

REPORT SUMMARY

REFERENCE NO - 16/506114/FULL		
APPLICATION PROPOSAL Additional temporary car showroom, and associated external car display, remaining for up to 5 years, on an existing car dealership (sui generis) site.		
ADDRESS F G Barnes And Sons Ltd Sutton Road Maidstone Kent ME15 9FB		
RECOMMENDATION - PERMIT		
SUMMARY OF REASONS FOR RECOMMENDATION The proposed development is considered to comply with the policies of the Maidstone Borough-Wide Local Plan 2000, the Submission Version of the Maidstone Borough Local Plan, and the National Planning Policy Framework and there are no overriding material considerations to indicate a refusal of planning consent.		
REASON FOR REFERRAL TO COMMITTEE - Maidstone Borough Council owns the land.		
WARD Park Wood	PARISH COUNCIL Boughton Monchelsea	APPLICANT Mr B Warren AGENT Bisset Adams
DECISION DUE DATE 10/10/16	PUBLICITY EXPIRY DATE 14/09/16	OFFICER SITE VISIT DATE 24/08/16
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):		

- 14/502739 – Advert consent – Approved
- MA/13/2134 - Refurbishment of existing motor retail dealership - Approved
- MA/04/1416 - Installation of aluminium cladding and canopy – Approved
- MA/04/1308 – Advert consent – Approved
- MA/93/0604 – Advert consent – Approved
- MA/92/1048 - Refurbishment to existing vehicle showroom – Approved
- MA/91/0781 - Change of Use to sale of motor vehicles - Approved

MAIN REPORT

1.0 Site description

- 1.01 The application site is an existing car showroom with an extensive outdoor car sales area known as F. G. Barnes and Sons Ltd. located on the western side of Bircholt Road, on the corner of the junction with Sutton Road. The existing building is at the northern end of the site, with the main car sales area to the south; and access for the site is taken from Bircholt Road. To the north is Sutton Road; to the east and south are other car sales and commercial units; and to the west is Parkwood Industrial Estate. The application site is within the defined urban area and is a designated employment/car showroom area as shown by the adopted Local Plan.

2.0 Proposal

- 2.01 The proposal is for the erection of an additional car showroom with associated external car display. The applicant states this would be for a temporary period of 5 years. The proposed building would be single storey; constructed from silver cladding and a light grey aluminium roof set on a concrete base; and would be sited fairly central within the site. The existing access would be unaffected, as to would the existing sales building.

3.0 Policies and other considerations

- Maidstone Borough-Wide Local Plan 2000: R18(iii), ED2(iv)
- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- Maidstone Local Plan (Submission version): DM20
- Planning for Growth Ministerial Statement (March 2011)

4.0 Consultee responses

4.01 **Boughton Monchelsea Parish Council:** Raise no objection.

4.02 **KCC Highways:** Raise no objection.

4.03 **UK Power Networks:** Raise no objection.

5.0 Neighbour responses: No representations received.

6.0 Principle of development

6.01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

6.02 The proposal site does fall within a designated employment site under saved policy ED2 of the adopted Local Plan, as well as within an area where vehicle showrooms are permitted under policy saved policy R18. Given the existing use of the site and the nature of the proposal, I am satisfied that the development under consideration here would be in accordance with these policies.

6.03 The proposal is also in line with the National Planning Policy Framework (NPPF) which seeks to promote sustainable economic growth. Indeed, a key reason for the proposed refurbishment here is to maximise the site's economic potential.

6.04 The submitted version of the Development plan went to the Secretary of State for examination on the 20 May 2016 and examination is expected to follow in October/November of this year. This Plan is considered to hold significant weight; and there is policy support for this type of development in this location, subject to its details which the report will go on to assess.

7.0 Visual impact and design

7.01 The proposal site is already an area given over to a car sales area and so the only real change to the site would be the erection of the new showroom. This building would be single storey and relatively modest in scale and height, standing some 4.7m in height from its ridge-line to ground level; appropriate external materials would be safeguarded by an appropriate condition; it would be set back some 20m from Bircholt Road; its dual pitched roof and large element of glazing to its front elevation would further reduce its overall massing; and it would appear in keeping with the existing development within and surrounding the site. There is some planting to the Bircholt Road frontage of the site, towards the northern end of the site, but this is modest given the constraints of the site. Given the existing use of the site, its surrounding industrial estate context and the constraints of the site, I do not consider it reasonable to request a soft landscaping scheme by way of condition.

7.02 With everything considered, I am of the view that the proposal would not appear visually harmful, but very much a development read in context with the character, appearance and setting of the surrounding area.

8.0 Residential amenity

- 8.01 Given the existing use of the site and its distance from any residential property, I am satisfied that this proposal would not have an adverse impact upon the living conditions of any local resident.

9.0 Highway safety implications

- 9.01 The proposal would not alter the existing access into the site; the site would continue to have sufficient parking provision and turning facilities; and the relatively modest increase in building would not result in a significant intensification of use of the site or put further pressure in terms of parking provision. KCC Highways also raise no objection and comment that there are adequate on street car parking restrictions around the site which ensures that the applicant would be required to manage the site is a self-contained way. I am therefore satisfied that the proposal would not result in any highway safety issues.

10.0 Other considerations

- 10.01 Whilst the applicant has stated this proposal will be for a period of 5 years, because I consider there to be no harm caused by it I do not consider it necessary to restrict this development to such a temporary timeframe.
- 10.02 Given the history of the site, and the potential for some level of ground works, I consider it reasonable to impose a precautionary land contamination condition. Foul sewage and surface water will be disposed of via mains sewer. In terms of energy assessment, this would be covered through Building Regulations and it is not considered necessary to require further information in this respect.

11.0 Conclusion

- 11.01 I am of the view that this proposal would not cause any demonstrable harm to the character, appearance and amenity of the surrounding area. I therefore consider that this proposal is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant and recommend conditional approval of the application on this basis.

12.0 RECOMMENDATION – APPROVE with conditions:

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) The development shall not commence until written details and samples of the materials to be used in the construction of the external surfaces of the building has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed using the approved materials and maintained thereafter unless otherwise agreed in writing by the local planning authority;

Reason: To ensure a satisfactory appearance to the development.

- (3) If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;
- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
 - b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
 - c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: In the interests of public safety and pollution prevention.

- (4) The development hereby permitted shall be carried out in accordance with the following approved plans: FG001 (PL) 003 P2, 005 P2 and 007 P2 received 9th August 2016;

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.

INFORMATIVES

- (1) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.
- (2) Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Case Officer: Kathryn Altieri

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.