

# PLANNING COMMITTEE MEETING

Date: Thursday 4 April 2019  
Time: 6.00 pm  
Venue: Town Hall, High Street, Maidstone

## Membership:

Councillors Adkinson, Bartlett, Boughton, English (Chairman), Harwood, Kimmance, Munford, Parfitt-Reid, Perry, Round (Vice-Chairman), Spooner, Vizzard and Wilby

*The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.*

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## AGENDA

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Items withdrawn from the Agenda
5. Date of Adjourned Meeting - 11 April 2019
6. Any business the Chairman regards as urgent including the urgent update report as it relates to matters to be considered at the meeting
7. Disclosures by Members and Officers
8. Disclosures of lobbying
9. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
10. Minutes of the meeting held on 14 March 2019 1 - 4
11. Presentation of Petitions (if any)
12. 18/504803 - The Old Forge Works, Chartway Street, East Sutton, Maidstone, Kent, ME17 3DW 5 - 15
13. 18/506658 - Plot 3, Maidstone Innovation Centre, Newnham Court Way, Weaving, Maidstone, Kent, ME14 5FT 16 - 26

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**Issued on Wednesday 27 March 2019**

**Continued Over/:**

*Alison Broom*

**Alison Broom, Chief Executive**

14. 19/500082 - Mote Park Maidstone, Willow Way, Maidstone, Kent, ME15 7RN	27 - 34
15. Enforcement Tracker	35 - 38
16. Appeal Decisions	39 - 40

#### **PLEASE NOTE**

**The order in which items are taken at the meeting may be subject to change.**

**The public proceedings of the meeting will be broadcast live and recorded for playback on the Maidstone Borough Council website.**

**For full details of all papers relevant to the applications on the agenda, please refer to the public access pages on the Maidstone Borough Council website. Background documents are available for inspection by appointment during normal office hours at the Maidstone Borough Council Reception, King Street, Maidstone, Kent ME15 6JQ.**

#### **PUBLIC SPEAKING AND ALTERNATIVE FORMATS**

If you require this information in an alternative format please contact us; call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk).

In order to speak at this meeting, please contact Democratic Services using the contact details above, by 4 p.m. on the working day before the meeting. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated for each application on a first come, first served basis.

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## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 14 MARCH 2019**

**Present:** Councillor English (Chairman) and  
Councillors Adkinson, Bartlett, Harwood, Kimmance,  
Munford, Perry, Round, Spooner, Vizzard and Wilby

**Also** Councillor D Burton  
**Present:**

#### 299. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Boughton and Parfitt-Reid.

#### 300. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

#### 301. NOTIFICATION OF VISITING MEMBERS

Councillor D Burton indicated his wish to speak on the reports of the Head of Planning and Development relating to applications 18/504086/FULL and 18/504501/FULL (Little Spitzbrook Farm, Haviker Street, Collier Street, Kent).

#### 302. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

#### 303. URGENT ITEMS

There were no urgent items.

#### 304. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

#### 305. EXEMPT ITEMS

**RESOLVED:** That the items on the agenda be taken in public as proposed.

306. MINUTES OF THE MEETING HELD ON 21 FEBRUARY 2019 ADJOURNED TO 28 FEBRUARY 2019

**RESOLVED:** That the Minutes of the meeting held on 21 February 2019 adjourned to 28 February 2019 be approved as a correct record and signed.

307. PRESENTATION OF PETITIONS

There were no petitions.

308. 18/504086/FULL - CONVERSION OF AGRICULTURAL BARN TO SINGLE DWELLING WITH RETENTION OF PART FOR USE AS AGRICULTURAL STORE, LAYING OUT OF PRIVATE GARDEN INCLUDING ERECTION OF A WOODSTORE, TWO CAR PARKING SPACES AND DRIVEWAY, THE INSTALLATION OF A SOLAR PV ARRAY (TWO ROWS) AND FLUE ON SOUTHERN ROOF SLOPE, TWO HEAT EXCHANGE UNITS AND LANDSCAPING (PART RETROSPECTIVE) AND 18/504501/FULL - CONVERSION OF AGRICULTURAL BARN TO SINGLE DWELLING WITH RETENTION OF PART FOR USE AS AGRICULTURAL STORE, LAYING OUT OF PRIVATE GARDEN, TWO CAR PARKING SPACES AND DRIVEWAY, THE INSTALLATION OF SOLAR PV ARRAY ON SOUTHERN ROOF SLOPE, LANDSCAPING (PART RETROSPECTIVE) - LITTLE SPITZBROOK FARM, HAVIKER STREET, COLLIER STREET, KENT

The Committee considered the reports of the Head of Planning and Development relating to applications 18/504086/FULL and 18/504501/FULL.

All Members stated that they had been lobbied.

The representative of the Head of Legal Partnership provided advice on the decision making process in relation to these applications. The representative of the Head of Legal Partnership explained that there were two applications before the Committee and there had previously been a grant of prior approval. The Development Manager would set out the differences between the prior approval and the two applications. The policies which were relevant to the determination of these applications were set out in the Officer's reports, and it was his advice that the Committee determine the applications as they were by reference to the relevant policies.

The Development Manager then explained the differences between the prior approval and the two applications before the Committee. The Development Manager advised the Committee that the two applications needed to be assessed in accordance with the Development Plan unless material considerations indicated otherwise. It was the Officer's conclusion that the applications did not accord with the Development Plan, the key policies being SP21 and DM31.

Mr Cox, the applicant, and Councillor D Burton (Visiting Member) addressed the meeting.

**RESOLVED:** That

1. Application 18/504086/FULL be refused for the reasons set out in the report.

Voting:        9 – For        1 – Against        0 – Abstentions

2. Application 18/504501/FULL be refused for the reasons set out in the report.

Voting:        7 – For        2 – Against        1 – Abstention

Note:

1. Councillor Harwood entered the meeting during the Officers' presentation on these applications (6.10 p.m.), but sat in the public gallery and did not participate in the discussion or the voting.
  2. Following the determination of these applications, reference was made by the Chairman to the desire on the part of Members for further discussions to seek to achieve a solution to the situation which has arisen.
309. 18/504501/FULL - CONVERSION OF AGRICULTURAL BARN TO SINGLE DWELLING WITH RETENTION OF PART FOR USE AS AGRICULTURAL STORE, LAYING OUT OF PRIVATE GARDEN, TWO CAR PARKING SPACES AND DRIVEWAY, THE INSTALLATION OF SOLAR PV ARRAY ON SOUTHERN ROOF SLOPE, LANDSCAPING (PART RETROSPECTIVE) - LITTLE SPITZBROOK FARM, HAVIKER STREET, COLLIER STREET, KENT

See Minute 308 above.

310. 18/506028/SUB - SUBMISSION OF DETAILS TO DISCHARGE CONDITION 3 (CONSTRUCTION METHOD STATEMENT), CONDITION 16 (CONTAMINATION) AND CONDITION 23 (FOUL WATER AND SURFACE WATER DRAINAGE STRATEGY) SUBJECT TO 17/502072/OUT AND 18/506426/SUB - SUBMISSION OF DETAILS TO DISCHARGE CONDITION 15 (AIR QUALITY ASSESSMENT AND MITIGATION MEASURES) SUBJECT TO 17/502072/OUT - LAND SOUTH OF FORSTAL LANE, COXHEATH, KENT

There were no disclosures of lobbying.

The Committee considered the report of the Head of Planning and Development.

**RESOLVED:** That:

1. Application 18/506028/SUB be approved with the informative set out in the report.
2. Application 18/506426/SUB be approved with the informative set out in the report.

Voting:        11 – For        0 – Against        0 – Abstentions

Note: Councillor Harwood joined the meeting for this and the remaining item on the agenda (7.05 p.m.).

311. APPEAL DECISIONS

The Committee considered the report of the Head of Planning and Development setting out details of appeal decisions received since the last meeting.

In presenting the report, the Development Manager referred to the appeals against the decisions to refuse applications relating to development at Gipps Oast, Pilgrims Way, Lenham, Kent, and explained that two of the applications had been determined by the Planning Committee and the other six had been dealt with under delegated powers. The Inspector had dismissed the appeals.

The Committee then discussed the implications of the Inspector's decision to allow the appeal against the decision taken under delegated powers to refuse application 17/506017/FULL for the change of use of land for the provision of two mobile homes and two day rooms at Ash Gardens, Lenham Road, Headcorn, Kent and to grant a temporary planning consent.

The Committee agreed that references be sent to the relevant Committees regarding the need for affordable public Gypsy and Traveller site(s) in the Borough, the precise wording of the references to be finalised at a future meeting of the Committee.

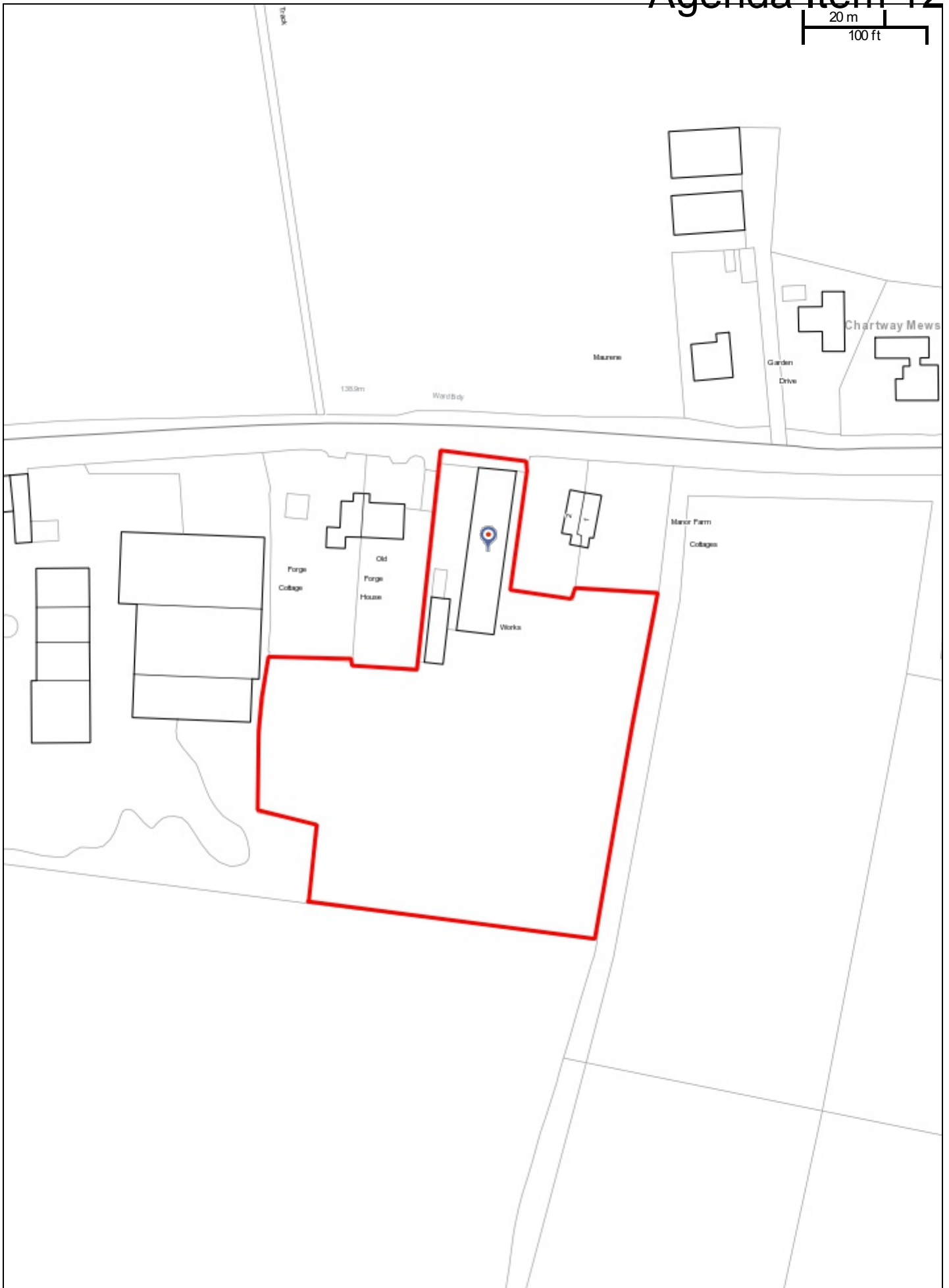
**RESOLVED:** That

1. The report be noted.
2. References be sent to the relevant Committees regarding the need for affordable public Gypsy and Traveller site(s) in the Borough, the precise wording of the references to be finalised at a future meeting of the Committee.

312. DURATION OF MEETING

6.00 p.m. to 7.20 p.m.

20 m  
100 ft



**18/504803 - The Old Forge Works**

Scale: 1:1250

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<b>REFERENCE NO -</b> 18/504803/FULL			
<b>APPLICATION PROPOSAL</b> Demolition of existing buildings and erection of 7no. dwellings with associated amenity space, landscaping and access.			
<b>ADDRESS</b> The Old Forge Works Chartway Street East Sutton Maidstone Kent ME17 3DW			
<b>RECOMMENDATION</b> Refuse planning permission			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The development will provide <ul style="list-style-type: none"> <li>• an unsustainable form of housing development in the countryside;</li> <li>• the size, design and siting of the development proposal is at odds with the more spacious and widely separated character of nearby development;</li> <li>• the proposal will result in an unacceptable consolidation of existing sporadic development in the locality and a substantial encroachment into adjoining open countryside;</li> <li>• the proximity of plot 5 with plot 4 would result in an awkward and overbearing relationship detrimental to the amenities of future occupiers;</li> <li>• failure to demonstrate that the development will not result in harm to highway safety and that the proposal will provide an adequate standard of access;</li> <li>• failure to demonstrate (including the absence of adequate detail with regard to acoustic mitigation) that the development will provide an adequate standard of residential accommodation</li> </ul>			
<b>REASON FOR REFERRAL TO COMMITTEE</b> Councillor Round requested that this application is heard at committee as he believes it raises issues that need to be appropriately considered and balanced, including <ul style="list-style-type: none"> <li>• the need for housing in rural areas, and the reuse of brown field land;</li> <li>• landscape and its treatment in a sensitive area;</li> <li>• Apparent enhancement of the landscape together with ecological benefit may conflict with sustainability in such rural areas.</li> </ul>			
<b>WARD</b> Headcorn	<b>PARISH/TOWN</b> East Sutton	<b>COUNCIL</b>	<b>APPLICANT</b> Kent Forklifts Ltd <b>AGENT</b> DHA Planning
<b>TARGET DECISION DATE</b> 08/04/19 (Extension of Time)		<b>PUBLICITY EXPIRY DATE</b> 19/10/18	

### Relevant Planning History

16/500037/FULL

Demolition of existing buildings and erection of 6 No dwellinghouses, amenity space, landscaping and access.

Refused 16.06.2016 for the following reasons:

1. Unsustainable form of housing development in the countryside
2. The size, design, siting and suburban and inward-looking layout, would materially depart from the more spacious and widely separated character of nearby development, out of character with this rural location as a consequence. In addition it is an unacceptable consolidation of existing sporadic development in the locality and an encroachment into adjoining open countryside.

18/500265/FULL

Demolition of existing buildings and erection of 7no. dwellings with associated amenity space, landscaping and access.

Refused 31.05.2018 for the following reasons:

1. Unsustainable form of housing development in the countryside



2. The size, design, siting and suburban and inward-looking layout, would materially depart from the more spacious and widely separated character of nearby development, out of character with this rural location as a consequence. In addition it is an unacceptable consolidation of existing sporadic development in the locality and an encroachment into adjoining open countryside

3. The close proximity of plot 5 with plot 4 would result in an awkward and overbearing relationship detrimental to the amenities of future occupiers

4. The application has failed to demonstrate (including the absence of adequate detail with regard to visibility splays) that the development will not result in harm to highway safety and that the proposal will provide an adequate standard of access

5. The application has failed to demonstrate (including the absence of adequate detail with regard to acoustic mitigation that the development will provide an adequate standard of residential accommodation.

## **MAIN REPORT**

### **DESCRIPTION OF SITE**

- 1.01 The site is in the countryside, outside the urban area of Maidstone, outside the local plan designated Rural Service Centres and the Larger Villages. The site is not subject to any specific landscape designation.
- 1.02 The application site can be divided into 2 clearly distinct areas. The front part of the site comprises a workshop building that extends just over 40 metres back from the road frontage. This building is currently occupied by a food distribution company which I believe employs 2 people. Previously the commercial units on the site have been occupied by a horticultural bulb sales company. The site is accessed off Chartway Street to the west of this building where associated parking and turning areas are also located.
- 1.03 The second much larger area to the south and rear of the site comprises an open field (agricultural land classification of Grade 2) that is enclosed on its east and southern boundaries by hedgerows. This land is currently vacant.
- 1.04 The application site is located on the south side of Chartway Street just over 220 metres from the junction with Charlton Lane to the west, and over 150 metres from the junction with Morry Lane to the east. To the west of the application site is Old Forge House. The substantial buildings and open storage area that form part of the agricultural distribution operations at Street Farm abut and wrap around the western site boundary. To the east of the site are a pair of detached cottages known as 1 and 2 Manor Farm Cottages.

## **2.0 PROPOSAL**

- 2.01 The proposal is for the demolition of existing buildings and the erection of 7 dwellings with associated amenity space, landscaping and access. The access off Chartway Street would run south through the plot to the rear of the site. The existing access road on the site is approximately 9 metres wide to the side of the commercial building. The proposal is to widen the access at the entrance to the site to 14 metres, before rapidly tapering in to 5.5 metres approximately 5 metres in from the entrance. The dwellings would be located to the east and west of the access, with plot 5 at the end. An orchard would be located to the far south of the land with an area of approximately 0.25 hectares. The orchard would represent approximately 35% of the site area compared with 65% developed area.
- 2.02 Plot one comprises a three bedroom detached dwelling to the west of the site, with a pitched roof and gable ends, a pitched and gable fronted porch on the front of the building, and a two storey rear element extended further into the garden area with a hipped and pitched roof. The dwelling would have separate kitchen, dining and living areas, with a cloakroom and hallway on the ground floor, and three bedrooms, a bathroom, en suite and dressing room on the first floor. A pitched roof barn-style double car port with two barn hips would be located to the rear of the garden area, on which a refuse and garden store would be attached, with a pitched roof and gable end.

- 2.03 Plots 2, 3 and 4 would be located to the south of plot 1, comprising two storey terraced properties with a pitched roof hipped in on both sides. Catslide roofs are incorporated into the south and west elevations, and a covered area with a pitched roof and gable sides proves a focal point for two front entrances, while the third is located within a two storey gable fronted element projecting slightly forward of the main front façade of the plots. Each property would have a kitchen, and open plan dining/living/family room, cloakroom and hallway on the ground floor, and three bedrooms, a bathroom and an en suite on the first floor. On the north elevation there is a triple carport with a pitched roof hipped in at the side, with storage for each property contained within it
- 2.04 Plot 5 would be located to the east of plot 4, comprising a detached two storey property with a pitched roof including a catslide on the east elevation, a gable ended west elevation and a two storey gable fronted element on the front (north) elevation adjacent to an open porch area. The property would comprise a hall, kitchen with open plan family/breakfast area, utility, cloakroom, dining room, study and drawing room on the ground floor, and five bedrooms, a bathroom, and two en suites on the first floor. To the northeast of the dwelling a barn-style triple bay car port would be located, with a pitched roof hipped in on one side and with a barn hip on the other. Two garden stores and two cycle stores would be attached to the rear of the building. It should be noted that two car spaces and the larger garden store and cycle store would be for the use of plot 5, and one car space and the smaller cycle and garden stores would be for the use of plot 6.
- 2.05 Plots 6 and 7 would comprise a pair of semi-detached properties with a pitched roof hipped in on the south elevation and with a barn hip on the north elevation. Two single storey elements would denote porches at the front of each property, and both properties would have two storey rear elements extending into the garden areas with pitched, hipped roofs. Each dwelling would have a hallway, kitchen/breakfast room, dining room, living room and cloakroom on the ground floor, with three bedrooms, a bathroom, dressing room and en suite at first floor. Plot 7 would have a single carport with a hipped, pitched roof, and a cycle and garden store to the rear.
- 2.06 The previous application referenced 16/500037/FULL was for six large, detached dwellings with garages. The current application is for seven dwellings of a more varied mix from 3 to 5 bedrooms. Along with the alterations to the siting and layout of the properties, this application would also include a pair of semi-detached dwellings and three terraced properties.
- 2.07 The application referenced 18/500265/FULL appears to be identical to this current application.

## **2. POLICY AND OTHER CONSIDERATIONS**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Maidstone Borough Local Plan 2017: SS1, SP17, SP21, DM1, DM2, DM4, DM5, DM12  
DM23 and DM30

Supplementary Planning Documents: Maidstone Landscape Character Guidance 2012

## **3. LOCAL REPRESENTATIONS**

### **Local Residents:**

- 3.01 12 representations received from local residents raising the following (summarised) issues
- No difference to previously refused application
  - Design and layout out of character with locality (most housing in this location is linear, not set back into the site).
  - Out of date traffic surveys submitted
  - No attempt to address previous reasons for refusal
  - Inaccuracies in planning statement
  - No GPs or other amenities nearby
  - Public transport unreliable
  - Increase in traffic

- Site functions well as light industrial use and offers have been made to put the field to use.
- Noise, smells and disturbance due to location of bins and lack of appropriate boundary treatment
- Detrimental impact on the wildlife in the area
- Loss of light to amenity area
- Loss of commercial use of the site
- Intensification of use of the site
- No employment opportunities for the type of people likely to be interested in purchasing one of the properties within walking distance of the site.
- There is no access to the proposed orchard

3.02 Officer comment: Issues relating to lack of mains gas, drainage and poor water supply pressure in this area are not material planning considerations and therefore cannot be taken into account in the determination of this application. The other matters raised by neighbours and other objectors are discussed in the detailed assessment below.

#### **4. CONSULTATIONS**

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

##### Natural England

4.01 No comment

##### MBC Environmental Services

4.02 Objection. In the absence of a noise report, this application should be refused. In terms of contamination issues, in the event that the Council view this application favourably, a contamination condition should be added.

##### East Sutton Parish Council

4.03 Objection. The site is not sustainable, visibility splays are not achievable, loss of agricultural land, loss of employment land. The proposal is out of character with the surrounding street scene.

##### Broomfield and Kingwood Parish Council

4.04 Objection. Councillors felt that with no changes from the previous application the previous reasons for refusing the application are still valid. The site is in an unsustainable location with the development encroaching into open countryside which will be out of character with the locality. In addition whilst the Forge Works itself is on brownfield land, the land behind the Forge Works is agricultural land. The development is contrary to local character with Chartway Street a street of linear development.

##### KCC Ecology

4.05 No objection subject to conditions. It is noted that the hedgerows are to be retained, but the rubble piles within the site would be cleared, and these may have been utilised by reptiles or amphibians. On this basis, we advise that the open space area must be designed and managed to create suitable habitats for amphibians/reptiles and the tall ruderal/rubble piles must be cleared using a precautionary mitigation strategy. In addition, a management plan should be introduced in order to comply with NPPF legislation to incorporate biodiversity in and around developments.

##### KCC Highways

4.06 Further information is requested prior to finalising a response from highways: The speed data and visibility splay information is incomplete. The swept path analysis hasn't been included with this application however, it was included in the previous application referenced 18/500265/FULL which demonstrates there is enough spaces for vehicles to turn within the site.

##### KCC Public Rights of Way Officer

- 4.07 Requests that an informative is added reminding the applicant that the granting of planning permission does not include any other consents in relation to Public Rights of Way. Should any works be likely to affect it the applicant is advised to contact the Highways Section.

MBC Landscape officer

- 4.08 No objections subject to conditions. Overall, the proposed layout as shown on the site layout plan (drawing no DHA/11086/24) is acceptable from an arboricultural perspective although it should be advised by way of an informative (should the application be considered acceptable) that the boundary hedge shown to be retained to the rear of 2 Manor Farm Cottages is subject to a High Hedge remedial notice.
- 4.09 The indicative landscape shown on the site layout plan is reasonable in terms of its use of native species and the introduction of a orchard planting is welcomed. More detailed landscape plans together with suitable long-term management proposals should be submitted all of which could be secured by way of appropriate conditions.

Southern Water

- 4.10 No objections. The applicant is advised to contact the Environment Agency to discuss the use of a septic tank drainage, which disposes of effluent to sub-soil irrigation. The applicant will also need to ensure that arrangements exist for the long term maintenance of the SUDS facilities, in order to prevent flooding in future years. The drainage relating to the SUDS scheme should, specify the responsibilities of each party for the implementation of the SUDS scheme should:
- Specify a timetable for implementation
  - Provide a management and maintenance plan for the lifetime of the development.
  - Specify the responsibilities of each party for the implementation of the SUDS scheme

Environment Agency

- 4.11 No objections to the development proposal providing contamination and drainage conditions are imposed and no pile foundations.

Archaeology

- 4.12 No objections subject to conditions. There is the potential for surviving archaeological remains associated with this post-medieval activity either relating to the smithy or surrounding farmsteads. As such, an archaeological watching brief is recommended should the application be considered acceptable.

Campaign for the Protection of Rural England

- 4.13 CPRE questions whether this site is a genuine brownfield site, with development on brownfield land supported building. Of further concern is foul drainage as plots 1, 2 and 3 are too small to accommodate cesspools.

**APPRAISAL**

**Main Issues**

- 5.0 The key issues for consideration relate to:
- Principle and sustainability
  - Impact on the character of the surrounding countryside
  - Design and layout of the proposed properties.
  - Impact on outlook and amenity of properties overlooking and abutting the site
  - Trees and landscape
  - Ecology
  - Archaeology
  - Highways and parking considerations.

**Principle and sustainability**

- 5.01 Adopted Local Plan policy SS1 relates to the provision of the Borough's housing supply. It demonstrates that local housing targets can be met by using land within the existing settlements and on sites with the least constraints on the edge of settlements. It describes the most sustainable locations for the provision for new housing in a sustainability

hierarchy with the urban area of Maidstone at the top of this hierarchy followed by the Rural Service Centres as the secondary focus. Larger villages are the third and final location as they may provide a limited supply of housing providing it is proportional to the scale and role of the villages. This application, does not meet these siting preferences and as such, the proposal represents unsustainable development in the countryside.

- 5.02 In February this year, the Ministry of Housing, Communities and Local Government (MHLCG) published the results of the housing delivery test. In the assessment, local authorities hitting 95% of the target or higher do not need to take any action with regard to their housing supply. The current published figure of 112% show that Maidstone BC has comfortably exceeded this target. This demonstrates that the local authority have a record of providing sufficient land to meet housing need. In addition the council can demonstrate a future five year housing land supply in sustainable locations in order to meet the housing land supply.
- 5.03 The applicant argues that the application site is located within close proximity to Kingswood, which has a number of amenities for the future occupiers. It is highlighted by officers that the village is some 700 metres from the application site. Given this distance and the unsatisfactory access by way of narrow, unlit country roads without pavements it is highly unlikely residents of the proposed development would walk or cycle to Kingswood. In addition, it should be noted that Kingswood village does not have the level of facilities to be included in the sustainability hierarchy set out as part of adopted policy SS1.
- 5.04 The application site is not accessible to the designated rural service centres or larger villages due to inadequate facilities for pedestrians and inadequate public transport. In conclusion, future residents would be reliant on the private car for 'day to day' basic needs. Policy SS1 sets out that development should be located in sustainable locations, and this proposal does not comply with this requirement.
- 5.05 Policy DM5 relates to development on brownfield land. The policy states that where a site is not of high environmental value and where residential density is acceptable redevelopment of brownfield sites will be permitted in certain circumstances. These circumstances include where the proposal would result in significant environmental improvement and the site is, or can reasonably be made, accessible by sustainable modes to Maidstone urban area, a rural service centre or larger village.'
- 5.06 The site is located 2 km from Sutton Valence (a larger village), 4 km from Harrietsham (a Rural service Centre) and 5km from Headcorn (a Rural Service centre). As set out above the application site is not in a sustainable location and with the distances involved the site cannot be made accessible to Maidstone urban area, a rural service centre or larger village. With no significant environmental improvement and the location of the site the proposal is contrary to adopted policy DM5.
- 5.07 In conclusion, the development proposal would be in an unsustainable location and would be contrary to policies SS1, and DM5 of the Maidstone Local Plan and the provisions of the NPPF.

#### **Loss of commercial floorspace**

- 5.08 Local Plan policy SP21 states that the council will prioritise the commercial re-use of existing rural buildings in the countryside over conversion to residential use in accordance with policy DM31. Whilst the proposed development would result in the demolition of a building providing 496 square metres of B8 (storage and distribution) commercial floorspace, policy SP21 considers the 'conversion' of commercial buildings and as a result this policy is not considered relevant

#### **Impact on the character of the countryside**

- 5.09 Policy SP17 defines the countryside as '...all those parts of the plan area outside the settlement boundaries of the Maidstone urban area, rural service centres and larger villages defined on the policy map.' Development proposals in the countryside will not be

permitted if they result in harm to the character and appearance of the area. Policy DM30 states that in the countryside proposals will be permitted which would create high quality design, and where the type, siting, materials and design, mass and scale of development and the level of activity would maintain, or where possible, enhance local distinctiveness including landscape features.

- 5.10 The loss of the existing building, although not problematic in itself would open up views from Chartway street resulting in the site becoming more visible and increasing the impact of the proposed development on the character of the surrounding area. The development would be visible through the site and longer views may be gained further along the road at the junction with Morrey Lane. The site would also be viewed from long vantage points on public right of way KH531.
- 5.11 As the rear of the site is currently undeveloped land in the countryside, the introduction of new dwellings in this location is inappropriate development. The siting of this development proposal, in conjunction with the number, height, bulk and massing of the two storey dwellings (of varied styles) mainly to the rear of the site, and with large carports further adding to the building mass, would result in an urbanising effect that would be detrimental to the openness and rural character of the area. The proposed development is out of character with the locality and would have an adverse impact on the countryside contrary to policies SP17 and DM30.

**Design and layout of the proposed properties**

- 5.12 The proposed development would comprise 7 dwellings of mixed sizes and styles. The various designs would provide a good general layout and good access into and through the site. The properties will be provided with an adequate area of private rear garden.
- 5.13 The layout shows an informal inward looking cul de sac which is considered to meet the Councils normal block spacing, privacy and amenity space standards. While the layout is acceptable in its own right, the resultant suburban appearance and density differs substantially from the sporadic character of nearby development. The development would appear incongruous and out of character in this rural location as a consequence.

**Standard of proposed accommodation**

- 5.14 Policy DM1 supports development which provides adequate residential amenities for future occupiers of the development including in relation to excessive noise, activity or vehicular movements, overlooking or visual intrusion.
- 5.15 The proposed layout includes two directly opposing bedroom windows on the north and south elevations of plots 5 and 6 that are 12.5 metres apart. As the bedroom window to plot 6 is a secondary window (with the primary bedroom window on the west elevation), in the event that all other matters were acceptable a condition would be recommended seeking the south-facing window to this room to be obscure glazed.
- 5.16 At the southernmost part of the site, plot 5 overlaps plot 4 by approximately 4 metres. Two windows to a drawing room would be sited approximately 2.5 metres from plot 5. As this room has an alternative window over looking the rear amenity area of the property, any undue impact would be minimised. At first floor level, the only window serving the master bedroom would be partially obscured by the corner of plot 5. The views from the window would look down onto the front of plot 5. The siting, location and gable-ended design of plot 5 in close proximity to the southeast of the terraces on plots 2, 3 and 4, would have an overbearing impact which would have a detrimental impact on the amenities of future occupiers.
- 5.17 Plot 1 would be approximately 9 metres from the neighbouring property Old Forge House. The proposed dwelling would have windows on the ground floor serving the dining room and cloakroom. There is currently a 2.5 metre fence on the boundary of the property abutting the neighbour's garage which also forms part on the boundary. Subject to no

further windows being permitted on the western elevation of this property issues relating to the amenity of the neighbours and future occupiers would be alleviated.

- 5.18 The site is close to a busy road and adjacent to what appears to be a working farm operating HGV deliveries in the yard relating to the distribution of goods. Environmental Services have commented that despite these potential sources of nuisance no assessment of noise from the yard or the road has been submitted with the application. Officers made repeated requests to the planning agent for the submission of this assessment during the consideration of the application. The absence of this noise assessment is cause for concern as the application has failed to demonstrate that the proposed residential accommodation will provide an adequate standard of accommodation for future occupiers.
- 5.19 Environmental Services have also commented that due to the previous commercial use of the site there is potential for land contamination to have occurred. In the event that the application is acceptable in all other aspects, a contamination condition should be added.

**Impact on neighbours outlook and amenity**

- 5.20 Policy DM1 supports development which respects the amenities of occupiers of neighbouring properties by ensuring that development does not result in overlooking or visual intrusion.
- 5.21 Nos 1 and 2 Manor Farm Cottages are located to the northeast of the application site. Although it would be 1.5 metres from the boundary hedge, there would be a gap of approximately 17 metres between the rear elevation of these existing properties and the closest proposed building (the carport at Plot 7). This car port would have a relatively modest height (2.5 metres to the eaves and 6.0 metres to the ridge) in comparison with the dwelling (gable ended ridge height of 9.3 metres). There would be no side windows on the north elevation of this property that faces towards Manor Farm Cottages. The distance between the proposed properties and the retained 6 metre high boundary hedging, would be sufficient to avoid any overlooking or loss of privacy impact on the neighbours at ground floor, although if minded to approve a condition would be recommended to restrict windows at first floor level.

**Trees and landscape**

- 5.22 The proposed layout is considered acceptable from an arboricultural perspective. An informative should be added to any recommendation for approval that a High Hedge remedial order is in place on the northern boundary of the site.
- 5.23 The indicative landscape shown on the site layout plan is considered reasonable in terms of its use of native species, and the introduction of orchard planting is welcomed. In the event that approval is given more detailed landscape plans together with suitable long-term management proposals should be submitted by way of conditions.

**Biodiversity**

- 5.24 There is no requirement for specific species surveys to be carried out. However, the open space area must be designed and managed to create suitable for habitats for amphibians/reptiles and the tall ruderal/rubble piles must be cleared using a precautionary mitigation strategy. Conditions relating to habitat creation and mitigation strategy are recommended should the decision be favourable.

**Archaeology**

- 5.25 The site is located within an area of archaeological potential and is adjacent to a smithy which was present in both the 19th and 20th centuries. Should the application be approved a watching brief condition should be attached.

**Highways**

- 5.26 The information submitted with the application has failed to demonstrate that access to and egress from the application site can be provided safely without endangering highway safety.

- 5.27 The application did not include an assessment of proposed sightlines including a speed survey over a 7 day period. Information in relation to existing traffic movements is also required along with an exercise to quantify the net change in traffic movements as a result of the proposals. It is noted that some of the allocated spaces for the dwellings are tandem in design, and therefore are not fully compliant with Interim Guidance Note 3 standards.

#### **Other Matters**

- 5.28 The agent has given two examples of what he considers to be two similar sites, both of which were allowed on appeal.
- 5.29 Wind Chimes, Chartway Street referenced 15/507493/OUT (outline planning for 9 houses) was allowed on appeal on 9<sup>th</sup> December 2016, as a five year land supply could not be demonstrated at the time of the appeal hearing. The Inspector also found that the site was reasonably accessible to Sutton Valence on foot and with bus services to Maidstone.
- 5.30 The Oaks, Maidstone Road, referenced 14/0830 (for the construction of 10 houses) was allowed on appeal on 13<sup>th</sup> April 2015, as the Inspector found that the site was reasonably accessible to Sutton Valence on foot and with bus services to Maidstone.
- 5.31 Both of the sites in question are within close proximity to a pavement, as well as being closer to Maidstone Urban Area. In addition, the Council can now demonstrate a five year land supply. Finally, the adopted Maidstone Local Plan and revised NPPF both encourage sustainable development with an emphasis on good design that responds positively to its local, natural setting and, where possible, enhances the character of the area. For these reasons, the two examples that have been given are not considered relevant to this current application.
- 5.32 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

### **6. CONCLUSION**

- 6.1 The principle of this development proposal is unacceptable due to its unsustainable location and in relation to the council record of housing delivery and the 5 year land supply there is no requirement for new housing in unsustainable locations.
- 6.2 The new dwellings would introduce inappropriate development into the area with a substantial increase in residential built forms on the open field behind the commercial building. The development would be visible from the wider vantage point created at the junction with Chartway Street due to the removal of the commercial property and would also be visible on public right of way KH531.
- 6.3 Plots 4 and 5, due to their siting would be at odds with each other, resulting in an awkward and overbearing relationship that would fail to provide an adequate standard of accommodation. With the lack of a noise report the application also fails to demonstrate that an adequate standard of accommodation would be provided with the proximity of the dwellings to the large commercial premises to the west of the application site. Finally, the lack of highways information has also failed to demonstrate that the development proposal would be acceptable on these terms. For these reasons, the application should be refused.

### **7. RECOMMENDATION**

REFUSE planning permission for the following reasons:

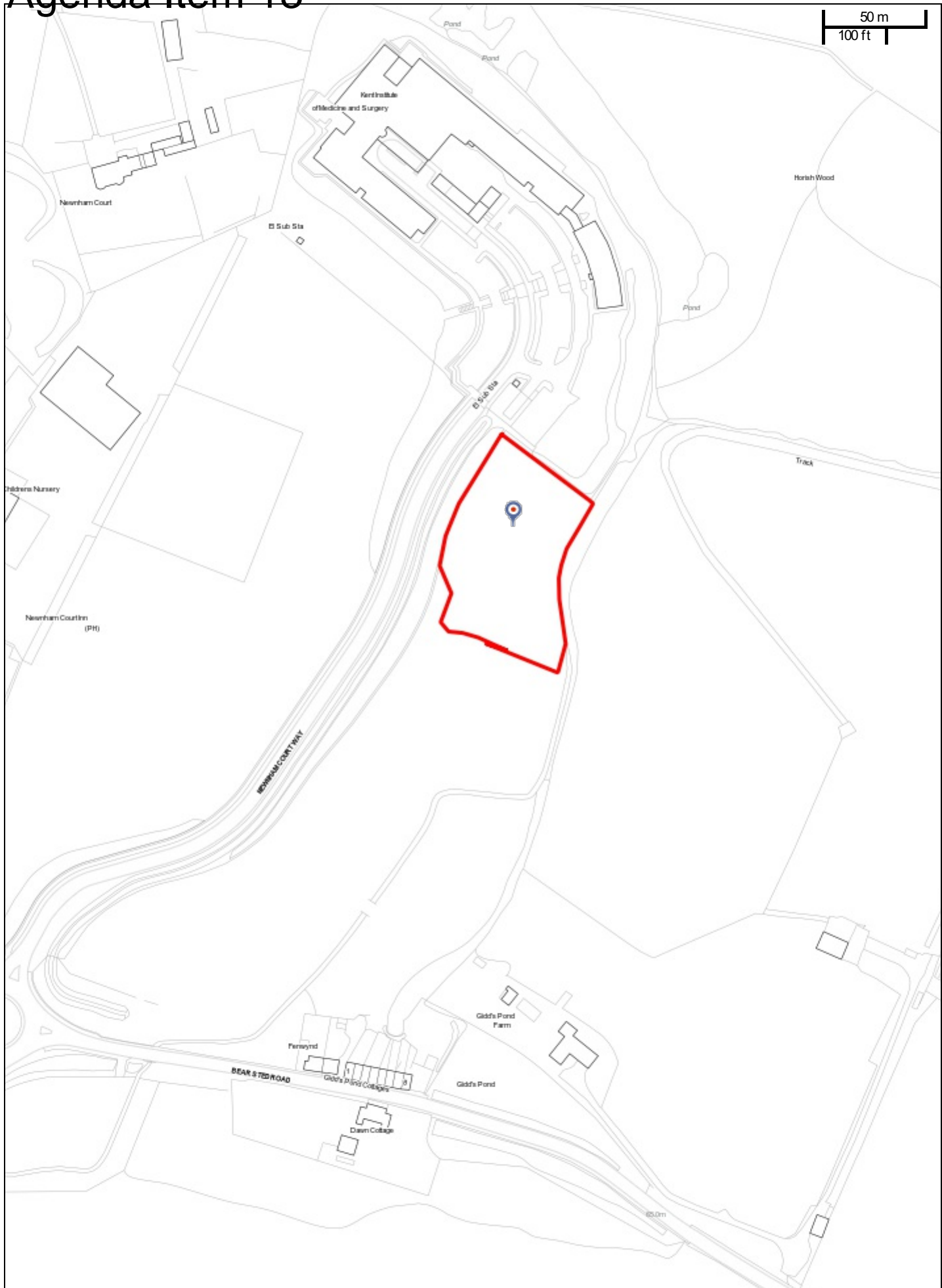
1. The proposal would result in the creation of an unsustainable form of housing development in the countryside with future occupiers reliant on private vehicle use to gain access to basic services and, as such, would be contrary to policies SS1 (Spatial strategy), DM17



2. The proposed development by reason of the size, design and siting of houses and substantial encroachment into adjoining open countryside will result in an unacceptable consolidation of existing sporadic development in the locality with the development appearing as incongruous and detrimental to the rural character and landscape quality of the area contrary to policies SP17 (Countryside), DM1 (Principles of good design), and DM30 (Design principles in the countryside) of the Maidstone Borough Local Plan 2017 and the NPPF.
3. The application fails to demonstrate that the development would provide an adequate standard of residential accommodation for future occupiers in relation to outlook, privacy and including potential noise nuisance from nearby commercial uses and associated traffic contrary to policy DM1 (Principles of good design) of the Maidstone Borough Local Plan 2017 and the NPPF.
4. The application has failed to demonstrate (including the absence of adequate information on visibility splays and traffic generation) that the development will not result in harm to highway safety and that the proposal will provide an adequate standard of access contrary policy DM1 of the Maidstone Borough Local Plan 2017 and the NPPF.

Case Officer: Jocelyn Miller

# Agenda Item 13



**18/506658 - Plot 3 Maidstone Innovation Centre**

Scale: 1:2500

Printed on: 26/3/2019 at 16:19 PM by ElyH

<b>REFERENCE NO - 18/506658/REM</b>			
<b>APPLICATION PROPOSAL</b> Reserved Matters of appearance, landscaping, layout and scale pursuant to outline application 16/507292/OUT (outline application with access sought for development of medical campus) for construction of proposed four storey Innovation Centre office building (Class B1) and associated external works.			
<b>ADDRESS</b> Plot 3, Newnham Court Way, Weavering, Maidstone, Kent, ME14 5FT			
<b>SUMMARY OF REASONS FOR RECOMMENDATION – (APPROVE SUBJECT TO CONDITIONS)</b> <ul style="list-style-type: none"> <li>• The development complies with the site allocation policy in the Local Plan and the outline consent.</li> <li>• The design and appearance of the building is considered to be to a high standard.</li> <li>• Permission is therefore recommended.</li> </ul>			
<b>REASON FOR REFERRAL TO COMMITTEE</b> The applicant is Maidstone Borough Council.			
<b>WARD</b> Boxley	<b>PARISH COUNCIL</b> Boxley	<b>APPLICANT</b> Maidstone Borough Council <b>AGENT</b> Bond Bryan Architects	
<b>DECISION DUE DATE</b> 08/04/19		<b>PUBLICITY EXPIRY DATE</b> 13/02/19	
<b>RELEVANT PLANNING HISTORY</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
18/506656	Erection of a new two-storey primary school and special educational needs secondary school with formation of new access onto Bearsted Road, together with associated car parking and drop off area, pedestrian access, drainage, areas for formal and informal outdoor play and landscaping works.	Pending	
18/506609	Application to vary conditions 3, 4, and 5 of planning permission 16/507292/OUT (outline application with access sought for development of medical campus) to allow for the relocation of the Nature Reserve.	Pending	
18/500312	Removal of condition 37 of 16/507292 - condition limiting B1 uses only to occupiers directly associated with the life science, health care and medical sectors.	Pending	
17/501723	Approval of reserved matters (siting, design, external appearance and landscaping) pursuant to outline permission MA/13/1163 for the development of a 4222 sqm GEA class C2 care facility comprising a mixture of step-down residential, nursing, dementia, rehabilitation and respite care at Zone 5,	Approved	13/07/17

	Kent Medical Campus, Maidstone		
16/507292	Outline Application with access matters sought for development of medical campus comprising up to 92,379 m <sup>2</sup> of additional floorspace; internal roads and car parks, including car park for residents of Gidds Pond Cottages; hard and soft landscaping including creation of a nature reserve (to renew existing consent 13/1163).	Approved	16/06/17
16/500360	Approval of Reserved Matters following outline planning permission MA/13/1163 for the erection of a 65-bed hospital, with associated parking and landscaping. (Cygnet Hospital)	Approved	29/04/16
15/504202	Construction of spine road and new bridge over existing stream to enable future development on land at Kent Medical Campus, together with creation of two attenuation ponds for surface water drainage purposes	Approved	10/08/15
13/1163	Outline application for the development of a medical campus comprising up to 98,000sqm of additional floor space; internal roads and car parks, including car park for residents of Gidds Pond Cottages; hard and soft landscaping including creation of new woodland area with access for consideration and all other matters reserved for future consideration.	Approved	23/04/13

## 1.0 **DESCRIPTION OF SITE**

1.01 The application site is referred to as 'Plot 3' of the Kent Medical Campus (KMC) which was most recently granted outline permission under application 16/507292. This permission granted a mix of uses including hospital facilities, clinics, consultation rooms and a rehabilitation centre (classes C2/D1); education and training facilities with residential accommodation (class C2/D1); keyworker accommodation for nurses and doctors (class C3); pathology laboratories (class B1); business uses (class B1); ancillary retail services (class A1, A2, A3); and up to 116 bed neuro-rehabilitation accommodation (class C2).

1.02 Plot 3 is located to the south of the 'KIMs Hospital' car park on a corner plot between Newnham Court Way to the west and the main KMC spine road to the south (Gidds Pond Road), and there is a stream to the east. There is a drainage ditch between the site and Newnham Court Way to the west and further east a care home is under construction.

1.03 The site has an area of approximately 0.5ha and is generally level. It is set down around 4m below Newnham Court Way and the same for much of the boundary with Gidds Pond Way to the south. The north boundary is partly

defined by a 4m high retaining gabion wall to the KIMs car park. The Newnham Court Inn (public house) is a Grade II Listed building around 200m west of the site within the retail complex.

- 1.04 The site forms part of the 'Kent Medical Campus' which is allocated in the Local Plan under policy RMX1(1) in addition to the KIMs Hospital. The Local Plan describes KMC as providing "expanded hospital facilities and associated development to form a medical campus to create a specialist knowledge cluster" and "associated uses with related offices and research and development." Appropriate uses are outlined as hospital or healthcare facilities, specialist rehabilitation services, medical related research and development, central laboratory facilities and medical training (paragraph 4.206 of the Local Plan).

## **2.0 PROPOSAL**

- 2.01 Reserved matters of siting, design, external appearance and landscaping for a 4 storey building are sought. The building would be used as an 'Innovation Centre' for B1 uses (offices/research and development/light industry) and these are restricted to those directly associated with the life science, health care and medical sectors under condition 37 of the outline consent. The building would provide 3,482m<sup>2</sup> of floorspace including flexible office spaces and shared office areas; hot desk areas; conference rooms; and break out areas.
- 2.02 The applicant has explained that the *"Innovation Centre will provide workspace, conferencing and meeting facilities attuned to the needs of pre, early stage and growing Small and Medium Sized Enterprises (SMEs) in the medical technology, healthcare and life sciences sectors. The facility will provide access to high-grade office accommodation to facilitate the development of new products and services, with companies occupying and using the space anticipated to be involved in the following life science groupings: core medical technologies, service and supply for biopharma and medtech, or digital health. Activities typically associated with these groupings range from the development of medical imaging, orthopaedic devices and assistive technologies, to analytical services, telecare and e-health. The innovation centre will also provide conferencing and meeting space to assist in the formation of a "research hotel", where businesses, academics and medical professionals can collaborate to enable new ideas to be developed and introduce new products to the market."*
- 2.03 The L-shaped building would be sited near to the southwest corner of the site with the vehicular entrance in the southeast corner leading to a rear car park. The design and layout will be discussed in more detail below in the assessment.
- 2.04 Whilst the applicant has not signed up to a Planning Performance Agreement (PPA), pre-application meetings, including one with Members, were held prior to submission.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

- Maidstone Borough Local Plan (2011-2031): SS1, SP1, SP18, SP21, RMX1, DM1, DM2, DM3, DM6, DM8, DM21, DM23
- Kent Waste and Minerals Plan 2016
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

#### **4.0 LOCAL REPRESENTATIONS**

4.01 **Boxley Parish Council:** The Parish Council has no material planning reason to object but has concerns that there is insufficient on-site car parking.

4.02 **Local Residents:** 3 representations received raising the following (summarised) points:

- Development is unnecessary as other offices are vacant.
- Development would waste money and increase noise and pollution whilst under construction.
- Conflict of interests as MBC is the applicant and decision maker.
- Greater traffic in congested area.

4.03 **Councillor Bob Hinder:** *"With regard to the above application I wish to register my support for this proposal. I consider it to be a very good concept and design and will provide much needed employment in the Maidstone area. I see no material planning refusal issues in this proposal."*

#### **5.0 CONSULTATIONS**

*(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)*

5.01 **KCC Highways: No objections** subject to a Travel Plan monitoring fee and conditions (which pass the tests for conditions) relating to securing parking provision and the access point.

5.02 **KCC Lead Local Flood Authority: No objections** as the detailed design of drainage will be provided via condition on the outline consent.

5.03 **KCC Ecology: No objections.**

#### **6.0 APPRAISAL**

6.01 Under the outline permission the outward impacts of the mixed use development were fully assessed and considered to be acceptable including the traffic impacts upon the local highway network, and it was considered that the site could suitably accommodate up to 100,000m<sup>2</sup> of mixed floorspace subject to approval of the detailed design, layout and scale of the development. As such, the Council cannot re-visit principle matters such as transport. The site also falls within the medical campus allocation in the Local Plan.

6.02 This reserved matters application is to only consider the detailed issues of appearance, landscaping, layout and scale for this plot. There are a number of parameters under both the outline consent and site policy which need to be taken into account. Therefore the key issues to consider are as follows:

- Layout, appearance, scale, landscaping and compliance with the site allocation policy and outline permission.
- Parking provision, ecology and other matters.

#### Layout

6.03 In terms of layout for the wider KMC site and to mitigate impacts upon the setting of the AONB, the allocation policy requires retention of existing landscaping and new structural and internal landscaping, and various buffers around the site (criterion 5(i) and (ii)), and a landscape buffer of a minimum 15m in width either side of the stream (criterion 8). This is also secured under the outline consent. Relevant to this plot the layout ensures that the 15m buffer to the stream to the east is provided free from development in line with criterion 8 and condition 4 of the consent. Along the south boundary the building is set back to allow room for the area of structural 'avenue planting' along the entire boundary in line with the landscape parameter plan approved under the outline consent, and space for structural tree planting is provided on the entire west boundary. So it is considered that the layout complies with the relevant parts of the allocation policy and the outline consent.

6.04 More specifically, the layout sees the building sited so it addresses the corner plot providing active frontages to both Newnham Court Way and Gidds Pond Way. The main entrance to the building is on the south side and I consider it is appropriate to have the building relatively close to the road with some low planting rather than set further back with more substantial landscaping. In my view, this is a prominent plot and subject to the building being of sufficient quality, which will be discussed below, it should not be hidden away. Room for tree planting is provided along parts of the south boundary and also part of the west boundary. The position of the L-shaped building also serves to screen much of the rear parking area. Overall, I consider the siting and layout of the building and parking areas is acceptable and complies with policy RMX1(1) and the outline consent.

#### Appearance & Scale

6.05 In terms of appearance and to mitigate impacts upon the AONB, the allocation policy requires buildings of high quality design in a sustainable form, the use of 'green' roofs where practical and avoidance of light coloured or reflective materials. The outline consent requires the same and also 'green' walls to buildings where practical and the use of vernacular materials including ragstone on buildings and in boundary treatments.

6.06 The building is simple in its form, being an L-shaped building with flat roof, but provides much visual interest through the use of different materials and their positioning. The ground and first floors of the building on most of its

front south and west sides are made up of two storey height glazing with two storey ragstone elements between, which provide a vernacular material, a strong base to the building, and quality appearance and finish. For the second and third floors, bronze aluminium cladding would be used and the windows would be wrapped by an outer skin of perforated bronze cladding which would provide a unique and interesting front elevation. Breaking the building into two main elements over the four levels serves to reduce the impression of a four storey building. Turning the corner on the top floor would be an exposed glazed section that would serve a terrace area, and this provides a feature on this prominent corner.

- 6.07 The remainder of the building would feature dark grey aluminium cladding and glazing with full height bronze vertical highlights, which provides strong vertical lines and visual interest. Bronze cladding would also be used on some of the rear corners of the building and ragstone at ground floor level. Part of the rear north wing of the building would be raised on supports which would hide some of the parking areas. Rainwater goods would be internal with any vents etc. hidden behind the second skin cladding so the appearance would not be compromised. A parapet wall would screen plant and PV on the roofs.
- 6.08 Most of the roof would be utilised for solar PV panels and so a green roof is not practical, and on balance I do not consider the lack of a green roof would cause any unacceptable impacts to or from the AONB. I do not consider green walls are necessary as the appearance and materials are of a good quality and will be secured by condition. The materials are also not too light coloured or reflective in line with the site policy.
- 6.09 In terms of scale, the site policy allows for a four storey height at this location as does the parameter plan under the outline consent because this part of the site is lower than other areas and the KIMs Hospital further north features four storey buildings. The outline consent requires any four storey buildings to be designed so as to reduce the visual impact through cutting into the ground and/or reducing its massing through building design. As outlined above, the site is set down from the road and so half of the ground floor of the building would be set below road level. In addition and as outlined above, the use of materials serves to break up the mass of the building.
- 6.10 Overall the design of the building is considered to be to a high standard appropriately mixing contemporary and vernacular materials, providing a strong building on the corner plot, and interest on all elevations. With the building being set down due to the lower topography of this plot, the height is considered to be acceptable and would not cause any undue harm to the setting of the AONB or in views to or from the AONB. This is in accordance with policies RMX1(1) and DM1 and the outline consent.

#### Surfacing & Boundary Treatments

- 6.11 The main entrance road would be block paved and parking areas permeable tarmac, although a large number of parking spaces at the north end of the site would be a concrete system with voids to allow for grass to soften the



impact (much like 'grasscrete'). Paths and entrances would be a mix of clay and stone paving. Gabion retaining walls using ragstone would be used along the west boundary, alongside the ramped access at the entrance, and to screen the refuse storage area similar to those used at the KIMs Hospital. Whilst solid ragstone walls with mortar would provide a higher quality treatment, this is being used on the building itself and so I consider this would be acceptable. Overall, the surfacing and boundary treatments would provide a quality appearance to the development.

#### Landscaping & Ecology

- 6.12 The landscaping scheme provides new trees along the south and west boundaries (birch and field maple). The frontage to the building is proposed with a mix of formal and structural shrub planting with semi-native and ornamental grasses, and more informal natural grass/wildflower meadow planting. The parking area is broken by birch trees and understorey native woodland planting and the 15m stream buffer would have a number of trees and mainly natural grassland and wildflower meadow. Overall the landscape scheme is considered to provide an appropriate setting to the development and provides trees along Gidds Pond Road as part of the 'tree avenue' required under the outline consent.
- 6.13 In terms of ecology, there is a site-wide LEMP and GCN mitigation has been approved under the outline consent/conditions. Relevant to this site the 15m stream buffer would be maintained and enhanced with grass and wildflower meadow planting which accords with the GCN strategy. Bat boxes are proposed for the building which can be positioned on the less visible eastern façade without compromising the design of the building.

#### Highway Issues Relating to the Layout

- 6.14 The development provides 78 parking spaces, of which 4 will be designated for disabled users, cycle parking for 24 bikes and two electric vehicle charging points. The Council has no set standards for non-residential parking and policy DM23 outlines that consideration needs to be given to accessibility and public transport and whether on-street parking will be exacerbated. The site currently has access to local bus services on the A249 and when vehicle movements at the site reach a level set out in the legal agreement (500 movements AM and PM), a bus stop and turning area will be provided opposite the site and bus services into the site would need to be provided. So good access to public transport is in place and this will be improved. Whilst not adopted by MBC, as a guide, County Council parking standards would seek a maximum of 100 spaces for this size of development, and with public transport available, I consider 78 spaces is an appropriate level. I do not consider this would lead to any on-street parking that would cause highway safety issues.
- 6.15 Kent Highways raise no objections to the level of parking provided or the layout in terms of highway and pedestrian safety and manoeuvrability for vehicles. They request a Travel Plan monitoring fee but this is secured under the outline consent. The impacts of traffic on the local area were

considered under the outline application as a principle matter and cannot be re-visited under this reserved matters application.

#### Other Matters

##### *Listed Building*

- 6.16 The principle of a four storey building has been accepted on this plot and the design and appearance is not considered to cause any harm to the setting on the listed Newnham Court Inn.

##### *Sustainable Design*

- 6.17 Being a commercial building, policy DM2 seeks a BREEAM Very Good level and this is a requirement of the outline consent. The development has been designed to achieve this and as part of this solar panels are proposed on the roof which can be secured by condition. Condition 28 of the outline requires a BREEAM certificate to be issued within 6 months of occupation.

##### *Surface Water Drainage*

- 6.18 In line with the outline permission, surface water would be controlled and discharged into the existing stream which runs along the eastern site boundary. The majority of the external areas will consist of permeable paving with storage crates beneath and in addition a swale and detention basin will be provided within the landscape strip along the eastern side of the development. KCC consider that more infiltration (soakage) into the ground could be used but this would be dealt with at the detailed design stage under the relevant outline condition. Ultimately there is a solution to deal with surface water and KCC raise no objections.

##### *Representations*

- 6.19 Issues relating to the need for the development are not relevant as outline permission is in place. Any noise or disturbance during construction is not a material planning consideration. There is no conflict of interest as this recommendation and any decision is made by the Local Planning Authority in accordance with planning policies and legislation.

#### Conditions on Outline Consent

- 6.20 Some of the information provided covers a number of the conditions of the outline consent and these are conditions 17 (surface materials), 18 (boundary treatments), and 20 (EV charging points).

## **7.0 CONCLUSION**

- 7.01 I have considered all representations received on the application and for the above reasons the proposals are considered to be acceptable and provide a high quality development in accordance with site policy RMX1(1), the outline consent, and other relevant policies within the Local Plan. Permission is therefore recommended subject to the following conditions.

## 8.0 RECOMMENDATION

**GRANT PLANNING PERMISSION subject to the following conditions** with delegated powers for the Head of Planning to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Conditions:

1. The development hereby permitted shall be carried out in accordance with the following drawings:

KMCIC-BBA-00-01-DR-A-2001-P06; KMCIC-BBA-00-02-DR-A-2001-P06;  
KMCIC-BBA-00-03-DR-A-2001-P06; KMCIC-BBA-00-GF-DR-A-2001-P06;  
KMCIC-BBA-00-RF-DR-A-2001-P06; KMCIC-BBA-00-XX-DR-A-9106-P02;  
KMCIC-BBA-00-ZZ-DR-A-3001-P06; KMCIC-BBA-00-ZZ-DR-A-3002-P06;  
KMCIC-BBA-00-ZZ-DR-A-4003-P02; KMCIC-BBA-ZZ-ZZ-DR-L-1004-P04;  
KMCIC-BBA-ZZ-ZZ-DR-L-1005-P02; KMCIC-BBA-ZZ-ZZ-DR-L-1006-P05;  
KMCIC-BBA-ZZ-ZZ-M3-A-1001-P03; KMCIC-BBA-ZZ-ZZ-M3-A-1002-P02;  
KMCIC-BBA-ZZ-ZZ-M3-A-1004-P05; KMCIC-BBA-ZZ-ZZ-M3-A-1005-P02;  
and KMCIC-BBA-ZZ-ZZ-M3-A-4001-P1.

Reason: To clarify which plans have been approved.

2. The development shall not commence above slab level until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority and the development shall be constructed using the approved materials. Unless otherwise agreed in writing, the materials shall be as outlined on the approved plans and within the Design and Access Statement as follows:

- Bronze colour solid and perforated aluminium panels
- Dark grey aluminium cladding
- Dark grey aluminium frame windows
- Dark grey aluminium curtain walling frames
- Bronze colour metal vertical highlights
- Ragstone

Reason: To ensure a high quality finish to the development.

3. No development above slab level shall take place until a sample panel of the ragstone for the building has been constructed on site and subsequently approved in writing by the Local Planning Authority. Written details of the mortar mix shall also be provided for approval by the Local Planning Authority. Such details as approved shall be fully implemented on the building.

Reason: To ensure a high quality design.

4. The development shall not be occupied until the approved access has been fully implemented in accordance with drawing no. 1809041-01 RevA (within the Transport Statement), and the visibility splays shall be maintained free of obstruction above a height of 1m and maintained as such thereafter.

Reason: In the interests of highway safety.

5. The development shall be carried out in accordance with the approved landscaping scheme as shown on drawing no. KMCIC-BBA-ZZ-ZZ-DR-L-1006-P05.

Reason: In the interests of sustainable travel and air quality.

6. The development shall be operated in accordance with the approved Travel Plan dated 21/12/18 unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of sustainable travel and air quality.

7. All rainwater goods shall be internal and any vents or flues shall be positioned behind the cladding of the building so as not to be exposed to public view unless agreed in writing with the Local Planning Authority.

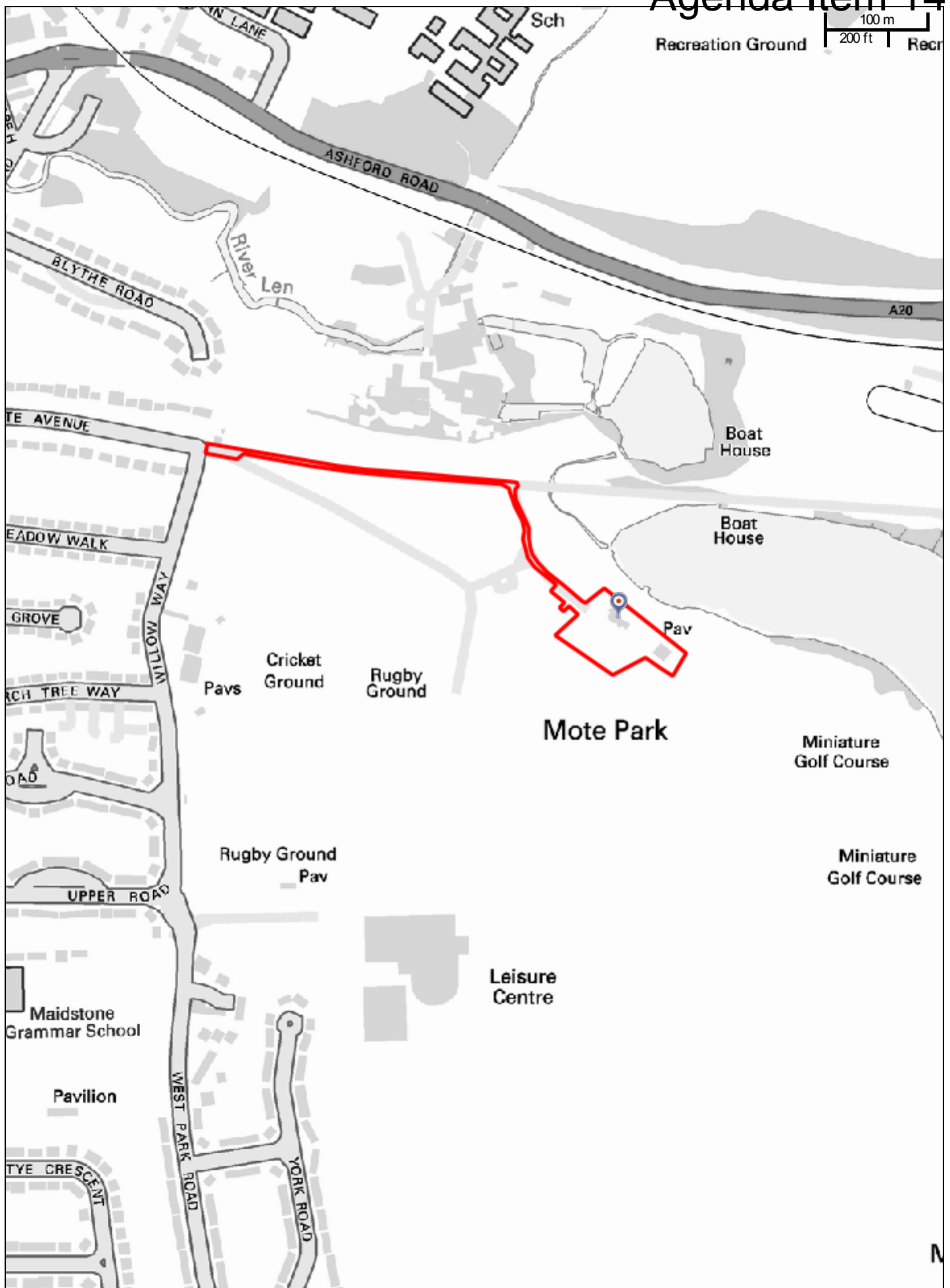
Reason: To ensure a high quality appearance.

8. Prior to the occupation of the development the three proposed bat boxes shall be installed on the building and thereafter maintained.

Reason: In the interests of biodiversity enhancement.

#### Informative

1. Condition numbers 17, 18 and 20 of the outline consent are approved as part of this reserved matters application.



19/500082 - Mote Park Maidstone

Scale: 1:5000

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<b>REFERENCE NO - 19/500082</b>			
<b>APPLICATION PROPOSAL</b>			
Minor material amendment to condition 16 of 18/502327/FULL (Demolition of existing cafe building and erection of new Mote Park Centre with associated terraces, bin storage area and car parking.) to allow the addition of rooftop ventilation plant and visual screening, windows to lakeside elevations to be made opaque, amendments to WC block floor plan layout to accommodate increased plant room requirements, and minor increases to the heights of roof lines.			
<b>ADDRESS</b> Mote Park Maidstone, Willow Way, Maidstone, ME15 7RN			
<b>SUMMARY OF REASONS FOR RECOMMENDATION (APPROVE SUBJECT TO CONDITIONS)</b>			
<ul style="list-style-type: none"> <li>• The visitor's centre already has consent and the proposed changes are considered to be acceptable.</li> <li>• The development is considered to be of high quality and the low harm caused to the historic park (Mote Park) and setting of Mote House, through the introduction of new buildings, would be outweighed by the clear public benefits of providing a modern visitor's facility and café for Mote Park.</li> <li>• The existing café would be removed and replaced by a much better designed building within the historic park.</li> <li>• Permission is therefore recommended.</li> </ul>			
<b>REASON FOR REFERRAL TO COMMITTEE</b>			
The applicant is Maidstone Borough Council			
<b>WARD</b> Shepway North	<b>PARISH COUNCIL</b> N/A	<b>APPLICANT</b> Maidstone Borough Council <b>AGENT</b> Hazle McCormack Young LLP	
<b>DECISION DUE DATE</b> 08/04/19		<b>PUBLICITY EXPIRY DATE</b> 05/03/19	
<b>RELEVANT PLANNING HISTORY</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
18/502327	Demolition of existing cafe building and erection of new Mote Park Centre with associated terraces, bin storage area and car parking.	APPROVED	20/08/18
16/506505	Creation of an adventure zone to include high rope/wire climbing equipment, climbing wall, and adventure golf enclosed by 2.44m high fencing with associated ancillaries including a kiosk, footpaths, planting and overflow car parking.	APPROVED	14/07/17

## 1.0 DESCRIPTION OF SITE

1.01 The application site relates to a grassed area in the northwest corner of Mote Park and includes the existing café and grounds keeper's buildings where there are a number of mature trees. The site is just to the east of the car park and north of the existing children's play areas, and is immediately north of the approved adventure zone (which is not yet constructed).

1.02 Mote Park is a Grade II Registered Park and Garden and Mote House (around 700m to the east) is a Grade II\* listed building. There is a Local Wildlife site which includes land around the café and grounds keeper's buildings.

## **2.0 PROPOSAL**

2.01 Permission has already been granted for the new visitor's centre which consists of two buildings, one larger main building that would be used as a new visitors centre with kitchen and café, meeting room space, toilets, and outdoor seating area, and the other smaller building with toilets and a coffee bar.

2.02 This application seeks some amendments to the approval as follows:

- The addition of rooftop ventilation plant with aluminium screening on the main building.
- Seven windows to lakeside elevation to be made opaque on the main building.
- Amendments to WC block floor plan layout.
- Increases in height of both buildings up to 42cm.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

- Maidstone Borough Local Plan (2011-2031): SS1, SP1, SP18, DM1, DM2, DM3, DM4, DM8, DM21, DM23
- Kent Waste and Minerals Plan 2016
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- MBC Public Art Guidance (2018)

## **4.0 LOCAL REPRESENTATIONS**

4.01 **Local Residents:** No representations received.

## **5.0 CONSULTATIONS**

*(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)*

5.01 **Natural England:** No comments to make.

**5.02 Landscape Officer: No objections.**

**5.05 KCC Highways: No objections.**

## **6.0 APPRAISAL**

6.01 The visitor centre has already been approved and it was concluded that whilst the proposals would introduce buildings into an area that is currently open and undeveloped in the historic park, the low harm this would cause was outweighed by the clear public benefits of providing a modern visitor's facility and café for Mote Park. It therefore needs to be decided whether this remains the case with the proposed amendments.

6.02 Rooftop ventilation plant is required to serve the building and this is sited on the main building adjacent to the rooftop lantern. It would be no higher or wider than the lantern, and the plant would be screened by an aluminium louvered enclosure so it would not detract from the appearance of the building. It would mean less PV panels on the roof but a BREEAM Very Good Standard will still be achieved. The increases in height would be 40cm for the main building and 42cm for the WC block/coffee bar which would not have any significant impacts beyond the approved building.

6.03 On the lakeside (north) elevation, some of the windows would be made opaque which is acceptable and still serves to break up this elevation and provide some relief.

6.04 The internal changes to the WC block are proposed to provide a 'Changing Place' accessible changing space but this is not a material planning consideration for this development.

6.05 Overall the amendments are not considered to compromise the design and appearance of the building and the proposals are considered to provide a high quality development in accordance with policy DM1 of the Local Plan.

## **7.0 CONCLUSION**

7.01 The proposed changes are acceptable and would still ensure a development of high quality and it remains the case that the low harm caused to the historic park and setting of Mote House would be outweighed by the clear public benefits of providing a modern visitor's facility and café for Mote Park in accordance with policy DM4 of the Local Plan and the NPPF. Permission is therefore recommended.

7.02 As this creates a new planning permission at the site, all previous conditions will be attached.

## **8.0 RECOMMENDATION:**

**GRANT PLANNING PERMISSION** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;



Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development (including demolition) shall take place until an Arboricultural method statement (AMS) in accordance with the current edition of BS 5837 has been submitted to and approved in writing by the local planning authority. The AMS shall detail implementation of any aspect of the development that has the potential to result in the loss of or damage to trees, including their roots, and take account of site access, demolition and construction activities, foundations, service runs and level changes. It should also detail any tree works necessary to implement the approved scheme and include a tree protection plan in accordance with the current edition of BS 5837. No equipment, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the local planning authority. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority.

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

3. No development above slab level shall take place until details of the materials and colours to be used for the hard surfaces 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 before the first occupation of the buildings and maintained thereafter.

Reason: To ensure a high quality external appearance to the development.

4. No development above slab level shall take place until details of lighting have been submitted to and approved in writing by the local planning authority. Details shall include designs, heights, luminance levels and measures to shield and direct light from the light sources so as to prevent light pollution and limit any impact upon bats and illuminance contour plots covering sensitive neighbouring receptors. The development shall thereafter be carried out in accordance with the subsequently approved details.

Reason: To ensure a high quality appearance to the development.

5. No development above slab level shall take place until a sample panel of the ragstone for the building has been constructed on site and subsequently approved in writing by the Local Planning Authority. Such details as approved shall be fully implemented on site.

Reason: To ensure a high quality design.

6. No development above slab level shall take place until specific details of the landscape scheme including the sedum roof, which shall be designed in accordance with the principles of the Council's landscape character guidance, has been submitted to and approved in writing by the local planning authority. The scheme shall include a planting specification, a programme of implementation and a 5 year management plan. The landscape scheme shall specifically address the need to provide robust native hedge planting around the bin store and a replacement tree.

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

7. No development above slab level shall take place until details of means of enclosure for the bin store hereby approved 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 maintained thereafter.

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

8. The development shall not be occupied until a written statement of public art to be provided on site in the form of a Public Art Delivery Plan 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, and the development shall be carried out in accordance with the approved details.

Reason: To comply with the Council's public art guidance.

9. Prior to the first operation of the premises, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in accordance with the DEFRA publication Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems January 2005. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and these shall thereafter be operated and retained in compliance with the approved scheme.

Reason: In the interests of local amenity.

10. The existing café building as outlined in blue on drawing no. 1956\_005 P1 shall be demolished and the resulting materials and debris removed from the site to the satisfaction of the local planning authority within 3 months of the first occupation of the building hereby permitted;

Reason: To prevent an overdevelopment of the site and to safeguard the character and appearance of the surrounding area.

11. The approved details of the cycle parking shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England ) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;

Reason: In the interests of promoting sustainable travel.

12. All planting, seeding and turfing specified in the approved landscape details shall be carried out either before or in the first planting season (October to February) following the occupation of the building(s) or the completion of the development, whichever is the sooner; and seeding or turfing which fails to establish or any trees or plants which, within five 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: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

13. The buildings shall achieve a Very Good BREEAM 2018 rating. A final certificate shall be issued to the Local Planning Authority for written approval to certify that a Very Good BREEAM 2018 rating has been achieved within 6 months of the first occupation of the development.

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

14. The materials to be used in the construction of the external surfaces of the building shall be as stated on drawing nos. 1956\_015 P4 and 1956\_020 P3 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development.

15. No open storage of plant, materials, products, goods for sale or hire or waste shall take place on the land;

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

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

## Planning Committee Report

1956\_001 P1, 1956\_005 P1, 1956\_006 P3, 1956\_008 P4, 1956\_010 P4, 1956\_011 P3, 1956\_015 P4, 1956\_020 P3, and 1956\_021 P3.

Reason: For the purpose of clarity.

Case Officer: Richard Timms

## MAIDSTONE BOROUGH COUNCIL

### PLANNING COMMITTEE

4<sup>TH</sup> APRIL 2019

#### REPORT OF HEAD OF PLANNING AND DEVELOPMENT

Report prepared by Sue King

#### **1. ENFORCEMENT TRACKER**

- 1.1 The information provided in the enclosed report is no longer considered exempt information under Part 3.2 (Access to Information Procedure Rules) section 10.4 (Exclusion of access by the public to meetings) Category 6, Category 2 and Category 7 of the MBC Constitution, as personal data and information about a future enforcement strategy that could undermine potential enforcement action being considered is no longer being reported.

#### **1.2 Report content**

- 1.2.1 The Enforcement tracker report is intended to be brought to Planning Committee each quarter. The report provides the current status of enforcement cases that have had formal notices served.
- 1.2.2 The report sets out the case reference, address and brief description of the breach. The notice type column indicates the type of formal action carried out and three key dates:

**Issue date** – Date Notice was served

**Effective date** – Date the Notice takes effect from

**Compliance date** – Date the Notice is due to be complied with. This may change according to an appeal being lodged, which if the appeal is dismissed and the Notice is upheld the Inspector will impose a new compliance period from the date of the decision.

- 1.2.3 A legend is supplied which shows five levels of status, being:

**Blue** – Cases closed since the previous tracker due to compliance

**Red** – In assessment and/or preparation for the next step of formal action;

**Amber** - Awaiting planning application/appeal decisions and compliance dates on Notices served;

**Green** - Awaiting appeal start dates, and

**White** - Contentious cases that are being monitored i.e. sites with injunctions.

## FORMAL ENFORCEMENT ACTION TRACKER

Case No	Officer	Parish/Ward	Address	Breach	Notice Type	Issue Date	Date Effective	Compliance	Action
17/500427/OPDEV	SUKI	Broomfield	Land at Forge House, Ashford Road, Broomfield	Storage/stationing of vehicles	EN	23/01/2018	23/02/2018	23/05/2018	
16/500656/OPDEV	SUKI	Chart Sutton	Land Known as The Willows Lucks Lane, Chart Sutton	Unauthorised change of use G&T site	EN	07/03/2018	04/04/2018	appeal in progress	Appeal lodged 5/3/2018 a/w start date
14/500525/OPDEV	SUKI	Chart Sutton	Horseshoe Paddock Lucks Lane, Chart Sutton	Unauthorised change of use G&T site	EN	16/02/2018	23/03/2018	appeal in progress	Appeal lodged 15/03/2018 a/w start date
17/500629/CHANGE	SUKI	Coxheath	Broken Tree - Land opp 36 Forstal Lane, Broken Tree, Coxheath	Unauthorised change of use G&T site	EN	11/10/2018	15/11/2018	N/A	Notice Quashed New planning application submitted - a/w decision
16/501065/CHANGE	SUKI	Detling	Rosewood farm, Scragged Oak Road, Detling	Unauthorised change of use G&T site	EN	26/01/2018	02/03/2018	appeal in progress	Hearing set for 03/04/2019
15/500395/CHANGE	SUKI	Detling	Roseacre, Scragged Oak Road, Detling	Unauthorised change of use G&T site	EN	26/01/2018	02/03/2018	02/06/2018	
19/500040/TREES	SUKI	Detling	Land Ajoining Broader Lodge, Broader Lane, Detling, Maidstone	Stop all development works and removal of trees	TSN	01/02/2019	01/03/2019	01/02/2019	
16/500182/CHANGE	DAPR	Fant Ward	Riverside off Unicumes Lane, Fant, TT12421	Change of use of land to mixed use leisure/agriculture	EN	23/11/2018	28/12/2018	appeal in progress	a/w start date
16/500182/CHANGE	DAPR	Fant Ward	Riverside off Unicumes Lane, Fant, TT6423	Change of use of land to mixed use leisure/agriculture	EN	23/11/2018	28/12/2018	appeal in progress	a/w start date
16/500182/CHANGE	DAPR	Fant Ward	Riverside off Unicumes Lane, Fant, TT37124	Change of use of land to mixed use leisure/agriculture	EN	23/11/2018	28/12/2018	appeal in progress	a/w start date
16/500182/CHANGE	DAPR	Fant Ward	Riverside off Unicumes Lane, Fant, TT73565 & TT70445	Change of use of land to mixed use leisure/agriculture	EN	23/11/2018	28/12/2018	appeal in progress	a/w start date
16/500182/CHANGE	DAPR	Fant Ward	Riverside off Unicumes Lane, Fant, TT72073	Change of use of land to mixed use leisure/agriculture	EN	23/11/2018	28/12/2018	appeal in progress	a/w start date
16/500182/CHANGE	DAPR	Fant Ward	Riverside off Unicumes Lane, Fant, TT22793	Change of use of land to mixed use leisure/agriculture	EN	23/11/2018	28/12/2018	appeal in progress	a/w start date
16/500182/CHANGE	DAPR	Fant Ward	Riverside off Unicumes Lane, Fant, K985123 & TT70723	Change of use of land to mixed use leisure/agriculture	EN	23/11/2018	28/12/2018	appeal in progress	a/w start date
16/500182/CHANGE	DAPR	Fant Ward	Riverside off Unicumes Lane, Fant, TT71614 & TT71200	Change of use of land to mixed use leisure/agriculture	EN	23/11/2018	28/12/2018	appeal in progress	a/w start date
16/500182/CHANGE	DAPR	Fant Ward	Riverside off Unicumes Lane, Fant, TT20104	Change of use of land to mixed use leisure/agriculture	EN	23/11/2018	28/12/2018	appeal in progress	a/w start date
16/500182/CHANGE	DAPR	Fant Ward	Riverside off Unicumes Lane, Fant, TT8821	Change of use of land to mixed use leisure/agriculture	EN	23/11/2018	28/12/2018	appeal in progress	a/w start date
16/500182/CHANGE	DAPR	Fant Ward	Riverside off Unicumes Lane, Fant, K985123	Change of use of land to mixed use leisure/agriculture	EN	23/11/2018	28/12/2018	appeal in progress	a/w start date
17/500721/CHANGE	SUKI	Harrietsham	Stede Row, Stede Hill, Harrietsham	Trees being felled, possibly clearing site for stationing of mobile homes	INJ	27/10/2017	27/10/2017	27/10/2017	Injunction remains on the land - Monitor
16/501199/CHANGE	SUKI	Headcorn	Land rear of The Meadows Lenham Road Headcorn	Expired temporay permission and expansion of G&T site	EN	16/08/2018	20/09/2018	appeal in progress	Appeal lodged 06/09/18 a/w start date
17/500611	SUKI	Headcorn	Acers Place, Lenham Road	Unauthorised change of use G&T site	EN	04/10/2017	15/11/2017	02/08/2019	appeal allowed - notice varied to allow 12 months compliance a/w compliance date - monitor

Case No	Officer	Parish/Ward	Address	Breach	Notice Type	Issue Date	Date Effective	Compliance	Action
15/500712/OPDEV	SUKI	Headcorn	Little Newhouse Farm, New House Lane, Headcorn	Bungalow being built in garden.	EN	05/01/2018	07/02/2018	19/05/2019	Appeal dismissed - Notice upheld, full demolition required
16/501028/CHANGE	SUKI	Headcorn	Smiths View, Love Lane, Headcorn	Unauthorised G-&T development	EN	07/02/2018	14/03/2018	appeal in progress	4 day Hearing set for 25-28/06/19
18/500101/OPDEV	SUKI	Headcorn	Faithfield, Love Lane, Headcorn	Unauthorised change of use G&T site	EN	16/02/2018	23/03/2018	appeal in progress	4 day Hearing set for 25-28/06/19
14/500522/CHANGE	REPR	Headcorn	Potters Nursery, Love Lane, Headcorn	Unauthorised change of use G&T site	EN	20/02/2018	27/03/2018	appeal in progress	4 day Hearing set for 25-28/06/19
16/501028/CHANGE	SUKI	Headcorn	Smiths View, Love Lane, Headcorn	Unauthorised G-&T development	EN	07/02/2018	14/03/2018	appeal in progress	4 day Hearing set for 25-28/06/19
18/500001/CHANGE	SUKI	Headcorn	Smiths Cottage, Lenham Road, Headcorn, Kent, TN27 9LG	Unauthorised siting of two additional caravans	EN	16/10/2018	20/11/2018	20/05/2019	a/w start date
16/501147&501251, 17/500291	SUKI	Marden	Tanner Farm Caravan Park Goudhurst road Marden Kent TN12 9ND	Change of use of land for holiday/residential	EN	17/10/2018	21/11/2018	appeal in progress	a/w start date
16/500866/BOC	SUKI	Linton	Little Paddocks Stilebridge Lane Linton Kent ME17 4DE	Unauthorised siting of two additional caravans and associated hardstanding	EN	16/10/2018	20/11/2018	appeal in progress	a/w start date
17/500032/BOC	DAPR	Loose	Filmers Farm, Salts Lane, Loose, Kent, ME15 0BD	Condition 2 and Condition 4 not met 16/500762/FULL	BCN	25/07/2018	25/07/2018	22/08/2018	
ENF/8320 37	SUKI	Marden	Monk Lakes, Staplehurst Road, Marden, Kent	Unauthorised development consisting of engineering, mining and building operations and unauthorised COU of land to recreational fishing lakes and for waste disposal	EN	30/04/2008	30/04/2008	27/05/2008	a/w planning decision
ENF/11798	SUKI	Marden	Monk Lakes, Staplehurst Road, Marden, Kent	Erection of new dwelling in the woodland	EN	19/05/2016	23/06/2016	23/12/2016	a/w planning decision
15/501259/BOC	SUKI	Otham	Bramley, Otham Street, Otham, ME15 8RL	Extension on North Elevation not being built in accordance with planning permission.	EN	06/11/2017	11/12/2017	16/07/2019	Appeal dismissed - Notice upheld, full demolition required
16/500847/OPDEV	SUKI	Sandway	Sunny Hill View Equestrian Stables Sandway Road Sandway Kent ME17 2LU	Stationing of two mobile homes and equestrian use.	EN	23/05/2018	27/06/2018	appeal in progress	Appeal lodged 27/11/18 a/w start date
16/500917/CHANGE	SUKI	Staplehurst	Blossom lodge, Frittenden Road, Staplehurst	Unauthorised change of use G&T site	EN	23/11/2017	22/12/2017	appeal in progress	Hearing set for 02/04/19
17/500529/OPDEV	SUKI	Staplehurst	Perfect Place Frittenden Road Staplehurst	Unauthorised change of use G&T site	SN/EN INJ	09/02/2018	09/03/2018	appeal in progress	Hearing set for 16/04/19
18/500802/BOC	DARP	Staplehurst	Hen and Dukchurst Farm, Marden Road, Staplehurst, Kent, TN12 OPD	Unauthorised access	BCN	19/02/2019	19/02/2019	19/03/2018	Notice complied with on 06/03/2019 as 19/501041/SUB submitted to resolve condition 2 - Monitor
17/500006/BOC	SUKI	Stockbury	(The Coppice) Stockbury Valley, Stockbury	Unauthorised change of use G&T site	EN	26/01/2018	02/03/2018		Notice Quashed Permission granted.
15/501244	SUKI	Teston	Land North of Knowle Farm, Malling Road, Teston	New access /siting of a storage container.	EN	14/05/2018	17/06/2018	appeal in progress	Appeal site visit 27/02/19 - awaiting decision

Case No	Officer	Parish/Ward	Address	Breach	Notice Type	Issue Date	Date Effective	Compliance	Action
17/500911/CHANGE	SUKI	Ulcombe	Little Willows, Eastwood Road, Ulcombe	Unauthorised change of use G&T site	EN	07/08/2018	11/09/2018	11/12/2018	New owners
	SUKI				INJ	12/01/2018	12/01/2018	12/01/2018	Injunction remains on the land - Monitor
16/500815	SUKI	Yalding	Green Tops Symonds Lane Yalding	PP expired - 10/0504 for occupation of the site for 3 years only.	EN	27/04/2017	01/06/2017	01/08/2017	
15/500852/OPDEV	SUKI	Yalding	The Three Sons, Hampstead Lane, Nettlestead Kent, ME18 5HN	Unauthorised G & T deveelopment in Green Belt	EN & INJ	02/10/2015	06/11/2015	06/02/2016	
14/500560/BOC	SUKI	Yalding	The Stables, Wagon Lane, Paddock wood, Tonbridge, Kent, TN12 6PT	Breach of personal occupancy condition	EN	03/07/2018	07/08/2018	07/11/2018	
18/500572/BOC	SUKI	Ulcombe	Caravan 2 Hawthorn Farm, Pye Corner, Ulcombe Maidstone ME17 1EF	Unauthorised change of use G&T site	EN	11/10/2018	15/11/2018	15/05/2019	a/w compliance

OTHER SIGNIFICANT WORK									
16/500182/CHANGE	DAPR	Fant Ward	Riverside off Unicumes Lane, Fant,	Removal of PD rights for fencing	ART 4(1)	04/12/2018	04/12/2019	ongoing	Article 4(1) Direction served
17/500915/BOC	SUKI	Harrietsham	Pilgrims Retreat, Hogbarn Lane, Harrietsham	Breach of conditions re status of mixed residential and holiday park	PCN	07/02/2019		28/02/2019	on-going investigations.

	Decision reached - case closed
	Awaiting appeal start dates
	Awaiting planning application/appeal decisions/compliance dates
	Consideration as to whether to proceed to the next step of formal action
XXXXXXXXXX	Cases that are being monitored i.e. sites with injunctions and BCNs



**THE MAIDSTONE BOROUGH COUNCIL**  
**PLANNING COMMITTEE – 4th April**  
**2019**

**APPEAL DECISIONS:**

1. **18/505529**                      Erection of a two storey garage with first floor office.

**APPEAL:** Allowed with conditions

Redpit  
Leeds Road  
Langley  
Maidstone  
Kent  
ME17 3JN

(Delegated)

- 
2.     **18/505073**                      Remodelling of existing garage and new glazed link corridor (Resubmission of 18/500468/FULL).

**APPEAL:** Allowed with conditions

Tumbleweeds  
Dairy Lane  
Marden  
Tonbridge  
Kent  
TN12 9ST

(Delegated)

- 
3.     **18/500755**                      Replacement dwelling

**APPEAL:** Allowed

Moat Farm Bungalow  
Collier Street  
Tonbridge  
TN12 9RR

(Delegated)

- 
4.     **18/500560**                      Erection of 1no. dwelling house with integral double garage.

**APPEAL:** Dismissed

Hurst House  
The Street  
Bredhurst  
Gillingham  
Kent  
ME7 3LH

(Delegated)

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5.      **15/500270**

Retrospective application for the change of use  
of openspace for siting of Mobile home.

**APPEAL:** Allowed with conditions

The Coppice  
Stockbury Valley  
Stockbury  
Kent  
ME9 7QN

(Delegated)

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