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Mr Richard Timms
Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent
ME15 6JQ

16th December 2022

Dear Richard,

**12-14 Week Street, Maidstone,
Non-Material Amendment to vary 'trigger points' of conditions 9-16**

We write to you on behalf of the applicant, Assetrock Maidstone Ltd, in relation to the Full Planning Permission (Ref: 19/505518/FULL) at 12-14 Week Street, Maidstone, Kent, ME14 1RN (the Site).

Full Planning Permission was granted on 06.03.2020 for '*Demolition of existing buildings and redevelopment of the site for a 132-room hotel (Use Class C1) including rooftop restaurant and bar (Use Class A3/A4) and ancillary refuse and recycling storage, cycle parking, servicing arrangements and hard and soft landscaping.*'

The following details enclosed are being submitted to seek to amend the 'trigger points' of conditions 9 (foundation design), 10 (elevational details), 11 (landscape), 12 (sample panels), 13 (lighting), 14 (bat, bird and bee bricks), 15 (extraction) and 16 (building maintenance plan) through a non-material amendment application:

- Site Location Plan (drawing: 1582 A-000-000 PL1);
- Drawing identifying the demolition of the relevant building (drawing: 1582 A-025-000 PL0);
- Schedule identifying the proposed amendments to condition wording;
- Planning fee of £234 to cover the cost of the application.

The purpose of amending the 'trigger points' for these conditions, is to clarify the wording of the conditions to ensure that the demolition of existing buildings can occur on-site to lawfully implement the above planning permission before discharging these conditions. The proposed amendments to the existing conditions are provided within Appendix 1, which is attached to this letter.

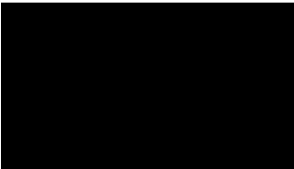
We do not consider that the proposed amendments would go to the 'heart' of the relevant conditions, as the information sought by the conditions should not be required prior to the relevant demolition works taking place. The reasons for the conditions would also not be prejudiced by demolition works taking place.

In terms of condition 9 (foundation design), the relevant building highlighted in red on drawing 1582 A-025-000 PL0 needs to be demolished to dig the first archaeological trenches identified

in the approved Written Scheme of Archaeological Investigation (WSI) approved under condition 8 (ref 22/505016/SUB). Only once these archaeological trenches have been dug can condition 9 (foundation design) be submitted. For this reason, we consider that the change to the 'trigger point' of condition 9 will allow the implementation of condition 8 in accordance with the approved WSI.

Paragraph 002 of the Planning Practice Guidance states that there is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme –an amendment that is non-material in one context may be material in another. In this context, the proposed amendments to conditions 9-16 would not materially change the planning permission nor the purpose and objective of the individual conditions and therefore should be considered a non-material amendment.

We trust that the information submitted is sufficient in determining the proposed amendment. Should you have any queries, please do not hesitate to contact me.



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Appendix 1

Proposed amendments to conditions 9-16

(9) No development shall take place (*excluding the demolition of the building highlighted red on drawing 1582 A-025-000 PL0*) until details of foundations designs and any other proposals involving below ground excavation have been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that due regard is had to the preservation in situ of any important archaeological remains.

NOTE: the relevant building needs to be demolished to facilitate the first phase of digging of archaeological trenches identified in the approved Archaeological WSI.

(10) No development above basement level (*excluding demolition*) shall take place until the following details have been submitted to an approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- a) Large scale plans of all window reveals including those with ragstone panel recesses. Details shall show sufficient recesses in order to provide depth and layering of materials as outlined and shown within the Design & Access Statement*
- b) Large scale plans showing details of all ragstone panel recesses as outlined and shown within the Design & Access Statement*
- c) Details of all windows and frames including glazed areas and metal banding*
- d) Details of masonry joints between any brickwork and stonework*
- e) Details of masonry joints between brickwork or stonework and any windows or glazing*
- f) Details of expansion joints which shall be located to minimise their impact*
- g) Details of coping to the top of the brickwork sections*
- h) Details of any fixings and footings for window cleaning equipment which shall be designed and positioned to limit their visibility*
- i) Details of the copper balustrades and banding*
- j) Details of rooftop plant and lift enclosures*
- k) Samples of the 'Wienerberger Welham Antique' stock brick or an alternative stock brick of similar colour and variation in tone and texture.*

Reason: To ensure a high quality development is delivered.

(11) No development above basement level (*excluding demolition*) shall take place until a landscape scheme for the green roofs on the 4th floor roof and roof top levels 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 5 year management plan.

Reason: To ensure a high quality development is delivered and in the interest of biodiversity enhancement and surface water drainage.

(12) No development above basement level (*excluding demolition*) shall take place until a sample panel of the ragstone, which shall be straight coursed with a honed or light textured finish, has been constructed on site for inspection and approved in in writing by the Local

Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a high quality appearance.

(13) No development above basement level (excluding demolition) shall take place until details of any external lighting 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 thereafter retained.

Reason: To ensure a high quality appearance.

(14) No development above basement level (excluding demolition) shall take place until details for the provision of bird, bat, and bee bricks 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 thereafter retained.

Reason: In the interests of biodiversity enhancement.

(15) No development above basement level (excluding demolition) shall take place until details of a scheme for the extraction and treatment of cooking fumes has 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. Any external installations shall be positioned to limit their visibility from public vantage points.

Reason: To safeguard the enjoyment of their properties by nearby residential occupiers and to ensure a high quality appearance.

(16) No development above basement level (excluding demolition) shall take place until a Building Maintenance Plan covering the external appearance of the elevations of the building has been submitted to and approved in writing by the local planning authority. The Plan shall provide the following:

- a) Details of the methods of building inspection and frequency*
- b) Details of the impacts upon the building that need to be rectified such as water streaking and staining*
- c) Measures to clean or rectify any impacts identified and the timescales for doing so*

The approved Plan shall thereafter be adhered to for the lifetime of the building.

Reason: To ensure the high quality appearance of the development is maintained.