme will match the Nationally Described Space Standards. The Housing Strategy reports that those living in Maidstone with a long-term health condition or disability is expected to rise by 39% by 2037 and so the Council have identified the need for 923 homes suitable for wheelchair users. Therefore, the provision of 14 disabled adapted dwellings as part of the Scheme will help meet the identified specific needs of these people in the community and contribute towards realisation of this need.

- 5.6.1.3 Key Priority 3 – the final priority in the Housing Strategy requires the best support and housing outcomes to be secured for Maidstone’s most vulnerable groups. The provision of affordable homes through the Scheme will help combat issues arising from financial exclusion and therefore contribute to meeting this priority.

The National Planning Policy Framework (NPPF) (December 2024)

- 5.7 Chapter 11 of the NPPF (Making Effective Use of Land) explains that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and health living conditions (NPPF, paragraph 124).
- 5.8 Further, paragraph 126 of the NPPF states that authorities should take a “*proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites ...held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.*”
- 5.9 The Scheme is an opportunity for the Council to facilitate development on land already owned for the most part by a housing association that is ready to construct and delivery affordable homes, by completing land assembly backed by compulsory purchase powers. The result will be both a quantitative and qualitative housing gain, the promotion of development on already developed land, and also improvements to the public realm and accessibility.

Local housing policies

- 5.10 The Council’s main housing policies are set out in the Maidstone Borough Local Plan Review 2021-2038 adopted on 20 March 2024 (the “**Local Plan**”). It sets out a requirement under policy LPRSP10 (housing delivery) to deliver at least 19,669 new dwellings in the Local Plan period so that there is sufficient supply of housing to meet the needs of the borough. Policy LPRSP10(B)

(affordable housing) provides that 25% of that new housing should be affordable, albeit at the time of the grant of the Permission the requirement was 30% under what was policy SP20 of the Maidstone Borough Local Plan (2011-2031) (the "**Previous Local Plan**"). In any event, the Scheme will provide 100% of the dwellings as affordable homes.

5.11 There is substantial policy support for the Scheme and as set out above it benefits from both the RMA and Permission. As set out in the officer's report for the application the Scheme "*would provide 100% affordable housing within a scheme that would improve the character and appearance of the local area and which accords with all relevant Development Plan policies and the NPPF*". In considering the Scheme in the context of the Previous Local Plan the Planning Officer considered a number of policy areas relating to:

- 5.11.1 Density, Scale and Local Character
- 5.11.2 Layout, Design Quality, Appearance and Landscaping
- 5.11.3 Highways and Parking
- 5.11.4 Residential Amenity
- 5.11.5 Public Open Space
- 5.11.6 Impact on Local Retail Centre and Phasing
- 5.11.7 Housing Mix, Affordable Housing and Infrastructure

5.12 Of particular relevance in the present context are the following housing policies:

5.12.1 Policy SS1 of the Previous Local Plan relating to the Maidstone Spatial Strategy required 17,660 new dwellings to be provided in order to meet housing need. This policy now equates to policy LPRSS1 which requires delivery of a minimum of 19,669 new dwellings. This figure is also reflected in policy LPRSP10. The net increase in residential dwellings provided by the Scheme directly contributes to the targets set with these policies.

5.12.2 SP19 of the Previous Local Plan which now equates to policy LPRSP10(A) of the Local Plan relate to housing mix. Under the Previous Local Plan a sustainable range of house sizes, tenures and types are required and this is also reflected in the correlating policy in the Local Plan. As set out above, the Scheme will deliver a mix of affordable housing across the site, in varying sized dwellings so that this policy is met.

5.12.3 SP20 of the Previous Local Plan which now equates to policy LPRSP10(B) if the Local Plan relates affordable housing and as set out above at paragraph 5.10 is clearly demonstrated and exceeded through the provision of 100% affordable homes as part of the Scheme.

5.12.4 LPRSP2 of the Local Plan also identifies Shepway North and Shepway South as areas requiring regeneration further justifying the benefits brought about by the Scheme for improving the opportunities for future residents in the area.

- 5.12.5 DM10 of the Previous Local Plan now equates to policy LPRHOU3 of the Local Plan regarding residential premises above shops and businesses. The Scheme forms part of a Local Centre designated in the Previous Local Plan and therefore supports living over shops in accordance with the Scheme.
- 5.12.6 DM17 of the Previous Local Plan now equates to policy LPRCD1 of the Local Plan and is concerned with the protection of retail. This design replaces the existing 1200m2 of retail space with an increased 1400m2 of flexible commercial floorspace thereby preserving and increasing the local centre function of the previous development.

Local housing need (quantitative and qualitative)

- 5.13 As at the end of December 2024, there were 1,593 live applications on the Council’s Housing Register in need of affordable housing, because their current accommodation did not meet their needs. The need is as follows:

Beds	No. of applicants
1 bed	591
2 bed	359
3 bed	524
4 bed	102
5+ bed	17

- 5.14 A quantitative increase in affordable homes is clearly required.
- 5.15 In terms of qualitative gains, the existing homes on Cambridge Crescent are dated and in generally poor condition, and Golding Homes are dealing with an increasing amount of severe damp and mould related matters for homes on this site. The existing built environment is continuing to present challenges to operational colleagues of both ASB and fly-tipping issues, alongside a decaying physical environment which requires significant investment.
- 5.16 Paragraph 168 of the Guidance sets out the considerations governing when the acquisition of substandard properties can be justified under this power. These are addressed in turn below.

A clear housing gain will be obtained

- 5.17 The table in section 4 above shows the breakdown of the homes being provided across the phases, versus the existing provision in the estate. There is a clear and substantial housing gain as a result of the Scheme.

The owner of the property has failed to maintain it or bring it to an acceptable standard

- 5.18 As described above, it is the fabric of the homes that will be substantially improved, and the issue being addressed is not the standard in which they are kept.

Other statutory measures have not achieved the authority's objective of securing the provision of acceptable housing accommodation

- 5.19 Discussions have taken place with the affected owner, but despite the Council's best attempts to enter into negotiations no agreement has been reached to acquire the Order Land by agreement. To achieve the full benefits of the Scheme, a comprehensive approach is required. The piecemeal redevelopment of the area would not lead to the same quantitative housing gain, nor a well thought out 'site wide' strategy and design. Further, refurbishment only without replacement and the creation of space for new homes and the other elements of the Scheme such as the open space provision, would again not achieve a quantitative gain.
- 5.20 Absent powers to complete site assembly, and relying simply on acquisition by agreement, the timescale for achieving comprehensive redevelopment would be completely uncertain, delaying the benefits the Scheme will bring. Further, the comprehensive approach allows for the Council to carry out organised emptying of the site, and offer existing residents homes in the Scheme once completed.

6 THE JUSTIFICATION FOR COMPULSORY PURCHASE - HUMAN RIGHTS

- 6.1 The Human Rights Act 1998 incorporated into domestic law the European Convention of Human Rights ("the Convention"). The Convention includes in its articles provisions the aims of which are to protect the rights of the individual. As made clear in paragraph 2.21 of the Department for Exiting the European Union Paper 'Legislating for the United Kingdom's withdrawal from the European Union': "*The [Convention] is an instrument of the Council of Europe, not the EU. The UK's withdrawal from the EU will not change the UK's participation in the [Convention] and there are no plans to withdraw from the [Convention]*".
- 6.2 Section 6 of the Act prohibits public authorities from acting in a way which is incompatible with the Convention. Various rights may be engaged in the process of making and considering a compulsory purchase order.
- 6.3 Article 1 of the Convention protects the right of everyone to the peaceful enjoyment of possessions. It says that: "*Every natural or legal person is entitled to peaceful enjoyment of his possessions...[no] one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law*".

- 6.4 The Council is conscious of the need to strike a balance between the rights of the individual and the interests of the public. The European Court of Human Rights has recognised that *“regard must be had to the fair balance that has to be struck between the competing interests of the individual and the community as a whole.”* The Council recognises that powers of compulsory purchase must be exercised proportionately. Both public and private interests must be taken into account in the exercise of the Council’s powers and duties as a local authority.
- 6.5 The Order is being pursued in the public interest as required by Article 1 of the Convention and the public benefits that will be brought by the Scheme are explained in this statement. The Council’s view is that a fair balance will be struck between the public interest in the bringing forward of the Scheme, and the private rights to be affected by the use of compulsory purchase powers. The Council also believes that the Order is proportionate as without the Order, the development of the Order Land and the public benefits that the Scheme will bring cannot be achieved.
- 6.6 Article 8 (right to respect for private and family life and home) provides that: *“(1) Everyone has the right to respect for his private and family life, his home and his correspondence (2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interest of...the economic well being of the country...”*.
- 6.7 Therefore, rights may be restricted if the infringement is legitimate, fair and proportionate in the public interest. Given the significant public benefits which would arise from the development of the Scheme, the Council considers that it is fully justified in making the Order. Residents whose properties are being replaced are being offered replacement homes and assistance with moving.
- 6.8 Accordingly, the Council considers that there is a compelling case in the public interest for the confirmation of the Order and that, if confirmed, the Order would strike an appropriate balance between public and private interests.
- 6.9 Article 6 of the Convention provides that: *“in determining his civil rights and obligations ...everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.”*
- 6.10 Full consultation took place during the planning application process for the Scheme. As part of the planning process, interested parties have had an opportunity to make representations. Representations may be made in the context of any public inquiry the Secretary of State may decide to hold in connection with the Order. Those with interests in property affected by the Order will be entitled to statutory compensation. Further, affected parties also have the right to challenge the Order, should it be confirmed, by way of legal challenge to the High Court.

7 EQUALITY AND DIVERSITY

7.1 The Equality Act 2010 puts a duty on the Council to have regard to the advancement of equality, and this applies to the exercise of powers of compulsory purchase powers as it does to other powers of the Council. This is known as the Public Sector Equality Duty ('**PSED**'). The PSED is set out at section 149 of the Equality Act 2010.

7.2 The Guidance in section 6 of Tier One sets out the three matters that the PSED requires the authority to pay regard to:

"All public sector acquiring authorities are bound by the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010. Throughout the compulsory purchase process acquiring authorities must have due regard to the need to: (a) eliminate unlawful discrimination, harassment, victimisation; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. In performing their public functions, acquiring authorities must have due regard to the need to meet these three aims of the Equality Act 2010.

... As part of the Public Sector Equality Duty, acquiring authorities must have due regard to the need to promote equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it".

7.3 It is noted that the new housing will offer a range of tenures and will be affordable to families of different sizes, older people and disabled people. Further:

7.3.1 the quality of the new homes will encourage better living environments for all;

7.3.2 those living in the homes will feel safe in the public realm thanks to the adoption of crime prevention measures;

7.3.3 the community space will be open to all helping to bring people together.

8 THE PLANNING POSITION

8.1 As described in the introduction to this statement, the Scheme benefits from the Permission which is part in outline and part in full, and the RMA over that part of the Scheme for which the Permission was granted in outline (in which the Order Land is located). The Permission was granted on 17 October 2022, and the RMA on 21 February 2024.

8.2 Broadly speaking, the detailed part of the Permission includes:

- 8.2.1 the central area of Phase 1 (i.e. excluding Block L and the arc of new homes on the south eastern side of the Scheme) being blocks E to J, and
- 8.2.2 Phase 3 which includes the commercial space of blocks A to D to the north of Cumberland Court.
- 8.3 The outline part of the Permission (which also benefits from the RMA) includes:
- 8.3.1 on the south western side of the Scheme Block K and the arc of new homes known as houses M1 to M28; and
- 8.3.2 on the south western side of the Scheme Block L and the arc of new homes known as houses N1 to N28.
- 8.4 Golding Homes is currently working through discharging conditions in relation to the Permission and the RMA, in particular regarding Phase 1 and that phase is currently under construction.
- 8.5 On 17 October 2022 Golding Homes entered into a unilateral undertaking under section 106 of the Town and Country Planning Act 1990, which was varied by a Deed of Variation dated 6 November 2024 ('the **S106 Undertaking**'). The S106 Undertaking secures a policy compliance level of the homes at affordable housing by requiring not less than 30% of the homes are affordable housing. However, Golding Homes will in fact be providing all of the homes in the Scheme as affordable housing. The deed of variation of 6 November 2024 amended the tenure of the affordable homes to provide a split of 70% affordable rented and/or social rented homes, and 30% shared ownership.
- 8.6 The S106 Undertaking also secures a travel plan monitoring fee, the submission for approval of a long term maintenance and management plan for all public spaces and play areas, and the submission for approval of a landscape and ecological management plan.
- 8.7 CIL liability has been calculated by the Council for the scheme. Golding Homes have applied and successfully received Social Housing Relief (granted in full on 17 April 2024).

9 COMPENSATION ISSUES AND STATEMENT AS TO THE EXTENT OF THE SCHEME TO BE DISREGARDED FOR THE PURPOSES OF ASSESSING COMPENSATION

- 9.1 The extent of the Scheme that is to be disregarded for the purposes of assessing compensation in the 'no-scheme world' as referred to in section 6A-6E of the Land Compensation Act 1961 is the delivery of the Scheme as defined in this Statement, for which the Order is being promoted.

- 9.2 The Council and Golding Homes will continue to endeavour to discuss the acquisition of private interests so that it can purchase such interests by agreement rather than compulsorily.

10 DELIVERY AND FUNDING

- 10.1 Paragraph 14 of the Guidance addresses the resource implications of the proposed scheme and requires the Council to set out both the sources and the timing of funding for the Scheme.
- 10.2 Golding Homes will be delivering the Scheme, with the Council's support through the use of its compulsory purchase powers. The Scheme is important to the Council in terms of the delivery not just of housing, but of affordable housing.
- 10.3 As one of the largest housing associations in the Southeast, Golding Homes deliver high-quality affordable homes to meet local housing need and invest in their communities. Golding Homes has a development pipeline of approximately 150 new homes per year. It is financially strong with a G1 V2 rating from its regulator and it has access to funds to deliver its development pipeline through its funding partners including Homes England, and several major retail banks.
- 10.4 Golding Homes are progressing with the delivery of Phase 1 of the Shepway regeneration project (119 new homes) and have secured funding through Homes England to guarantee its successful delivery. Other recently large schemes that Golding Homes have delivered include 155 new homes in Paddock Wood and 59 homes in Allington. In addition, it has recently entered into contract on new schemes with developers including Croudace, Bellway and Esquire, to deliver a future pipeline of affordable new homes.
- 10.5 The Scheme, which has already started, will be mainly financed by Golding Homes from its own finances and loan facilities. Golding Homes have already invested in bringing the Scheme forward from early consultations through to securing the necessary planning permission. Works have started on site already and a programme of moving the existing/previous occupiers out of their homes or their commercial premises is well underway.
- 10.6 Funding will also come from Homes England grant funding. These funding sources will allow Golding Homes to acquire the Order Land, for which it has estimates in place as to what compensation may be payable. The budget for carrying out the Scheme is reviewed and update accordingly, for example when contracts are entered into for construction works.
- 10.7 Golding Homes is also underwriting the Council's costs of using its powers of compulsory purchase to secure the Order Land as the last remaining piece of land required for the Scheme.
- 10.8 Once constructed and occupied, Golding Homes will be in receipt of rental incomes from the Scheme – both from the commercial units and from the homes delivered as rental products. That will be rental income that is assumed on a 50 year period. For shared ownership housing,

staircasing is assumed to take place after 25 years and rents and equity payments will be received accordingly.

- 10.9 The Council is satisfied that the Order Land will be needed well within the 10 year period set out in section 17(4) of the 1985 Act, as outlined in section 4 above. As referred to in the paragraphs above, works have already started on the Scheme, and most residents have been moved off site to allow for the demolition of homes in the first phases to be progressed.

11 SPECIAL CONSIDERATIONS

- 11.1 There are no ancient monuments within the Order Land. The Order Land is not within a conservation area.

- 11.2 The Order Land does not include any consecrated land.

- 11.3 The Order Land does not include any special category land.

12 OBSTACLES, PRIOR CONSENTS AND RELATED APPLICATIONS AND/OR ORDERS

- 12.1 Paragraph 15 of the Guidance asks whether there are any other impediments to the Scheme progressing. A key impediment, the need for planning permission, has been overcome by the grant of the Permission and the RMA. A start has already been made on site for the Scheme.

- 12.2 As would be expected with a scheme of this size, changes to the public highway will be needed. Any such works will be dealt with through agreements under sections 38 and 278 of the Highways Act 1980 as is the usual practice for developments. Agreements with further statutory undertakers may be required as well, in particular agreements for the adoption of sewers under section 104 of the Water Industry Act 1991, again as part of the usual progression of a development and the Council is not aware of any reason why these will not be entered into.

- 12.3 The Scheme required two passing places to be created on Cambridge Crescent. The Stopping Up of Highways (South East) (No 3) Order 2024 authorised this stopping up under section 247 of the Town and Country Planning Act 1990, and it came into effect on 1 February 2024.

13 ANTICIPATED IMPACTS ON AFFECTED OWNERS AND OCCUPIERS

- 13.1 The only landowner or occupier that will be materially impacted by the Council's exercise of its compulsory purchase powers will be the current tenant, who will have to vacate the flat. However, the Council are in negotiations with that person with a view to reaching agreement for them to move premises, with appropriate compensation being paid.

13.2 Golding Homes offer an extensive compensation and assistance package to affected leaseholders to try to mitigate the impacts of moving, which includes:

13.2.1 Surveyor fees for a replacement property.

13.2.2 Removal costs, including packing materials.

13.2.3 Solicitor fees for a replacement property.

13.2.4 Stamp duty for a replacement property up to a total property value of £300,000.

13.2.5 Disconnection and reconnection of services such as gas, electricity, and telephone.

13.2.6 Postal redirection (3-6 months).

13.2.7 Support in finding suitable replacement accommodation: Golding Homes offers assistance to leaseholders by researching the open market and engaging with local agents. Previously, Golding Homes have offered a shared equity option on properties within our portfolio.

14 CONSULTATION

14.1 The Scheme has been the subject of extensive consultation through the planning process. That started in May 2021 at which time a consultation pack was prepared and issued which provided information on the proposals for the Scheme and included a survey. These packs were hand delivered to Cambridge Crescent residents and shop owners. The packs were supported by resources made available online too, to collect feed back.

14.2 At the same time (12 May 2021), the Shepway Hub Office was opened giving Golding Homes an on site presence and drop in centre, where one to one appointments were available.

14.3 That period of consultation ended on 9 June 2021, with the results of the surveys being communicated via a dedicated Regeneration newsletter, Golding Homes' website and via social media.

14.4 That early consultation stage then fed into the planning application that was made for the Scheme, with consultation being undertaken by the planning authority in the usual way as part of the process of considering the application. The formal planning application consultation ran from October 2021 to June 2022.

14.5 Since 2021, Golding Homes has regularly met with the local Shepway Community at 6-monthly information evenings held at the local church. Golding Homes also operates from the Shepway

Hub twice a week allowing customers to attend and ask an questions they have about the development. They have engaged in consultation over the design of green spaces within the development with their contractor and residents of Shepway. A quarterly newsletter is published and posted online which updates individuals about the progress of the developments, the next steps and any important information. This newsletter is also emailed direct to members of the public who have signed up to the mailing list.

15 THE VIEWS OF GOVERNMENT DEPARTMENTS

15.1 No Government Departments have expressed any views about the proposed development.

16 ATTEMPTS TO ACQUIRE BY AGREEMENT

16.1 Whilst offers have been made, and agreement reached in almost all cases across the Scheme, it has not been possible to reach agreement in this instance, leaving the Order Land to be acquired. The Council and Golding Homes will continue to attempt to acquire interests by private treaty. However, as things stand it is not considered certain they will secure the interests it needs within a reasonable time. The exercise of the Council's powers of compulsory purchase will enable the Scheme to take place sooner and with more certainty than would otherwise be the case.

17 RELATED APPLICATIONS AND/OR ORDERS

17.1 There are no related orders, applications or appeals which require a co-ordinated decision by the Secretary of State.

18 THE ORDER, ORDER MAP AND STATEMENT OF REASONS

18.1 A copy of the Order, Order Map and Statement of Reasons can be inspected during normal office hours at the Council's offices: Maidstone House, King St, Maidstone ME15 6JQ subject to prior arrangement with Katie Exon (katie.exon@maidstone.gov.uk, 01622 602120). The documents can be also inspected using the following webpage: <https://maidstone.gov.uk/golding-homes-cpo>.

19 CONTACTS FOR FURTHER INFORMATION

19.1 Information about the Scheme as it progresses is available at this weblink: <https://www.goldinghomes.org.uk/regenerating-shepway>.

19.2 Owners and tenants of properties affected by the Order who require Information about the process can contact Katie Exon of the Council (katie.exon@maidstone.gov.uk, 01622 602120), and Golding Homes at shepwayregen@goldinghomes.org.uk , tel: 01622 212790.

20 CONCLUSION

20.1 The Council supports the Scheme and wishes for it to be brought forward in accordance with its adopted planning policies, the Permission and the RMA.

20.2 For the reasons set out in this Statement, the Council considers the Order to be within the necessary statutory powers and that a compelling case exists in the public interest which justifies the making and confirming of the Order.

21 SUPPORTING DOCUMENTS

21.1 The following documents will be available for inspection at the Council's offices, and where available online links have been provided below. In addition the Council will make the Order documents available on the Scheme website at <https://maidstone.gov.uk/golding-homes-cpo>.

MBC1	The Order, the Schedule and the Order Map.
MBC2	Report to Cabinet for the Council's Cabinet meeting of 18 September 2024 (item 22). (Public Pack)Agenda Document for Cabinet, 18/09/2024 18:30
MBC3	Decision of the Council's Cabinet meeting of concerning the use of compulsory purchase powers to deliver the Scheme. Minutes Template
MBC4	Planning officer's delegated report regarding planning application 22/500638/HYBRID for the Scheme. https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=R6ZTEOTYHYX00
MBC5	Planning permission reference 22/500638/HYBRID for the Scheme dated 17 October 2022. 22_500638_HYBRID-Granted Permitted-5712326.pdf
MBC6	Selected approved plans and application documents in relation to planning permission reference 22/500638/HYBRID for the Scheme. Planning application documents available from the planning portal: 22/500638/HYBRID planning portal
MBC7	Planning officer's delegated report regarding reserved matters application 23/505344/REM for the Scheme.

	https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S4J7Y7TYGPZ00
MBC8	Reserved matters approval reference 23/505344/REM for the Scheme dated 21 February 2024. https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S4J7Y7TYGPZ00
MBC9	Selected approved plans and application documents in relation to reserved matters approval 23/505344/REM for the Scheme. Planning application documents available from the planning portal: 23/505344/REM planning portal
MBC10	National Planning Policy Framework (2024) https://www.gov.uk/government/publications/national-planning-policy-framework--2
MBC11	The Council's Strategic Plan (2019-2045) Maidstone Borough Council Strategic Plan 2019-2024
MBC12	The Maidstone Borough Council Housing Strategy 2023 – 2028 your-councillors
MBC13	Maidstone Borough Council Local Plan Review 2021 – 2038 (March 2024) (extracts in hard copy) Local Plan Review 2021-38 [Adopted 20 March 2024].pdf - Google Drive

21.2 If a public inquiry into the confirmation of the Order is called, the Council may refer to or include in evidence further documents and will seek to notify the inquiry and any remaining objectors of any such documents as soon as possible in advance of the commencement of any inquiry.

THE MAIDSTONE BOROUGH COUNCIL (First Floor Flat, 12 ROCHESTER HOUSE, MAIDSTONE) COMPULSORY PURCHASE ORDER 2025

The Housing Act 1985

and the Acquisition of Land Act 1981

Maidstone Borough Council (in this order called 'the acquiring authority') makes the following order:

- 1 Subject to the provisions of this order, the acquiring authority is hereby authorised to compulsorily purchase under section 17 of the Housing Act 1985 the land described in paragraph 2 for the purpose of the provision of new affordable homes.
- 2 The land authorised to be purchased compulsorily under this order is the land described in the Schedule and delineated and shown coloured pink on a map prepared in duplicate, sealed with the common seal of the acquiring authority and marked: "Map referred to in the Maidstone Borough Council (First Floor Flat, 12 Rochester House, Maidstone) Compulsory Purchase Order 2025".
- 3 The acquiring authority may not serve a notice to treat or execute a general vesting declaration in respect of this order after the end of the period of three years beginning with the day on which the compulsory purchase order becomes operative.

Schedule

Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1.	All interests (excluding those of Golding Homes Limited) in 55 square metres or thereabouts of land and buildings being the first floor flat at 12 Rochester House, Cambridge Crescent, Maidstone ME15 7PA.	GOLDING HOMES LIMITED (Community Benefit Society No. 7628) of Whatman House, St.	JULIA JAYNE ROGERS of Flat 12, Rochester House, Cambridge	-	Lessee

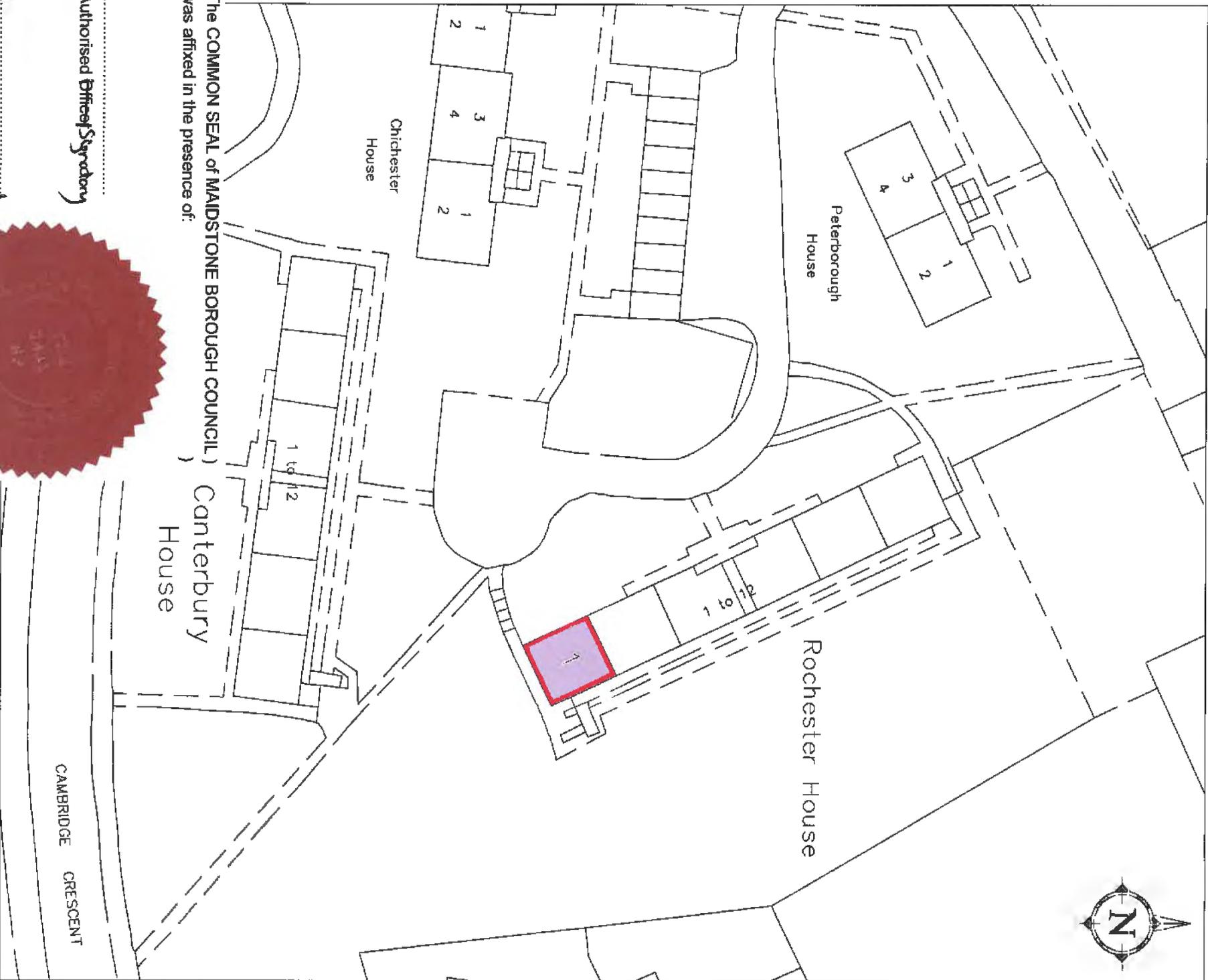
		Leonards Road, Allington, Maidstone ME16 0LS	Crescent, Maidstone, Kent ME15 7PA.		
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Table 2				
Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
1.	NATIONWIDE BUILDING SOCIETY of Nationwide House, Pipers Way, Swindon SN38 1NW.	Registered charge over the leasehold interest dated 3 November 2005.	Unknown.	Restrictive covenants preventing use for the sale of alcohol and ancillary uses.
			GOLDING HOMES LIMITED Address as per Plot 1 of Table 1.	The right to access the property to install and maintain smoke and fire detection equipment and for any other purposes associated with the rights or obligations of the landlord under the lease.
			GOLDING HOMES LIMITED Address as per Plot 1 of Table 1.	Various rights granted when the freehold of the property was sold on 2 February 2004: <ul style="list-style-type: none"> • Rights to support. • Access to enable repair of the land shaded blue. • Access the Property to inspect, repair, maintain, lay, connect into and renew any service conduit. • Rights to the passage of services through such conduits.

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
				<ul style="list-style-type: none"> • Right to light and air. • All implied easements or quasi-easements used over the property as at the date of the transfer.
			GOLDING HOMES LIMITED Address as per Plot 1 of Table 1.	The freehold title is subject to covenants not to dispose of the land (save for certain transactions) without complying with Housing Act restrictions and obtaining Secretary of State consent.
			GOLDING HOMES LIMITED Address as per Plot 1 of Table 1.	A covenant to comply with the landlord's obligations in the leases affecting the freehold, including the lease of flat 12 (the property).

Table 3

Number on Map	Other qualifying persons under section 12(2)(c) of the Acquisition of Land Act 1981 - name and address
1	-



The COMMON SEAL of MAIDSTONE BOROUGH COUNCIL
 was affixed in the presence of:

Authorised Officer/Syndicator

Name of Authorised Officer

Date 21/05/25



[Handwritten Signature]
 192805

10 20 30 Metres

First Floor
 12 Rochester House
 Cambridge Crescent
 Shepway
 Maidstone, Kent, ME15 7PA

Scale 1:500 @A4
 Drawing no.: 58324
 Date drawn: 18-11-2024
 Revision: 01

Alison Brown

MAIDSTONE BOROUGH COUNCIL

CABINET

MINUTES OF THE MEETING HELD ON WEDNESDAY 24 JULY 2024

Attendees:

Committee Members:	Councillors Jeffery (Chairman), Cox, English, Harwood, D Naghi, Summersgill, S Thompson and Wales
Visiting Members:	Councillor Russell

1. APOLOGIES FOR ABSENCE

There were no apologies.

2. URGENT ITEMS

There were no urgent items.

3. NOTIFICATION OF VISITING MEMBERS

Councillor Russell was present as a Visiting Member for Item 22 – Corporate Planning Timetable.

4. DISCLOSURES BY MEMBERS OR OFFICERS

There were no disclosures by Members or Officers.

5. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

6. EXEMPT ITEMS

RESOLVED: That all items be taken in public.

7. MINUTES OF THE MEETING HELD ON 19 MARCH 2024

RESOLVED: That the Minutes of the meeting held on 19 March 2024 be approved as a correct record and signed.

8. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

9. QUESTIONS FROM LOCAL RESIDENTS TO THE LEADER OR INDIVIDUAL CABINET MEMBER

There was one question from a Local Resident.

Details of the Decision to be taken	Decision to be taken by	Lead Member	Expected Date of Decision	Key	Exempt	Proposed Consultees / Method(s) of Consultation	Documents to be considered by Decision taker	Representations may be made to the following officer by the date stated
								Robjarman@maidstone.gov.uk, carolewilliams@maidstone.gov.uk
Consideration to administer a CPO on behalf of Golding Homes Report setting out a request from Golding Homes to administer a Compulsory Purchase order to secure a site for development	Cabinet	Cabinet Member for Housing and Homelessness	18 Sep 2024	No	No Part exempt	Housing and Community Cohesion Policy Advisory Committee 23 Jul 24	Consideration to administer a CPO on behalf of Golding Homes	Katie Exon Head of Property and Leisure katieexon@maidstone.gov.uk
Infrastructure Funding Statement Statement of developer contributions collected and spent from previous financial year (23-24)	Cabinet	Cabinet Member for Planning Policy and Management	20 Nov 2024	No	No Open	Planning and Healthier Stronger Communities Policy Advisory Committee 6 Nov 2024	Infrastructure Funding Statement	Rob Jarman, Carole Williams Head of Development Management, Robjarman@maidstone.gov.uk, carolewilliams@maidstone.gov.uk

Agenda Item 22

CABINET

18 September 2024

Proposed use of the Council's Compulsory Purchase Powers to facilitate the Cambridge Crescent Regeneration project in Shepway

Timetable	
Meeting	Date
Housing and Community Cohesion Policy Advisory Committee	23 July 2024
Cabinet	18 September 2024

Will this be a Key Decision?	Yes
Urgency	Not Applicable
Final Decision-Maker	Cabinet
Lead Head of Service	Mark Green, Director of Finance, Resources & Business Improvement
Lead Officer and Report Author	Katie Exon – Head of Property and Leisure
Classification	Public
Wards affected	Shepway

Executive Summary

Report to consider a request from Golding Homes for the Council to use its Compulsory Purchase powers (CPO) to secure the regeneration of the Cambridge Crescent area of the Shepway estate by Golding Homes.

Purpose of Report

Decision

This report makes the following recommendations to the Cabinet: That

1. Subject to Golding Homes indemnifying the Council for all associated costs, the Council utilises its CPO powers as outlined in this report, thus enabling the redevelopment of Cambridge Crescent to proceed; and
 2. Authority be delegated to the Director of Finance, Resources and Business Improvement to commission professional services and carry out all other necessary steps to enable the CPO powers to be exercised.
-

Proposed use of the Council's Compulsory Purchase Powers to facilitate the Cambridge Crescent Regeneration project in Shepway

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place • We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims. 	Head of Property and Leisure
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected • Should the recommendation be approved, the Councils cross cutting objectives will all be achieved in the redevelopment of Cambridge Crescent coming forward 	Head of Property and Leisure
Risk Management	Already covered in the risk section	Head of Property and Leisure
Financial	The costs for the Council of exercising its CPO powers will be covered by Golding Homes.	Section 151 Officer & Finance Team

Staffing	<ul style="list-style-type: none"> We will deliver the recommendations with our current staffing. 	Head of Property and Leisure
Legal	<ul style="list-style-type: none"> Acting on the recommendations is within the Council's powers. This specialist area of work will be undertaken by an external firm. 	Head of Property and Leisure
Information Governance	<ul style="list-style-type: none"> The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes. 	Senior Information Governance Officer
Equalities	<ul style="list-style-type: none"> The recommendations do not propose a change in service therefore will not require an equalities impact assessment 	Head of Property and Leisure
Public Health	<ul style="list-style-type: none"> We recognise that the recommendations will have a positive impact on population health or that of individuals. 	Head of Property and Leisure
Crime and Disorder	<ul style="list-style-type: none"> There are no implications to Crime and Disorder 	Head of Property and Leisure
Procurement	<ul style="list-style-type: none"> On accepting the recommendations, the Council will then follow procurement exercises. We will complete those exercises in line with financial procedure rules. 	Head of Service & Section 151 Officer
Biodiversity and Climate Change	<p>The implications of this report on biodiversity and climate change have been considered and:</p> <ul style="list-style-type: none"> There are no implications on biodiversity and climate change. 	Head of Property and Leisure

2. INTRODUCTION AND BACKGROUND

2.1 The Shepway estate was once owned and managed by Maidstone Borough Council, but was transferred to Golding Homes as part of the Council's broader social housing stock transfer in 2004. Shepway is one of the most deprived Wards in the borough, as well as in the southeast of England, and some areas of the estate are now in need of regeneration, most notably the Cambridge Crescent area to which this report relates. The properties that make up Cambridge Crescent are at the end of their life span and are in need of regeneration.

- 2.2 Golding Homes have been working on this regeneration project since 2018 and secured planning permission for their proposals in October 2022, with the Reserved Matters approvals secured in February 2024. In total, 114 homes will be demolished (Phase 1 – 40no, Phase 2 – 40 no and Phase 3 -34 no), and these will be replaced 236 new homes, all for affordable housing. The new homes will be a mix of 178 apartments (1 and 2 bedroom) and 58 houses (2 and 3 bedroom). The new affordable housing provision will include the same social rented number as before, plus further homes for affordable rent and shared ownership. Owing to the financial challenges of delivering the scheme, Golding Homes have been successful in securing Social Housing Grant monies from Homes England, which is highly unusual for regeneration projects.
- 2.3 The proposed redevelopment in addition to residential units would also provide for some commercial units, which would maintain and enhance the local and wider community experience, through provision of local amenities.
- 2.4 Phase 1 of the project is now on site and will complete by March 2026. Phase 2 can commence once Golding Homes have a robust plan in place to acquire the remaining properties that remain in owner occupation. IE where previous tenants had purchased their homes through the Right to Buy, but in some cases those homes will have been sold on to new owner occupiers or investment landlords.
- 2.5 The Council is satisfied that Golding Homes have engaged effectively with all stakeholders and residents through various channels including quarterly newsletters to ensure all parties are aware of progress on the site as the project evolves. They are also holding in-person consultation sessions on site to give stakeholders, and the wider community, the opportunity to give feedback and ask questions regarding the development (previous session in February, most recent one on 17th July).
- 2.6 A breaking ground ceremony is planned for 26th July and Golding Homes expect to have a number of key stakeholders and delivery partners in attendance. Additionally, they are working with the contractor (Skillcrown) to ensure residents and neighbours remain updated and consulted as construction progresses.
- 2.7 In order to secure vacant possession of Phase 1, Golding Homes had to “buy-back” one leasehold property, but this was not without difficulties, and so Golding Homes has asked the Council to utilise its CPO powers as a backstop position in respect of six remaining leasehold properties in phases 2 and 3. Their requirements are set out in appendix 1 of this report, being an open letter from the Chief Executive of Golding Homes. They hope to be secure these six properties through private negotiation, as per phase 1, but wish to twin track this approach with the CPO process running in tandem.
- 2.8 The Council has been contacted by Golding Homes to ask for assistance in securing up to six leasehold properties by utilising its CPO powers.
- 2.9 Golding homes are now facing the risk that unless they can secure the ownership of the remaining units, then the scheme will be frustrated and delayed, and they will lose Homes England funding if they are not able to meet their tight delivery milestones. If the funding is lost the redevelopment is very unlikely to go ahead. As there is now a real risk to the redevelopment, Golding Homes have formally asked that the Council evoke their CPO powers.
- 2.10 A representative from Golding Homes will be attending the meeting and if Members require will be able to make a presentation.

Outline of the Compulsory Purchase Order process

- 2.11 Compulsory Purchase Powers are a recognised tool to help acquiring authorities achieve social, environmental, and economic change to improve the quality of life of communities. The Council is an 'authorised body' granted powers to acquire land compulsorily to carry out a function which is in the public interest. The redevelopment of Cambridge Crescent demonstrates clear advantages both social and economic.
- 2.12 The law and procedures relating to compulsory purchase are complex and the use of such powers interfering with the rights of landowners / occupiers must be managed carefully and should only be used where there are clear benefits for public interest and delivering improvement.
- 2.13 CPOs by their very nature require management, expert, and specialist advice, they are very much process driven, and the statutory requirements and prescribed procedures must be adhered to and met. It is not a process that the Council would routinely undertake for all problem buildings and they can take time to complete and indeed are considered "expensive", The use of CPO powers is always seen as a last resort. Having met with Golding Homes, the report author is satisfied that they have reached this point, they have invested much time and effort into agreeing a negotiated purchase, which in the majority of cases has been successful.
- 2.14 The high-level process of a CPO is as outlined. Assuming Cabinet approval MBC will make the Compulsory Purchase Order (CPO), serving the notice of the owners and if applicable their tenants, approval is required from the Secretary of State by way of confirmation (after a Public Inquiry if objections to the order are made and not withdrawn). CPO powers cannot be exercised until after the order has been confirmed by the relevant Secretary of the State. MBC has three years from that date in which to implement its CPO powers. MBC can do this by either making a general vesting declaration, or by service of notice to treat and notice of entry. If the order is confirmed, MBC will advise affected owners, lessees, tenants and occupiers how it intends to exercise the order powers and will be required to serve notices relating to the making of a general vesting declaration, or notices to treat and notices of entry, as part of the acquisition process. Compensation will be paid, in accordance with the statutory compensation code, to parties from whom land, property and interests are acquired.
- 2.15 The council must demonstrate that the taking of land is justified and that there is a 'compelling case in the public interest' for the acquisition of the land. The council will prepare and issue a statement of reasons for the making of the order when the Compulsory Purchase Order is made, explaining the reasons and justification for the order. Any objections made which are not withdrawn will be considered by the inspector at the inquiry.
- 2.16 Persons who have received a CPO will be entitled to make an application to the local housing authority under the homelessness legislation. Each application would be considered on its merits, as this will depend on such matters as the composition of the household. If a full housing duty was owed, how the duty was ended will again depend on the circumstances of the applicant e.g. the amount awarded in compensation would be a factor, but there may be a period where the local housing authority is required to provide temporary accommodation whilst the applicant's long-term housing is resolved.
- 2.17 It should be made clear that objections to the order are not just restricted to tenants and owners, but any member of the public (with or without an interest) can make an objection to the CPO. If valid objections are received the process moves to a Public Inquiry.

Overview of costs

- 2.18 Before commencing any works, the Council will enter into an agreement with Golding Homes, which will bind Golding Homes to fully reimburse all expenditure including officer time.
- Estimated legal and Professional fees - £250,000 (assuming public enquiry)
 - Valuation payment for each property (open market value, currently £150,000 per unit on average)
 - Loss payment – statutory payment 10% of open market value
 - Owners and Tenants can claim for their reasonable professional fees associated with the order.
 - MBC Officer time TBC
 - The cost of providing temporary accommodation varies depending on the size of the household and whether they have particular needs. The average cost of single nightly paid temporary accommodation is around £45 per night but can be double that amount for larger households. This cost needs to be considered as there will be a potential obligation on the Borough Council to provide temporary accommodation to households displaced.

Timescale

- 2.19 In terms of timescales, there have been changes in legislation in recent years with a view to simplifying and speeding up the compulsory purchase process. This was particularly aimed at strategic neighbourhood planning but also helps schemes where there are no objections when acquiring authorities may now be able to confirm their own orders if they are unopposed and certain other criteria are fulfilled stages.
- 2.20 Whilst some stages in a compulsory purchase procedure have defined timescales (such as the time required to allow responses to public notices, periods of notice to prepare for public inquiry etc), the time taken to work through many of the stages will be dependent on numerous factors. As such, it is not possible to provide a guide timetable as there is no typical CPO.
- Preparing for and making the CPO – the process whereby the Council would consider its support for the CPO and thereafter prepare, publish and make the CPO. This is a very resource hungry part of the process.
 - Confirmation of the CPO – this may involve the Council but will culminate in the CPO being either confirmed, modified, or rejected.
 - Implementing the CPO - assuming the CPO is confirmed, the Council will acquire the land (we will need as part of agreement with Golding Homes a clause that compels us to transfer and GH to complete the transaction)
 - Compensating – the Council will negotiate and pay compensation to interested parties. It should be noted that negotiations and acquisitions should be progressing throughout the whole process. The ideal situation is to acquire by agreement rather than use a CPO.
 - Miscellaneous matters that may form part of the process, depending on the individual CPO.

3. AVAILABLE OPTIONS

- 3.1 The Council could utilise its CPO powers as outlined in this report which will enable the redevelopment of Cambridge Crescent to proceed.
 - 3.2 Alternatively the Borough Council could choose not to use their CPO powers, the result being that the redevelopment of Cambridge Crescent may not progress.
-

4. RISK

- 4.1 There is a real risk that if the Council opt to not use its CPO powers, then this redevelopment may not be able to proceed, this would pose a reputational risk to the Council. Although it may be viewed that publicity in pursuing a CPO action against private homeowners may be controversial, the homeowners are fully compensated for loss, as detailed within this report.
 - 4.2 Members need to consider what holds the highest risk, failure to intervene and enable the redevelopment to proceed, which will deliver an increase in fully affordable homes, the modernisation of a development that is problematic in quality and social standards, or the risk of possible adverse publicity.
 - 4.3 With regard to financial risk, the Council will enter into an indemnity contract with Golding Homes to recover all expenditure, including officer time.
-

5 CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The local Ward Members have been consulted on the contents of this report. The Housing and Community Cohesion Policy Advisory Committee considered the report on Tuesday 23 July 2024 and approved the recommendations.
-

6 NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 The Cabinet can choose to implement the decision on Wednesday 18 September 2024.
-

7 REPORT APPENDICES

- Appendix 1: Open letter from the CEO of Golding Homes
-

MAIDSTONE BOROUGH COUNCIL

CABINET

MINUTES OF THE MEETING HELD ON WEDNESDAY 18 SEPTEMBER 2024

Attendees:

Committee Members:	Councillors Cox, English, Harwood, Jeffery (Chairman), D Naghi, Summersgill, S Thompson and Wales
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26. APOLOGIES FOR ABSENCE

There were no apologies.

27. URGENT ITEMS

The Chairman stated that there he intended to take Item 28 – Response to the Overview and Scrutiny Committee – Recommended Actions arising from the review into Environmental and Waste Crime Enforcement as an urgent item, and that there were urgent updates to the following:

- Item 21 – 1st Quarter Financial Update report
- Item 24 – Strategic Development Site Supplementary Planning Documents – Stakeholder Governance Group Proposals

28. CHANGE TO THE ORDER OF BUSINESS

The Chairman intended to take Item 28 – Response to the Report of the Overview and Scrutiny Committee – Recommended actions arising from the review into Environmental and Waste Crime Enforcement during Item 12 – Issues Arising from Overview and Scrutiny.

29. NOTIFICATION OF VISITING MEMBERS

Councillors Cleator, Russell and D Wilkinson were present as Visiting Members for Item 19 – Dealing with Nuisance Vehicles.

Councillor Russell was also present as Visiting Member for:

- Item 17: Reference to Cabinet – Voting Age to 16
- Item 18: Reference to Cabinet – Nature Recovery Declaration
- Item 22: Consideration to administer a CPO on behalf of Golding Homes

30. DISCLOSURES BY MEMBERS OR OFFICERS

There were no disclosures by Members or Officers.

31. DISCLOSURES OF LOBBYING

3. The Risk update, attached at Appendix 2 be noted.

48. CONSIDERATION TO ADMINISTER A CPO ON BEHALF OF GOLDING HOMES

RESOLVED: That

1. Subject to Golding Homes indemnifying the Council for all associated costs, the Council utilises its CPO powers as outlined in this report, thus enabling the redevelopment of Cambridge Crescent to proceed; and
2. Authority be delegated to the Director of Finance, Resources and Business Improvement to commission professional services and carry out all other necessary steps to enable the CPO powers to be exercised.

49. MAIDSTONE LOCAL DEVELOPMENT SCHEME UPDATE

RESOLVED: That the Local Development Scheme 2024-2026, attached at Appendix 1 to the report, be recommended for adoption by Council.

50. STRATEGIC DEVELOPMENT SITE SUPPLEMENTARY PLANNING DOCUMENTS - STAKEHOLDER GOVERNANCE GROUP PROPOSALS

RESOLVED: That the Stakeholder Steering Group proposals, attached as Appendices 1, 2 and 3 to the report, be approved subject to typographical changes raised by Cabinet.

51. CORPORATE PROPERTY ACQUISITION

RESOLVED: That

1. The purchase is agreed, for the amount specified in Exempt Appendix 1 to the report, the site shown outlined in red on the attached plan, Exempt Appendix 2 to the report;
2. The Director of Finance, Resources and Business Improvement is delegated authority to conclude negotiations with the leaseholder; and
3. The Director of Finance & Business Improvement is delegated authority to instruct solicitors to negotiate and complete all necessary agreements and deeds arising from or ancillary to the purchase.

52. PROPERTY ACQUISITION (REF 240822A)

RESOLVED: That

1. The financial returns for the proposed acquisition as shown in Exempt Appendix 3 to the report, which supports the Housing Development and Regeneration Investment Plan and overall Development Strategy be approved.
2. The Director of Finance, Resources and Business Improvement be given delegated authority to:

NOTES FOR TECH		
APPLICATION PROPOSAL		Ref No 22/500638/HYBRID
Hybrid planning application for demolition of existing buildings, including 114 residential units, 15 retail units, 10 garages and former public WC, and redevelopment (100% affordable housing), for a mixed-use development.		
Full planning permission for demolition and mixed-use redevelopment (phased) to provide buildings known as Blocks A, B, C, D, E, F, G, H, I & J, ranging in height from three to five storeys (ground inclusive) comprising 152 residential units (Use Class C3), 1400 sqm GIA of flexible commercial floorspace (Use Class E, inclusive of a, b, c), and including 200m2 of class E(e) and 160m2 of class E(g)(i), private and public car parking, servicing bays, public realm and associated landscaping, play and amenity space, plant and refuse areas and access arrangements.		
Outline planning permission (access and scale being sought) for demolition and redevelopment (phased) to provide buildings known as Blocks K, L, Houses M1 to 28 and N1 to 28, ranging in height from two to three storeys (ground inclusive) comprising 84 residential units (Use Class C3).		
ADDRESS Land Between Northumberland Road And Cambridge Crescent Shepway Estate Maidstone Kent ME15 7LL		
RECOMMENDATION - Application Permitted		
WARD Shepway South	PARISH/TOWN COUNCIL	APPLICANT Golding Homes AGENT Hunters Architects
DECISION DUE DATE 17/10/22	PUBLICITY EXPIRY DATE 23/06/22	

Officer Site Visit – 02/03/22 & 30/08/22

RELEVANT PLANNING HISTORY

All houses and the shops with flats above were built in the 1950's. There have been numerous applications since mainly relating to changes of use and works/signage to the shops. Cambridge Way adjoining the south part of the site was built in the mid 2000's.

DESCRIPTION OF SITE

The application site is 3.4ha and includes shops, a dentist, and library with flats above in the north part fronting Northumberland Road, and apartments within blocks set in fairly large spaces in the south part, which generally face Cambridge Crescent. In the north part, 'Northumberland Court', which houses the shops and flats, is a largely four storey building and has a car park to the front, and the apartments in the southern part are two storey. None of the dwellings on site have private gardens and whilst there are grassed areas around them with a number of trees, this land is predominantly expanses of mown grass with no formal or informally defined recreation areas such as play. These areas are also broken up by a number of vehicular access routes and parking areas.

There are mixed uses adjoining the north part of the site including churches, a veterinary surgery, medical centre, and houses at the east and west ends all between single storey and three storey height. Cambridge Way adjoins the south part which is short cul-de-sac with two storey terrace houses and a three storey apartment block.

The site falls within the urban boundary and the existing shops fall within a 'local centre' designation in the Local Plan where policy DM17 protects retail uses. There are no listed buildings nearby. The surrounding area is predominantly residential.

PROPOSAL

This is a hybrid application in that detailed full permission is sought for the majority of the scheme, and outline permission for the remainder.

Full permission is sought to demolish the existing shops, flats and houses to construct 6 new buildings providing retail floorspace and 152 flats. Two buildings fronting Northumberland Road would have mainly retail on the ground floor but also a small amount of medical/health service and office space all with flats above. They would be four storeys to the front with five storey parts behind. Two buildings further south within the centre would have a small area of retail on their ground floor and otherwise flats and would be five storeys to the front and four to the rear. Two smaller buildings either side of the central blocks would be solely flats and be four storeys. Parking for the shops and flats would be provided mainly within the centre and areas of public open space including a 'public garden' square, two informal play areas with play equipment (LEAP & LAP), and two communal spaces.

Outline permission is sought for apartment blocks and houses (84 units) in the south part of the site. Only details of access and scale (two to three storeys) are being considered at this stage but illustrative plans have been provided in an attempt to demonstrate how the development could be accommodated. These show mainly semi-detached houses with driveways fronting Cambridge Crescent and inside the site, and an apartment block at either end.

There would be two access points onto Northumberland Road as there currently is but in slightly different positions. The two existing accesses off Cambridge Crescent would be used and the semi-detached houses would have their own driveways. There would be a total of 236 dwellings being a net increase of 122.

POLICY AND OTHER CONSIDERATIONS

- 1.0 Maidstone Borough Local Plan (2011-2031): SS1, SP1, SP19, SP20, SP23, ID1, DM1, DM2, DM3, DM5, DM6, DM8, DM10, DM12, DM17, DM19, DM20, DM21, DM23
- 2.0 Kent Waste and Minerals Plan (amended 2020)
- 3.0 National Planning Policy Framework (NPPF)
- 4.0 Planning Practice Guidance (PPG)
- 5.0 MBC Air Quality Guidance
- 6.0 MBC Public Art Guidance
- 7.0 Maidstone Local Plan Review (Regulation 22 submission)

LOCAL REPRESENTATIONS

Local Residents: 2 representations received raising the following (summarised) points:

- Overshadowing from blocks of flats.
- Loss of privacy.
- Lack of parking.
- More traffic.
- Anti-social behaviour with lots more people living close together.
- Pressure on infrastructure and local services.
- Regeneration will destroy a peaceful area with a strong sense of community.

CONSULTATION RESPONSES

Environment Agency: Assess as low risk and so do not have any specific comments.

Natural England: No comments to make.

KCC Highways: **No objections** subject to conditions.

KCC SUDs: **No objections** subject to conditions.

KCC Ecology: **No objections** subject to conditions.

KCC Infrastructure: Acknowledge MBC is a CIL authority but still outline financial contributions towards primary and secondary education, community learning, youth services, libraries, social care, and waste.

MBC Landscape: **No objections** and suggest some species changes.

MBC Housing: Supportive of the tenure and size mix being proposed.

MBC Environmental Health: **No objections** subject to conditions.

MBC Parks and Open Spaces: Request a financial contribution of £357,419 for upgrading existing public open spaces due to increased pressure. Officer comment - This should be £184,767 due to net increase of houses.

Southern Water: Diversion of the public sewers and increased foul drainage capacity will be required with a condition requested re. foul drainage.

Kent Police: Acknowledge the applicant demonstrates a good understanding and use of 'secure by design' principles. Consider the play parks should have defensive boundaries so they can be secured at night to prevent anti-social behaviour.

APPRAISAL

The site is previously developed land in the centre of the Shepway housing estate so is clearly a suitable location for the proposed development. The existing shops fall within a 'local centre' retail designation in the Local Plan where policy DM17 protects the retail uses. The proposals are to replace the existing floorspace (1,200m²) with 1,400m² of flexible commercial floorspace (retail, food and drink, financial or professional services, inclusive of 200m² of medical or health, and 160m² of offices) and so the local centre function would not be lost. As such, the main issues are considered to be:

1. Density, Scale and Local Character
2. Layout, Design Quality, Appearance, and Landscaping
3. Highways and Parking
4. Residential Amenity (existing properties and proposed)
5. Public Open Space
6. Affordable Housing & Infrastructure
7. Impact on Local Retail Centre and Phasing
8. Other Matters – Ecology, Drainage, and Representations

Density, Scale and Local Character

The proposals are for a medium to high density scheme with a net density (excluding open space areas) of approximately 77 dwellings per hectare (dph) across the whole site. The existing site contains no houses, no units with private gardens and a predominance of smaller properties but due to the large open spaces the majority of the site is developed at a low density. The wider area generally features two storey semi-detached suburban houses at a medium density.

The proposals are for 86 (36%) 1 bed flats; 32 (14%) smaller and 62 (25%) larger 2 bed flats; and 56 (24%) 2 and 3 bed houses (each with a private garden). So, whilst a higher density is proposed there would still be a good mix of unit sizes including houses. As the surrounding neighbourhood is predominantly semi-detached and terrace housing, it is also considered that the relatively high number of 1 and 2 bed flats is acceptable in this wider context.

With the density being higher it needs to be considered whether the impact of the development on the character of the area is acceptable and policy DM12 (Density of Housing Development) states that new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area. Higher density can be acceptable, and the overarching consideration is the impact upon the character of the area and design quality.

The southern part of the existing site has some fairly large grass areas with buildings set back and this creates a sense of openness in the west and east parts of Cambridge Crescent with some views through. This is generally out of character with the local area which mainly has medium density housing with defined front and rear gardens. The open areas do contribute to local character but they are not quality spaces it being unclear in many cases whether they are public or private as they abut houses, they are divided by accesses and parking, and there is a general lack of landscaping other than grass. However,

development of the site as proposed would undoubtedly change this character through the loss of these spaces.

In terms of scale, this is predominantly two storeys in the local area but the existing shops in the north part of the site are four storeys. The proposals are for four storeys in this part of the site and so would not be out of character here. The five storey parts are set back in the centre of the site and so would not be prominent from the main roads to the north and south. The reserved matter of scale is being sought for the outline element which is two storeys for houses and three storeys for apartments. Two storey semi-detached houses would be in keeping with buildings on Cambridge Crescent and the three storey apartments would not be harmful to the area.

The openness of the southern part of the site would be largely eroded and the extent of taller buildings would be out of character with the predominant scale in the local area. However, I do not consider this would be a harmful change because semi-detached properties are proposed in the south with gaps between to match existing properties and the dominant local character, four storey buildings are already present on Northumberland Road, and the five storey buildings would be in the centre of the site. I consider a higher density scheme is acceptable in principle for these reasons but the design must be of a high quality.

Layout, Design Quality, Appearance, and Landscaping

Layout

Connections within the layout are provided from north to south through a landscaped route either side of the Cambridge Way development and through the central 'public garden'. Surveillance over the route would be provided by the flats and can be provided by the semi-detached houses (conditions will ensure active flanks under the reserved matters). East to west routes would be provided which are overlooked by the proposed properties and connections with Cambridge Way are provided. This ensures safe routes through the site for future residents but also for people living adjacent and in the local area to access the shops in line with policy DM1 of the Local Plan and Maidstone Building for Life 12.

In terms of building lines, the development would be set slightly forward of existing buildings on Northumberland Road so would not be out of keeping and there would be room for new trees along the frontage where there are none at present. In the southern part, whilst layout is not being considered the illustrative plans show semi-detached houses set back around 7m from the pavement on Cambridge Crescent which is similar to the houses opposite. This set back is necessary and so can be secured by condition to guide the reserved matters. The illustrative plans also show sufficient spaces between these buildings generally matching houses opposite so that the proposed number of units can be suitably accommodated.

With taller buildings proposed the spaces between them are important to ensure the development does not feel claustrophobic. The taller parts of the front and central blocks (five storey part is 16.7m to ridge) would be around 45m apart

with the central parking areas and 'public garden' between. This would be a sufficient space to ensure the buildings do not feel oppressive. There are tighter spaces (12-15m) between the flanks of buildings but these are fairly short areas which soon open up to larger spaces. The taller buildings would have sufficient space to the proposed semi-detached houses to the south (19-27m). Overall, the spacing between buildings is considered to be acceptable to ensure an acceptable environment.

Design & Appearance

There is a mix of building design and styles in the local area so a development with its own distinctive character is acceptable. In basic terms the buildings are flat roofed blocks faced with brick so the articulation, layering, and materials are critical to provide sufficient relief to the brickwork and interest.

The frontage buildings (Blocks AB & CD) have a strong base through the ground floor element which has the glazed shopfronts of the commercial units with brick pillars between. On the insides of the buildings the ground floor would project with a roof overhang above the retail units to provide shelter. In terms of detailing, there would be corbel brick detailing (stepped brick courses) above the shop fronts, coping above the ground floor and the use of a bronze perforated metal balustrade on the inside elevations. Above this, the first to fourth floors would be set back with terraces for first floor properties. There would be projecting and recessed parts and balconies with perforated metal screening. Detailing would be provided through recessed panels with border detailing around windows, bronze panels on some windows to match the balustrades, balconies, and bronze window frames. The tops of the buildings would be capped with projecting stone coping.

The massing of the building is broken up with the various projections and recessed elements and also through the balustrades and balconies. The detailing and layering provide interest and overall, the frontage buildings are considered to be of high quality and would enhance the local area.

The east and west flanks will be visible in the streetscene and so improvements have been negotiated to ensure these are well animated and have the same level of detailing and layering as the other elevations (corbel brickwork, balustrades, recessed panels around windows, and balconies).

The buildings will be faced solely with brick with two colours on the different sections on the largest blocks. With predominantly bricks being used the type and quality of them is extremely important. The applicant is proposing a light coloured buff and darker brown brick to contrast and some example images have been provided. I consider such colours would be suitable as it would provide a distinctive appearance, and there is a mix of materials in the local area (red/brown/yellow bricks and light coloured render). However, it is vital that they have visible variations in colour and texture to ensure sufficient interest, similar to those indicated. Conditions will be descriptive in ensuring this.

The five storey section of the central buildings (Blocks FG & HI) are of a similar design and appearance to the front blocks. The rear four storey parts are simpler in appearance but have interest again from the balconies, bronze spandrel

panels between windows, and coping to the top. The highly visible north elevation would be animated with windows set in recessed frames and bronze panels. Brick detailing would be provided on the ground floor.

The four storey outer buildings (Block E & J) would have recessed brickwork detailing in vertical lines from ground to third floor and a recessed central section on the north side. On the south side would be a balustrade to the ground floor with balconies above. This would provide good interest and detailing to these buildings.

The design and appearance of the outline element is reserved but three storey apartment blocks and semi-detached houses are indicated which would be appropriate for the local area subject to reserved matters detail.

Surface materials include resin bound gravel in the public spaces, block paving for the accesses and parking areas which will provide a good quality finish and can be secured by condition.

Public Spaces & Landscaping

Policy DM19 criteria 8 states that for applications to develop existing open areas within the urban area, regard must be had to the impact of the loss of such areas in terms of character (assessed above), amenity, and biodiversity. The existing open spaces are large barren mown grass areas that are not genuine useable public open spaces as they are not designed for active use, contain no play areas or general socialising/meeting spaces, and so have little function for existing residents, nor ecological value.

The proposals are for different types of public open space including a 'public garden' square (which has been enlarged through negotiation), two informal play areas with play equipment, and two communal spaces (growing areas, table tennis, seating/tables) which would all be provided near the centre of the scheme and include ragstone seating. These would provide good quality spaces for residents to meet/interact and their detail can be secured by condition. Public art is indicated within the public spaces and the main car park which will provide character and can be secured by condition.

Landscaping proposed includes new trees along the frontage with Northumberland Road and within the parking areas with new hedging to break up these spaces. The communal public spaces will have trees and shrub planting and rain garden areas. Whilst in outline, the illustrative plans indicate trees within the frontages of the semi-detached houses which is necessary to provide a quality streetscene and can be secured by condition. The existing spaces provide very little functional value to local residents and the proposed spaces and landscaping will provide good quality spaces in line with policies DM1 and DM19 of the Local Plan.

Because this is a relatively high density scheme these public spaces and the landscaping within is extremely important. Their delivery and long term management/maintenance to ensure they are well looked after is therefore critical and long term management and maintenance plans are required, which will be secured under a legal agreement.

In terms of existing trees, there are 21 on the site, none of which are category A or B. They are all proposed for removal which is acceptable based on their low quality and also the proposed tree planting, which is for over 150 new trees on the detailed part with more to be provided on the outline part.

Overall, the proposals will suitably integrate with the local neighbourhood; the development will create its own distinctive character with the buildings broken up with sufficient interest, articulation, and detailing; and good quality public spaces and landscaping would be provided. The proposals are considered to provide a high quality development in accordance with policy DM1 of the Local Plan and Maidstone BfL12.

Highways & Parking

KCC Highways originally raised issues relating to the proximity of the access points and zebra crossing on Northumberland Road, clarification of traffic flows and forecasts, trip generation and traffic surveys, vehicle tracking, visibility, and parking. Additional information was provided and the access points amended to maintain the location of the zebra crossing. Following re-consultation, no objections have been raised subject to conditions and I agree the proposals would not result in any severe impacts upon the local highway network. The reserved matter of access is being sought for the outline elements which would see individual entrances for the houses onto Cambridge Crescent to which KCC Highways have raised no objections.

The site is well served by public transport and an upgrade to the bus stop on Cumberland Avenue just to the northeast to provide a shelter and seating will be secured by condition. A Travel Plan is proposed which is appropriate and can be secured by condition with the monitoring fee of £1,422 secured under a legal agreement.

Parking provision for the new properties would align the standards under policy DM23 (1 per 1/2 bed flat and houses) and slightly exceeded for the 3 bed houses where 2 spaces are provided instead of 1.5. Sufficient spaces would be provided for the commercial uses and visitors (56 spaces) bearing in mind it is a sustainable location. Secure cycle parking for the residential and commercial uses would also be provided. Loading bays for deliveries to the commercial uses are located close to the units (one on the frontage and two within the centre) with adequate turning space.

Overall, the proposals are considered to be in accordance with policies SP23, DM1, DM21 and DM23 of the Local Plan.

Residential Amenity (existing properties and proposed)

The new properties would meet national minimum space standards and would have suitable privacy and light and all flats would have an external terrace or balcony. The outline part would have sufficient space to provide gardens for the houses and communal space for the apartments. Conditions can ensure any plant associated with the commercial units does not cause noise amenity problems for new residents.

For existing properties on Northumberland and Cambridge Crescent the proposals would be a sufficient distance (at least 27m) so as to not cause any unacceptable impacts upon light, outlook, or privacy. Cambridge Way would be surrounded by the proposed development but the outline element to the west and east can be designed so as not cause any unacceptable impacts upon amenity. To the north the 3/4 storey block would be positioned away from 26-30 Cambridge Way so as not to have an unacceptable impact upon outlook, light, or privacy. Block I would be behind the apartment block on Cambridge Way (nos. 2-24) but steps down to 3 storeys which at between 14-17m away would not result in an unacceptable impact upon outlook or light. The four storey part would be between 18-22m away which would be acceptable. First and second floor windows (only two) would be obscured to prevent any loss of privacy which will be secured by condition.

Public Open Space

In terms of a quantitative assessment, Policy DM19 protects existing public open space unless it is replaced or there is no deficiency. As stated above the existing open spaces are large barren mown grass areas where public/private use is unclear. I agree with the applicant that the majority of this land is not genuine public open space as it is close to private houses or divided by accesses and parking. There is a larger central space which is a more useable area between buildings that I consider is genuine public open space with an area of approximately 2,750m². The proposals would provide around 4,700m² of new public open space which would also be of much better quality because it provides play equipment, communal facilities, and places to stop and meet. On this basis, there is no loss of useable public open space but an increase and improvement in quality.

The MBC Parks and Open Spaces Team have requested a financial contribution towards off-site public open space based on the amount provided on site. If correctly based on the net increase in properties this would be £184,767. Any pressure off-site would normally be dealt with by CIL, however this is a 100% affordable housing scheme so would not be liable. As affordable housing has been exempted nationally from CIL it would not be reasonable to then seek s106 monies against it. I consider the benefits of providing 100% affordable housing outweigh any limited pressure on public open in the locality from the additional 122 properties, which would be served by good quality on-site public space. As stated above, because the quality of the public space is extremely important their delivery and long term management/maintenance will be tied down under the legal agreement.

Housing Mix, Affordable Housing, and Infrastructure

The proposals provide for a mix of unit sizes with 1 and 2 bed apartments and 2 and 3 bed houses. This is broken down as 86 (36%) 1 bed flats; 32 (14%) smaller and 62 (25%) larger 2 bed flats; and 56 (24%) 2 and 3 bed houses (each with a private garden). The proposals are for 100% affordable and policy SP20 requires 30%. This 30% will be secured under a legal agreement with a 70/30 split (social rent/shared ownership) to ensure compliance with this policy.

The unit sizes/mix have been agreed with the Council's Housing Section who raise no objections.

Off-site infrastructure such as education and healthcare would normally be dealt with by CIL, however as stated above, as affordable housing has been exempted nationally from CIL it would not be reasonable to then seek s106 monies against it. I consider the benefits of providing 100% affordable housing outweigh the lack of financial contributions for infrastructure. There is no need to secure the 100% AH under a legal agreement as it is within the description and would require a new planning application to make any changes.

There is a national requirement to provide 25% of affordable housing as 'First Homes'. There is no express exemption specified in the NPPG even where a site provides 100% AH, however, the Written Ministerial Statement (WMS) by which First Homes was introduced (May 2021), which is a material consideration states that:

"Where specific developments are exempt from delivering affordable home ownership products under paragraph 64 of the Framework, they shall also be exempt from the requirement to deliver First Homes."

Paragraph 64 of the NPPF referred to here is the new paragraph 65 of the current NPPF. This provides an exception to providing 10% home ownership products where a development is for 100% AH. Therefore, if an application propose 100% AH as is the case, it is also exempt from the First Homes Requirement and legal advice has confirmed this to be the case.

Impact on Local Retail Centre and Phasing

The existing retail floorspace would be replaced with a mix of unit sizes for flexibility. The applicant is proposing to phase the demolition of the existing units whilst building the new units to limit the disruption and loss of any retail services as far as possible which is acceptable. This can be secured by condition.

Other Matters

Ecology & BNG

The site is mainly mown grass and has low ecological value. Bat emergence surveys have been carried out with no bats recorded emerging from buildings. A BNG metric has been submitted and predicts that the development will result in a 60% BNG through the proposed landscaping scheme. KCC Ecology query whether it will be quite this high but agree it will thereabouts and so the proposals will provide significant biodiversity enhancements. It is considered appropriate to secure this by conditions and the long term plan in the legal agreement to secure at least 20% (as per the emerging BNG policy in the draft Local Plan). In addition, hedgehog nesting boxes and fencing gaps, bird boxes, swift and bee bricks, and hibernacula would be provided and can be secured by condition.

Drainage

Surface water would be stored and then discharged at a controlled rate into the public surface water with the applicant predicting a 50% betterment from the existing situation. KCC LLFA have raised no objections subject to conditions.

In terms of foul drainage, Southern Water (SW) have stated the development lies over public sewers and so diversions will be required. They also state that permeable paving over the public sewers would not be acceptable. The applicant would therefore need to carry out the diversion process separately with SW under the Water Industry Act. They request a condition covering this but this is not considered to be necessary. If the applicant is unable to satisfy SW/agree diversions, they would have to resubmit a new planning application with amendments to their application.

They have also confirmed they will provide any necessary reinforcement or improvements to the foul sewers to accommodate the development and recommend a condition so occupation aligns with their delivery, which they say they will endeavour to provide within two years of any permission. I do not consider such a condition is reasonable such that a developer may have to wait two years before any properties can be occupied. The onus is on the statutory undertaker to ensure infrastructure is in place in a timely manner.

Air Quality

Environmental Health do not consider the scale of development and its location in respect of the Maidstone Town AQMA warrants an air quality assessment. Nonetheless the applicant has provided one which I consider is appropriate for a net increase of over 100 houses. Following the MBC guidance, mitigation is proposed in the form of EV charging points for each dwelling with dedicated parking and 1 point per 10 spaces otherwise. For the commercial uses 10% of the spaces will be provided with a charging point. This is considered proportionate and acceptable and will be secured by condition. The charging speed is not specified but 7kW is considered appropriate.

Energy Strategy

Solar PV panels on the roofs of the apartment blocks are proposed and the commercial units will meet a BREEAM Very Good standard in line with policy DM2.

Construction

Environmental Health have recommended conditions relating to hours of construction and code of construction practice due to potential impact on residential amenity. Such matters are suitably covered by Environmental Health legislation and are therefore not necessary.

Representations

Representations made largely relate to issues discussed in the assessment. It is not considered the density of the development and more people living at the site

would be a direct cause of anti-social behaviour or that could warrant an objection.

Legal Agreement

A legal agreement is required to secure the 30% affordable housing, travel plan monitoring fee and long term management and maintenance plans for the public spaces and landscaping/BNG.

CONCLUSION

For the reasons outlined above, it is considered a higher density scheme is acceptable because the current open spaces within the south part of the site, which do not provide any positive function, are generally out of character with the local area which mainly has medium density housing with defined front and rear gardens. The loss of these spaces would therefore not harm the prevailing character of the local area.

The 4/5 storey buildings are acceptable as there are 4 storey buildings already present in the north part of the site, the 5 storey buildings are set well back within the centre, 2 and 3 storey buildings are proposed on the south part which lower down to the prevailing scale here, and sufficient spacing between the apartment blocks is provided.

The development would have a distinctive character which is acceptable because there a mix of building designs and styles in the local area. Moreover, because the buildings are well designed with good detailing, articulation to break up their mass, active elevations, and good interest which will be secured by condition. The materials palette is restrained but the materials and colours suitably complement one another and subject to the conditions are acceptable. Good quality public spaces and landscaping would be provided which is secured by condition as would their long term management and maintenance under the legal agreement.

There are no objections from any consultees and there would be no unacceptable impacts upon existing or prospective residential amenity.

The proposals would provide 100% affordable housing within a scheme that would improve the character and appearance of the local area and which accords with all relevant Development Plan policies and the NPPF.

Permission is therefore recommended subject to a legal agreement to secure the heads of terms set out below and the following conditions.

Heads of Terms:

1. Securing 30% affordable housing of which 70% is social rent and 30% is shared ownership.
2. Securing a Long Term Management and Maintenance Plan for all public spaces and play areas including the communal facilities, play equipment and public art to include management responsibilities and maintenance schedules,

arrangements for replacement of facilities or equipment, method of funding, and to include annual inspections for at least the first 10 years.

3. Securing a Landscape and Ecological Management Plan including timetable for implementation, long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, and to ensure at least a 20% biodiversity net gain is secured for at least 30 years.
4. Securing a Travel Plan monitoring fee of £1,422.
5. Securing a Section 106 monitoring fee of £2,295.

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

(1) The full detailed element of 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 outline element of the development hereby approved shall not commence until approval of the following reserved matters has been obtained in writing from the local planning authority:

(a) Appearance (b) Landscaping (c) Layout

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 outline development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

(3) The details of layout and landscaping submitted pursuant to condition 2 shall follow the 'Proposed Ground Floor Layout Plan' with buildings set back at least 7m from Cambridge Crescent including tree planting within the frontage.

Reason: To ensure the development is in keeping with the character of Cambridge Crescent.

(4) The details of appearance submitted pursuant to condition 2 shall ensure surveillance from buildings over the approved pedestrian routes alongside Cambridge Way.

Reason: To ensure the routes are overlooked and safe.

(5) The details of layout submitted pursuant to condition 2 shall ensure that requirements for surface water drainage for all rainfall durations and intensities up to and including the climate

change adjusted critical 100 year storm can be accommodated within the proposed development layout.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and that they are incorporated into the proposed layouts.

(6) The development hereby permitted shall be carried out in accordance with the latest plan revisions listed on the Drawing Register received on 20th July 2022.

Reason: To clarify which plans have been approved, to ensure a high-quality development, and to protect residential amenity.

(7) The development shall be carried out in accordance with the hard surfaces as shown on drawing no. MHS236.20.17-100 RevF and page 53 of the Design & Access Statement and maintained thereafter.

Reason: To ensure a high-quality development.

(8) The development shall be carried out in accordance with the landscape furniture details as shown on drawing no. MHS236.20.17-100 RevF and page 54 of the Design & Access Statement and maintained thereafter.

Reason: To ensure a high-quality development.

(9) The development shall be carried out in accordance with the PV panels as shown on drawing no. M9810-HUN-A-APL105 which shall thereafter be maintained.

Reason: To secure the proposed energy strategy measures.

(10) The approved details of the vehicle parking/turning areas shall be completed before the commencement of the use of the land or buildings to which they relate 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.

(11) The approved details of the cycle parking shall be provided before the occupation of the land or buildings to which they relate and shall thereafter be kept available for such use.

Reason: To promote sustainable transport use.

(12) All planting, seeding and turfing specified in the approved landscape details shall be carried out in the first planting season (October to February) following the occupation of the building(s) or the completion of the development to which phase they relate, whichever is the sooner; and any seeding or turfing which fails to establish or any trees or plants which, within ten 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: To ensure an appropriate appearance and setting to the development.

(13) No development shall take place until a Phasing Plan for the development has been submitted to and approved in writing by the local planning authority. The Phasing Plan shall specifically address the following:

- a) Phasing of the commercial development in a manner to minimise the loss of local services.
- b) Phasing of landscaping to be provided as early as possible.
- c) Phasing of the public space areas to be provided as early as possible.

Reason: To minimise disruption from the demolition of commercial uses and to deliver public spaces and landscaping as soon as possible.

(14) No development (excluding demolition) shall take place on any phase until the following components of a scheme to deal with the risks associated with contamination on that phase has been submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in 3. This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean.

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: In the interests of human health.

(15) No development (except for site clearance /demolition) shall take place on any phase until details of the proposed slab levels of the buildings together with existing site levels relating to that phase have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels.

Reason: In order to secure a satisfactory form of development.

(16) No development (except for site clearance /demolition) shall take place on any phase until a detailed sustainable surface water drainage scheme for the specific construction phase has been submitted to and approved in writing by the local planning authority. The

detailed drainage scheme shall be based upon the principles contained within the Flood Risk and Sustainable Drainage Assessment report by Herrington Consulting Limited (February 2022, Issue 2, Revision 1). The submission shall also demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- a) That silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- b) Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

(17) No development above slab level shall take place until a plan has been submitted to and approved in writing by the local planning authority clearly defining all areas of public space (linear walkways, central garden square, east and west play zones, and east and west communal gardens) as shown on pages 64 to 71 of the Design & Access Statement. The approved areas on the plan shall be maintained as publicly accessible open space in perpetuity.

Reason: To ensure the space is public accessible in perpetuity.

(18) No development above floor slab level shall take place until a written statement of public art to be provided on site, before the commencement of the use of land or relevant construction phase of buildings to which they relate, in the form of a Public Art Delivery Plan in line with the thresholds set within the Public Art Guidance has been submitted to and approved in writing by the local planning authority. This should include the selection and commissioning process, the artist's brief, the budget, possible form, materials and locations of public art, the timetable for provision, maintenance agreement and community engagement. The development shall be carried out in accordance with the approved details.

Reason: To provide a sense of place.

(19) No development in relation to the areas of public space shall take place until full details of the play equipment, communal facilities (table tennis table, picnic table, growing zone), and furniture and bins (including ragstone seating), which shall follow the details as shown on pages 64 to 71 of the Design & Access Statement and drawing no. MHS236.20.17-100 RevF. The approved details shall be implemented and thereafter maintained.

Reason: To ensure quality areas of public space.

(20) In relation to the full detailed element of the development, no development beyond slab level on any phase shall take place until a detailed landscaping scheme designed in accordance with the principles of the Council's landscape character guidance for that phase

has been submitted to and approved in writing by the local planning authority. The scheme shall include a planting specification, a programme of implementation and a long term management plan and follow the details shown on drawing no. MHS236.20.17-100 RevF.

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

(21) No development beyond slab level on any phase shall take place until, a scheme to demonstrate that the internal noise levels within the residential units and other relevant amenity areas will conform to the standard identified by BS 8233 2014, Sound Insulation and Noise Reduction for Buildings - Code of Practice, for that phase has been submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: To ensure adequate amenity levels for residential units that may be affected by the commercial uses.

(22) No development beyond slab level shall take place on any phase until full details of the ecological mitigation and enhancements and their delivery for that phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and measures which shall include the following:

- a) Bat, bird, and bee bricks
- b) Measures to allow hedgehogs to move through the development
- d) Log piles.

Reason: To protect and enhance biodiversity.

(23) No development beyond slab level on any phase shall take place until written details and images of the materials, including a sample panel for the bricks, to be used in the construction of the external surfaces of the buildings for that phase have been submitted to and approved in writing by the local planning authority. The materials shall include the following:

- a) Multi stock buff and brown coloured facing bricks which must have visible variations in colour and texture to provide interest
- b) Bronze coloured spandrel panels
- c) Bronze coloured perforated balustrades
- d) Bronze coloured windows and doors
- e) Bronze coloured rainwater goods

The development shall be constructed using the approved materials.

Reason: To ensure a high-quality development.

(24) No development beyond slab level on any phase shall take place until, large-scale plans showing the following architectural detailing as illustrated on pages 30-38 of the Design & Access Statement, for that phase, have been submitted to and approved in writing by the local planning authority:

- a) Corbel brick detailing of at least one bricks depth between rows
- b) Recessed windows of at least one bricks depth
- c) Recessed brickwork around windows of at least one bricks depth

- d) All other recessed brickwork of at least one bricks depth
- e) Projecting eills/coping detailing
- f) Stack bonded brickwork
- g) Ribbon brickwork
- h) Surrounds to residential building entrances
- i) Recessed brick sections to down pipes
- j) Columns on the ground floor of blocks ABCD
- k) The finishes on the underside of the ground floor overhangs on blocks ABCD
- l) Parapet walling

The development shall be constructed in accordance with the approved details.

Reason: To ensure a high-quality development and to secure what is shown in the Design & Access Statement.

(25) No development beyond slab level on any phase shall take place until details and materials of louvred screening for any roof top plant or machinery have been submitted to and approved in writing by the local planning authority for that phase. The development shall be carried out in accordance with the approved details.

Reason: To ensure a high-quality development.

(26) No development beyond slab level on any phase shall take place until details of any roof top plant or machinery have been submitted to and approved in writing by the local planning authority for that phase. Any machinery or equipment shall be sited to minimise its impact. The development shall be carried out in accordance with the approved details.

Reason: To ensure a high-quality development.

(27) No development beyond slab level on any phase shall take place until details of any external utility pipes and paraphernalia on the elevations of buildings have been submitted to and approved in writing by the local planning authority for that phase. Any external features shall be sited to minimise their impact. The development shall be carried out in accordance with the approved details.

Reason: To ensure a high-quality development.

(28) No development beyond slab level shall take place until details of external lighting have been submitted to and approved in writing by the local planning authority for that phase. The lighting shall be carried out in accordance with the approved scheme.

Reason: In the interest of protecting residential amenity.

(29) No development beyond slab level shall take place 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 occupiers.

(30) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been

submitted to and approved by the Local Planning Authority for that phase. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant.

(31) No class E(b) uses shall commence until, details of a scheme for the extraction and treatment of cooking fumes have been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented prior to the first use of the premises and thereafter maintained to the satisfaction of the local planning authority. Such a scheme should typically include a grease filter, pre-filter and activated carbon treatment, together with high level fume dispersion.

Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers and the amenities of the surrounding area.

(32) Within 3 months of any communal parking area being completed (four separate areas shown in pennant grey on drawing no. MHS236.20.17-100 RevF), the public EV charging points (which shall provide at least 7kW charging speed) as shown on the same drawing, shall be installed and made available for use for that parking area. The charging points shall be maintained thereafter.

Reason: To reduce impacts upon air quality.

(33) No dwelling with dedicated on plot parking shall be occupied until an EV charging point providing at least 7kW charging speed has been installed and made available for use. The charging points shall be maintained thereafter.

Reason: To reduce impacts upon air quality.

(34) The development shall not be occupied until a bus shelter has been installed at the bus stop on the east side, and at the south end, of Cumberland Avenue.

Reason: To promote public transport use.

(35) No phase of the development shall be occupied until a Detailed Travel Plan for that phase, which follows the principles of the Framework Travel Plan (February 2022), has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved Detailed Travel Plan.

Reason: To promote sustainable transport use.

(36) All commercial uses shall achieve a Very Good BREEAM UK New Construction 2014 rating. A final certificate shall be issued to the Local Planning Authority for written approval to

certify that at a Very Good BREEAM UK New Construction 2014 rating has been achieved within 6 months of the first occupation of any commercial use.

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

(37) The commercial floorspace hereby approved shall only be used for Use Classes E(a), (b), (c), (e), or (g)(i) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or permitted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any statutory instrument revoking and re-enacting those Orders with or without modification);

Reason: To comply with the permission and provide clarity.

(38) The commercial floorspace hereby approved shall not exceed the following limits:

No more than 300m² of Class E(b) floorspace
No more than 300m² of Class E(c) floorspace
No more than 200m² of Class E(e) floorspace
No more than 160m² of Class E(g)(i) floorspace

Reason: To ensure the commercial uses within the Local Retail Centre remain predominantly retail uses in accordance with policy DM17 of the Local Plan.

(39) No activity in connection with the Class E(a), (b) or (c) uses hereby permitted, other than the cleaning of the premises, shall be carried out outside of the hours of 6am to 10pm.

Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers.

(40) Before Blocks F/G or H/I are first occupied, the proposed first and second floor windows on the south elevation of each block (as shown on drawing nos. M9810-HUN-A-APL203 RevA and M9810-HUN-A-APL204 RevA) shall be obscure glazed and shall subsequently be maintained as such.

Reason: To prevent overlooking of properties to the south and to safeguard the privacy of prospective occupiers.

(41) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no extensions to any buildings shall be carried out without the permission of the Local Planning Authority.

Reason: To safeguard the character, appearance and functioning of the surrounding area.

The Council's approach to this application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2021 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 applicant/agent was advised of minor changes required to the application and these were agreed.

The applicant/agent was provided with formal pre-application advice.

Delegated Authority to Sign:	Date:
 PRINT NAME: AUSTIN MACKIE	12/09/22



Golding Homes
C/O Hunters Architects
F.A.O Mr Mark Baines
Space One
Beadon Road
London
W6 0EA

17 October 2022

PLANNING DECISION NOTICE

APPLICANT:	Golding Homes
DEVELOPMENT TYPE:	Large Maj Dwellings
APPLICATION REFERENCE:	22/500638/HYBRID
PROPOSAL:	Hybrid planning application for demolition of existing buildings, including 114 residential units, 15 retail units, 10 garages and former public WC, and redevelopment (100% affordable housing), for a mixed-use development.

Full planning permission for demolition and mixed-use redevelopment (phased) to provide buildings known as Blocks A, B, C, D, E, F, G, H, I & J, ranging in height from three to five storeys (ground inclusive) comprising 152 residential units (Use Class C3), 1400 sqm GIA of flexible commercial floorspace (Use Class E, inclusive of a, b, c), and including 200m² of class E(e) and 160m² of class E(g)(i), private and public car parking, servicing bays, public realm and associated landscaping, play and amenity space, plant and refuse areas and access arrangements.

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.co.uk

Outline planning permission (access and scale being sought) for demolition and redevelopment (phased) to provide buildings known as Blocks K, L, Houses M1 to 28 and N1 to 28, ranging in height from two to three storeys (ground inclusive) comprising 84 residential units (Use Class C3).

ADDRESS: Land Between Northumberland Road , And Cambridge Crescent, Shepway Estate, Maidstone, Kent, ME15 7LL

The Council hereby **GRANTS** permission/consent for the proposal referred to above subject to the following Condition(s):

- (1) The full detailed element of 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 outline element of the development hereby approved shall not commence until approval of the following reserved matters has been obtained in writing from the local planning authority:

(a) Appearance (b) Landscaping (c) Layout

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 outline development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

- (3) The details of layout and landscaping submitted pursuant to condition 2 shall follow the 'Proposed Ground Floor Layout Plan' with buildings set back at least 7m from Cambridge Crescent including tree planting within the frontage.

Reason: To ensure the development is in keeping with the character of Cambridge Crescent.

- (4) The details of appearance submitted pursuant to condition 2 shall ensure surveillance from buildings over the approved pedestrian routes alongside Cambridge Way.

Reason: To ensure the routes are overlooked and safe.

- (5) The details of layout submitted pursuant to condition 2 shall ensure that requirements for surface water drainage for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be accommodated within the proposed development layout.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and that they are incorporated into the proposed layouts.

- (6) The development hereby permitted shall be carried out in accordance with the latest plan revisions listed on the Drawing Register received on 20th July 2022.

Reason: To clarify which plans have been approved, to ensure a high-quality development, and to protect residential amenity.

- (7) The development shall be carried out in accordance with the hard surfaces as shown on drawing no. MHS236.20.17-100 RevF and page 53 of the Design & Access Statement and maintained thereafter.

Reason: To ensure a high-quality development.

- (8) The development shall be carried out in accordance with the landscape furniture details as shown on drawing no. MHS236.20.17-100 RevF and page 54 of the Design & Access Statement and maintained thereafter.

Reason: To ensure a high-quality development.

- (9) The development shall be carried out in accordance with the PV panels as shown on drawing no. M9810-HUN-A-APL105 which shall thereafter be maintained.

Reason: To secure the proposed energy strategy measures.

- (10) The approved details of the vehicle parking/turning areas shall be completed before the commencement of the use of the land or buildings to which they relate 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.

- (11) The approved details of the cycle parking shall be provided before the occupation of the land or buildings to which they relate and shall thereafter be kept available for such use.

Reason: To promote sustainable transport use.

- (12) All planting, seeding and turfing specified in the approved landscape details shall be carried out in the first planting season (October to February) following the occupation of the building(s) or the completion of the development to which phase they relate, whichever is the sooner; and any seeding or turfing which fails to establish or any trees or plants which, within ten 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: To ensure an appropriate appearance and setting to the development.

- (13) No development shall take place until a Phasing Plan for the development has been submitted to and approved in writing by the local planning authority. The Phasing Plan shall specifically address the following:

- a) Phasing of the commercial development in a manner to minimise the loss of local services.
- b) Phasing of landscaping to be provided as early as possible.
- c) Phasing of the public space areas to be provided as early as possible.

Reason: To minimise disruption from the demolition of commercial uses and to deliver public spaces and landscaping as soon as possible.

- (14) No development (excluding demolition) shall take place on any phase until the following components of a scheme to deal with the risks associated with contamination on that phase has been submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in 3. This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean.

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: In the interests of human health.

- (15) No development (except for site clearance /demolition) shall take place on any phase until details of the proposed slab levels of the buildings together with existing site levels relating to that phase have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels.

Reason: In order to secure a satisfactory form of development.

- (16) No development (except for site clearance /demolition) shall take place on any phase until a detailed sustainable surface water drainage scheme for the specific construction phase has been submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be based upon the principles contained within the Flood Risk and Sustainable Drainage Assessment report by Herrington Consulting Limited (February 2022, Issue 2, Revision 1). The submission shall also demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- a) That silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- b) Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- (17) No development above slab level shall take place until a plan has been submitted to and approved in writing by the local planning authority clearly defining all areas of public space (linear walkways, central garden square, east and west play zones, and east and west communal gardens) as shown on pages 64 to 71 of the Design & Access Statement. The approved areas on the plan shall be maintained as publicly accessible open space in perpetuity.

Reason: To ensure the space is public accessible in perpetuity.

- (18) No development above floor slab level shall take place until a written statement of public art to be provided on site, before the commencement of the use of land or relevant construction phase of buildings to which they relate, in the form of a Public Art Delivery Plan in line with the thresholds set within the Public Art Guidance has been submitted to and approved in writing by the local planning authority. This should include the selection and commissioning process, the artist's brief, the budget, possible form, materials and locations of public art, the timetable for provision, maintenance agreement and community engagement. The development shall be carried out in accordance with the approved details.

Reason: To provide a sense of place.

- (19) No development in relation to the areas of public space shall take place until full details of the play equipment, communal facilities (table tennis table, picnic table, growing zone), and furniture and bins (including ragstone seating), which shall follow the details as shown on pages 64 to 71 of the Design & Access Statement and drawing no. MHS236.20.17-100 RevF. The approved details shall be implemented and thereafter maintained.

Reason: To ensure quality areas of public space.

- (20) In relation to the full detailed element of the development, no development beyond slab level on any phase shall take place until a detailed landscaping scheme designed in accordance with the principles of the Council's landscape character guidance for that phase has been submitted to and approved in writing by the local planning authority. The scheme shall include a planting specification, a programme of implementation and a long term management plan and follow the details shown on drawing no. MHS236.20.17-100 RevF.

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

- (21) No development beyond slab level on any phase shall take place until, a scheme to demonstrate that the internal noise levels within the residential units and other relevant amenity areas will conform to the standard identified by BS 8233 2014, Sound Insulation and Noise Reduction for Buildings - Code of Practice, for that phase has been submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: To ensure adequate amenity levels for residential units that may be affected by the commercial uses.

- (22) No development beyond slab level shall take place on any phase until full details of the ecological mitigation and enhancements and their delivery for that phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and measures which shall include the following:

- a) Bat, bird, and bee bricks
- b) Measures to allow hedgehogs to move through the development

d) Log piles.

Reason: To protect and enhance biodiversity.

(23) No development beyond slab level on any phase shall take place until written details and images of the materials, including a sample panel for the bricks, to be used in the construction of the external surfaces of the buildings for that phase have been submitted to and approved in writing by the local planning authority. The materials shall include the following:

- a) Multi stock buff and brown coloured facing bricks which must have visible variations in colour and texture to provide interest
- b) Bronze coloured spandrel panels
- c) Bronze coloured perforated balustrades
- d) Bronze coloured windows and doors
- e) Bronze coloured rainwater goods

The development shall be constructed using the approved materials.

Reason: To ensure a high-quality development.

(24) No development beyond slab level on any phase shall take place until, large-scale plans showing the following architectural detailing as illustrated on pages 30-38 of the Design & Access Statement, for that phase, have been submitted to and approved in writing by the local planning authority:

- a) Corbel brick detailing of at least one bricks depth between rows
- b) Recessed windows of at least one bricks depth
- c) Recessed brickwork around windows of at least one bricks depth
- d) All other recessed brickwork of at least one bricks depth
- e) Projecting cills/coping detailing
- f) Stack bonded brickwork
- g) Ribbon brickwork
- h) Surrounds to residential building entrances
- i) Recessed brick sections to down pipes
- j) Columns on the ground floor of blocks ABCD
- k) The finishes on the underside of the ground floor overhangs on blocks ABCD
- l) Parapet walling

The development shall be constructed in accordance with the approved details.

Reason: To ensure a high-quality development and to secure what is shown in the Design & Access Statement.

(25) No development beyond slab level on any phase shall take place until details and materials of louvred screening for any roof top plant or machinery have been submitted to and approved in writing by the local planning authority for that phase. The development shall be carried out in accordance with the approved details.

Reason: To ensure a high-quality development.

- (26) No development beyond slab level on any phase shall take place until details of any roof top plant or machinery have been submitted to and approved in writing by the local planning authority for that phase. Any machinery or equipment shall be sited to minimise its impact. The development shall be carried out in accordance with the approved details.

Reason: To ensure a high-quality development.

- (27) No development beyond slab level on any phase shall take place until details of any external utility pipes and paraphernalia on the elevations of buildings have been submitted to and approved in writing by the local planning authority for that phase. Any external features shall be sited to minimise their impact. The development shall be carried out in accordance with the approved details.

Reason: To ensure a high-quality development.

- (28) No development beyond slab level shall take place until details of external lighting have been submitted to and approved in writing by the local planning authority for that phase. The lighting shall be carried out in accordance with the approved scheme.

Reason: In the interest of protecting residential amenity.

- (29) No development beyond slab level shall take place 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 occupiers.

- (30) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority for that phase. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant.

- (31) No class E(b) uses shall commence until, details of a scheme for the extraction and treatment of cooking fumes have been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented prior to the first use of the premises and thereafter maintained to the satisfaction of the local planning authority. Such a scheme should typically include a grease filter, pre-filter and activated carbon treatment, together with high level fume dispersion.

Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers and the amenities of the surrounding area.

- (32) Within 3 months of any communal parking area being completed (four separate areas shown in pennant grey on drawing no. MHS236.20.17-100 RevF), the public EV charging points (which shall provide at least 7kW charging speed) as shown on the same drawing, shall be installed and made available for use for that parking area. The charging points shall be maintained thereafter.

Reason: To reduce impacts upon air quality.

- (33) No dwelling with dedicated on plot parking shall be occupied until an EV charging point providing at least 7kW charging speed has been installed and made available for use. The charging points shall be maintained thereafter.

Reason: To reduce impacts upon air quality.

- (34) The development shall not be occupied until a bus shelter has been installed at the bus stop on the east side, and at the south end, of Cumberland Avenue.

Reason: To promote public transport use.

- (35) No phase of the development shall be occupied until a Detailed Travel Plan for that phase, which follows the principles of the Framework Travel Plan (February 2022), has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved Detailed Travel Plan.

Reason: To promote sustainable transport use.

- (36) All commercial uses shall achieve a Very Good BREEAM UK New Construction 2014 rating. A final certificate shall be issued to the Local Planning Authority for written approval to certify that at a Very Good BREEAM UK New Construction 2014 rating has been achieved within 6 months of the first occupation of any commercial use.

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

- (37) The commercial floorspace hereby approved shall only be used for Use Classes E(a), (b), (c), (e), or (g)(i) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or permitted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any statutory instrument revoking and re-enacting those Orders with or without modification);

Reason: To comply with the permission and provide clarity.

(38) The commercial floorspace hereby approved shall not exceed the following limits:

No more than 300m² of Class E(b) floorspace
No more than 300m² of Class E(c) floorspace
No more than 200m² of Class E(e) floorspace
No more than 160m² of Class E(g)(i) floorspace

Reason: To ensure the commercial uses within the Local Retail Centre remain predominantly retail uses in accordance with policy DM17 of the Local Plan.

(39) No activity in connection with the Class E(a), (b) or (c) uses hereby permitted, other than the cleaning of the premises, shall be carried out outside of the hours of 6am to 10pm.

Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers.

(40) Before Blocks F/G or H/I are first occupied, the proposed first and second floor windows on the south elevation of each block (as shown on drawing nos. M9810-HUN-A-APL203 RevA and M9810-HUN-A-APL204 RevA) shall be obscure glazed and shall subsequently be maintained as such.

Reason: To prevent overlooking of properties to the south and to safeguard the privacy of prospective occupiers.

(41) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no extensions to any buildings shall be carried out without the permission of the Local Planning Authority.

Reason: To safeguard the character, appearance and functioning of the surrounding area.

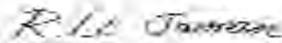
The Council's approach to this application:

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2021 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 applicant/agent was advised of minor changes required to the application and these were agreed.

The applicant/agent was provided with formal pre-application advice.



Rob Jarman
Head of Development Management
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 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 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) and Planning Inspectorate (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.

Cambridge Crescent, Shepway

Maidstone

LANDSCAPE DESIGN STATEMENT

DECEMBER 2021

DOCUMENT REFERENCE: MHS236.21-D01

AUTHOR: Mark Hanton BA(Hons) & PG Dip Landscape Architecture, MLI, MA Urban Design

REVISION HISTORY:

Revision A	13.12.2021	First Issue
B	31.01.2022	Design development through team and wider consultation.

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**MARK
HANTON
STUDIO.**

Landscape Architecture/
Urban Design

1. Introduction

About / The Team

Role of the Landscape Design Statement

2. Site Context

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Site & Context Description

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Masterplan

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4. Vignettes

Linear Green Walkways

Central Garden Square

Eastern Shared Street / Play Zone

Communal Gardens

Western Shared Street / Habitat Zone

“We don’t want a plan based on land uses. We want a plan based on experiences. Who visits [places]to see land uses?”

Mitchell Silver

1. Introduction

About / The Team

- 1.1 Mark Hanton Studio is a small Landscape Architecture & Urban Design Consultancy based locally just outside of Ashford. Mark Hanton MLI MAUD is the principal and qualified in both disciplines.
- 1.2 We have joined the wider design team led by Hunters (Architects and scheme masterplanners) and Golding Homes (Client).

Role of the Landscape Design Statement

- 1.3 Mark Hanton Studio has been appointed by Golding Homes to provide specialist landscape design input for a hybrid planning application of a mixed residential/commercial scheme off Cambridge Crescent Shepway (refer to Architects D&AS for further details). This statement describes elements of the detailed application site. Areas of the site seeking outline approval are illustrated for reference only and subject to a Reserved Matter Application.
- 1.4 Maidstone District Council have highlighted the need to address/mitigate any ‘considered’ public open space (POS) loss derived by the regeneration of the site. It is our proposition that the quantum of open space found around a 1960’s point block estate can never be met in a regeneration scheme such as this that is intended to meet essential housing needs and ‘makes as much use as possible of previously-developed land’ (para 119). Our role is to demonstrate that any perceived loss of low quality amenity grassland (based on the current site conditions) can be **mitigated through the foundation of high-quality and multi-functional street, pedestrian, and public open space environments within a higher density urban structure.**
- 1.5 This Landscape Statement therefore seeks to demonstrate i) an analysis of the exiting site and surrounding POS provision, and ii) the approach taken to **maximise the community and habitat/biodiversity opportunities** of the site and to illustrate how these outweigh any perceived loss of public open space area, meet relevant adopted planning policy, and therefore the planning balance needed in terms of harm and benefits. As the quotes on this page highlight our urban environment its not about defined land-uses or the quantity of them, its about what we do to fulfil the important needs of residents and the environment they live in.

“Fun does not come in sizes”
Bart Simpson

2. Site Context

Planning Context

1.6 Local landscape policy is set out the Maidstone Borough Local Plan 2017-2031. The following policies are considered relevant to this application within an urban context and are observed through the design process:

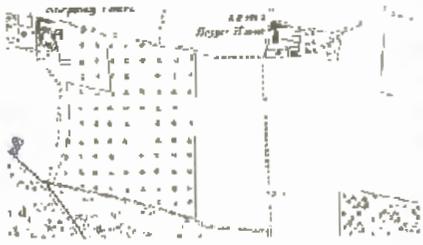
- Policy DM1 Principles of good design:
 - Proposals which would create high quality design and meet the following criteria will be permitted:
 - ii. Respond positively to, and where possible **enhance, the local, natural or historic character** of the area. - i..... **making use of vernacular materials** where appropriate;
 - iii. **Create high quality public realm**
 - vi. Provide a high quality design which **responds to areas of heritage, townscape and landscape value or uplifts an area of poor environmental quality;**
 - viii. **Protect and enhance any on-site biodiversity and geodiversity features where appropriate, or provide sufficient mitigation measures;**
- Policy DM3 Natural Environment:
 - 6.14 ...looks to encourage the creation of links and **stepping stones** to help in the movement of people and wildlife across the built up urban area
- Policy DM19 Open Space & Recreation
 - i. Quantity Standards
(Note: refer to Hunters Open Space Assessment document dated Jan 2021 for compliance/non-compliance with space standards)
 - ii. Quality Standards
All new open spaces should meet the following general standards:
 - a. Be designed as part of the **green infrastructure network** in a locality, contributing to local landscape character, connecting with local routes and green corridors for people and wildlife as well as providing multi-functional benefits such as addressing surface water management priorities; **(Note: This part of the policy cannot be achieved as there is no local green infrastructure network. The proposals seek to provide NEW green infrastructure as 'stepping stones' through the development proposals)**
 - b. Provide a location and shape for the space which allows for meaningful and safe recreation and be sufficiently overlooked by active building frontages;
 - e. Provide clearly defined boundaries with fences or hedges where needed to ensure safety of users;
 - f. Where appropriate **provide interest and activities for a wide range of users** in particular meeting the needs of elderly and less able users as well as children, young people and families;
 - g. Where appropriate **provide seats, litter bins and appropriate lighting** to ensure safety of users without adversely affecting wildlife;
 - h. Provide a **range of planting**, with appropriate mix of **predominantly indigenous species**, maintained to a good standard;
 - i. **Promote biodiversity on-site** through design, choice of species and management practices;
 - iii. Accessibility Standards
(Note: Refer to Figure 2.0 for compliance of all accessibility standards)

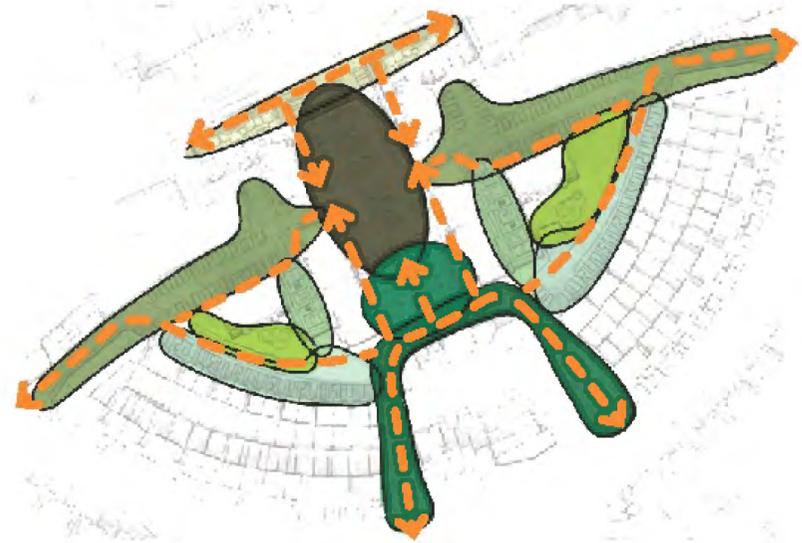
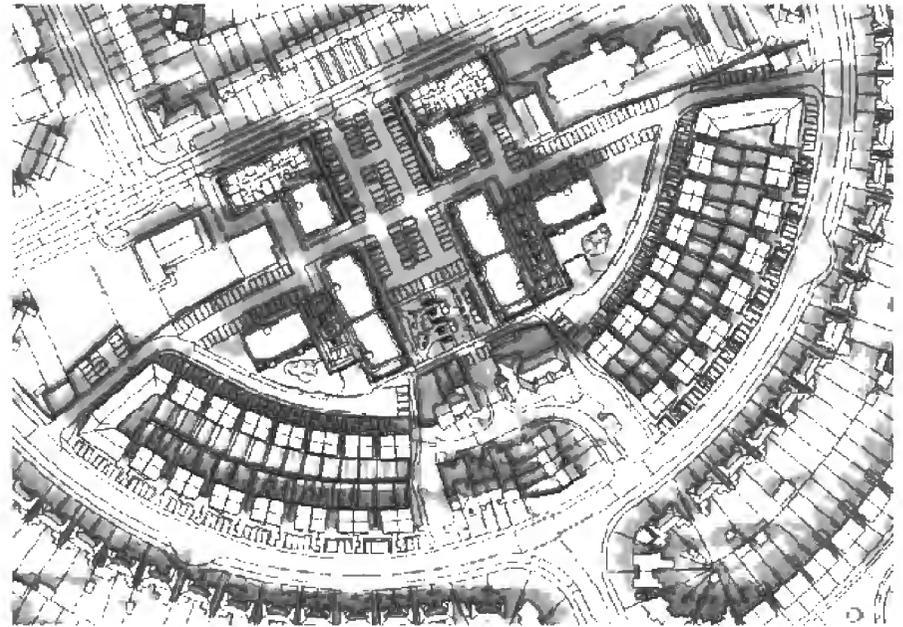
Landscape Character

- 1.7 Local landscape character is set out in the 'Maidstone Landscape Character Assessment' Jacobs March 2012 (amended July 2013). The site area lies in the main urban area of Maidstone and therefore outside the scope of that document.
- 1.8 A supplement to the Landscape Character Assessment provides general landscape guidance for all development within the borough including urban areas. This guidance is adopted along with more recent and wider sources. In terms of planting, ornamental species are deemed acceptable in urban areas (p74-75) and the plant schedules in Appendix 2 & 3 of that document are therefore considered for use on this development.

Site & Context Description

- 1.9 As described in the landscape character section, the site lies with the main urban area of Maidstone. In this location the housing is suburban in nature and houses are generally post-war/mid 20th c.
- 1.10 The site itself (refer to images in D&AS) consists of a high density mixed use shopping parade along Northumberland Road, and low-density point blocks to the rear around Cambridge Crescent, and surrounded by close mown grass areas. The streetscape/landscape environment is extremely poor and degraded, with limited aesthetic, amenity, or ecology value.
- 1.11 Figure 1.0 *Historic Land-Use* illustrates the evolution of the site from early agricultural/orchard use. Despite major post-war development, areas of strong orchard type tree cover, as well as market gardening can be seen remaining till the 1960s. Today however only a few trees remain and the undeveloped land consists of poor quality amenity grassland as previously described. It is considered to have very little habitat potential (refer to Preliminary Ecological Appraisal by KB Ecology).
- 1.12 Of the circa 30 trees found on site or on the boundaries (including those around the site boundary - refer to Arboriculturalist Tree Survey Report), only 6 (all off-site) are retained. Those removed are all either 'U' or 'C' category trees of low quality or value (as set out in BS5837).
- 1.13 Figure 2.0 *Appraisal of Surrounding Existing Land-use / Landscape designations* illustrates the available landscape and POS amenity land-use areas within the immediate context of the site. Formal playing fields and a play area with traditional play equipment is seen within a short walk to the north of the site (<100m) and further options are found within a 400/600/1000m radius of the site. At a range of approximately 750m users are able to access Moat Park to the north and the open countryside/PROW network to the east and south-west.
- 1.14 There are opportunities around the site to see the North Downs AONB escarpment as a backdrop on the horizon and, although over 5km away, it does assert an awareness of the historic landscape origins of the area.

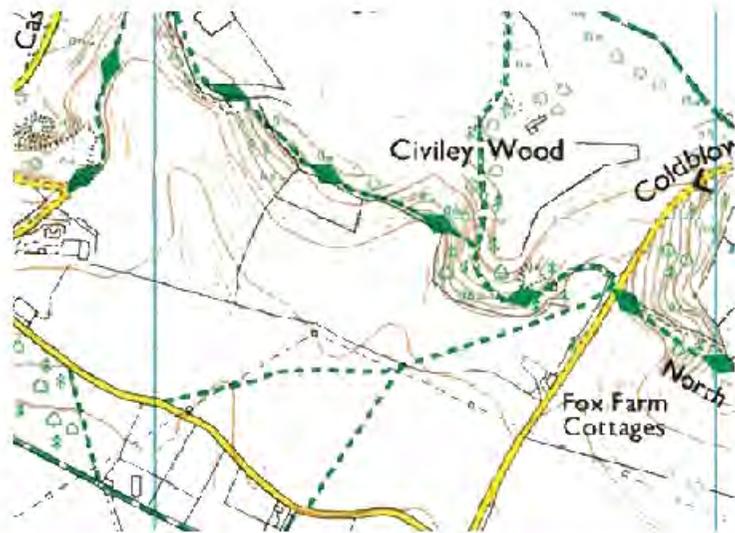




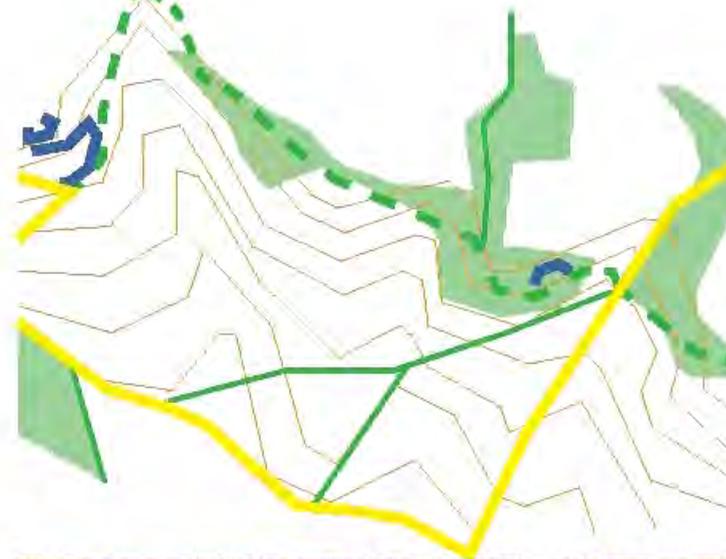
Constraints / Opportunities cont....

1.18 Figure 5.0 *Design Concept* illustrates, in graphical and concept form, how the North Downs landscape character is brought into the site. The application of this design approach is illustrated later in the document through 'Vignettes' of some key landscape areas within the development. This concept is supported by the proposed creation of an 'urban forest' environment where space allows and which involves the planting of a significant quantity of trees (a higher densities but smaller sizes) with a shrub understory reflecting that of a 'Hazel Scrub' habitat.

North Downs AONB Escarpment



Reflecting the North Downs landscape character into the site (refer to following pages)



Elements

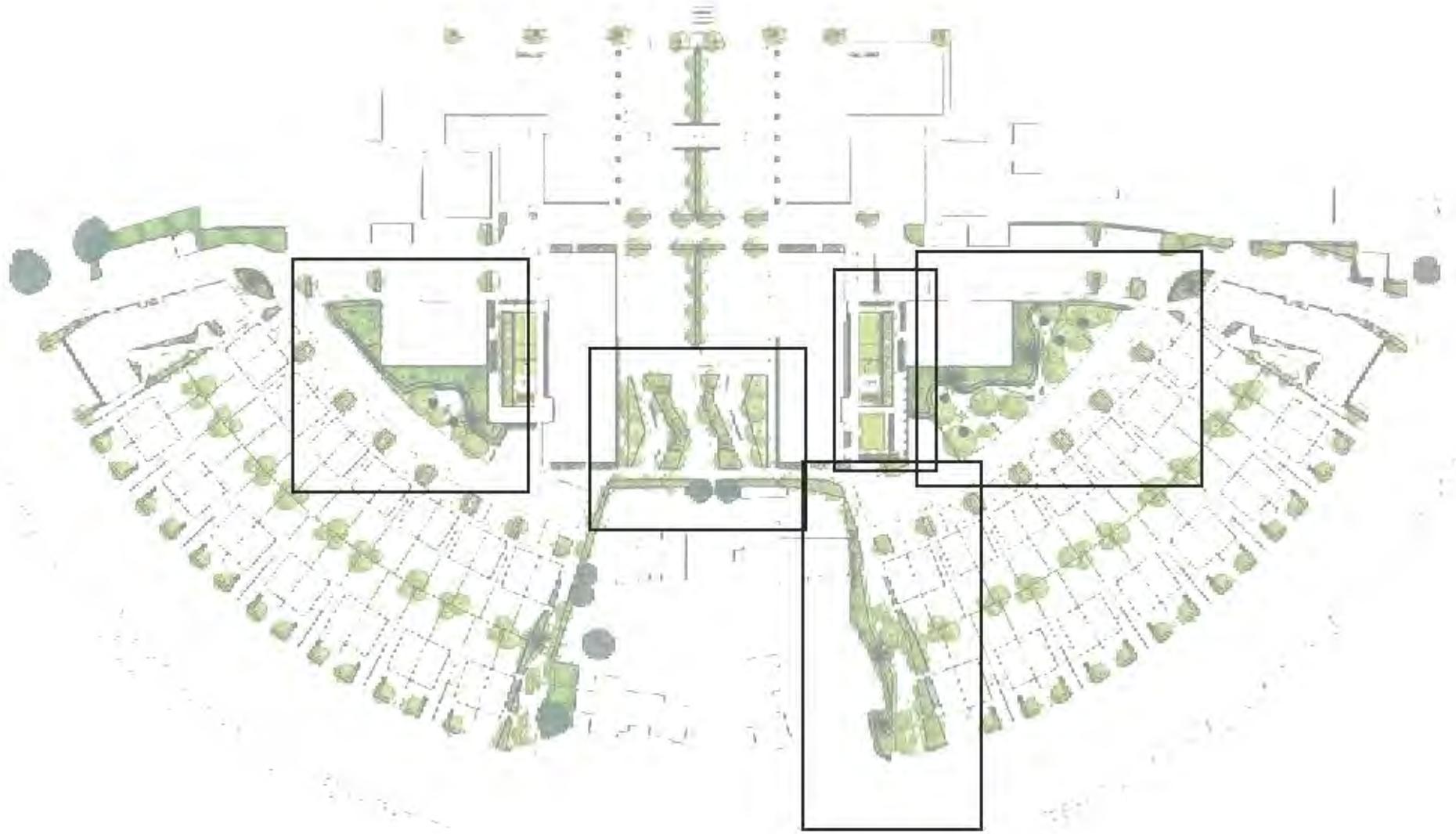
- 1.Primary routes (urban character)
- 2.Secondary routes (pedestrian discovery route)
- 3.Tertiary routes (pedestrian play route)
- 4.Dynamic movement/geometry
- 5.Outcrop/feature in the landscape
- 6.Dense vegetation



Benefits of trees as urban forest

- Reflects North Downs landscape character
- Produce O2
- Remove greenhouse gases / store carbon
- Lower ambient temperatures
- Physical and psychological health benefits
- Improve land values
- Intercept particulates
- Provide erosion control (in respect of urban flooding)

Figure 5.0 Design Concept

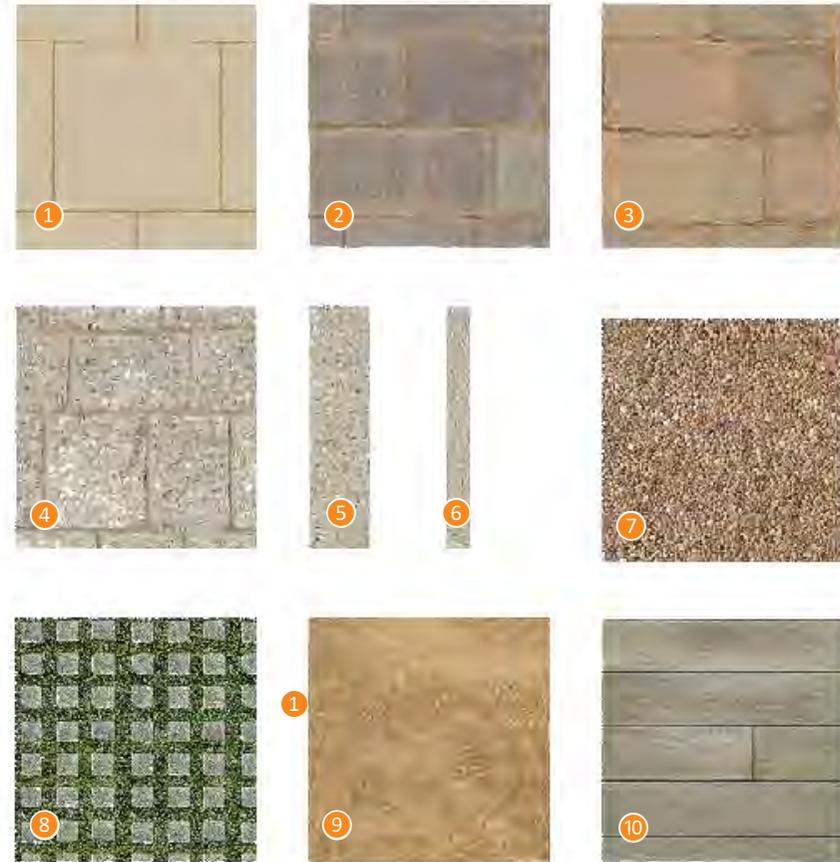


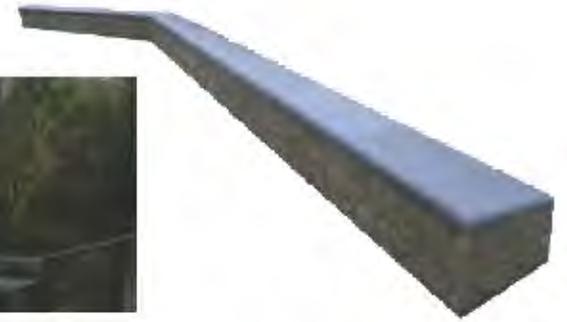
Materials

Materials are selected to provide a cohesive and attractive 'warm' urban street/public realm environment, harmonising with the architectural material palette, whilst being robust and widely available as standard products.

HARD MATERIALS

- 1 Textured slabs nominal 900-600mm plan size - Buff colour
- 2 Tegula small block paving nominal 120/160/240mm plan size - Pennant Grey colour
- 3 Tegula small block paving nominal 120/160/240mm plan size - Harvest Buff colour
- 4 Exposed aggregate sett paving 150x100mm plan size - Silver-grey colour
- 5 Exposed aggregate kerb nominal 145mm wide - Silver-grey colour
- 6 Exposed aggregate edging nominal 63mm wide - Silver-grey colour
- 7 Resin bonded gravel - Buff-brown colour
- 8 Grasscrete
- 9 Self binding gravel with timber edging- Buff colour
- 10 Composite decking boards





Boundaries

BOUNDARIES

- 1 Timber feather boarded fence 1.8m (rear gardens - Outline application only)
- 2 Low wall and railings - Overall height circa 1.5m (Large private communal gardens)
- 3 Railings - Height circa 1.2m, with evergreen hedge to rear (Front gardens of units along Cambridge Crescent - Outline application only)
- 4 Railings - Height circa 1.2m (Play areas)



1



2



3



4



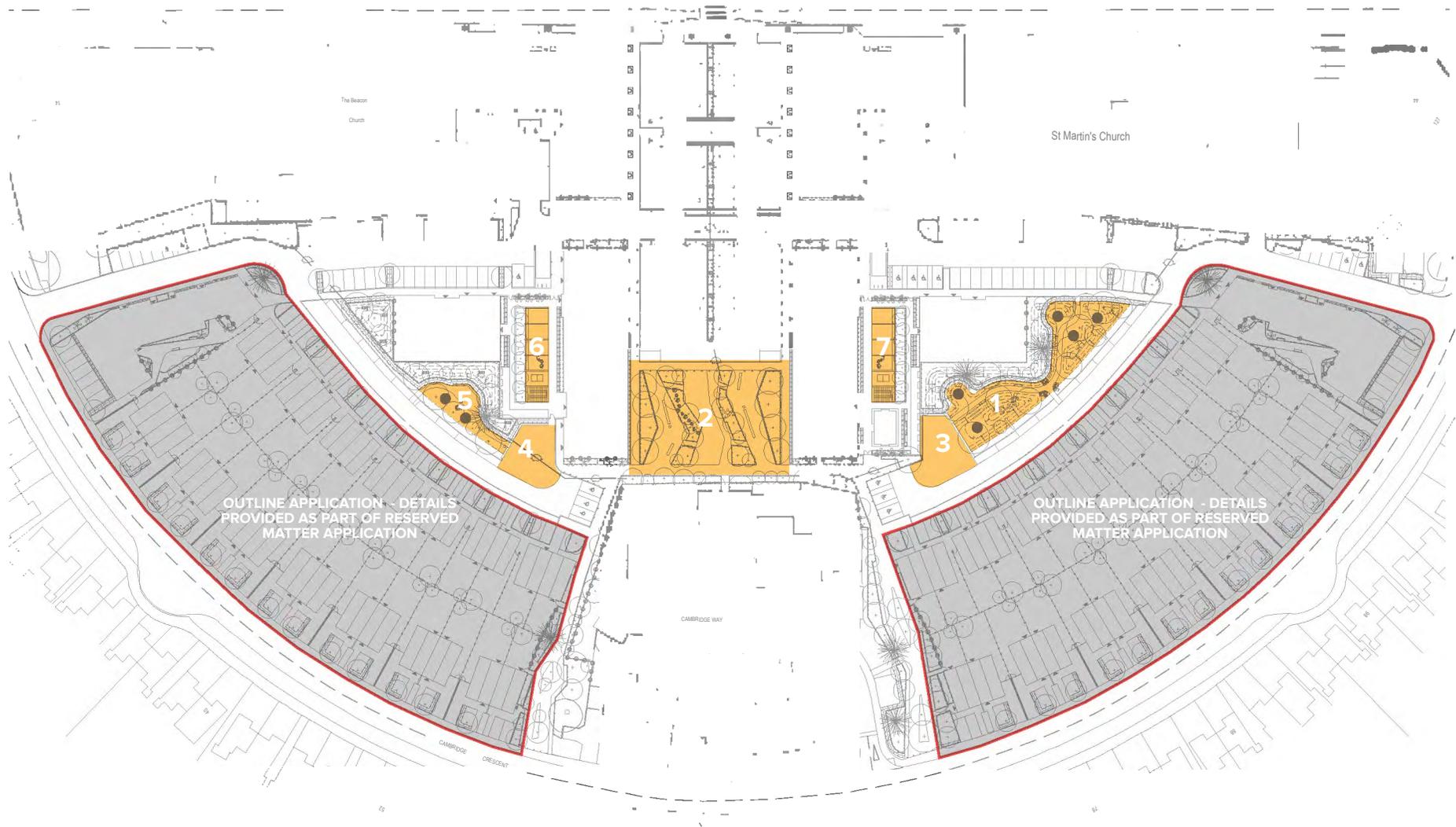


Figure 7.0 Play / Public Open Space Provision

Planting

TREE PLANTING (Refer to Figure 8.0 Tree Planting)

Tree planting predominantly uses native species or native-cultivars Maidstone (reflective of guidelines set out in MBC's Landscape Character Assessment Supplement 2012). It seeks to reflect the North Downs landscape character by bringing these indigenous species into the scheme and laid out in an informal and closely planted manner, thus creating an 'urban forest' across the site that has multiple wildlife, amenity, and environmental benefits.

As a result trees at close centres in naturalistic areas are planted at the smaller size, as reflected in the schedule.

Trees in more formal areas, such as the commercial centre, are planted as flowering species at a more mature size and at regular centres, to reflect the geometry and character of the former orchard use of the site.

STREET TREES

The NPPF para 131. states that:

Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

To meet this requirement street trees are proposed along Northumberland Road (in adopted footways and therefore subject to KCC approval), Cambridge Crescent (outline at this stage), and internal residential/commercial streets. Further significant tree cover is proposed across the scheme. Trees will be subject to a 5 year management planning condition and all trees are to be retained and managed by Golding Homes in their capacity as ongoing land owners.

NATURALISTIC CHARACTER



COMMERCIAL AREA CHARACTER



INTERNAL ROAD CHARACTER



RAIN GARDEN CHARACTER



PLAN CODE	SPECIES	SPECIFICATION
Bp/Bpu	Betula pendula / Betula pubescens (Native)	Standard, 2x, 8-10cm girth, 250-300cm height, 175-200 clear-stem
St	Sorbus torminalis	Standard, 2x, 8-10cm girth, 250-300cm height, 175-200 clear-stem
Qr	Quercus robur (Native)	Select Standard, 2x, 10-12cm girth, 300-350cm height, 175-200 clear-stem
Ps	Pinus sylvestris (Native)	3x, 125-150cm height
Ac	Acer campestre (Native)	Select Standard, 2x, 10-12cm girth, 300-350cm height, 175-200 clear-stem
Pp	Prunus padus (Native)	Select Standard, 2x, 10-12cm girth, 300-350cm height, 175-200 clear-stem
Pa	Prunus avium (Native)	Select Standard, 2x, 10-12cm girth, 300-350cm height, 175-200 clear-stem
PcC	Pyrus calleryana 'Chanticleer' (Native cultivar)	Extra Heavy Standard, 3x, 18-20cm girth, min 450cm height, min 200 clear-stem
PaP	Prunus avium 'Plena' (Native cultivar)	Extra Heavy Standard, 3x, 18-20cm girth, min 450cm height, min 200 clear-stem
AcE	Acer campestre 'Elsrijk' (Native cultivar)	Heavy Standard, 3x, 12-14cm girth, 350-425cm height, 175-200 clear-stem
Ag	Alnus glutinosa (Native)	Heavy Standard, 3x, 12-14cm girth, 350-425cm height, 175-200 clear-stem

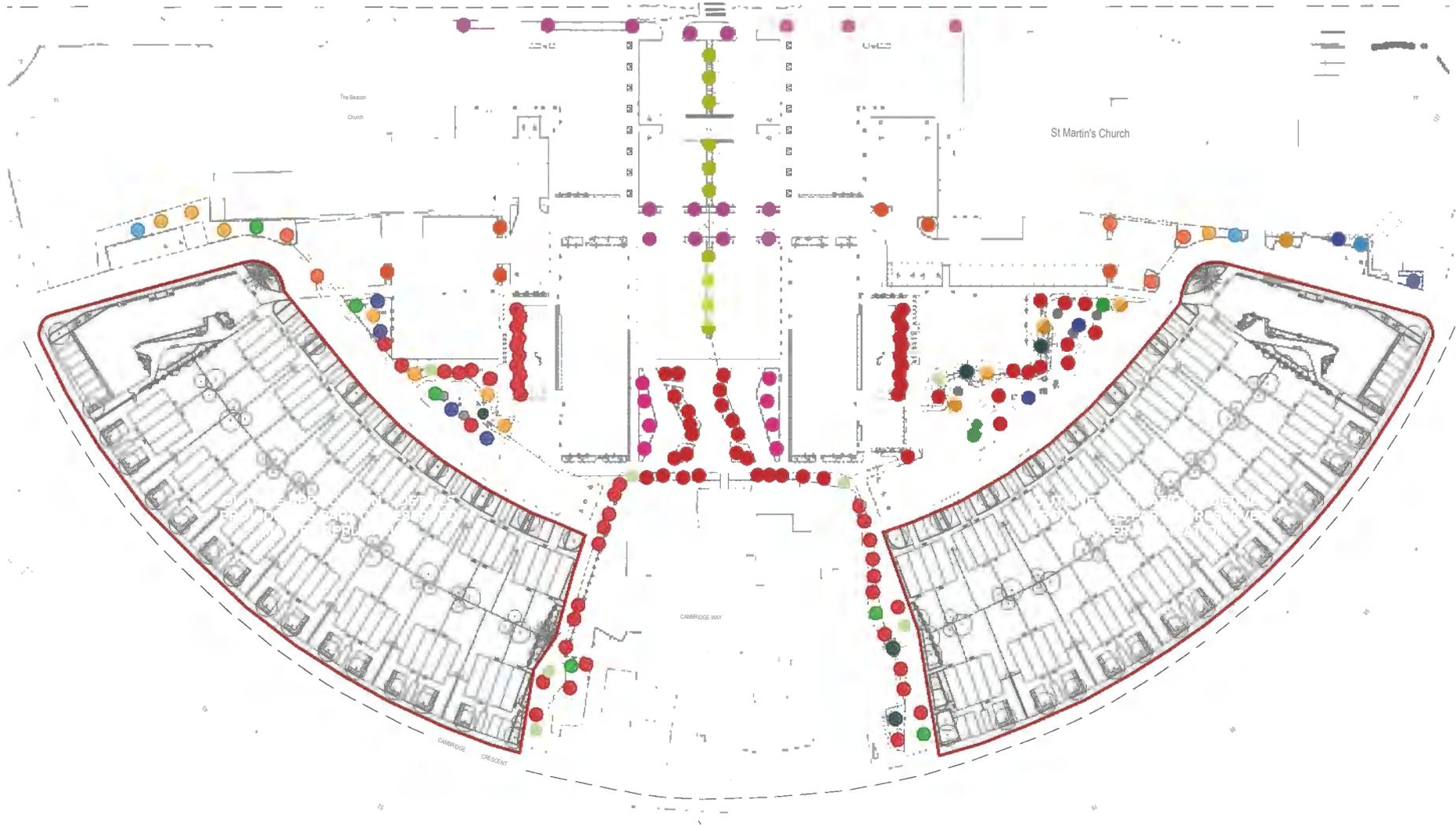


Figure 8.0 Tree Planting

Planting Cont.....

100% NATIVE HEDGE PLANTING (refer to Figure 9.0)

Hedge planting uses native species throughout. It seeks to reflect the North Downs landscape character within the scheme by bringing these indigenous species into the site and reinforcing the native tree planting to create continuous structural green corridors through the development.

As well as providing wildlife benefits, hedges are used to create defensible boundaries and for screening.

FORMAL HEDGING



MIXED NATIVE HEDGING



PLAN CODE	SPECIES	SPECIFICATION
H1	Buxus sempervirens (Native)	20-30cm, 2L. Planted in a single row at 300mm ctrs
H2	Taxus baccata (Native)	3x 60-80cm, Rootballed. Planted in a single row at 350mm ctrs
H3	Mixed Native min 5 species (Native)	Transplants, 1+1, 60-80cm, Bareroot. Planted in a double staggered row at 450mm ctrs and 500mm between rows

100% NATIVE HAZEL SCRUB PLANTING (Refer to Figure 9.0)

Native thicket planting is used in larger open space areas and seeks to reflect the North Downs landscape character within the scheme by bringing these indigenous species into the site and reinforcing the native tree and hedge planting to create continuous structural green corridors through the development.

Planted @1.7m2 (Monoculture Ivy beds will be planted @4m2). Beds will be planted with one or a mix of the following species:

SPECIES MIX	SPECIFICATION
Hedera hilex (Native)	40-60cm, 2L
Cornus alba (Native)	40-60cm, 1+1 Transplant
Cornus sanguinea (Native)	40-60cm, 1+1 Transplant
Corylus avellana (Native)	40-60cm, 1+1 Transplant
Euonymus europaeus (Native)	40-60cm, 1+1 Transplant
Ilex aquifolium (Native)	30-40cm, 2L
Viburnum opulus (Native)	40-60cm, 1+1 Transplant



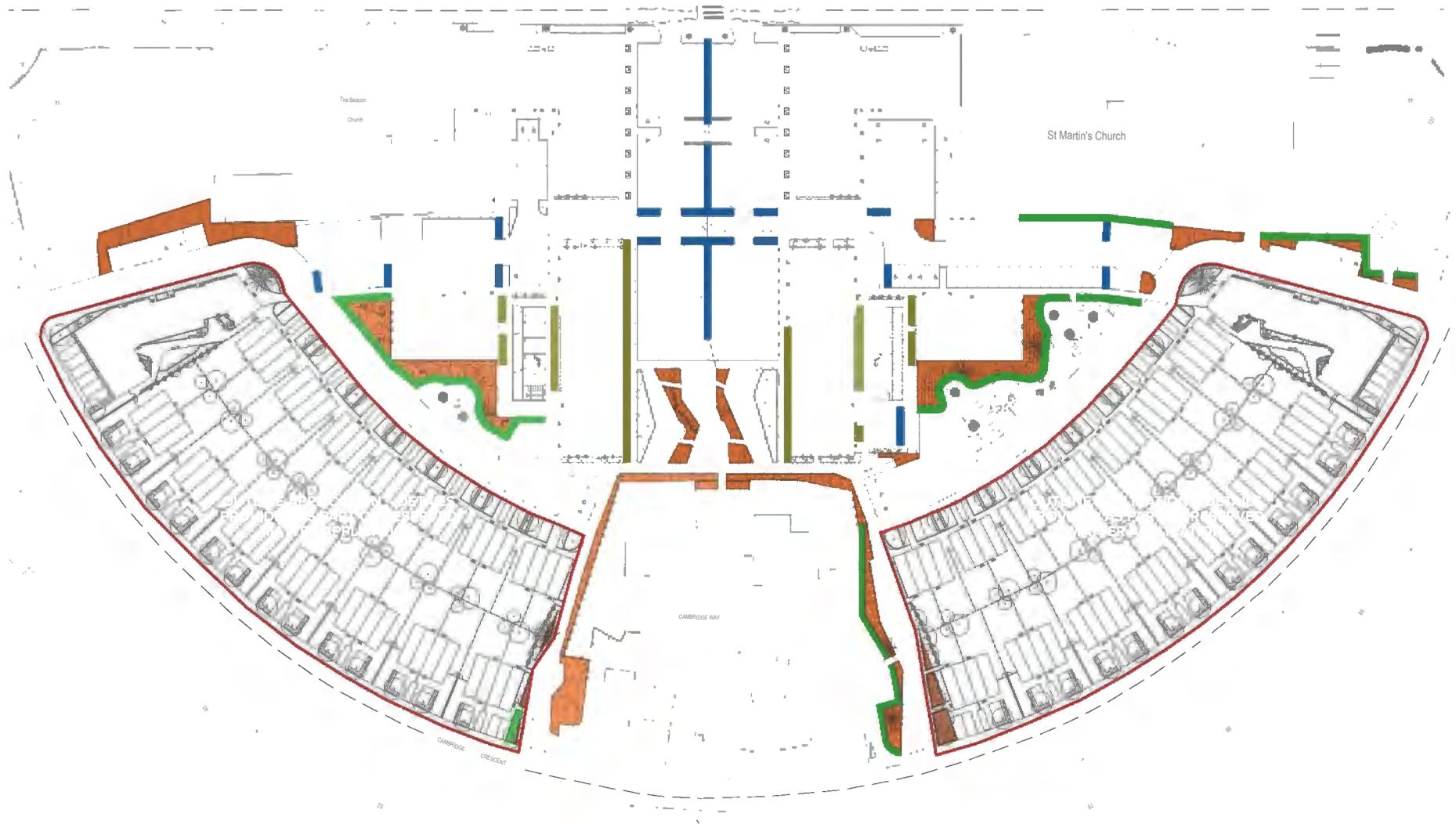


Figure 9.0 Native Hedge and Hazel Scrub Areas

Planting Cont.....

MIXED NATIVE/ORNAMENTAL SHRUB PLANTING (Refer to Figure 10.0 Rain Garden / Climber / Specimen Shrub / Naturalistic Shrub Planting)

This is split into 4 sub-groups (Rain Garden, Climbers, Specimens, Naturalistic tall/low shrub planting) and provides a diverse species mix, multi-layered appearance to ground planted areas, and areas of tall vertical planting. The planting mix is either native or having wildlife/habitat attracting characteristics and in doing so offers broader biodiversity benefits, as well as creating an attractive amenity environment for users of the site.



RAIN GARDEN (Planted at 4-5m²)

SPECIES MIX

SPECIES MIX	SPECIFICATION
<i>Deschampsia cespitosa</i>	2L Full pot
<i>Juncus effuses</i>	2L Full pot
<i>Molinia caerulea</i>	2L Full pot
<i>Panicum virgatum</i> 'Heavy metal'	2L Full pot
<i>Dryopteris felix-mas</i>	2L Full pot
<i>Campanula glomerata</i>	2L Full pot
<i>Iris pseudacorus</i>	2L Full pot
<i>Leucanthemum vulgare</i>	2L Full pot
<i>Lythrum salicaria</i>	2L Full pot

SPECIFICATION



CLIMBERS

SPECIES MIX

SPECIES MIX	SPECIFICATION
<i>Lonicera periclymenum</i> (Native)	60-80cm, 3L pot
<i>Hedera helix</i> spp (Native)	40-60cm, 2L pot
<i>Clematis</i> spp	60-80cm, 2L pot
(to pillars in commercial area)	
(Cultivars: Kingfisher / Blue Eclipse / Eetika / Remembrance / Beauty of Worcester)	

SPECIFICATION



SPECIMEN SHRUB PLANTING

SPECIES MIX

SPECIES MIX	SPECIFICATION
<i>Amelanchier ovalis</i>	60-80cm, 3L pot,
<i>Cornus alternifolia</i>	60-80cm, 3L pot
<i>Cornus florida</i>	60-80cm, 3L pot

SPECIFICATION



NATURALISTIC TALL/LOW SHRUB PLANTING (Planted at 4-5m²)

SPECIES MIX

Public Realm Shrub/Herbaceous Mix:

SPECIES MIX	SPECIFICATION
<i>Anemone</i> x h. 'Honorine Jorbet'	2L Full pot
<i>Buxus sempervirens</i>	20-30cm, 2L
<i>Ceanothus thyrsiflorus</i> repens	20-30cm, 2L
<i>Gaura lindheimeri</i>	2L Full pot
<i>Geranium</i> 'Johnson's Blue'	2L Full pot
<i>Kniphofia</i> 'e Miad'	2L Full pot
<i>Lavandula</i> a. 'Hidcote'	20-30cm, 3L
<i>Lavandula</i> a. 'Munstead'	20-30cm, 3L
<i>Luzula nivea</i>	2L Full pot
<i>Nepeta</i> x f. 'Walkers Low'	2L Full pot
<i>Philadelphus</i> 'Manteau d'Hermine'	20-30cm, 2L
<i>Polypodium vulgare</i>	2L Full pot
<i>Polystichum acueatum</i>	2L Full pot
<i>Rosa</i> 'Kent'	2L Full pot
<i>Sarcococca hookeriana</i>	20-30cm, 2L
<i>Viburnum opulus</i> 'Compactum'	20-30cm, 2L

SPECIFICATION



Residential Shrub Mix:

<i>Berberis thunbergii</i> 'Atropurpurea Nana'	15-230cm, 2L
<i>Bergenia cordifolia</i> 'Purpurea'	2L Full pot
<i>Buxus sempervirens</i> 'Suffruticosa'	10-20cm, 2L
<i>Carex oshimensis</i> 'Evergold'	2L Full pot
<i>Choisya ternata</i> 'Sundance'	20-30cm, 2L
<i>Daphne mezereum</i>	30-40cm, 3L
<i>Euonymus fortunei</i> 'Emerald Gaiety'	20-30cm, 3L
<i>Fatsia japonica</i>	30-40cm, 3L
<i>Hedera hilex</i>	40-60cm 2L
<i>Hosta sieboldiana</i> 'Elegans'	2L Full pot
<i>Liriope muscari</i>	2L Full pot
<i>Luzula sylvatica</i> 'Aurea'	2L Full pot
<i>Rosa glauca</i>	2L Full pot
<i>Viburnum davidii</i>	20-30cm, 2L
<i>Vinca minor</i> 'Gertrude Jekyll'	2L Full pot



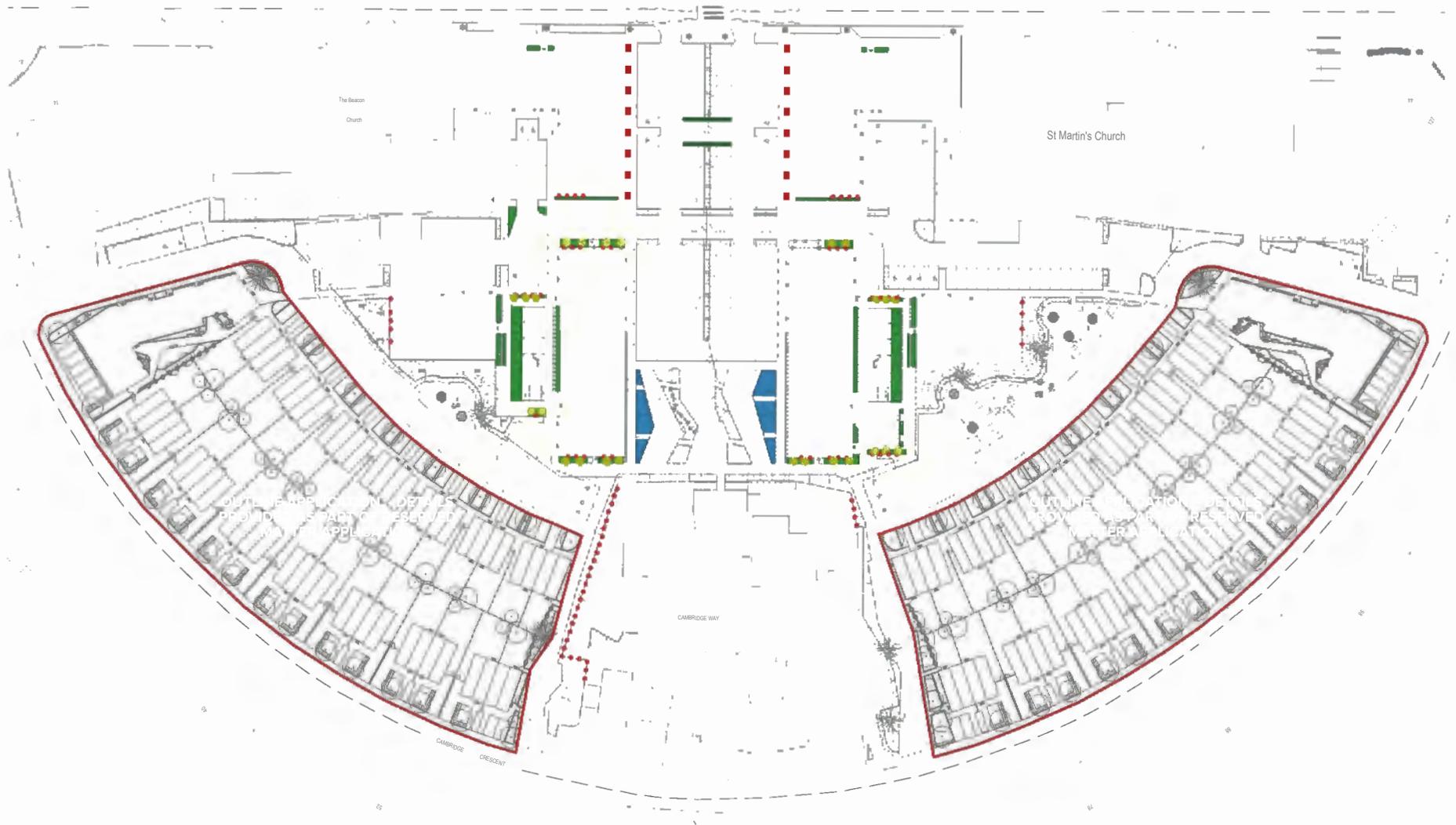
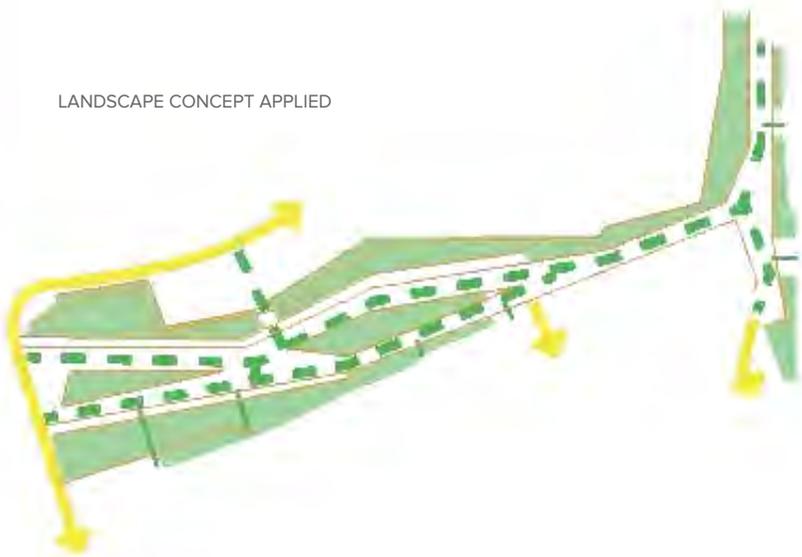


Figure 10.0 Rain Garden / Climber / Specimen Shrub / Naturalistic Shrub Planting

4. Vignette 1 - Linear Green Walkways

LANDSCAPE CONCEPT APPLIED



LANDSCAPE PRINCIPLES

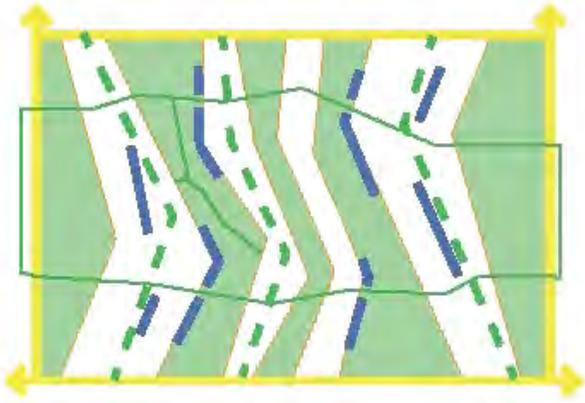
- Create an **attractive** pedestrian through route
- Reinforce **landscape character** through the design concept and use of predominance of **native** planting
- Maximise '**urban forest**' potential through significant tree planting
- Maximise **biodiversity** through extensive mixed native shrub planting
- Footpath incorporates passing places and escape routes ensure a '**feel-safe**' environment
- Create **defensible spaces** adjacent properties through change in planting type and change in surface material
- Use climbers extensively along boundary fencing to create '**vertical landscapes**' and reinforce the **verdant** nature of the environment
- Paths to fall to planting beds to provide natural **irrigation** and at source drainage retention

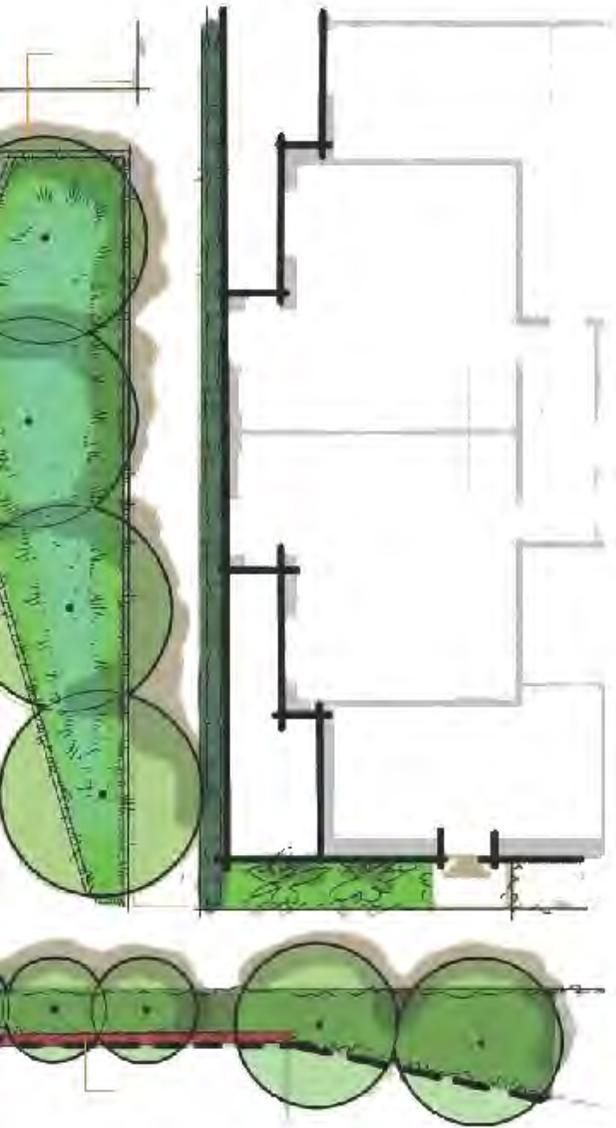
LANDSCAPE ELEMENTS

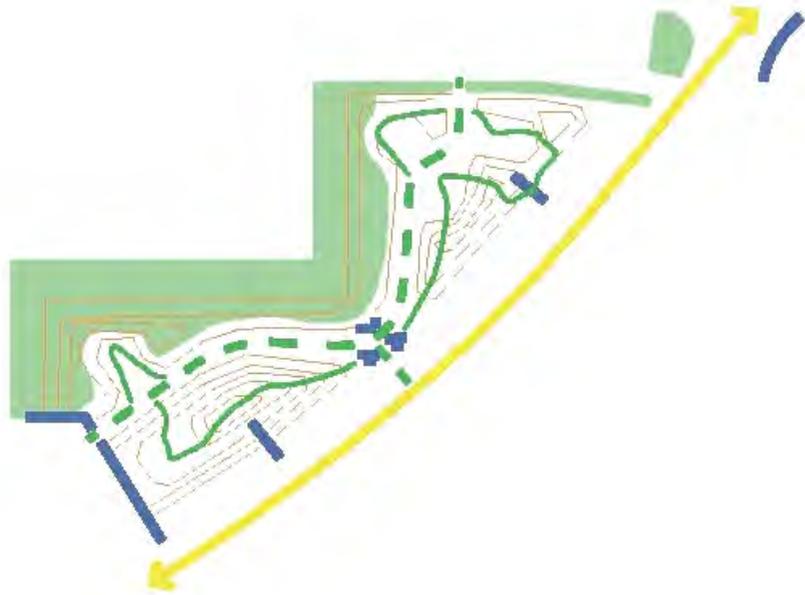
- 1 Native mixed species tree planting (Birch grove type)
- 2 Native pine trees
- 3 Native hedge planting
- 4 100% Native shrub planting (Hazel scrub type)
- 5 Species rich mown grass (biodiverse mix)
- 6 Groundcover mixed species shrub & herbaceous planting
- 7 Surface material - Resin bound gravel (with PCC exposed aggregate type edging)
- 8 Private surfaces - Large unit slab paving













4. Vignette 4 - Western Shared Street / Habitat Zone

LANDSCAPE PRINCIPLES

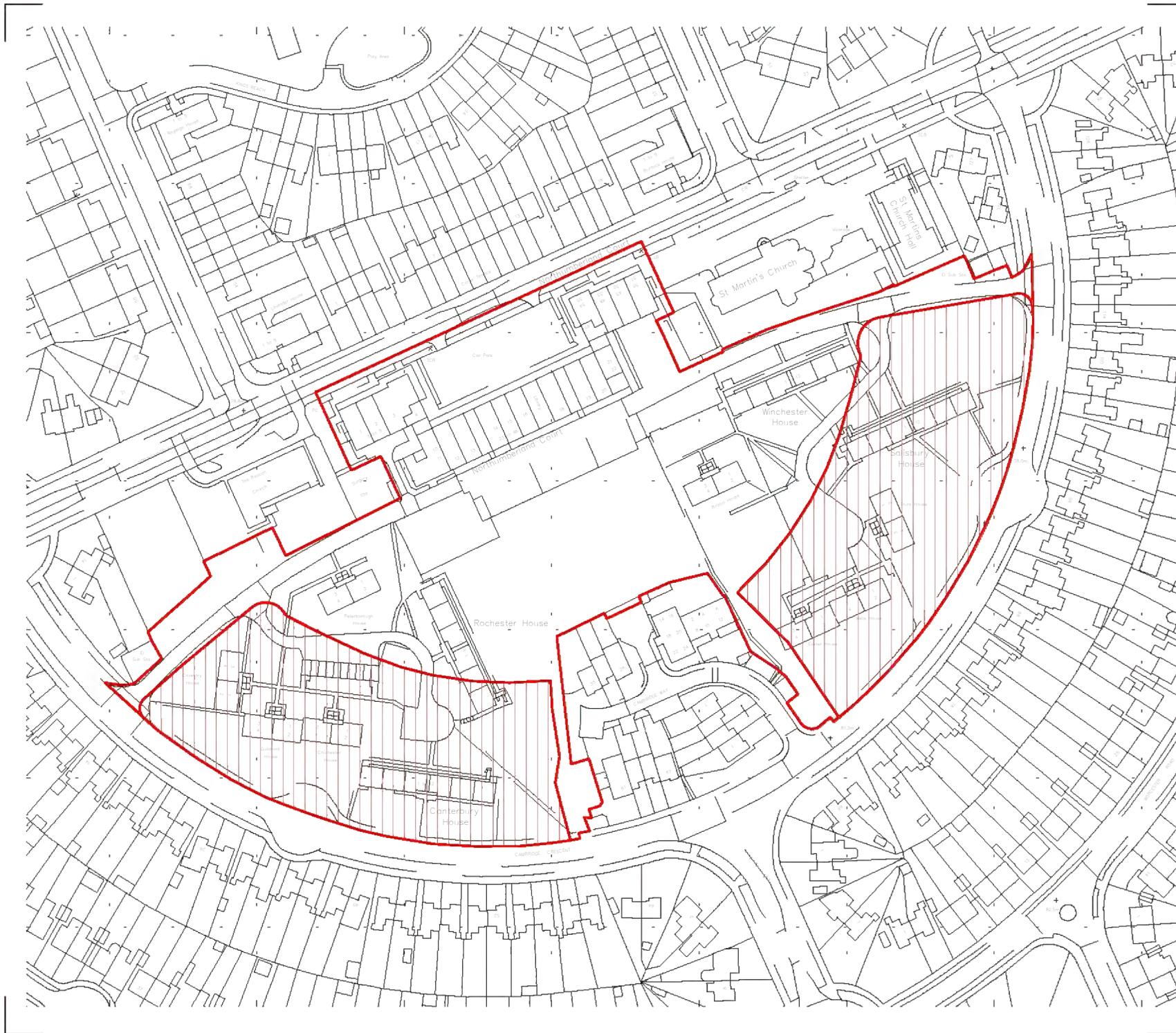
- As Vignette 3, plus:
- The space should cater for multiple **social, play, and ecology** functions. Ecology will be the dominant function with bird/bat boxes, hedgehog houses and hibernacula wood piles (Note: Existing trees to be felled on site are to be reserved for the creation hibernacula piles). Part of the art commission is to involve local children in the production of a sculptural bird box zone.
- Although ecology is the main focus in this area, informal natural play is included and will constitute a **LAP**.

LANDSCAPE ELEMENTS

- 1 Mixed species tree planting (predominantly native)
- 2 Native hedge planting
- 3 100% Native shrub planting (Hazel scrub type)
- 4 Pine trees (native)
- 5 Species rich mown grass (biodiverse mix)
- 6 Mounding (1:3 grade)
- 7 Surface material - Self binding gravel with timber edging
- 8 Linear Ragstone seating (play) walls
- 9 Grasscrete (blurring the boundary between visitor parking and amenity play space)
- 10 Natural play elements (refer to play strategy)
- 11 Street paving - porous block paving
- 12 Informal hard play surface (ball games)
- 13 Timber litter bins
- 14 Sculptural bird boxes
- 15 Hibernacula wood piles / hedgehog houses







-  Detailed Application
-  Outline Application

Revision Date Revised by

Revision History

hunters

Space One Beacon Road
London W6 0EA
T 020 8237 8200
mail@hunters.co.uk
www.hunters.co.uk

Cambridge Crescent, Maidstone

Space One, Hammersmith,
London, W6 0EA

Site Location Plan

Issued for **Planning**



hunters project number:
M9810
client project number:
A0000

scale:
1 : 1250 @ A3
drawn by:
EC
checked by:
MB

drawing title:
M9810- HUN- A- APL001

revision date revised by



All drawings are to be printed in colour.

model ref: C:\Revit Local\M9810-HUN-ZZ-ZZ-00-0001_bchexos.rvt

Use figured dimensions only. All levels and dimensions to be checked on site. This drawing is to be read in conjunction with all other relevant drawings and specifications. Hunters is a trading name of Hunter & Partners Limited. © Hunter & Partners Limited. All rights reserved.

NOTES FOR TECH		
APPLICATION PROPOSAL		Ref No 23/505344/REM
Approval of Reserved Matters (Landscaping, Layout and Appearance sought) for the erection of 2no. three storey apartment blocks (28 apartments) and 28no. two storey semi-detached houses (56 dwellings) comprising 84 dwellings in total, and parking, pursuant to 22/500638/HYBRID.		
ADDRESS Land Between Northumberland Road And Cambridge Crescent Shepway Estate Maidstone Kent ME15 7LL		
RECOMMENDATION - Application Permitted		
WARD Shepway South	PARISH/TOWN COUNCIL	APPLICANT Mr. Jon Baldwin AGENT Hunters
DECISION DUE DATE 26/02/24	PUBLICITY EXPIRY DATE 09/01/24	

Officer Site Visit – 19/12/23

RELEVANT PLANNING HISTORY

22/500638 Hybrid planning application for demolition of existing buildings, including 114 residential units, 15 retail units, 10 garages and former public WC, and redevelopment (100% affordable housing), for a mixed-use development.

Full planning permission for demolition and mixed-use redevelopment (phased) to provide buildings known as Blocks A, B, C, D, E, F, G, H, I & J, ranging in height from three to five storeys (ground inclusive) comprising 152 residential units (Use Class C3), 1400 sqm GIA of flexible commercial floorspace (Use Class E, inclusive of a, b, c), and including 200m² of class E(e) and 160m² of class E(g)(i), private and public car parking, servicing bays, public realm and associated landscaping, play and amenity space, plant and refuse areas and access arrangements.

Outline planning permission (access and scale being sought) for demolition and redevelopment (phased) to provide buildings known as Blocks K, L, Houses M1 to 28 and N1 to 28, ranging in height from two to three storeys (ground inclusive) comprising 84 residential units (Use Class C3) – APPROVED WITH CONDITIONS

BACKGROUND & DESCRIPTION OF SITE

The above hybrid permission was granted in October 2022. Full permission was granted for the demolition of existing shops, flats and houses to construct 6 new buildings providing retail floorspace and 152 flats. This covers the majority of the site in the north part fronting Northumberland Road and in the centre. The approved buildings are between four and five storeys. Parking for the shops and

flats is provided mainly within the centre and areas of public open space including a 'public garden' square, two informal play areas with play equipment, and two communal spaces were also approved.

The outline part for 84 dwellings to which these reserved matters details relate is to the south of the full permission area and is split into two parts either side of Cambridge Way which is short cul-de-sac with two storey terrace houses and a three storey apartment block. These areas of land have a number of existing two storey apartment blocks set in fairly large grassed areas with access routes and parking areas.

PROPOSAL

Outline permission has been granted for two apartment blocks and houses (84 units) with details of access (either end of the site) and scale (two to three storeys) approved.

Reserved matters details have been submitted for layout, appearance, and landscaping for the 84 dwellings as follows:

- 2 three-storey apartment blocks (14 flats in each so 28 in total)
- 28 two-storey semi-detached houses (56 dwellings)

The apartment blocks are at the west and east outside ends of each parcel of land. The semi-detached houses are proposed in rows with gardens back to back so they front Cambridge Crescent and the interior of the site. As per the outline permission, they are all 'affordable units'.

POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough Local Plan (2011-2031): SS1, SP1, SP19, SP20, SP23, ID1, DM1, DM2, DM3, DM5, DM6, DM8, DM12, DM19, DM21, DM23
- Kent Waste and Minerals Plan (amended 2020): N/A
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- MBC Air Quality Guidance
- MBC Public Art Guidance
- Maidstone Local Plan Review (Regulation 22): LPRSS1, LPRSP2, LPRSP10, LPRSP10(A), LPRSP10(B), LPRSP14A, LPRSP15, LPRHOU5, LPRTRA4, LPRQ&D1, LPRQ&D6, LPRQ&D7

The Regulation 22 Local Plan Review (LPR) submission comprises the draft plan for submission (Regulation 19) dated October 2021, the representations and proposed main modifications. It is therefore a material consideration and attracts some weight. The LPR has been through Stage 1 and 2 Hearings and the main modifications the Inspector considers are required to make it sound have been out to public consultation so it is at an advanced stage. However, responses to the consultation need to be considered by the Inspector along with him producing his Final Report so the LPR as a whole is considered to attract moderate weight at the current time.

LOCAL REPRESENTATIONS

Local Residents: 2 representations received raising the following (summarised) points:

- Lack of infrastructure to support dwellings i.e. doctors surgery, primary school, dentist.
- Lack of parking in the area.
- Apartments will overlook 1 and 127 Cambridge Crescent.

CONSULTATION RESPONSES

KCC Highways: No objections.

KCC SUDs: No objections.

APPRAISAL

Outline permission has been granted for 84 dwellings of two to three storeys with access and so the details of layout, appearance, and landscaping now need to be considered.

Layout

Relevant to layout condition 3 of the outline permission states:

The details of layout and landscaping submitted pursuant to condition 2 shall follow the 'Proposed Ground Floor Layout Plan' with buildings set back at least 7m from Cambridge Crescent including tree planting within the frontage.

Reason: To ensure the development is in keeping with the character of Cambridge Crescent.

The plans show the semi-detached houses set back from the pavement on Cambridge Crescent by 7m as per this condition. This set back is suitable because it reflects the existing building line of Cambridge Way in the middle of the site and is similar to the set back of houses on the south side of Cambridge Crescent (7.5m). It also allows room for parking spaces and both tree and hedge planting within the front gardens. The houses in the interior of the site would also be set back with parking and trees in front.

The houses would have spaces between them of around 5.5m which is greater than the spaces between houses opposite and would be acceptable to ensure the buildings are not cramped. The apartment blocks would provide book-ends to the outsides of the houses with a similar set back from Cambridge Crescent.

Pedestrian routes were approved under the full application either side of Cambridge Way in the centre to provide north/south permeability through the wider scheme and the proposed houses face onto these spaces with windows to provide passive surveillance of the routes.

The layout of the development is considered to be acceptable to reflect the character of the local area and ensure space for tree planting within Cambridge Crescent to provide an attractive frontage.

Appearance

Houses

The two storey semi-detached houses have shallow pitched roofs and are simple in their form and appearance. To provide interest there is a full height projecting central section to the front with a bronze coloured canopy over the door and bronze coloured aluminium coping to the top. These would match the bronze coloured aluminium doors and windows, and rainwater goods.

There would also be feature brickwork between ground and first floor windows and in the central sections. This detail would be provided with the areas recessed and 'pulled' brick headers raised. There would be a gap between the pulled headers and the edge of the panel so it is clearly defined. This is shown through images in the Design and Access statement but the fine detail can be secured by condition. A soldier course of brick headers are also proposed above first floor windows.

For the houses in the centre that are adjacent to the pedestrian routes, the exposed flanks would have ground and first floor windows to provide passive surveillance and additional brickwork detailing with muted green glazed headers to provide interest.

Materials proposed are buff and brown coloured bricks and composite slate tiles with 'Redland Cambrian' stated which is made from at least 60% recycled slate. A condition can secure stock bricks and a reconstituted slate to ensure a good quality finish to the houses. These materials would also be similar to those approved for the detailed element so there would be cohesion between the detailed and outline parts.

Overall, the houses are considered to have sufficient interest and detailing to provide a good quality appearance which would improve the streetscene. This is in accordance with policy DM1 of the Local Plan and Building for Life 12 (BfL12).

Apartment Blocks

These two buildings are three storeys in height and of similar style to the houses. Interest is provided on the longest elevation with one and two storey projecting bay elements, recessed balconies, and brick detailing around the windows. The prominent main road elevation would have a single storey bay projection above the entrance door, recessed balconies and brick detailing. The materials would match the houses. Soldier course brick banding is provided on all elevations between the floors and below the eaves. Overall, the apartment blocks are considered to have sufficient interest and detailing to provide a good quality appearance which would improve the streetscene. This is in accordance with policy DM1 of the Local Plan and BfL12.

Landscaping

A total of 80 trees are proposed with native species to the front of the houses (cherry and lime), whitebeam to the rear parking areas, silver birch for the pedestrian routes through the middle, and fruit trees in rear gardens. Tree pit details have been provided and irrigation would be provided through 55 litre capacity watering bags.

Privet hedges in front of 1.2m railings are proposed to define the front gardens and there would be mixed hedging within the central pedestrian routes (hazel, dogwood, holly, spindle, and guelder rose). These would be planted in double staggered rows.

Other landscaping includes a mix of native and ornamental shrubs and climbing plants around the apartment blocks.

These landscaping details will ensure an attractive streetscene through the proposed trees and hedges to the front of the houses and a good quality setting to the buildings in accordance with policy DM1 of the Local Plan and BfL12. A LEMP was secured under the legal agreement for the hybrid application including a timetable for implementation, long term design objectives, management responsibilities and maintenance schedules for all landscaping.

Surface materials are shown as buff block paving for driveways/parking spaces, slab paving for rear patios, and resin bonded gravel for the pavements outside the apartment blocks which is acceptable and can be secured by condition.

Parking

Parking provision is proposed as follows:

Houses

16 two bed – 1 space per property
30 three bed – 2 spaces per property
10 three bed – 1 space per property

Apartments

4 one bed – 1 space per property
12 two bed – 1 space per property
12 three bed – 1 space per property

The parking standards under policy DM23 are 1 space per 1-2 bed flat/house and 1.5 per 3 bed house/flat as a minimum. Therefore the standards are met apart from on the three bed houses/flats which are 11 spaces short in total. KCC Highways queried this and the applicant has stated that the parking for the detailed element overprovided by 41 spaces and so in their view parking can be accommodated on the wider site. KCC Highways subsequently raised no objections and this unallocated parking is within close proximity so I consider it is reasonable to take this into account and as such there is sufficient parking on the wider site. If some parking did occur on Cambridge Crescent as it does at present the road is of sufficient width such that it would not lead to highway safety issues in my view.

Cycle storage/parking would be provided within the apartment blocks and the houses would each have a shed for cycle storage.

Residential Amenity (existing properties and proposed)

All houses and apartments would meet national minimum space standards and would have suitable privacy and light. The houses would have rear gardens and all flats would have an external terrace or balcony. The internal windows on the apartments that face the rear gardens of the proposed houses would have obscure glazing to prevent overlooking.

All houses would meet Part M4(2) of the Building Regulations and all ground floor apartment units would meet Part M4(3). The first and second floor apartments are Part M4(1) as they do not have lifts which the agent says is to ensure viability. Emerging policy LPRQ&D6 expects all new development where possible to meet Part M4(2). Whilst no detailed evidence has been provided as to why providing lifts is not viable but on balance it is considered that 64 of the 84 units (71%) being M4(2) or M4(3) is acceptable.

Existing dwellings on the south side of Cambridge Crescent are a sufficient distance away (30m) so as to not be harmfully affected in terms of light, outlook, or privacy.

In the centre of the site, the existing dwelling of 30 Cambridge Way has a west first floor flank bathroom window which would be around 12m from a first floor bedroom window on the one of the proposed houses. I consider this bedroom window must be obscure glazed with only high opening to protect privacy. The bedroom is served by another window to the front so this would be acceptable. The nearest new house to nos. 1, 3, 5 and 7 Cambridge Way is around 36m away which is a suitable distance to protect amenity. Number 61 Cambridge Crescent has a ground floor flank window but the nearest new house would be 21m away which is a suitable distance to protect amenity. There are no east flank windows on the apartment block in Cambridge Way so no loss of privacy would occur.

The northeastern apartment block would be around 29m from 125 Cambridge Crescent and 21m from the back of the rear garden which is a sufficient distance to ensure no unacceptable impact upon privacy. Numbers 127 Cambridge Crescent and 44 Northumberland Road are further north so would not be unacceptably affected. The northwestern apartment block would be around 38m from 1 Cambridge Crescent and 14 Northumberland Road and 15m from the back of their rear gardens which is a sufficient distance to ensure no unacceptable impact upon privacy.

Housing Mix

The proposals provide for a mix of unit sizes with 1, 2 and 3 bed apartments and 2 and 3 bed houses which was agreed with the Council's Housing Section under the original hybrid application.

Other Matters

Biodiversity Net Gain

Under the hybrid application a BNG metric was submitted and at least 20% (as per the emerging BNG policy LPRSP14A in the draft Local Plan Review) was secured by the legal agreement for 30 years.

Drainage

Surface water would be stored and then discharged at a controlled rate into the public surface water drains and KCC LLFA have raised no objections. The detail is already subject to approval by a condition on the outline permission.

Representations

The issue of infrastructure was considered under the original hybrid application and reserved matters of layout, appearance and landscaping are all that can be considered. Parking and impact upon amenity are assessed above.

CONCLUSION

For the reasons above, it is considered the layout, appearance, and landscaping details are acceptable. The layout would be in keeping with the local area and the buildings would have sufficient detailing and interests to provide an attractive streetscene together with the landscaping and trees. The buildings and their materials would complement the detailed element already approved. The details are therefore in accordance with the Local Plan and permission is recommended subject to the following conditions.

(Conditions relating to landscaping implementation, levels, and lighting are attached to the outline permission).

Report Checked by: Marion Geary 20.02.24

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

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

M10360_APL001 Rev A
M10360_APL002 Rev A
M10360_APL003 Rev A
M10360_APL004 Rev A
M10360_APL100 Rev A
M10360_APL101 Rev A
M10360_APL102 Rev A
M10360_APL103 Rev A
M10360_APL104 Rev A
M10360_APL105 RevA

M10360_APL106 Rev A
M10360_APL107 Rev A
M10360_APL201 Rev A
M10360_APL202 Rev A
M10360_APL203 Rev A
M10360_APL301 Rev A
M10360_APL302 Rev A
M10360_APL303 Rev A
MHS236.20-200 Rev C
MHS236.20-201 Rev C

Reason: To clarify which plans have been approved, to ensure a high-quality development, and to protect residential amenity.

(2) The development shall be carried out in accordance with the landscaping details as set out within the 'Landscape Design Statement' including the boundary treatments. The boundary treatments shall thereafter be retained.

Reason: To ensure a high-quality development.

(3) The development shall be carried out in accordance with the hard surfaces as shown on drawing nos. MHS236.20-200 RevC and MHS236.20-201 RevC and retained thereafter.

Reason: To ensure a high-quality development.

(4) The development shall be carried out in accordance with the PV panels as shown on drawing no. M9810-HUN-A-APL004 RevA which shall thereafter be retained.

Reason: To secure the proposed energy strategy measures.

(5) The approved details of the cycle parking shall be provided before the occupation of the land or buildings to which they relate and shall thereafter be kept available for such use.

Reason: To promote sustainable transport use.

(6) No development beyond slab level shall take place until written details and images of the materials, including a sample panel for the bricks, to be used in the construction of the external surfaces of the buildings have been submitted to and approved in writing by the local planning authority. The materials shall include the following:

- a) Multi stock buff and brown coloured facing bricks which must have visible variations in colour and texture to provide interest.
- b) Composite slate roof tiles with the use of recycled slate waste.
- c) Bronze coloured balcony railings.
- d) Bronze coloured windows and doors.
- e) Bronze coloured rainwater goods.
- f) Bronze coloured cill/coping details.
- g) Metal railings to front gardens.

The development shall be constructed using the approved materials.

Reason: To ensure a high-quality development.

(7) No development beyond slab level shall take place until large-scale plans showing the following architectural detailing as illustrated with the Design & Access Statement have been submitted to and approved in writing by the local planning authority:

- a) Recessed windows of at least one brick depth.
- b) Feature brick detailing with 'pulled headers'.
- c) Ribbed brick piers.
- d) Vertically stacked bond facing brickwork.
- e) Cills/coping detailing.
- f) Recessed brick sections to down pipes.

The development shall be constructed in accordance with the approved details.

Reason: To ensure a high-quality development and to secure what is shown in the Design & Access Statement.

(8) No house shall be occupied until its first floor bathroom window has been obscure glazed and the window shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level. The window shall subsequently be retained as such.

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

(9) No apartment block shall be occupied until its first and second floor bedroom and lounge/kitchen windows on the rear elevation have been obscure glazed as shown on drawing no. M10360- HUN- A- APL203 RevA and the windows shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level. The windows shall subsequently be retained as such.

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

(10) Plot M15 as shown on drawing no. M10360- HUN- A- APL003 RevA shall not be occupied until the northern-most first floor bedroom window on the east elevation of this plot has been obscure glazed and the window shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level. The window shall subsequently be retained as such.

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

(11) All houses and apartments hereby approved shall meet the higher level of water efficiency of 110 litres per person, per day as set out under the building regulations Part G2 or any superseding standard. No dwellings shall be occupied unless this standard has been met.

Reason: To ensure a sustainable form of development in accordance with policies LPRQ&D1 and LPRQ&D6 of the draft Local Plan Review.

(12) All houses hereby approved shall meet the accessible and adaptable dwellings building regulations Part M4(2) standard or any superseding standard. No dwellings shall be occupied unless this standard has been met.

Reason: To ensure the development is in accordance with policy LPRQ&D6 of the draft Local Plan Review.

(13) All ground floor apartments shall meet the wheelchair user dwellings building regulations Part M4(3) standard or any superseding standard. No dwellings shall be occupied unless this standard has been met.

Reason: To ensure the development is in accordance with policy LPRQ&D6 of the draft Local Plan Review.

The Council's approach to this application

In accordance with paragraph 38 of the National Planning Policy Framework (2023), 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.

The applicant/agent was provided with formal pre-application advice.

Delegated Authority to Sign:	Date:
PRINT NAME: Rob Jarman	21/2/2024



Mr. Jon Baldwin
C/O Hunters
FAO: Mr Eddie Chen
Space One
Beadon Road
W6 0EA

21 February 2024

PLANNING DECISION NOTICE

APPLICANT:	Mr. Jon Baldwin
DEVELOPMENT TYPE:	Large Maj Dwellings
APPLICATION REFERENCE:	23/505344/REM
PROPOSAL:	Approval of Reserved Matters (Landscaping, Layout and Appearance sought) for the erection of 2no. three storey apartment blocks (28 apartments) and 28no. two storey semi-detached houses (56 dwellings) comprising 84 dwellings in total, and parking, pursuant to 22/500638/HYBRID.
ADDRESS:	Land Between Northumberland Road , And Cambridge Crescent, Shepway Estate, Maidstone, Kent, ME15 7LL

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 carried out in accordance with the following approved plans:

M10360_APL001 Rev A
M10360_APL002 Rev A
M10360_APL003 Rev A
M10360_APL004 Rev A
M10360_APL100 Rev A

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.co.uk

M10360_APL101 Rev A
M10360_APL102 Rev A
M10360_APL103 Rev A
M10360_APL104 Rev A
M10360_APL105 RevA
M10360_APL106 Rev A
M10360_APL107 Rev A
M10360_APL201 Rev A
M10360_APL202 Rev A
M10360_APL203 Rev A
M10360_APL301 Rev A
M10360_APL302 Rev A
M10360_APL303 Rev A
MHS236.20-200 Rev C
MHS236.20-201 Rev C

Reason: To clarify which plans have been approved, to ensure a high-quality development, and to protect residential amenity.

- (2) The development shall be carried out in accordance with the landscaping details as set out within the 'Landscape Design Statement' including the boundary treatments. The boundary treatments shall thereafter be retained.

Reason: To ensure a high-quality development.

- (3) The development shall be carried out in accordance with the hard surfaces as shown on drawing nos. MHS236.20-200 RevC and MHS236.20-201 RevC and retained thereafter.

Reason: To ensure a high-quality development.

- (4) The development shall be carried out in accordance with the PV panels as shown on drawing no. M9810-HUN-A-APL004 RevA which shall thereafter be retained.

Reason: To secure the proposed energy strategy measures.

- (5) The approved details of the cycle parking shall be provided before the occupation of the land or buildings to which they relate and shall thereafter be kept available for such use.

Reason: To promote sustainable transport use.

- (6) No development beyond slab level shall take place until written details and images of the materials, including a sample panel for the bricks, to be used in the construction of the external surfaces of the buildings have been submitted to and approved in writing by the local planning authority. The materials shall include the following:

- a) Multi stock buff and brown coloured facing bricks which must have visible variations in colour and texture to provide interest.
- b) Composite slate roof tiles with the use of recycled slate waste.
- c) Bronze coloured balcony railings.
- d) Bronze coloured windows and doors.
- e) Bronze coloured rainwater goods.

- f) Bronze coloured cill/coping details.
- g) Metal railings to front gardens.

The development shall be constructed using the approved materials.

Reason: To ensure a high-quality development.

- (7) No development beyond slab level shall take place until large-scale plans showing the following architectural detailing as illustrated with the Design & Access Statement have been submitted to and approved in writing by the local planning authority:

- a) Recessed windows of at least one brick depth.
- b) Feature brick detailing with 'pulled headers'.
- c) Ribbed brick piers.
- d) Vertically stacked bond facing brickwork.
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The development shall be constructed in accordance with the approved details.

Reason: To ensure a high-quality development and to secure what is shown in the Design & Access Statement.

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

- (9) No apartment block shall be occupied until its first and second floor bedroom and lounge/kitchen windows on the rear elevation have been obscure glazed as shown on drawing no. M10360- HUN- A- APL203 RevA and the windows shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level. The windows shall subsequently be retained as such.

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

- (10) Plot M15 as shown on drawing no. M10360- HUN- A- APL003 RevA shall not be occupied until the northern-most first floor bedroom window on the east elevation of this plot has been obscure glazed and the window shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level. The window shall subsequently be retained as such.

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

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G2 or any superseding standard. No dwellings shall be occupied unless this standard has been met.

Reason: To ensure a sustainable form of development in accordance with policies LPRQ&D1 and LPRQ&D6 of the draft Local Plan Review.

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Reason: To ensure the development is in accordance with policy LPRQ&D6 of the draft Local Plan Review.

- (13) All ground floor apartments shall meet the wheelchair user dwellings building regulations Part M4(3) standard or any superseding standard. No dwellings shall be occupied unless this standard has been met.

Reason: To ensure the development is in accordance with policy LPRQ&D6 of the draft Local Plan Review.

The Council's approach to this application:

In accordance with paragraph 38 of the National Planning Policy Framework (2023), 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.

The applicant/agent was provided with formal pre-application advice.



Rob Jarman
Head of Development Management
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 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 can be made online at: <https://www.gov.uk/planning-inspectorate>.

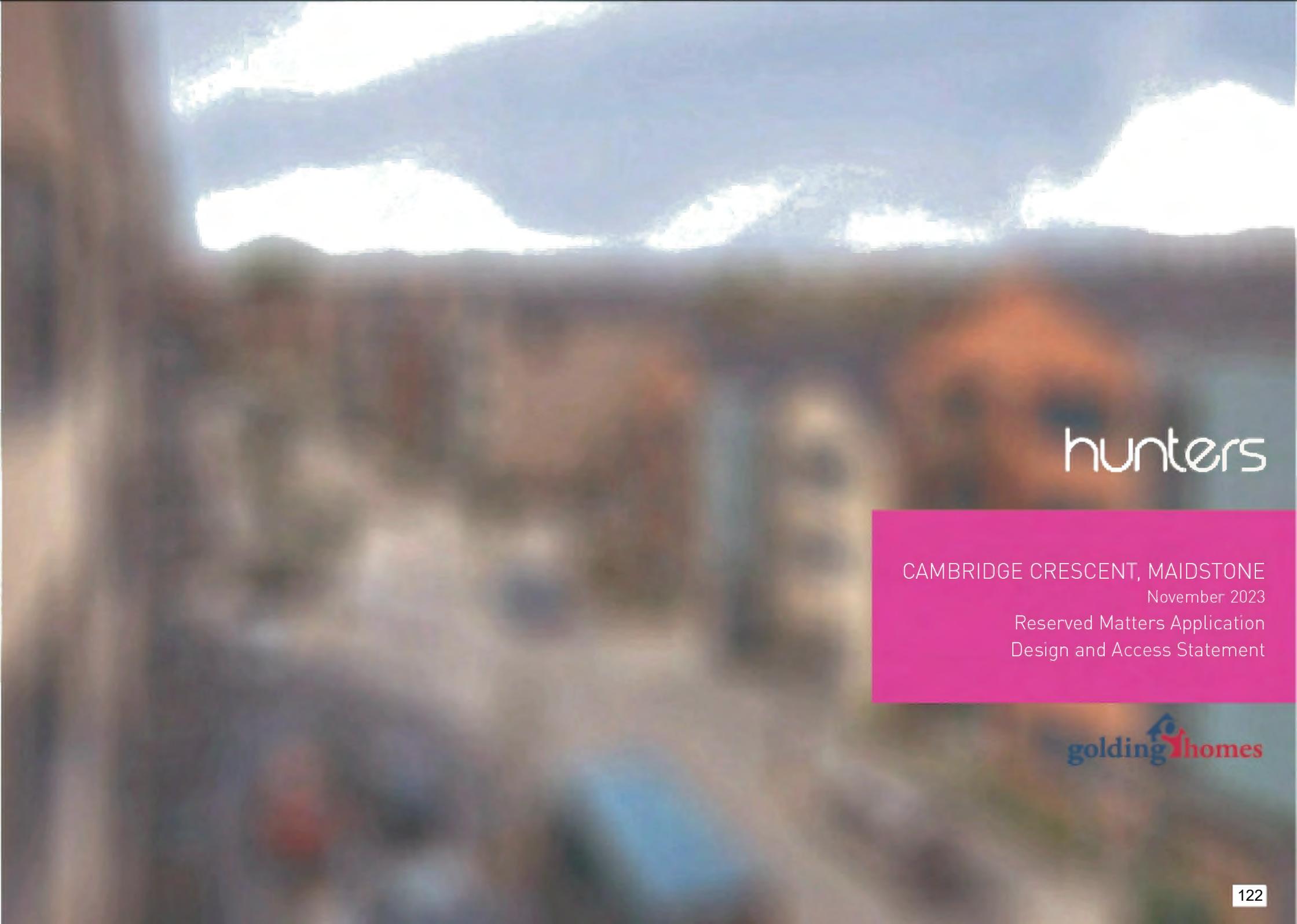
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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) and Planning Inspectorate (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.



hunters

CAMBRIDGE CRESCENT, MAIDSTONE

November 2023

Reserved Matters Application
Design and Access Statement

golding  homes

1.0 INTRODUCTION

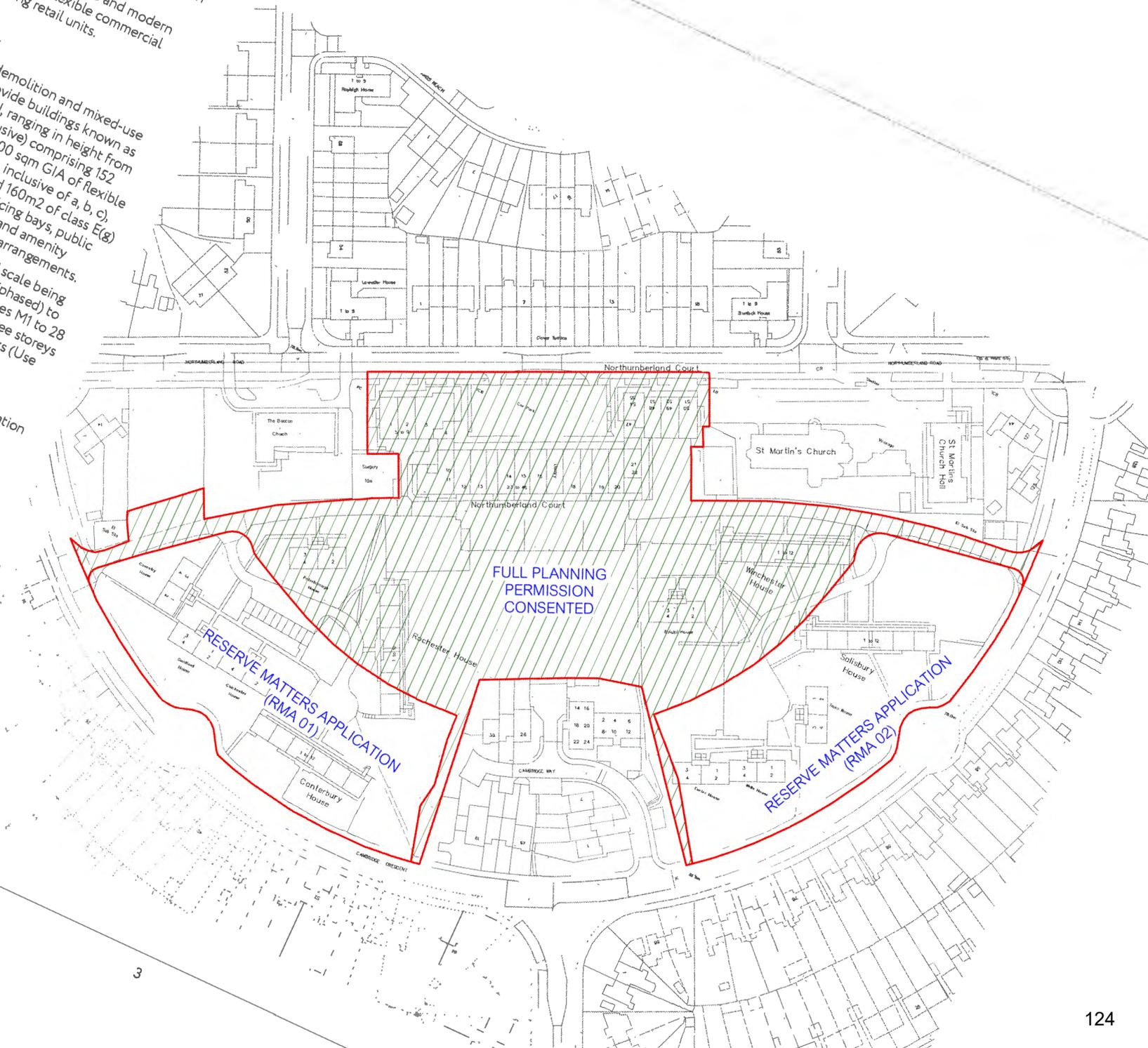
...ing permission in late
 Cambridge Crescent.
 ... Shepway Estate between
 ... circa 1400 sqm of flexible commercial
 ... to replace the existing retail units.

The hybrid application includes

- Full planning permission for demolition and mixed-use redevelopment (phased) to provide buildings known as Blocks A, B, C, D, E, F, G, H, I & J, ranging in height from three to five storeys (ground inclusive) comprising 152 residential units (Use Class E, inclusive of a, b, c), commercial units (Use Class C3), 1400 sqm GIA of flexible and including 200m² of class E(e) and 160m² of class E(g) (i), private and public car parking, servicing bays, public realm and associated landscaping, play and amenity space, plant and refuse areas and access arrangements.
- Outline planning permission (access and scale being sought) for demolition and redevelopment (phased) to provide buildings known as Blocks K, L, Houses M1 to 28 and N1 to 28, ranging in height from two to three storeys (ground inclusive) comprising 84 residential units (Use Class C3).

The applicant now wishes to progress the outline application proposal and seek approval on the Reserved Matters including Appearance, Landscaping and Layout.

This document has been put together as part of the Reserved Matters Application submission to Maidstone Borough Council. It is to be read in conjunction with the architectural plans and separate landscape proposals.



2.0 SITE HISTORY

2.0 SITE HISTORY

Existing Site Plan



The site and its immediate setting form part of the heart of Shepway Estate. The area is currently supporting a range of different uses (in addition to residential use) including churches, schools, a GP surgery, a vet and various retail uses - all the right ingredients for a vibrant community.

There are a number of mature trees, whilst redevelopment would seek to retain these they are not in good condition - mostly 'C' Rated and three are 'U' Rated as identified in the tree survey report. Golding Homes seeks to plant a number of new native species to improve the quality of landscaping and biodiversity.

Between the existing buildings a number of soft landscaped areas have been established. These communal green spaces are unfortunately unallocated and serve no definitive purpose. As a result these green spaces create something of a "no-mans land" between the homes and enable pedestrians to wander freely up to ground floor windows.

The surrounding roads currently do not have any parking restrictions in place. Northumberland Road is used frequently as street parking for the shops.

To the south of the development site, there is the Cambridge Way development by Golding Homes. This development is not included within the proposed redevelopment boundary but Golding Homes seeks to fully integrate these existing more recently constructed homes into the overall Regeneration design.

KEY

- Residential
- Alternate function
- Outdoor communal space (Semi-private)
- Outdoor communal space (Public)

2.0 SITE HISTORY

Hybrid planning Application - Proposed Schedule of Accommodation

Cambridge Crescent - Full Consented Application

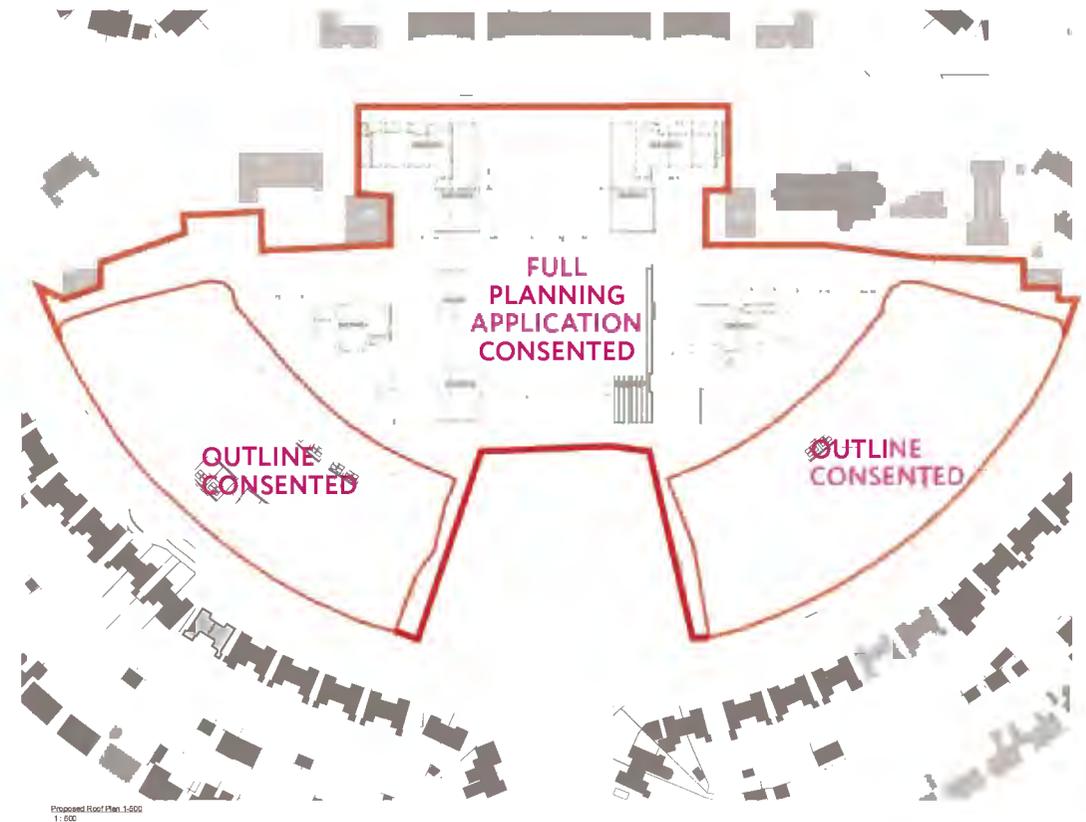
Block Ref	1B2P	2B3P	2B4P	Retail (sqm)
A	9	3	6	396.0
B	8	4	0	198.9
C	9	3	6	298.5
D	8	4	0	198.9
E	8	1	6	0
F	8	1	8	158.1
G	8	1	5	0
H	8	1	8	158.1
I	8	1	5	0
J	8	1	6	0
Sub-total	82	20	50	
%	54%	13%	33%	
Total			152	1408.5
Part M4(3) units			14	9.2%
Parking required (1:1)				152
Existing Retail Spaces:				34
Parking provided:				
Residential				152
Retail + Visitor				61
Site Area			1.94	ha
Density			78	u/ha
			193	hr/ha

8 disabled spaces for residential (5%)

4 disabled spaces for retail & visitor use (6%)

Cambridge Crescent - Outline Consented Application

Block Ref	1B2P	2B3P	2B4P	2BH	3BH
K	2	6	6		
L	2	6	6		
M				8	20
N				8	20
Sub-total	4	12	12	16	40
%	5%	14%	14%	19%	48%
Total					84
Parking required (1:1-apartments & 2bh, 1:1.5-3bh)					104
Parking provided:					111
Site Area				1.49	ha
Density				56.4	u/ha



Proposed Roof Plan 1:500
1:500

2.0 SITE HISTORY

Hybrid planning Application - Design Approach

The scale of the redevelopment presents an opportunity to create a number of “character areas” which can be defined by subtle differences in the architectural design, the functions they serve, the scale of the public realm they create and the landscaping detail at a human scale.



FULL PLANNING APPROVAL GRANTED

-  Northern Gateway: Characterised by mixed-use blocks with Ground floor retail parades, serving as the northern gateway into the scheme. The symmetrical blocks have been designed to be inviting, using colonnade to frame the retail parades and draw the public in.
-  Central Garden: Framing the central public square, these buildings provide the transition from the central public realm to semi-public homezones behind.
-  Homezone: These blocks bridge between the higher density apartments and domestic houses. The scale of these buildings also help define more intimate communal spaces such as the activity gardens and play areas.

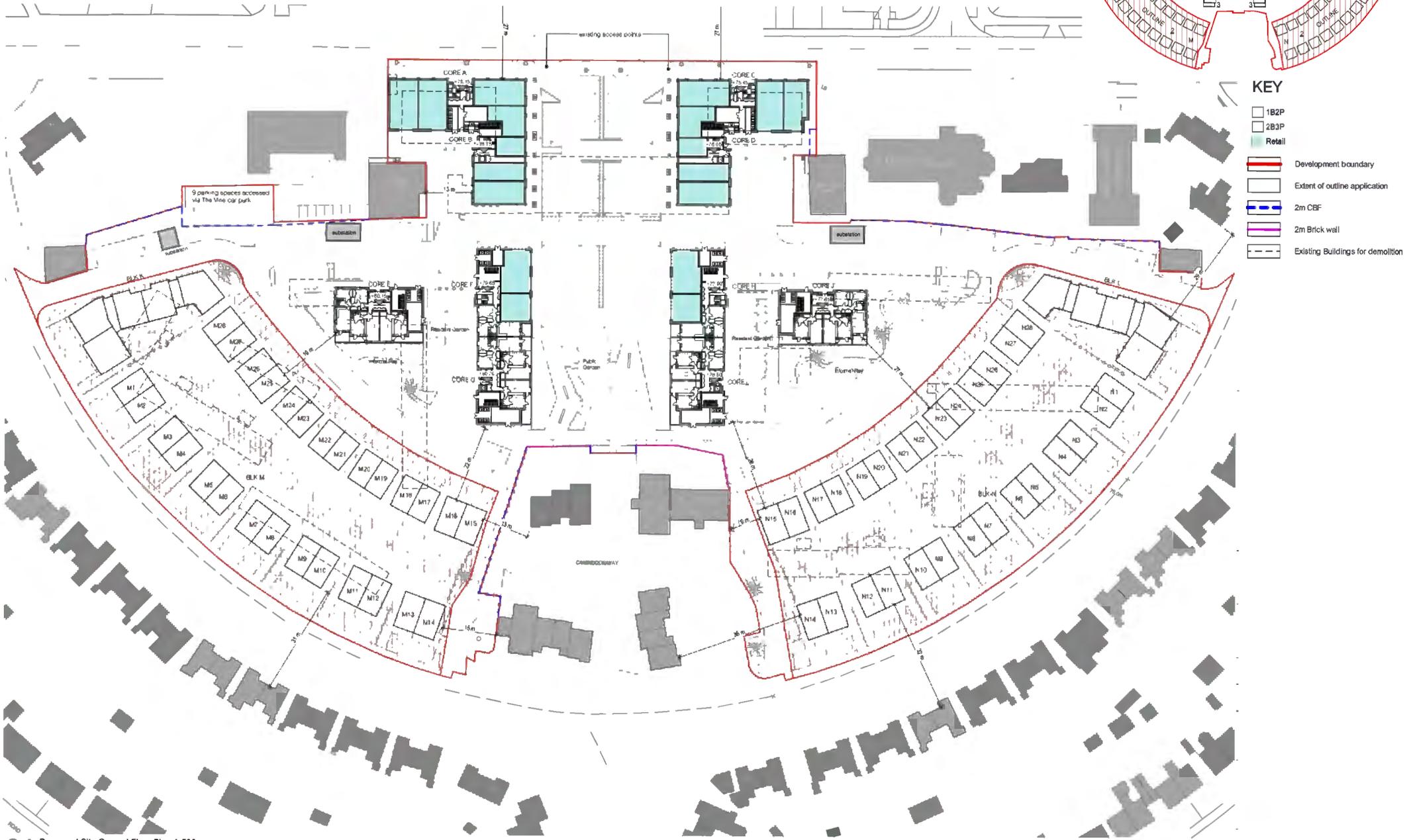
OUTLINE PERMISSION GRANTED

(RESERVED MATTERS INCLUDING APPEARANCE, LANDSCAPING AND LAYOUT)

-  Eastern & Western Gateways: These blocks bookend the development at either ends on Cambridge Crescent, acting as important visual markers for this scheme.
-  The Crescent: Double banked semi-detached houses help restore Cambridge Crescent to a more traditional residential street.

2.0 SITE HISTORY

Hybrid planning Application - Proposed Site Ground Floor Plan



01 Proposed Site Ground Floor Plan 1:500
1 : 500

2.0 SITE HISTORY

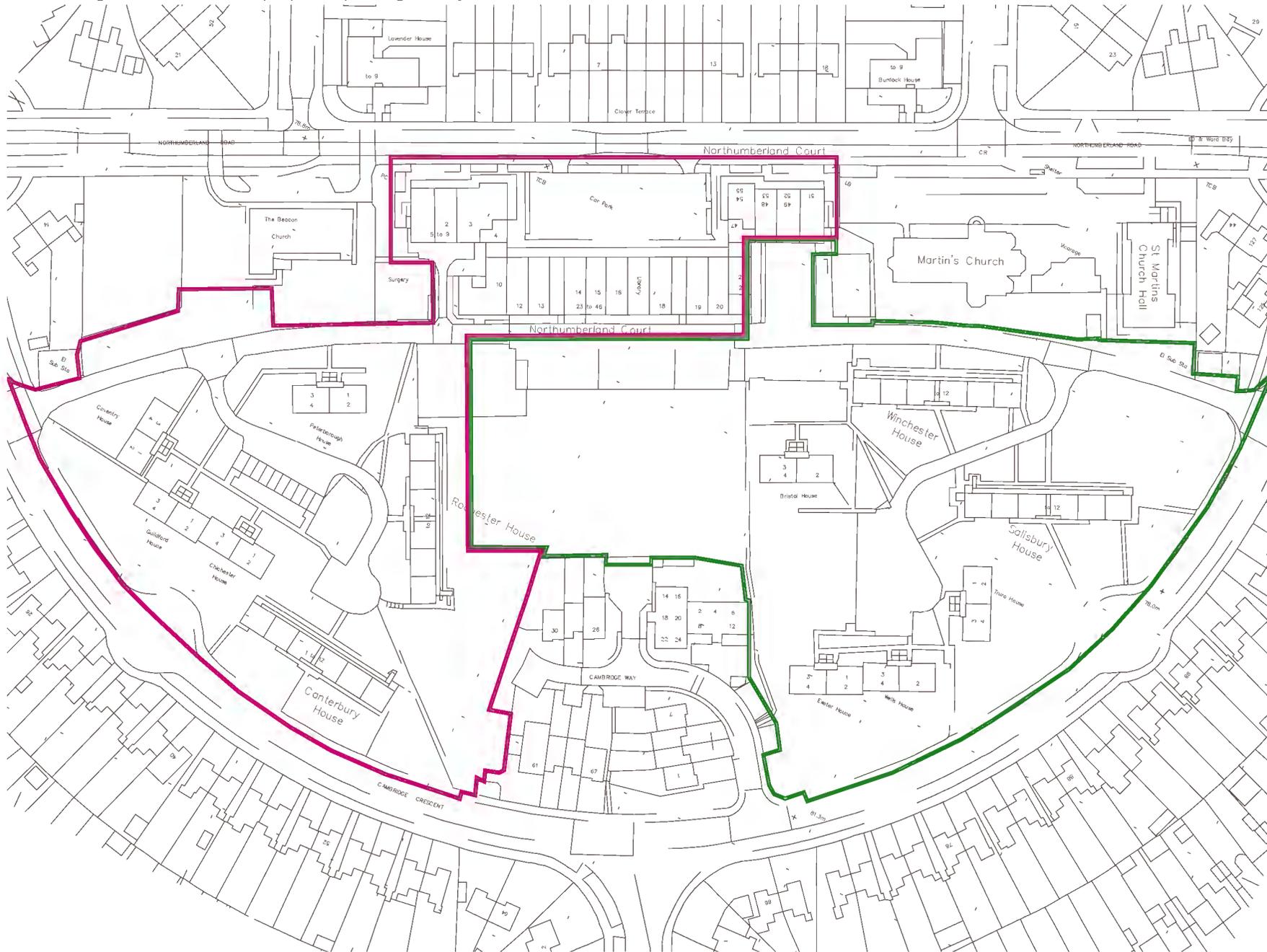
Hybrid planning Application_Aerial view



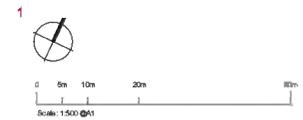
3.0 PHASING PLAN

3.0 PHASING PLAN

Existing Site Plan with over proposed phasing overlay

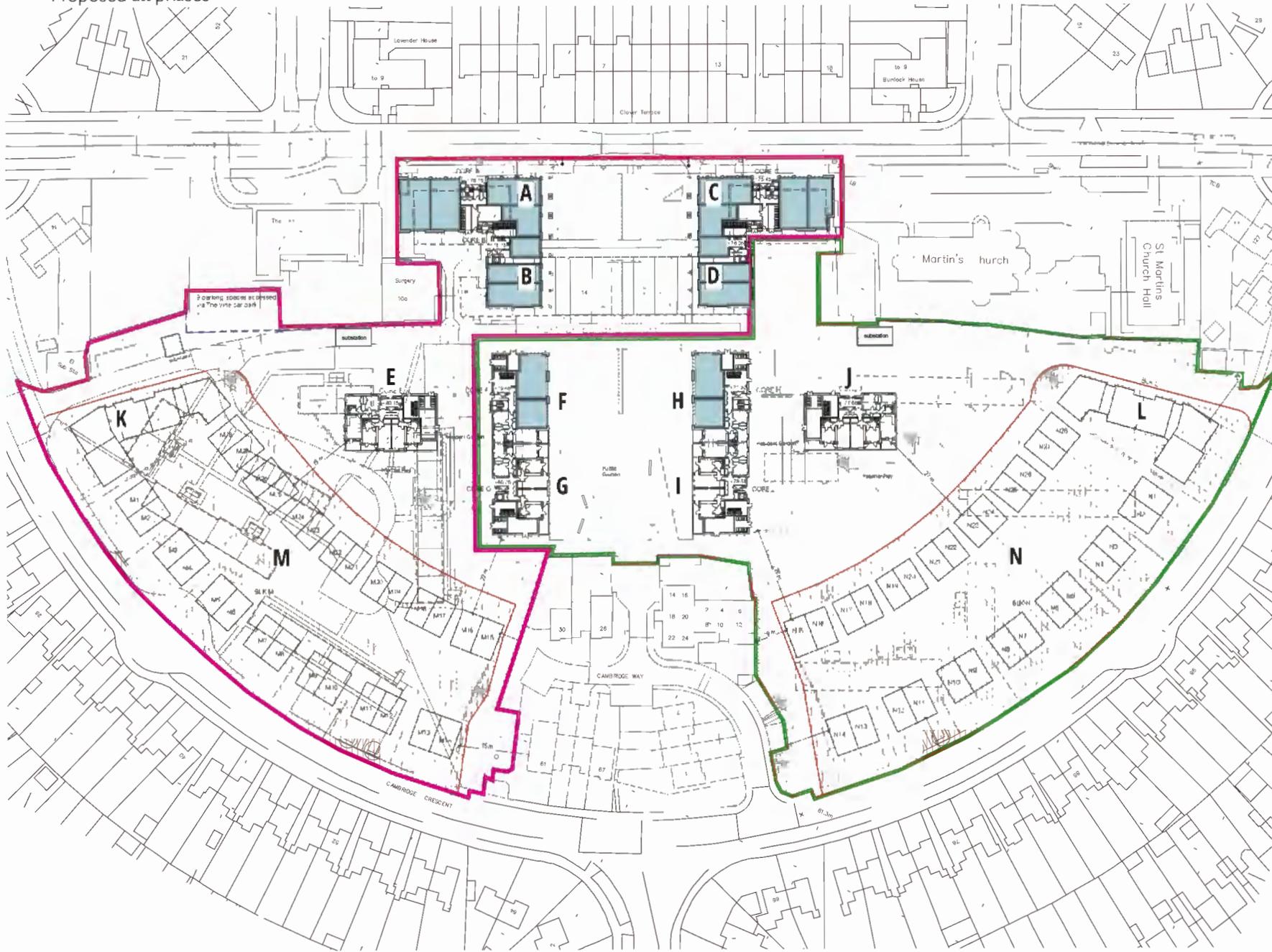


-  PHASE 1
-  FUTURE PHASES



3.0 PHASING PLAN

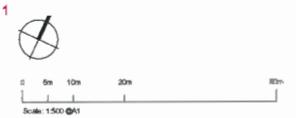
Proposed all phases



- PHASE 1
- FUTURE PHASES

The future phases comprise Block A, B, C, D, E, K & M (inclusive of 28 houses).

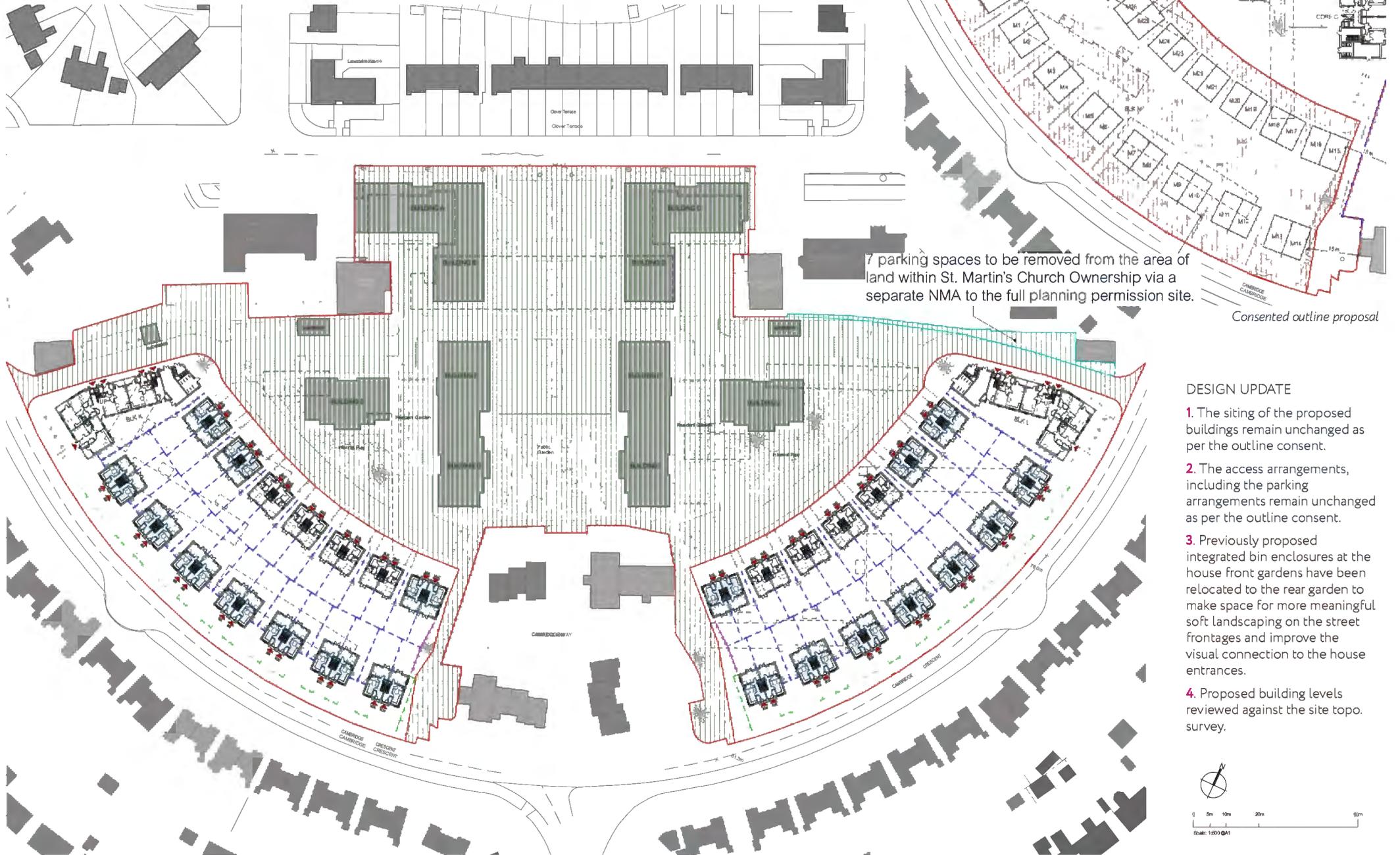
117 residential units (including 29 apartments and 28 houses) and 1092m² of commercial floor space will be delivered in the future phases.



5.0 DESIGN PROPOSAL

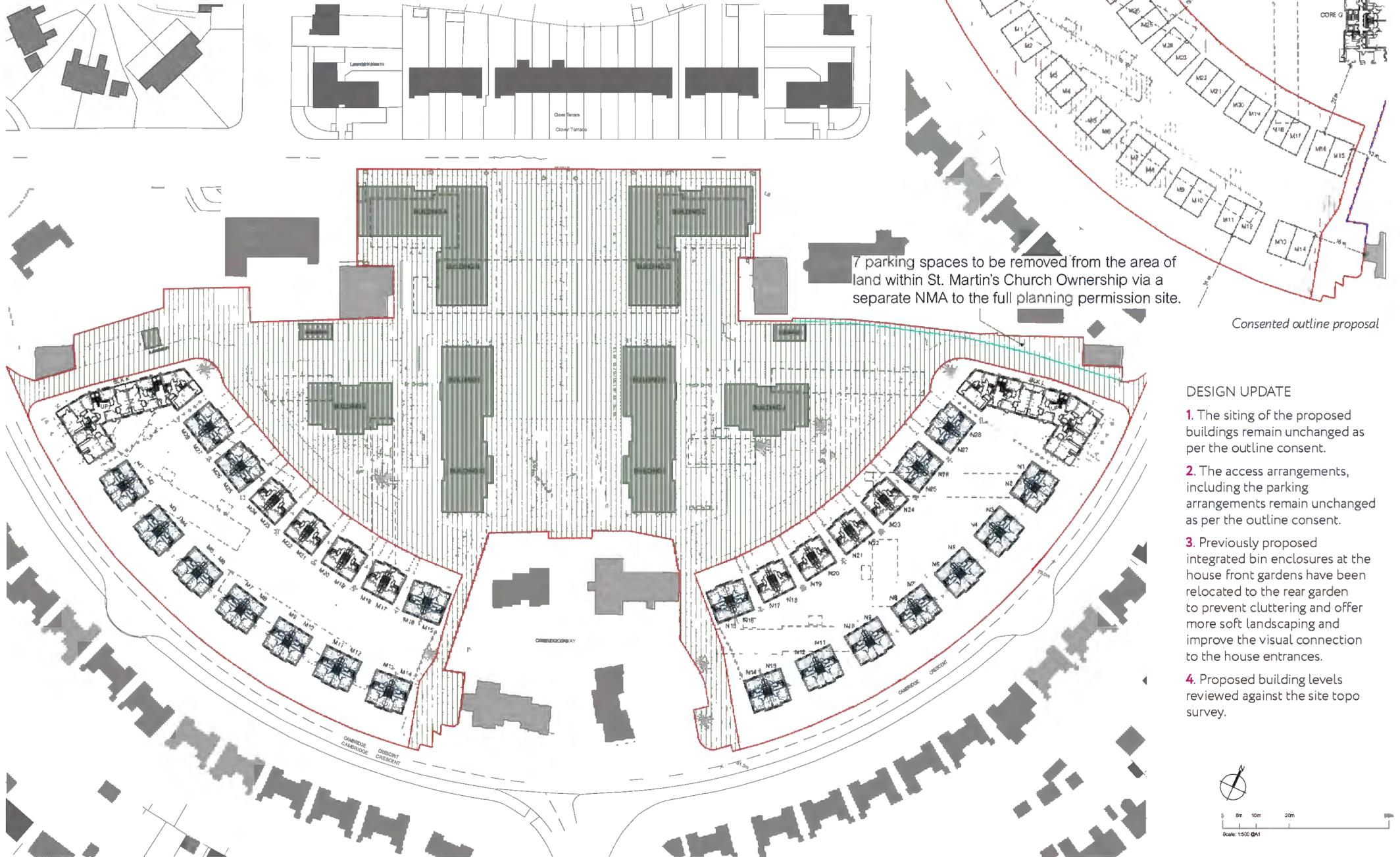
5.0 DESIGN PROPOSAL

Proposed Site Ground Floor Plan



5.0 DESIGN PROPOSAL

Proposed Site First Floor Plan

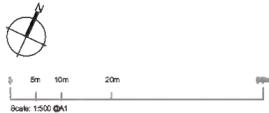


7 parking spaces to be removed from the area of land within St. Martin's Church Ownership via a separate NMA to the full planning permission site.

Consented outline proposal

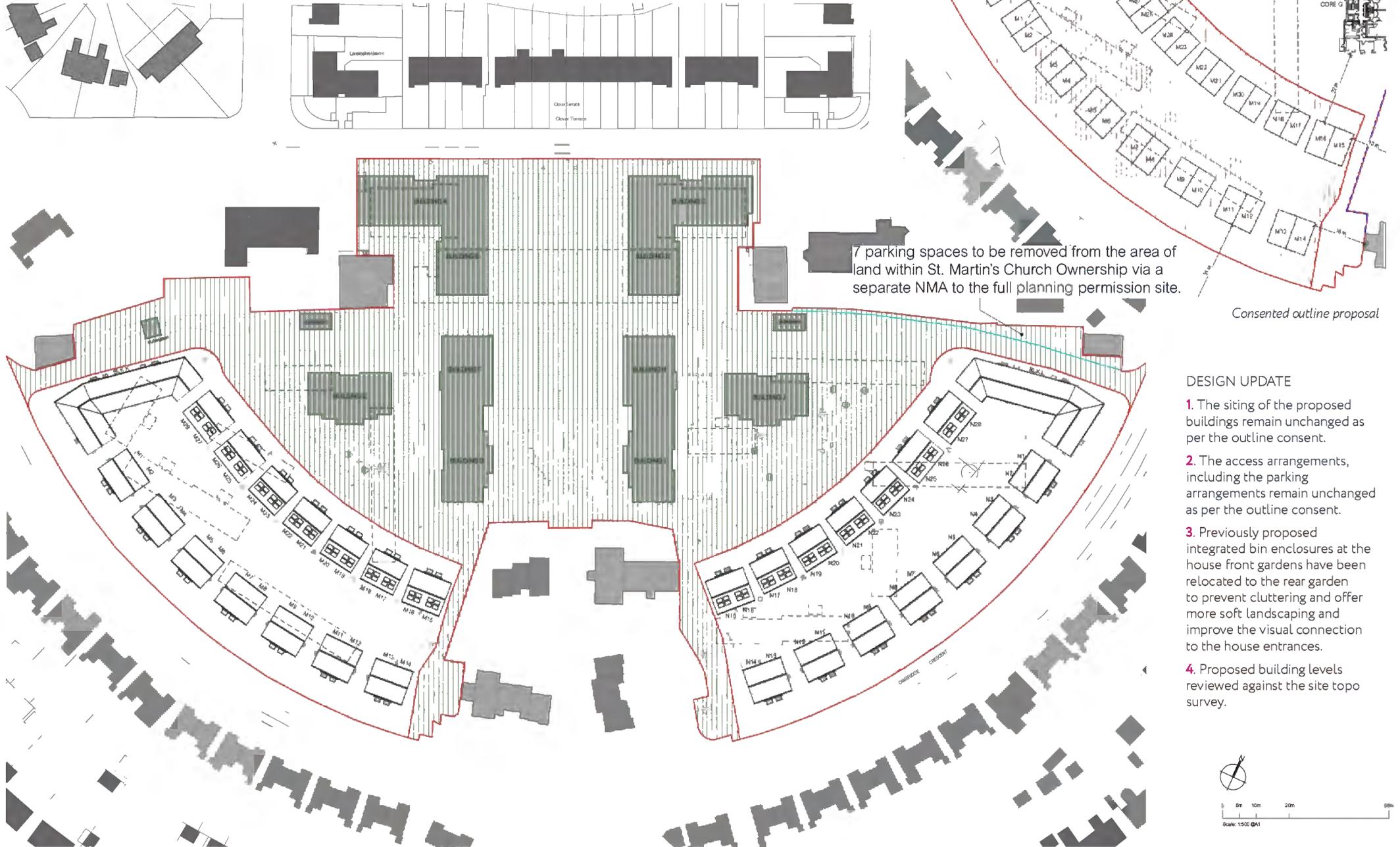
DESIGN UPDATE

1. The siting of the proposed buildings remain unchanged as per the outline consent.
2. The access arrangements, including the parking arrangements remain unchanged as per the outline consent.
3. Previously proposed integrated bin enclosures at the house front gardens have been relocated to the rear garden to prevent cluttering and offer more soft landscaping and improve the visual connection to the house entrances.
4. Proposed building levels reviewed against the site topo survey.



5.0 DESIGN PROPOSAL

Proposed Site Roof Plan



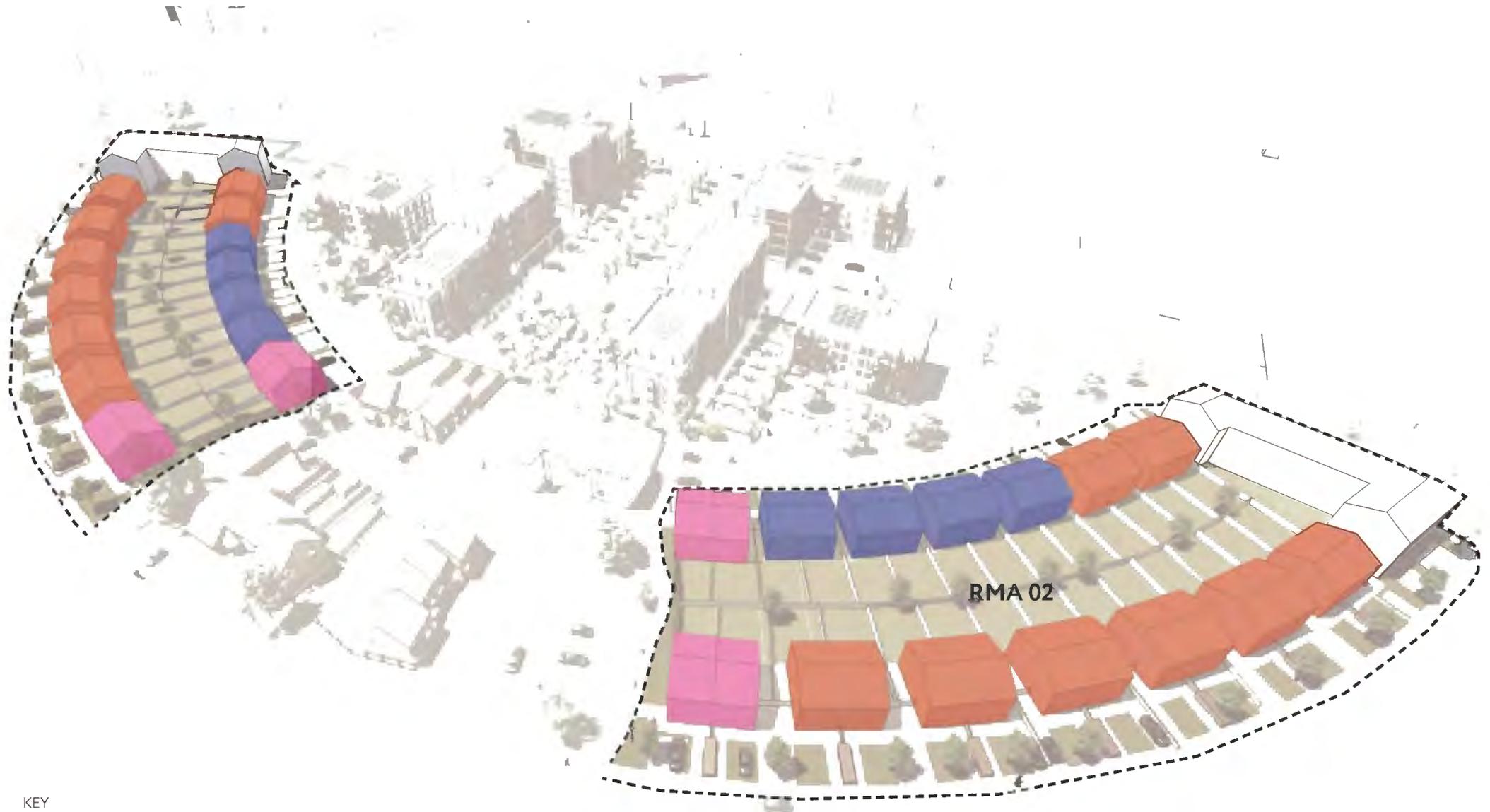
Consented outline proposal

DESIGN UPDATE

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2. The access arrangements, including the parking arrangements remain unchanged as per the outline consent.
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4. Proposed building levels reviewed against the site topo survey.

5.0 DESIGN PROPOSAL

Proposed Building Typology: Semi-detached Houses

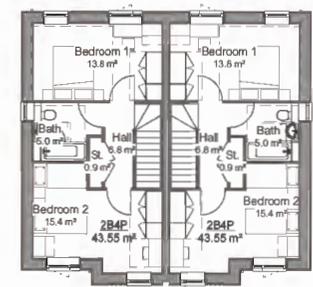
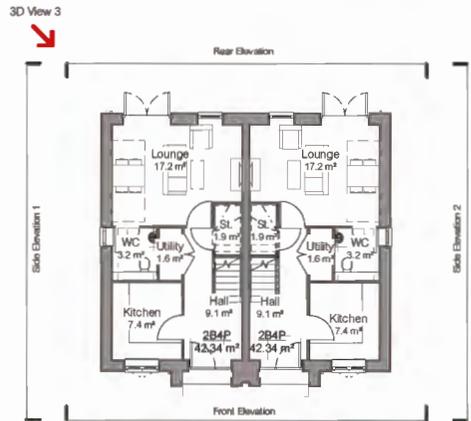
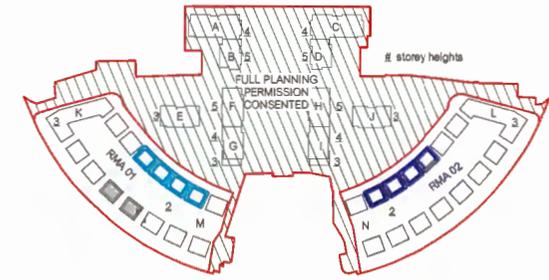


KEY

- Type 1: Pair of semi-detached 2bed 4person houses
- Type 2: Pair of semi-detached 3bed 5 person houses
- Type 3: Pair of semi-detached "gateway" 3bed 5 person houses

5.0 DESIGN PROPOSAL

Proposed Type 1: 2 Bed 4 Person Houses



- Pair of 2B4P houses
- Pair of 2B4P houses (mirrored)

All housing layouts share the following common characteristics:

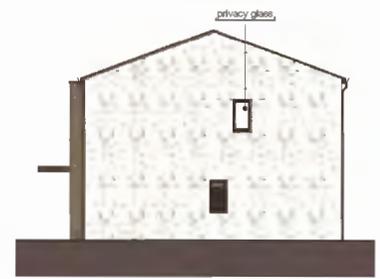
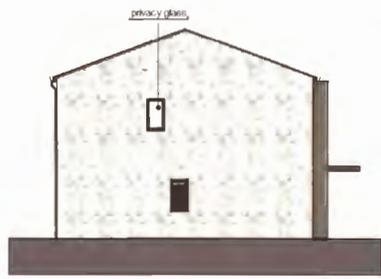
- Two storeys, providing distinct separation between the living and sleeping areas.
- Living areas situated on the ground floor with access to private garden.
- Sleeping areas on the first floor to ensure privacy and tranquillity.
- Sanitary facilities are provided on both levels.
- Generous front garden creates a visual barrier between the street and the interior of the house.
- Generous private rear garden.
- Bins storage located within the rear garden, ensuring discretion and ease of access.
- On designated collection days, bins are to be placed at the front of the property for convenient disposal.

1 08-00 Ground Floor GIA
1: 100

2 08-01 First Floor GIA
1: 100

3 05-02 roof Floor Plan
1: 100

3D View 1 3D View 2



4 Front Elevation
1: 100

5 Side Elevation 1
1: 100

6 Rear Elevation
1: 100

7 Side Elevation 2
1: 100

Material Legend

1. Stretcher bond facing brick. Colour: buff.
2. Stretcher bond facing brick. Colour: brown.
3. Roof tiles. Colour: warm slate.
4. Feature brick detailing: "pulled headers"
5. PPC Aluminium window/door. Colour: Bronze
6. Square section PPC rainwater downpipe. Colour to match window/ door frames.
7. PPC rainwater gutter. Colour to match window/ door frames.
8. PPC canopy. Colour: Bronze.
9. PPC aluminium cill/coping. Colour: Bronze.



8 3D View 1



9 3D View 2

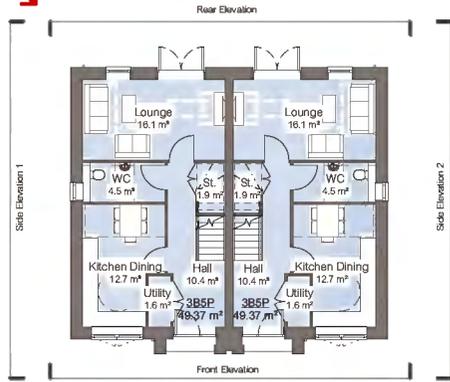


10 3D View 3

5.0 DESIGN PROPOSAL

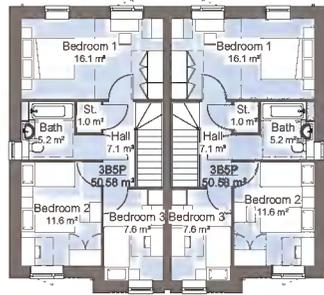
Proposed Type 2: 3 Bed 5 Person Houses

3D View 3



1 08-00 Ground Floor GIA
1: 100

3D View 1

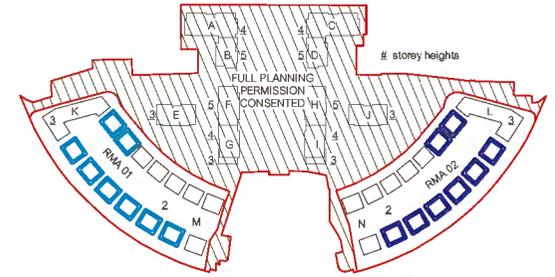


2 08-01 First Floor GIA
1: 100

3D View 2



3 05-02 roof Floor Plan
1: 100



- Pair of 3BSP houses Type 1
- Pair of 3BSP houses Type 1 (mirrored)

All housing layouts share the following common characteristics:

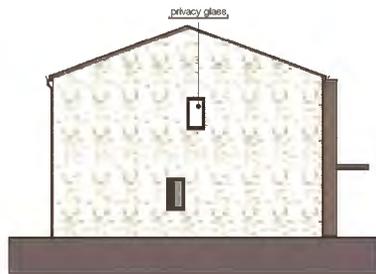
- Two storeys, providing distinct separation between the living and sleeping areas.
- Living areas situated on the ground floor with access to private garden.
- Sleeping areas on the first floor to ensure privacy and tranquillity.
- Sanitary facilities are provided on both levels.
- Generous front garden creates a visual barrier between the street and the interior of the house.
- Generous private rear garden.
- Bins storage located within the rear garden, ensuring discretion and ease of access.
- On designated collection days, bins are to be placed at the front of the property for convenient disposal.

Material Legend

1. Stretcher bond facing brick. Colour: buff.
2. Stretcher bond facing brick. Colour: brown.
3. Roof tiles. Colour: warm slate.
4. Feature brick detailing: "pulled headers"
5. PPC Aluminium window/door. Colour: Bronze
6. Square section PPC rainwater downpipe. Colour to match window/ door frames.
7. PPC rainwater gutter. Colour to match window/ door frames.
8. PPC canopy. Colour: Bronze.
9. PPC aluminium sill/coping. Colour: Bronze.



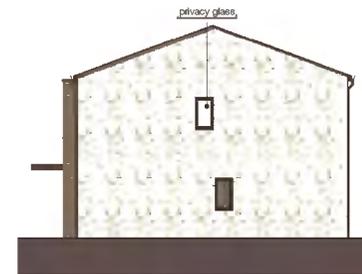
4 Front Elevation
1: 100



5 Side Elevation 1
1: 100



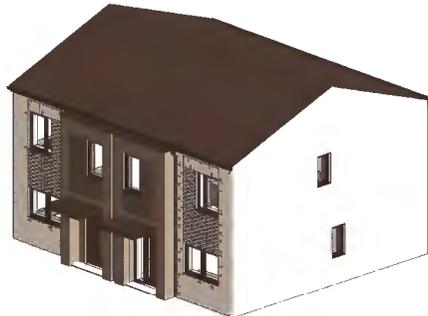
6 Rear Elevation
1: 100



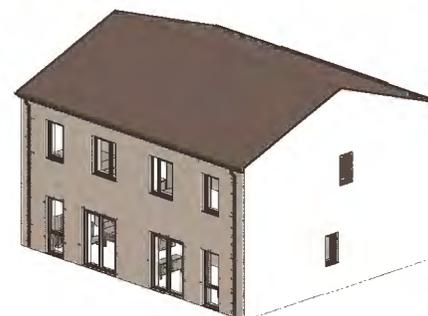
7 Side Elevation 2
1: 100



8 3D view 1



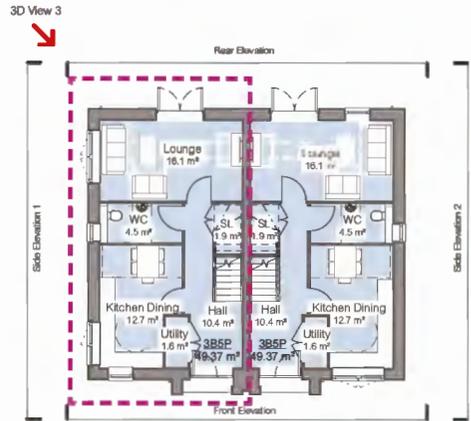
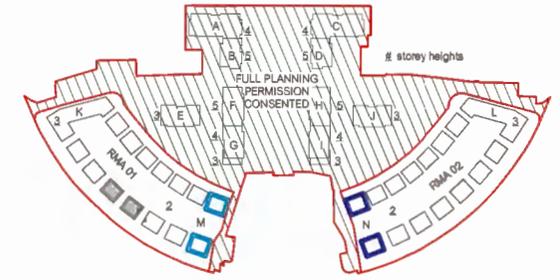
9 3D View 2



10 3D View 3

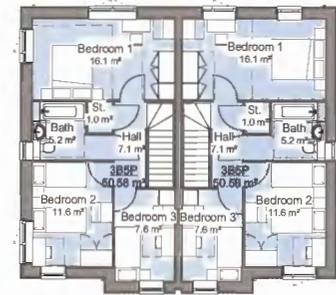
5.0 DESIGN PROPOSAL

Proposed Type 3: "Gateway" 3 Bed 5 Person Houses



1 06-00 Ground Floor GIA
1: 100

3D View 1



2 06-01 First Floor GIA
1: 100

3D View 2



3 05-02-roof Floor Plan
1: 100



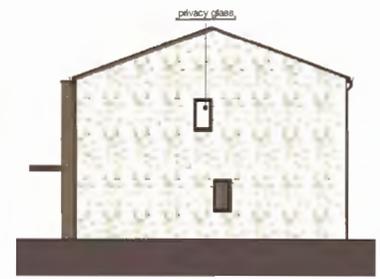
4 Front Elevation
1: 100



5 Side Elevation 1
1: 100



6 Rear Elevation
1: 100



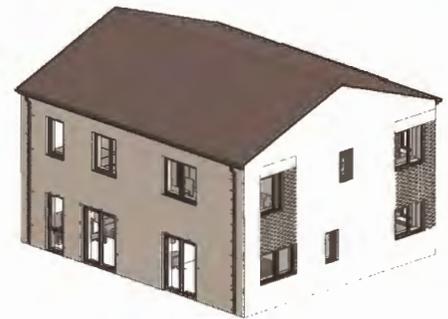
7 Side Elevation 2
1: 100



8 3D View 1



9 3D View 2



10 3D View 3

- Pair of 3BSP houses Type 2
- Pair of 3BSP houses Type 2 (mirrored)

Type 2 of the 3 bed houses are located at the gateway of the landscaped pedestrian links.

To address the public footpath linking Cambridge Crescent to Northumberland Road, the flank elevations facing the footpath have been activated with windows that overlook the footpath from the main habitable rooms.

Material Legend

1. Stretcher bond facing brick. Colour: buff.
2. Stretcher bond facing brick. Colour: brown.
3. Roof tiles. Colour: warm slate.
4. Feature brick detailing: "pulled headers"
5. PPC Aluminium window/door. Colour: Bronze
6. Square section PPC rainwater downpipe. Colour to match window/ door frames.
7. PPC rainwater gutter. Colour to match window/ door frames.
8. PPC canopy. Colour: Bronze.
9. PPC aluminium cill/coping. Colour: Bronze.
10. Stretcher bond facing brick. (EH Smith Polychrome Glazed Brick or similar approved). Colour: "Mottle Green".

5.0 DESIGN PROPOSAL

Perspective view of the proposed semi-detached houses



Landscape illustrative only
Please see landscape plan and report for detailed specification

5.0 DESIGN PROPOSAL

Perspective view of the proposed "gateway" houses



Landscaping Illustrative only.

Please see landscape plan and report for detailed specification.

5.0 DESIGN PROPOSAL

Perspective view of the proposed “gateway” houses

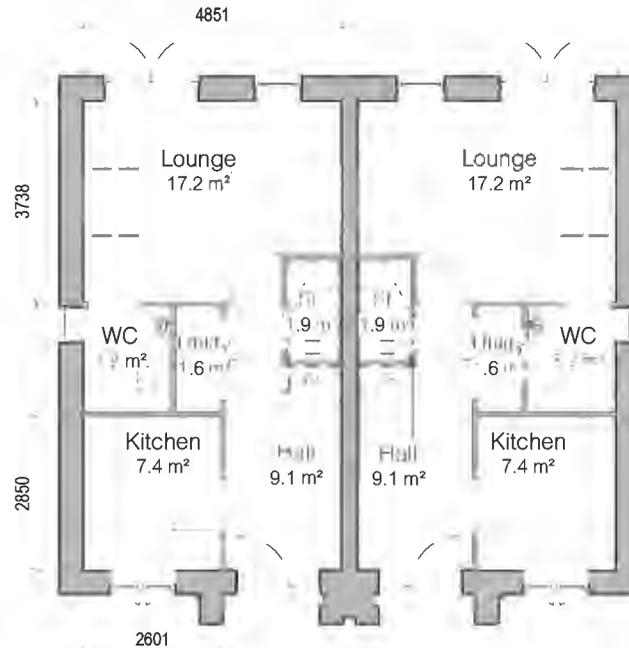


5.0 DESIGN PROPOSAL

Spatial Standards Assessment

Proposed Type 1: 2 Bed 4 Person House

Total GIA 85.9 m²



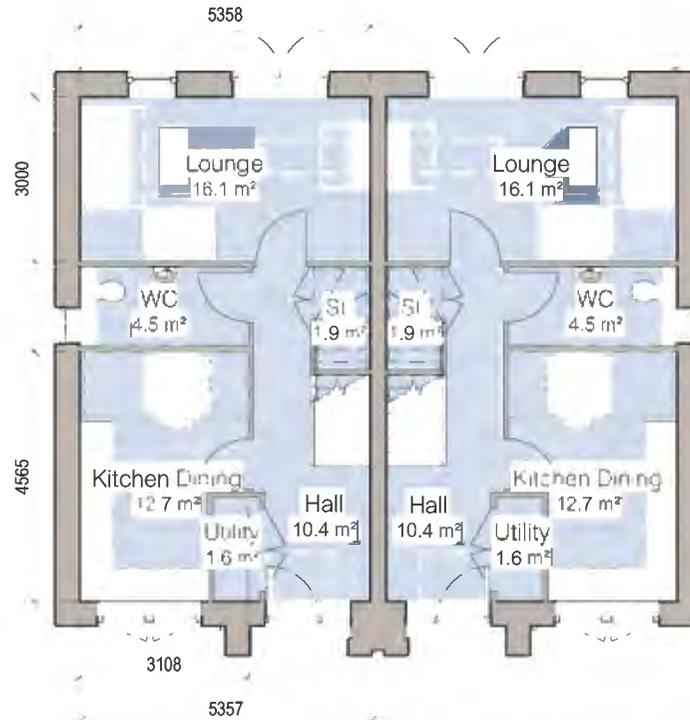
A Nationally Described Space Standard (NDSS):		Provided	Req'd
1	Gross Internal Area (m ²) for unit type	85.9m ²	79m ²
2	Built In Storage (m ²) for unit type	2.8m ²	2m ²
3	A dwelling with two or more bedspaces has at least one double (or twin) bedroom.	Y	Y
4	Double/Twin Bedroom 1 - Room size	13.8m ²	11.5m ²
5	Double/Twin Bedroom 1 - Minimum room width	2.85m	2.75m
6	Double/Twin Bedroom 2 - Room size	15.4m ²	11.5m ²
7	Double/Twin Bedroom 2 - Minimum room width	3.07m	2.55m
8	Double/Twin Bedroom 3 - Room size	n/a	n/a
9	Double/Twin Bedroom 3 - Minimum room width	n/a	n/a
10	Single Bedroom 1 - Room size	n/a	n/a
11	Single Bedroom 1 - Minimum room width	n/a	n/a
12	The minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area	Y	Y
13	Does the unit type meet the NDSS minimum requirement?	Y	Y
B Accessibility Category of Unit:			
Requirement M4(1) Visitable Dwellings			
1	Building Regulations - mandatory requirement	Y	Y
Requirement M4(2) Accessible & Adaptable Dwellings			
2	M4(2) Requirement through Planning	n/a	n/a
Optional Requirement M4(3) Wheelchair User Dwellings			
3	M4(3) Requirement through Planning	n/a	n/a

5.0 DESIGN PROPOSAL

Spatial Standards Assessment

Proposed Type 2: 3 Bed 5 Person House

Total GIA 100.0 m²



A Nationally Described Space Standard (NDSS):		Provided	Req'd
1	Gross Internal Area (m ²) for unit type	100.0m ²	93m ²
2	Built In Storage (m ²) for unit type	2.9m ²	2.5m ²
3	A dwelling with two or more bedspaces has at least one double (or twin) bedroom.	Y	Y
4	Double/Twin Bedroom 1 - Room size	16.1m ²	11.5m ²
5	Double/Twin Bedroom 1 - Minimum room width	3.0m	2.75m
6	Double/Twin Bedroom 2 - Room size	11.6m ²	11.5m ²
7	Double/Twin Bedroom 2 - Minimum room width	3.07m	2.55m
8	Double/Twin Bedroom 3 - Room size	n/a	n/a
9	Double/Twin Bedroom 3 - Minimum room width	n/a	n/a
10	Single Bedroom 1 - Room size	7.6m ²	7.5m ²
11	Single Bedroom 1 - Minimum room width	2.25m	2.15m
12	The minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area	Y	Y
13	Does the unit type meet the NDSS minimum requirement?	Y	Y
B Accessibility Category of Unit			
Requirement M4(1) Visitable Dwellings			
1	Building Regulations - mandatory requirement	Y	Y
Requirement M4(2) Accessible & Adaptable Dwellings			
2	M4(2) Requirement through Planning	n/a	n/a
Optional Requirement M4(3) Wheelchair User Dwellings			
3	M4(3) Requirement through Planning	n/a	n/a

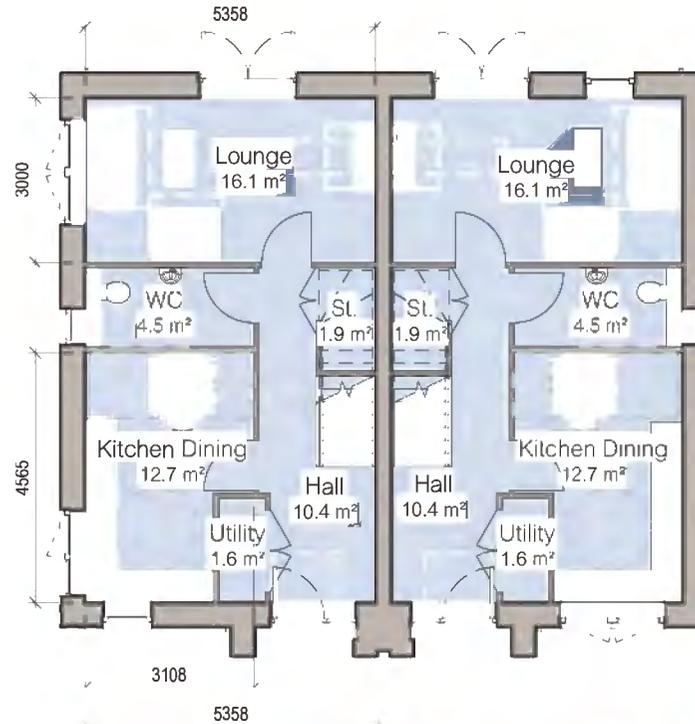
5.0 DESIGN PROPOSAL

Spatial Standards Assessment

Proposed Type 3:

Gateway 3 Bed 5 Person House

Total GIA 100.0 m²



A	Nationally Described Space Standard (NDSS):	Provided	Req'd
1	Gross Internal Area (m ²) for unit type	100.0m ²	93m ²
2	Built In Storage (m ²) for unit type	2.9m ²	2.5m ²
3	A dwelling with two or more bedspaces has at least one double (or twin) bedroom.	Y	Y
4	Double/Twin Bedroom 1 - Room size	16.1m ²	11.5m ²
5	Double/Twin Bedroom 1 - Minimum room width	3.0m	2.75m
6	Double/Twin Bedroom 2 - Room size	11.6m ²	11.5m ²
7	Double/Twin Bedroom 2 - Minimum room width	3.07m	2.55m
8	Double/Twin Bedroom 3 - Room size	n/a	n/a
9	Double/Twin Bedroom 3 - Minimum room width	n/a	n/a
10	Single Bedroom 1 - Room size	7.6m ²	7.5m ²
11	Single Bedroom 1 - Minimum room width	2.25m	2.15m
12	The minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area	Y	Y
13	Does the unit type meet the NDSS minimum requirement?	Y	Y
B Accessibility Category of Unit			
Requirement M4(1) Visitable Dwellings			
1	Building Regulations - mandatory requirement	Y	Y
Requirement M4(2) Accessible & Adaptable Dwellings			
2	M4(2) Requirement through Planning	n/a	n/a
Optional Requirement M4(3) Wheelchair User Dwellings			
3	M4(3) Requirement through Planning	n/a	n/a