

PLANNING COMMITTEE MEETING

Date: Thursday 23 September 2021
Time: 6.00 p.m.
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Brindle, Coates, Cox, English, Eves, Forecast, Harwood, Holmes, Kimmance, Munford, Perry (Vice-Chairman), Spooner (Chairman) and Young

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.

AGENDA

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Items withdrawn from the Agenda
5. Any business the Chairman regards as urgent including the urgent update report as it relates to matters to be considered at the meeting
6. Disclosures by Members and Officers
7. Disclosures of lobbying
8. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
9. Minutes of the meeting held on 26 August 2021 1 - 7
10. Presentation of Petitions (if any)
11. Deferred Items 8 - 9
12. 21/501554/FULL - Woodside, Firs Lane, Hollingbourne, Kent 10 - 25
13. 21/503237/FULL - 49 Surrenden Road, Staplehurst, Tonbridge, Kent 26 - 32

Issued on Wednesday 15 September 2021
Over/:

Continued

Alison Broom

Alison Broom, Chief Executive

- | | | |
|-----|--|---------|
| 14. | 21/502307/OUT - The Three Ashes, Boxley Road, Walderslade, Chatham, Kent | 33 - 47 |
| 15. | 21/503799/FULL - Corbin Business Park, Caring Lane, Bearsted, Kent | 48 - 59 |
| 16. | Appeal Decisions | 60 - 61 |

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 reports on the agenda, please refer to the public access pages on the Maidstone Borough Council website. Background documents are available for inspection; please follow this link: <https://pa.midkent.gov.uk/online-applications/>

PUBLIC SPEAKING AND ALTERNATIVE FORMATS

In order to speak at the meeting in person or by remote means, please call 01622 602899 or email committee@maidstone.gov.uk by 4 p.m. on Wednesday 22 September 2021. 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.

If you require this information in an alternative format please contact us, call 01622 602899 or email committee@maidstone.gov.uk

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MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 26 AUGUST 2021

Present: Councillor Spooner (Chairman) and
Councillors Coates, Cox, English, Forecast, Harwood,
Holmes, Kimmance, Munford, Perry and Young

Also Present: Councillors Burton and Russell

93. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Brindle and Eves.

94. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

95. NOTIFICATION OF VISITING MEMBERS

Councillor Burton had given notice of his wish to speak on the report of the Head of Planning and Development relating to application 19/504910/OUT (Former Syngenta Works, Hampstead Lane, Yalding, Kent), and attended the meeting remotely.

Councillor Russell had given notice of her wish to speak on the report of the Head of Planning and Development relating to application 19/504910/OUT (Former Syngenta Works, Hampstead Lane, Yalding, Kent), and attended the meeting in person.

96. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

97. URGENT ITEMS

The Chairman said that, in his opinion, the urgent update from the March Committee meeting which was inadvertently omitted as part of the Appendix to the report relating to application 19/504910/OUT (Former Syngenta Works, Hampstead Lane, Yalding, Kent), the update report relating to application 21/502269/FULL (Timberden, Boxley Road, Maidstone, Kent) and any verbal updates in the Officer presentations should be taken as urgent items as they contained further information relating to the applications to be considered at the meeting.

98. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

99. DISCLOSURES OF LOBBYING

The following disclosures of lobbying were noted:

Item 12.	19/504910/OUT - Former Syngenta Works, Hampstead Lane, Yalding, Kent	Councillors Munford and Perry
Item 13.	21/502269/FULL - Timberden, Boxley Road, Maidstone, Kent	Councillors Cox and Harwood
Item 14.	21/501982/FULL - Whiteacres, Marden Road, Staplehurst, Tonbridge, Kent	No lobbying
Item 15.	21/503223/FULL - The Oaklands, Lenham Road, Headcorn, Ashford, Kent	Councillors Munford and Perry

100. EXEMPT ITEMS

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

101. MINUTES OF THE MEETING HELD ON 22 JULY 2021

RESOLVED: That the Minutes of the meeting held on 22 July 2021 be approved as a correct record and signed.

102. PRESENTATION OF PETITIONS

There were no petitions.

103. DEFERRED ITEMS

20/504386/FULL - CHANGE OF USE OF THE LAND FOR THE SITING OF 3 NO. STATIC CARAVANS AND 3 NO. TOURING CARAVANS FOR GYPSY/TRAVELLER OCCUPATION (REVISED SCHEME TO 18/506342/FULL) - THE ORCHARD PLACE, BENOVER ROAD, YALDING, KENT

20/505611/SUB - SUBMISSION OF DETAILS TO DISCHARGE CONDITION 18 - FOUL AND SURFACE WATER SEWERAGE DISPOSAL SUBJECT TO 14/502010/OUT - DICKENS GATE, MARDEN ROAD, STAPLEHURST, TONBRIDGE, KENT

The Development Manager said that he had nothing further to report in respect of these applications at present.

104. 19/504910/OUT - OUTLINE APPLICATION FOR THE REDEVELOPMENT OF THE FORMER SYNGENTA WORKS SITE TO PROVIDE A NEW BUSINESS PARK OF UP TO 46,447 SQM OF B1(C), B2 AND B8 ACCOMMODATION WITH ASSOCIATED ACCESS, PARKING AND INFRASTRUCTURE WORKS. (ACCESS ONLY BEING SOUGHT) - FORMER SYNGENTA WORKS, HAMPSTEAD LANE, YALDING, KENT

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

In introducing the application, the Principal Planning Officer advised Members that:

- When the application was originally reported to the Committee in March 2021, there had been two urgent updates. Unfortunately, one of the urgent updates from the March Committee meeting was not attached as part of the Appendix to the report for this meeting. When this came to light, the update was circulated separately to Members and published online with the agenda. In summary, the update provided a correction/clarification to the original Committee report; an amendment to condition 34; and details of further representations made at the time.
- Since publication of the agenda, a further representation had been received from Nettlestead Parish Council, but it did not raise any new material planning issues.

Councillor Russell (Visiting Member) read out a statement on behalf of Ms O'Hare, an objector, in person.

Mr Woodhead, agent for the applicant, addressed the meeting in person.

Councillor Russell (Visiting Member) addressed the meeting in person.

Councillor Burton (Visiting Member) addressed the meeting remotely.

In response to comments, the Principal Planning Officer advised the Committee that:

- The focus for consideration was now the Sequential Test as all other matters had been addressed at the time of the original decision.
- The issue of contamination was different from the Sequential Test the aim of which was to steer new development to areas with the lowest risk of flooding from any source.
- Sites or garden settlements in the emerging Local Plan Review are not currently available and so are not reasonable available alternatives under the Sequential Test.

RESOLVED: That subject to:

- A. The prior completion of a legal agreement in such terms as the Head of Legal Services may advise to secure the Heads of Terms set out in the report with the widening of the scope of the proposed Development/Delivery Group (Head of Terms number 8) to include consideration of the site flood evacuation emergency plan;

AND

- B. The conditions set out in the report with:

The amendment of condition 7 (Flood Risk Mitigation) to require the resilient trunking of utilities; and

An informative advising that the new lighting to be provided in the car park at Yalding Railway Station with S106 funding from the developer should be environmentally sensitive so that it does not impact on neighbours and biodiversity,

the Head of Planning and Development be given delegated powers to grant permission and to be able to settle or amend any necessary Heads of Terms and planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee; this to include investigation of whether a condition requiring a resilient wastewater system on site would meet the relevant tests for planning conditions and the addition of such a condition if appropriate.

Voting: 11 – For 0 – Against 0 – Abstentions

105. 21/502269/FULL - ERECTION OF 1 NO. SINGLE STOREY, THREE BEDROOM DWELLING WITH ASSOCIATED ACCESS, AMENITY AREA, PARKING AND CYCLE STORE - TIMBERDEN, BOXLEY ROAD, MAIDSTONE, KENT

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

In introducing the application, the Planning Officer advised the Committee that:

- The application showed the removal of a Sycamore tree currently growing within the rear garden. A replacement Rowan tree was proposed, but condition 5 (Hard and Soft Landscape Scheme) could be amended to specify an alternative species.
- Delegated powers were sought to (a) amend condition 5 (Hard and Soft Landscape Scheme) to specify that cordwood arising from the removal of the Sycamore tree shall be retained on-site and (b) add a condition requiring the installation of renewables.

Mr Akhurst, an objector, addressed the meeting in person.

Mr Collins, agent for the applicant, addressed the meeting remotely.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report and the additional condition set out in the urgent update report, with:

The amendment of condition 4 (Boundary Treatments) to require the construction of a retaining wall along the southern boundary of the site;

The amendment of condition 5 (Hard and Soft Landscape Scheme) to require enclosure (for example, a native species hedge around the boundaries) and to specify that cordwood arising from the removal of the Sycamore tree shall be retained on-site;

An informative advising the applicant that the Sycamore tree should be replaced by a Field Maple tree instead of a Rowan tree;

The amendment of condition 6 (Landscape Scheme Implementation) to extend the replacement period from five years to ten years;

The strengthening of condition 9 (Enhancement of Biodiversity) to secure integral niches for wildlife; and

An additional condition requiring the installation of renewables.

2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended and additional conditions and the additional informative and to amend any other conditions as a consequence.

Voting: 9 – For 1 – Against 1 – Abstention

106. 21/501982/FULL - CHANGE OF USE OF LAND FOR THE SITING OF 2 NO. ADDITIONAL STATIC MOBILE HOMES FOR OCCUPANCY BY GYPSY FAMILY, INCLUDING ACCESS, PARKING, LANDSCAPING AND ASSOCIATED WORKS - WHITEACRES, MARDEN ROAD, STAPLEHURST, TONBRIDGE, KENT

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

In introducing the application, the Planning Officer advised the Committee that he wished to strengthen the proposed landscaping condition to specify where landscaping should be provided to screen the access further.

Councillor Sharp of Staplehurst Parish Council and Mr Collins, agent for the applicant, addressed the meeting remotely.

RESOLVED:

1. That permission be granted subject to the conditions and informatives set out in the report with:

The amendment of condition 5 (Landscaping) to require the extension of the front boundary landscaping by 10 metres up from the road frontage and adjacent to the access road leading into the site (mixed species native hedge to reflect the existing); and

An additional condition requiring the provision of an electric vehicle charging point subject to this being feasible.

2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended and additional conditions and to amend any other conditions as a consequence.

Voting: 11 – For 0 – Against 0 – Abstentions

107. 21/503223/FULL - RETROSPECTIVE APPLICATION FOR SITING OF 1 NO. ADDITIONAL MOBILE HOME AND 1 NO. ADDITIONAL TOURER (RE-SUBMISSION OF 20/502133/FULL) - OAKLANDS, LENHAM ROAD, HEADCORN, ASHFORD, KENT

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

Councillor Kenward, the Chairman of Ulcombe Parish Council, addressed the meeting in person.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report with:

An additional condition requiring the provision of an electric vehicle charging point; and

The amendment of condition 4 (Site Development Scheme) to require:

- (a) native species hedgerow planting along the southern edge of the site; and
 - (b) the implementation of the landscaping/planting scheme in the first available planting season following approval of the Site Development Scheme, subject to this not having an impact on the rest of the phasing of the condition requirements.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the additional and amended conditions and to amend any other conditions as a consequence.

3. That the applicant be informed that Members are keen to ensure that the landscaping/planting scheme is implemented in accordance with the required timescale.

Voting: 8 – For 0 – Against 3 – Abstentions

108. APPEAL DECISIONS

The Committee considered the report of the Head of Planning and Development setting out details of an appeal decision received since the last meeting. It was noted that the appeal against refusal of application 20/502907/FULL (Seaview Farm, South Street Road, Stockbury) had been allowed subject to conditions. A Member requested that, given the sensitive location of the site, conditions relating to integral niches for wildlife and, potentially, renewables be sought by the Officers in their discussions with the applicant.

RESOLVED: That the report be noted.

109. DURATION OF MEETING

6.00 p.m. to 8.15 p.m.

Agenda Item 11

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

23 SEPTEMBER 2021

REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT

DEFERRED ITEMS

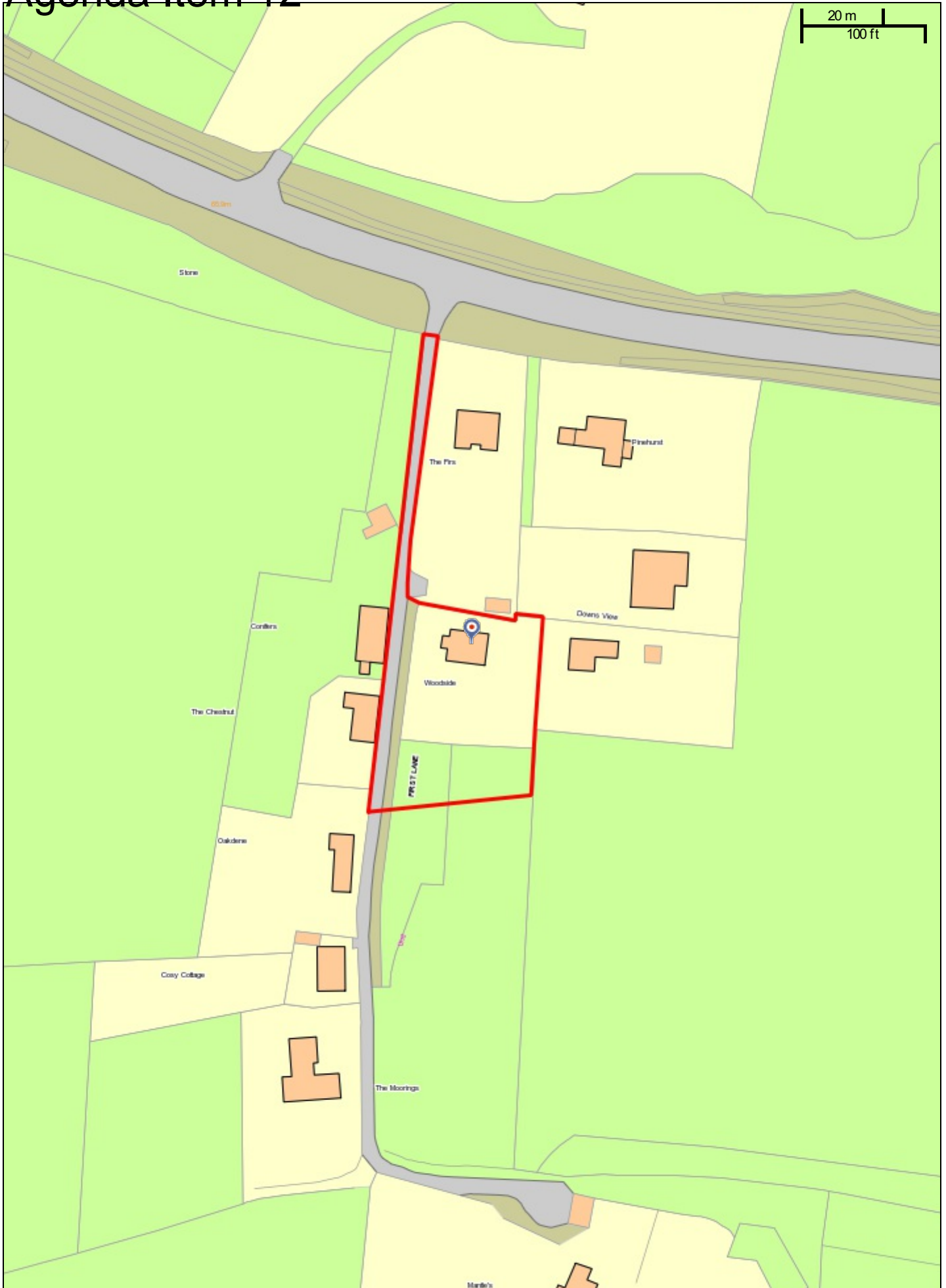
The following applications stand deferred from previous meetings of the Planning Committee. The Head of Planning and Development will report orally at the meeting on the latest situation.

APPLICATION	DATE DEFERRED
<p><u>20/504386/FULL - CHANGE OF USE OF THE LAND FOR THE SITING OF 3 NO. STATIC CARAVANS AND 3 NO. TOURING CARAVANS FOR GYPSY/TRAVELLER OCCUPATION (REVISED SCHEME TO 18/506342/FULL) - THE ORCHARD PLACE, BENOVER ROAD, YALDING, KENT</u></p> <p>Deferred to:</p> <ul style="list-style-type: none">• Negotiate a reconfiguration of the site layout to achieve better landscaping of the pond/woodland area to enable ecological and flood amelioration; and• Seek the advice of the Environment Agency specifically relating to this site. <p><u>Note:</u> The Development Manager confirmed that when the application is reported back to the Committee the additional conditions recommended by the Officers and the suggestions made by Members during the discussion regarding (1) the provision of (a) bin and cycle storage and (b) bug hotels and bat tubes in the eaves of the wooden buildings and (2) the exclusion of Sycamore trees from the landscaping scheme and the use of non-plastic guards for trees and hedgerows will be included.</p>	17 December 2020
<p><u>20/505611/SUB - SUBMISSION OF DETAILS TO DISCHARGE CONDITION 18 - FOUL AND SURFACE WATER SEWERAGE DISPOSAL SUBJECT TO 14/502010/OUT - DICKENS GATE, MARDEN ROAD, STAPLEHURST, TONBRIDGE, KENT</u></p> <p>Deferred:</p>	22 July 2021

- | | |
|---|--|
| <p>(1) To ask the applicant to provide further information to clarify:</p> <ul style="list-style-type: none">(a) The foul drainage flows from the site; and(b) The volume of capacity being provided (by the holding tank) and how it will be maintained to ensure that it retains such capacity. <p>(2) For the additional information to be reviewed by an independent expert drainage consultant.</p> | |
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This is to satisfy the Committee that the volume of flows will be accommodated by the proposed works.

Agenda Item 12



21/501554/FULL Woodside, Firs Lane, Hollingbourne, Maidstone, Kent, ME17 1XJ

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REFERENCE: 21/501554/FULL		
APPLICATION PROPOSAL: Demolition of existing dwelling and erection of 3(no) dwellings.		
ADDRESS: Woodside, Firs Lane, Hollingbourne, ME17 1XJ		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions		
SUMMARY OF REASONS FOR RECOMMENDATION: The proposal is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant.		
REASON FOR REFERRAL TO COMMITTEE: Hollingbourne Parish Council has requested application is considered by Planning Committee if officers are minded to approve application. This request is made for reasons outlined in consultation section below.		
WARD: North Downs	PARISH: Hollingbourne	APPLICANT: Mr Finch & Mrs Forbes AGENT Peter Court Associates
TARGET DECISION DATE: 27/09/21		PUBLICITY EXPIRY DATE: 25/08/21

RELEVANT PLANNING HISTORY

- 20/504458 – Pre-app: For 3 dwellings following review of 20/501373 response – Officer advised proposal was unlikely to be supported. Compared to what is now proposed, this scheme showed 3 larger properties (and a large detached garage for plot 1) in a more uniform layout, with more formal areas of hardstanding; and the application site extended further southwards.
- 20/501373 – Pre-app: Sought to discuss the previous reasons for refusal (as set out immediately below) and no new plans were submitted for consideration – Officer advised that subject to details there is potential scope for 3 new dwellings on site
- 19/505748 – Erection of dwelling with link extension to double garage and carport with studio/storage above and associated works – Refused
 - *Development would consolidate sporadic & urbanising development in rural landscape, causing unacceptable harm to character & appearance of area. This inappropriate development of garden land would represent poor design & would neither maintain nor enhance local distinctiveness of countryside & Len Valley Landscape of Local Value (LLV).*
 - *Development shows dwelling to be located in root protection areas (RPAs) of trees. This does not comply with BS5837:2012 in respect of paragraph 5.3: 'proximity of structures to trees', which only accepts need for construction within RPAs where there is overriding justification & no such justification has been demonstrated. Furthermore, in absence of relevant Tree Survey it has not been possible to establish quality & health of these trees. Proposal therefore fails to demonstrate trees will remain viable & their loss would be to detriment of character & appearance of countryside that falls in LLV.*
 - *Development by virtue of its layout is likely to result in future pressure for removal of trees in site, given proximity of proposed dwelling to trees & given extent of shading where future occupants may view trees as being overbearing & oppressive, perceiving trees would impact negatively upon their enjoyment of their property. This future pressure for removal & inappropriate pruning would reduce trees longevity and amenity value & potential loss of these trees would have detrimental impact upon local distinctiveness of the countryside hereabouts that falls in LLV.*
- 19/505743 – Demolition of house and outbuildings and erection of 2 houses and 2 garage buildings (introducing backland development) – Refused
 - *Development would consolidate sporadic & urbanising development in rural landscape, causing unacceptable harm to character & appearance of area. This inappropriate development of garden land would represent poor design & would neither maintain nor enhance local distinctiveness of countryside hereabouts that falls in LLV*
 - *Proposal shows rearmost dwelling to be located in RPA of tree. This does not comply with BS5837:2012 in respect of paragraph 5.3. Furthermore, in absence of relevant Tree Survey it has not been possible to establish quality & health of tree. Proposal therefore fails to demonstrate this tree will remain viable & its loss would be to detriment of character & appearance of countryside that falls in LLV.*

- 18/504652 - Pre-app: 4 dwellings – Officer advised proposal would adversely change character and appearance of site and rural setting of surrounding area, consolidating sporadic development and causing unacceptable environmental harm.

MAIN REPORT

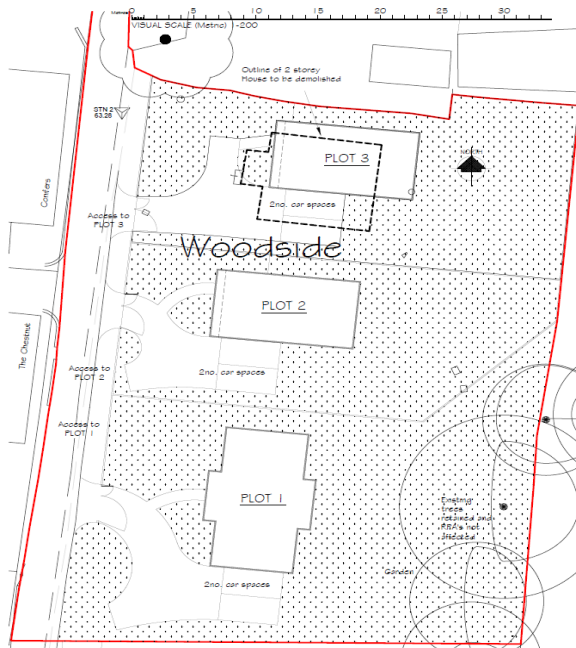
1.0 SITE DESCRIPTION

- 1.1 The proposal site (0.24ha in area) is currently occupied by a detached dwelling known as 'Woodside'. The site is on the eastern side of Firs Lane, some 100m to the south of the junction with the A20; and the access road is a no-through road. The residential properties within the vicinity of the site are of differing scale, age and design; and 'Mantels Farmhouse' to the south of the site is a Grade II listed building. For the purposes of the Local Plan the proposal site is within the countryside that falls within the Len Valley Landscape of Local Value. The site also falls within a KCC Minerals Safeguarding Area and within Flood Zone 1. The majority of the application site falls within Hollingbourne Parish, with a very small section at the south-western corner of the application appearing to fall within Thurnham Parish.

2.0 PROPOSAL

- 2.1 This proposal is for the demolition of the existing dwelling and for the erection of three detached (3-bed) dwellings. Each plot would have its own vehicle access and onsite parking provision; the two northern-most properties would be of similar scale and design but in a staggered position to each other; and the larger property to the south of the site would provide a balcony to the rear of the building.
- 2.2 The new houses for plots 2 and 3 (northern-most plots) would stand some 7m in height, with plot 3 in a similar location to the existing house; and plot 1 (to the south), would stand some 7.7m in height. For reference, the existing dwelling stands some 7m in height with a catslide roof element and living accommodation in the roof. In terms of external materials, the proposal would make use of slate roof tiles; horizontal weatherboarding; facing brickwork and aluminium windows. The application includes a Landscape Strategy and the key points from this are that a native mixed boundary hedging and trees would be planted; a number of trees in the southern part of the site would be retained; and a significant number of native trees will be planted to the south of plot 1 (within other land owned by the applicants).
- 2.3 Please note that this scheme has been amended during the life of this application, with the main changes including: The removal of a detached double garage for plot 1; the re-siting of the house for plot 1 further north within the site; the reconfiguration of vehicle accesses and parking spaces; the reduction in the plot size for plot 1; and the Landscape Strategy now including a new 'woodland' area to the south of plot 1.

2.4 For reference, the plan below shows the proposed layout for this planning application.



2.5 For comparison, the plan below shows the three plots refused under 19/505743 and 19/505748 (see planning history).



3.0 POLICY AND OTHER CONSIDERATIONS

- Local Plan (2017): SS1, SP17, DM1, DM2, DM3, DM6, DM8, DM23, DM30, DM32
- National Planning Policy Framework (2021)
- National Planning Practice Guidance
- Landscape Character Assessment (2012 amended 2013)
- Landscape Capacity Study: Sensitivity Assessment (Jan 2015)
- Para 99 of Govt Circular (ODPM 06/2005) & Natural England Standing Advice
- Kent Minerals & Waste LP (2013-30) (amended by Early Partial Review 2020)
- Regulation 18(b): Preferred Approaches Consultation (Dec 2020)

4.0 BACKGROUND INFORMATION

- 4.1 The Forestry Commission (FC) has confirmed an area in the application site is subject to a Restocking Notice (see below) that was served on 19th of November 2019:



- 4.2 It is understood that Restocking Notices are served under the Forestry Act 1967, when the FC believes that the trees have been felled illegally by someone with an interest in the land. The Restocking Notice places a duty on that individual to restock the land with trees; and the person upon whom this Restocking Notice was served had until the 30th of June 2021 to comply with this notice. Failure to comply with a Restocking Notice may result in the FC serving an Enforcement Notice to compel the landowner to undertake the restocking. Failure to comply with the Enforcement Notice may constitute an offence under section 24(4) of the Forestry Act 1967.
- 4.3 The FC, after taking their own legal advice, have clarified that granting planning permission for the same area as a Restocking or Enforcement Notice does not remove the duties contained within that Notice (i.e. while planning permission may make the development of the site lawful, it does not make non-compliance with the FC Notice lawful). At this time, it is understood that the applicant has submitted an appeal against the Restocking Notice, but at present the FC state that the Notice still stands.
- 4.4 The FC has reviewed the most up to date plans and comment that the proposal still encroaches on the area which is required to be restocked by their Restocking Notice. The FC also comment:

It is noted an area of woodland planting has been added to south of plot, outside the red line, and that it references the FC has recommended the planting. It needs to be clarified FC has not been consulted or asked for advice about this planting in this location, and it should also not be considered as the restocking required to comply with Restocking Notice.

- 4.5 The Council's Landscape Officer has commented as follows:

In my view, if we grant consent it is likely to inhibit FC's ability to enforce Restocking Notice which has now expired. Consequently, I am not able to support the application and the proposed landscaping is no substitution for the Restocking Notice. Taking the above into consideration, in order to make this site more arboriculturally acceptable an application for just 2 new dwellings in plots 2 & 3 would leave area/land in plot 1 available for applicant to comply with FC Notice.

- 4.6 Then after reviewing the amended plans, the Landscape Officer commented:

I note amended plans now show reduction in build area for plot 1 which is welcomed, although as FC state, plot 1 still covers a large proportion of the planting area in FC's restocking notice. Therefore, based on revised documents and latest comments from FC, I do not believe the amendments are sufficient to satisfy my previous concerns, and so from an arboricultural perspective, I am still not able to support application. Aside from this, I would ensure that the tree protection measures and landscaping proposals are subject to conditions.

- 4.7 To fully understand the background of the proposal site, it was thought necessary to set this issue out, along with the views of the FC and the Council's Landscape Officer. However, Restocking Notices are served under the Forestry Act 1967, and this is a matter between the applicant and the FC. It is also noted that the planning application includes a Landscape Strategy that will be discussed further on in the report.

5.0 REPRESENTATIONS

- 5.1 **Local Residents:** 13 representations received from local residents raising the following (summarised) issues:

- Over development of site/landscape impact upon countryside and Landscape of Local Value
- Poor design/appearance
- Impact upon residential amenity, including loss of privacy, outlook and light
- Would set precedent for further development
- Highway safety/traffic generation
- Not sustainable location
- Impact/loss of trees in line with Forestry Commission comments
- Submitted plans do not accurately show neighbouring properties/developments

6.0 CONSULTATION RESPONSES

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

- 6.1 **Hollingbourne Parish Council:** Wish to see application refused and reported to Planning Committee if minded to recommend approval for the following reasons:

Due to size of properties, neighbouring properties will be adversely affected by loss of view, as well as being overlooked by the new properties. In addition, Parish Council does not feel that the size of the properties will be in keeping with the area.

- 6.2 **KCC Highways:** Development does not meet criteria to warrant their involvement.
- 6.3 **Landscape Officer:** See Section 4.0 of this committee report.
- 6.4 **Forestry Commission:** See Section 4.0 of this committee report.
- 6.5 **Biodiversity Officer:** Raises no objection and requires no further info at this stage.
- 6.6 **Environmental Protection Team:** Raised no objections under 19/505748 & 19/505743 in terms of: noise; amenity; air quality; contamination; lighting; odour; sewage & private water supplies.
- 6.7 **KCC Minerals Safeguarding:** Raises no objection.
- 6.8 **Natural England:** Has no comment to make on this application.

7.0 APPRAISAL

The report will now go through the following matters:

- Sustainability in terms of location;
- Visual impact;
- Other arboricultural considerations;
- Residential amenity;
- Highway safety;
- Biodiversity implications; and then
- Other considerations.

Main issues

Local Plan

- 7.1 The proposal is subject to the normal constraints of development in the countryside. Indeed, new development should not be permitted unless it accords with other policies in the Local Plan and (inter alia): does not result in unacceptable harm to the character and appearance of the area; respects the amenity local residents; is acceptable in highway safety and heritage terms; protects and enhances any on-site biodiversity features where appropriate, or provides sufficient mitigation measures; and is acceptable in flood risk terms. The local distinctiveness of Landscapes of Local Value should also be maintained, or where possible, enhanced.
- 7.2 For clarification, Local Plan policies DM5 (development on brownfield land) and DM11 (residential garden land), specifically exclude garden land in countryside locations.

Landscape Character Assessment

- 7.3 The Maidstone Landscape Character Assessment (LCA) identifies the application site as falling within Leeds Castle Parklands area (49); and then specifically the detailed landscape character area as Caring Pastures (49-1). The landscape guidelines for Leeds Castle Parklands are to 'conserve and restore', with Caring Pasturelands being to 'improve'. A summary of actions from the LCA are summarised as follows:
- Consider generic guidelines for Valleys
 - Create new functional integrity in which use of land is reflected in clear landscape features
 - Improve historic parkland features
 - Improve distinctive/characteristic elements: native woodland: strengthening AONB setting
 - Avoid urban fringe influences extending along A20
- 7.4 Within the Council's Landscape Capacity Study: Sensitivity Assessment (Jan 2015), the overall landscape sensitivity of Leeds Castle Parklands Landscape Character Area is *HIGH*.

National Planning Policy Framework (July 2021 revision)

- 7.5 The NPPF is clear that good design is a key aspect of sustainable development and that permission should be refused for development that is not well designed; and section 12 of the NPPF refers to achieving well-designed places. Paragraph 174 of the NPPF also states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside; and to achieve well-designed places the NPPF also makes it clear that (para 126):

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.

Sustainability in terms of location

- 7.6 The Local Plan identifies the focus for new residential development in the settlement hierarchy as firstly the urban area, then rural service centres (RSCs) and lastly the larger villages. The proposal site is in the countryside for the purposes of the Local Plan, some 1.4km to the east of the edge of the defined Maidstone urban area. In general terms, proposal sites beyond development boundaries are less sustainable as access to basic amenities/services, public transport links, and employment opportunities etc. tends to be poor, resulting in heavy reliance on the use of the private car for their day to day living, contrary to the aims of sustainable development as set out in the Local Plan and the NPPF.

- 7.7 However, a Planning Inspector for new residential development at Pine Cottage, Ashford Rd (planning ref: 15/504418/OUT) accepted that future occupants of the proposed dwelling would have an acceptable range of transport options rather than the private motor car, and so the development would not result in an unsustainable form of development in terms of reliance on the private motor vehicle. The reserved matters for this application were approved under 18/501617/REM, and a resubmitted residential development on this site (next to Pine Cottage) has also now been recently approved at planning Committee (21/500768).
- 7.8 The proposal site is in the locality of Pine Lodge, with Pine Lodge found some 300m to the east of the site (before a holiday caravan site). For reference, there are bus stops (for frequent services) in each direction within 230m of the junction of Firs Lane and the A20, with the east bound bus stop being within 130m. It is also worth noting that there is a footpath on the opposite side of the road that leads up to the eastbound bus stop, as well as leading all the way into Bearsted (westwards). With this all considered, the proposal site is not in such an unsustainable location as to warrant refusal of this application (that is for a net gain of two additional houses). It should also be noted that the two previously refused applications on this site (19/505743 and 19/505748) were not refused on sustainability grounds in terms of location.

Visual impact

- 7.9 Local Plan policies seek to achieve high quality design in all development in the countryside, and they emphasise the need for type, siting, materials, design, scale, and level of activity, to maintain and possibly enhance local distinctiveness including landscape features. Local Plan policy also requires that the impact of development on the appearance and character of the landscape is appropriately mitigated.
- 7.10 The northern end of the application site is currently occupied by a relatively modest detached dwelling known as Woodside. This property is part single storey and part 2-storey; and behind, is a large garden area with shed/workshop buildings and an attractive tree centrally located (that falls outside the application site). To the south of Woodside is associated garden and a number of trees, and the issues surrounding the felling of some trees here has been addressed above. The site boundaries are largely demarcated by planting and low-level timber post and rail fencing; and the site is open in feel, with views of the countryside to the east over the Len Valley Landscape of Local Value.
- 7.11 The proposal would see the demolition of the existing dwelling and in its place would be the erection of three detached dwellings. It is accepted that the proposal would see built form extend southwards, but this is not considered to be so out of character, given the number and location of existing properties on the western side of Firs Lane. Furthermore, it is noted that the new dwellings will have a direct relationship with the lane, and would not introduce backland development that would harmfully encroach eastwards into the countryside; the plot sizes of the surrounding properties vary and the sizes of the new plots are not considered to be so out of keeping with this; the proposed dwellings would not be isolated but will be read in the context of existing surrounding development; and the proposal will retain a large area of undeveloped land to the south of plot 1. It is also noted that the surrounding properties are of varying scale and it is considered that the proposed units would not appear out of keeping in this respect. On this basis, it is therefore considered that the proposal would not have an adverse impact upon the general pattern and grain of development within the immediate vicinity of the site.

- 7.12 The three new dwellings would also sit comfortably within their own plot, and the lack of outbuildings and harsh urban boundary treatments together with the proposed landscaping and spacing of the new dwellings would retain an open feel to the development. Having the main parking spaces to the side of the buildings would also help retain the open feel of each property's frontage; and the irregular building line of the new dwellings is fitting for the site's rural location. To safeguard the future appearance of the development, appropriate conditions will be imposed for suitable landscaping and to restrict future development on the site.
- 7.13 Plots 2 and 3 are of a similar scale and design; the design of the buildings is appropriately simple, with well-proportioned fenestration detail and a mixed external materials palette providing articulation and visual interest; and their set back from the lane would further lessen their visual impact. Plot 1 is larger, but again it would be set back from the lane; and its traditional design and mixed materials palette are not objectionable. The variations between plot 1 and plots 2 and 3 would also provide further visual interest to the overall development; and it is noted that the existing surrounding properties are of differing scale, design and age and so the proposal would not appear incongruous in this respect. In addition, the new plots would not have excessive areas of hardstanding, and the retained/proposed landscaping would help to soften the development and allow it to positively integrate with its surroundings. To further safeguard the appearance of the development, a suitable materials condition will be imposed to ensure the use of high quality building materials and hardsurfacing.
- 7.14 This application is accompanied by a Landscape Appraisal that has assessed the visibility of the proposal within the site and its setting to the surrounding landscape. This appraisal demonstrates that the main public views of the proposal would be from Firs lane, at short-range; and it has been established that the proposal would not be visible from the junction of Firs lane and the A20. There would be potential views of the development from the public footpath (KH180) and Old Mill Lane that are some 700m and 750m respectively to the east of the application site. It is accepted that these public views would only be glimpses and that once the new landscaping is established (after 5-10yrs say) these glimpsed views would be further reduced. With this taken into account, it is considered that the proposal would not appear over dominant or visually harmful within the wider landscape that falls within the Len Valley Landscape of Local Value.
- 7.15 To add, the Landscape Appraisal has influenced the submitted Landscape Strategy in that it has taken the opportunity to enhance the proposed development in certain areas, in accordance with the Council's Landscape Character Assessment, as well as having a positive impact in terms of biodiversity.
- 7.16 On balance, it is therefore considered that the proposal (subject to relevant conditions) would not harmfully consolidate sporadic and urbanising development in the countryside and would not adversely change the character and appearance of the surrounding area. The proposal would maintain and enhance the local distinctiveness of the countryside hereabouts that falls within the Len Valley Landscape of Local Value, and is therefore considered to be in accordance with the relevant policies of the Local Plan; the aims of the revised NPPF; and the guidance within the Maidstone Landscape Character Assessment.

Other arboricultural considerations

- 7.17 The surrounding woodland is not Ancient Woodland; there are no protected trees on, or immediately adjacent to, the proposal site; the submitted Tree Survey has established the quality and health of the existing trees in and around the site; and as the proposed works would fall outside the root protection areas of those trees to be retained, in this respect the development would comply with BS5837:2012 in

respect of paragraph 5.3: '*proximity of structures to trees*'. The Tree Survey also identifies six Grade U and C trees to be removed as a result of the development; as well as two Sweet chestnuts that are to be coppiced so that they can be retained (where the new woodland planting will go). The Tree Survey also states that the requirements of the Arboricultural Impact Statement, the Arboricultural Method Statement and the Tree Protection Plan are fulfilled in the preparation of the proposals. Furthermore, the submission has demonstrated that the proposal is unlikely to result in future pressure for the removal of retained trees in and around the site, given the separation distances of the new dwellings from these trees and the relatively large garden areas that would not be harmfully overshadowed (as demonstrated by submitted Tree Shading plans).

Residential amenity

- 7.18 The proposed dwelling for plot 1 would be set back some 10m from the lane, with a property known as The Chestnuts some 15m away and Oakdene (to south-west) some 20m away; and the first floor front (west-facing) windows would serve an ensuite and void (non-habitable areas) and the kitchen, with the dining area behind. The new access for plot 1 would not be sited directly in front of any neighbouring property. Please note this assessment has considered the development permitted at Oakdene under 19/501704 (demolition of conservatory and garage; erection of single storey side/rear extensions; and replacement garage).
- 7.19 The proposed dwelling for plot 2 would be set back some 7m from the lane and sited more than 13m from any existing property; at first floor level, the new dwelling would look between The Chestnuts and Conifers; and its mass is not considered harmful. The new access for plot 2 would face The Chestnuts and its recently approved single storey side extension permitted under 20/504829 (Erection of side/rear single storey extensions; and reconfiguration of bungalow with new roof and ridge level), with the relevant windows facing the lane for The Chestnuts serving bedrooms. There is the potential for some nuisance to result from this relationship in terms of vehicle noise and headlights shining into the bedrooms for example. However, the typical level of coming and going of vehicles from one dwelling is not considered to be so significant as to cause significant concern, and headlights will only be necessary for certain times of the day, further lessening any potential harm. On this basis, no objection is raised to the proposal on this issue.
- 7.20 Proposed plot 3 is effectively replacing Woodside and would be located in a similar position, albeit set further back from Firs Lane and sited closer to the northern boundary of the site. For reference, the new dwelling at plot 3 would be set back some 16m from Conifers to the west; it would be set away more than 35m from the property known as The Firs (to the north); it would be more than 40m from Pinehurst (also to the north of the site); it would be offset from The Chestnuts (to the south-west); it would remain some 30m away from Downs View (to north-east). The scale and massing of plot 3's dwelling is also not excessively greater than the existing property at Woodside; and the relationship between the first floor front windows of this dwelling and Conifers is not considered unacceptable. There is already an existing vehicle access for Woodside in the proximity of Conifers, and the modest shift of this access southwards for plot 3 is not considered to result in further significant adverse harm to the occupants of this property, when compared to the current situation. It is noted that Conifers has recently been granted permission for the demolition of the existing conservatory and for the erection of a single storey side and rear extension (under ref: 20/504974). The east facing window permitted under 20/504974, that fronts onto the lane, serves a shower room (a non-habitable room). The first floor side windows to plots 2 and 3 (serving ensuites/bathrooms/landings) would also be conditioned to be obscure glazed and fixed shut.

7.21 Suitable boundary treatments would safeguard neighbour privacy at ground floor level; and the proposal would not have an unacceptable impact upon the levels of privacy neighbouring properties currently have when using their gardens. With everything taken into account, it is therefore considered that the proposal would not appear overbearing, or result in an unacceptable loss of privacy, outlook, or light to any existing neighbour when trying to enjoy their property (both internally and externally). It is also considered that the proposal would not result in unacceptable harm to the amenity of any neighbour in terms of general noise, disturbance and odour; and future occupants of the proposal would also benefit from acceptable living conditions (both internally and externally).

Highway safety

7.22 Paragraph 111 of the NPPF states: *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

7.23 The proposal would use an existing access road from the A20 that already serves a number of properties (including Woodside itself); there is good visibility when joining onto A20; it is evident from www.crashmap.co.uk that there have been no reported traffic incidents at the junction of A20 and Firs Lane in the last 10yrs; each new dwelling would have its own vehicle access and private driveway, with adequate parking and turning facilities on site; and it should be highlighted again that the proposal would only provide a net gain of two dwellings. It should also be noted that under both previous planning applications on the site (19/505743 and 19/505748), the Highways Authority had raised no objection. As such and with everything considered, this proposal is not objectionable in highway safety terms.

7.24 In terms of the Local Plan review, policy SP5(A) of the *Regulation 18(b): Preferred Approaches Consultation document (Dec 2020)* refers to development in the Leeds-Langley Corridor and the proposal site is within the safeguarding area of this. However, the Council's Planning Policy Team has confirmed that this document does not carry material weight for decision making purposes at this stage.

Biodiversity implications

7.25 On review of the ecological information submitted as part of this application, the Biodiversity Officer is satisfied that sufficient information has been provided to determine the application and so no further information is required at this stage. Specifically, the Biodiversity Officer is satisfied with the results of the bat emergence surveys, which found no evidence of roosting bats, and they have commented as follows:

Bats and Lighting

To mitigate against potential adverse effects on bats we suggest that the Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting' is consulted in the lighting design of the development. We advise that the incorporation of sensitive lighting design for bats is submitted to the local planning authority, as recommended in the ecology report, and secured via an attached condition with any planning permission.

7.26 Furthermore, under section 40 of the Natural Environment and Rural Communities Act (2006), and the NPPF, biodiversity must be maintained and enhanced through the planning system. Indeed, paragraph 174 of the NPPF states:

*Planning decisions should contribute to & enhance natural & local environment by (inter alia):
d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.*

7.27 And paragraph 180 of the NPPF states:

When determining applications, LPA's should apply the following principles (inter alia):

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

7.28 With this considered, a suitable condition is recommended to request details of biodiversity enhancements on the site (to also demonstrate a net biodiversity gain). This shall include details of enhancements through integrated methods into the fabric and appearance of the building (such as swift bricks, bat tubes, and bee bricks); the recommendations as set out in section 4.4.2 of the submitted Preliminary Ecological Appraisal (Corylus Ecology August 2019); and details of a native species-only landscaping plan. The recommended breeding bird informative is also duly added.

Other considerations

7.29 The Environmental Protection Team has raised no previous objection to similar development on the site in terms of noise, air quality and land contamination. The recommended condition relating to hours of construction work is not considered necessary in this instance to make the proposed development acceptable. The proposal site is within Flood Zone 1 and there is no objection in terms of flood risk; surface water will be disposed of via soakaway and foul sewage disposed of via mains sewer, and no objection is raised on these matters and no further details are required. There is sufficient room for refuse storage.

7.30 In accordance with Local Plan policy and in the interests of sustainability and air quality, a suitable condition would be imposed for the provision of operational electric vehicle charging points for low-emission plug-in vehicles, if the application were to be approved. Suitable conditions will also be imposed requesting details of any external lighting, in the interests of amenity; and for the use of renewable energy to be incorporated into the development, to ensure an energy efficient form of development.

7.31 Given the scale and nature of the proposal, and its separation distance between Mantels Farmhouse, it is considered that the proposal would not cause harm to the significance or setting of this Grade II listed building. The site is within a minerals safeguarding area, however, KCC confirm that they raise no objection on mineral safeguarding grounds in this instance.

7.32 The representations received from Hollingbourne Parish Council and local residents have been considered in the assessment of this application. It should be noted here that each application must be considered on its own merits under current policy/guidance; and the 'loss of a view' is not a material planning consideration. Furthermore, it is set out in the initial notification letter and in the 'Have Your Say' document on the Council's website, that any comments received in relation to a planning application will not be individually acknowledged, due to the large number of responses received and that it is not possible to respond personally to any matters/questions raised, but will be considered as part of the application assessment.

7.33 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010, and it is considered that the proposal would not undermine the objectives of this Duty. The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy in October 2017 and began charging on all CIL liable applications approved on and from 1st 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 if planning permission is granted or shortly after.

8.0 CONCLUSION

- 8.1 Whilst the Council is in a position where it can demonstrate a 6.1yrs worth of housing land supply (1st April 2020), this does not mean that appropriate windfall sites should not be approved. For the reasons outlined above, the proposal is considered to be acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant. A recommendation of approval is therefore made on this basis.

9.0 RECOMMENDATION: GRANT planning permission subject to 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. Prior to commencement of the development above damp-proof course level, written details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted shall be submitted to and approved in writing by the local planning authority, and shall include:

- a) weatherboarding;
- b) natural slate and/or plain clay roof tiles; and
- c) Facing brick.

The development shall be constructed using the approved materials and maintained as such thereafter.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value.

3. Prior to commencement of the development above damp-proof course level, details of all fencing, walling and other hard boundary treatments shall be submitted to and approved in writing by the local planning authority, incorporating details to allow for the passage of wildlife. The development shall be carried out in accordance with the approved details before the first occupation of the buildings and maintained as such thereafter. The approved hard boundary treatments associated with the individual dwellings shall be carried out in accordance with the approved details before the first occupation of the relevant individual dwelling.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value; to safeguard the enjoyment of their properties by existing and prospective occupiers; and in the interests of protecting wildlife.

4. In accordance with the submitted Landscape Strategy and prior to the commencement of development above damp-proof course level on any individual property, details of a scheme of hard and soft landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with a programme for the approved scheme's implementation and longterm management, which shall be for a minimum of 10 years, shall be submitted to and approved in writing by the local planning authority. The landscape scheme shall be designed using the principle's established in the Council's adopted Landscape Character Assessment (2012) and shall include:

- a) Details of a planting schedule (including location, planting species and size) for the application site and other land owned (as outlined in blue on drawing reference: 2168/51 Rev A);
- b) New 100% mixed native boundary hedging and new native boundary and woodland tree planting, at a minimum of Standard size, as shown on submitted drawing reference: 0340/20/B/20C; and
- c) Details of hardsurfacing materials.

Only non-plastic guards shall be used for the new trees and hedgerows, and no Sycamore trees shall be planted. The implementation and longterm management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas (including land within the blue outline as shown on drawing reference: 2168/51 Rev A), other than the garden areas for the three new plots. The landscaping of the site and its management thereafter shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development; and to safeguard the longevity of existing and proposed trees.

- 5. The approved landscaping associated with the individual dwellings hereby approved shall be in place at the end of the first planting and seeding season following completion of the relevant individual dwelling. Any other landscaping shall be in place at the end of the first planting and seeding season following completion of the final unit. Any trees or plants, which, within a period of 10 years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value; and to safeguard the longevity of existing and proposed trees.

- 6. The development hereby approved shall be carried out in accordance with the tree protection details, as set out in the submitted Tree Survey Report (Issue 4 July 2021).

Reason: In the interests of protecting the longevity of existing trees.

- 7. Prior to the commencement of the development above damp-proof course level, details of ecological enhancements integrated into the design and fabric of all three dwellings hereby approved, to include swift bricks, bat tiles/tubes and bee bricks; and other ecological enhancements as set out in 4.4.2 of the submitted Preliminary Ecological Appraisal (Corylus Ecology August 2019), shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details prior to the first occupation of the relevant dwelling and all features shall be maintained as such thereafter.

Reason: To enhance ecology and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development.

- 8. No external lighting, whether temporary or permanent, shall be placed or erected within the application site unless details are submitted to and approved in writing by the local planning authority. Any details to be submitted shall be in accordance with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005 (and any subsequent revisions), and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. Any details to be submitted shall also follow the recommendations within the Bat Conservation Trust's 'Guidance Note 8 Bats and

Artificial Lighting' and demonstrate that areas to be lit will not disturb bat activity. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter.

Reason: In the interest of amenity and in the interests of protected species.

9. Plots 2 and 3, as shown on the approved plans, shall not be occupied until the first floor side windows of the relevant property are obscure glazed and incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level, and these windows shall be subsequently be maintained as such thereafter.

Reason: To safeguard the enjoyment of their properties by existing and prospective occupiers.

10. 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 health.

11. Each property shall have a minimum of one operational electric vehicle charging point for low-emission plug-in vehicles prior to its occupation. The electric vehicle charging points shall be maintained as such thereafter.

Reason: To promote reduction of CO₂ emissions through use of low emissions vehicles.

12. The vehicle parking spaces, as shown on the submitted plans, shall be provided prior to occupation of the relevant dwelling they are associated with and then permanently retained for parking thereafter.

Reason: In the interest of visual amenity and parking provision.

13. Prior to commencement of the development above damp-proof course level, details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation of the relevant dwelling and maintained as such thereafter.

Reason: To ensure an energy efficient form of development.

14. Notwithstanding the details approved pursuant to condition 3 of this permission and notwithstanding the provisions of the Town and Country Planning General Permitted

Development (Amendment) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development within Schedule 2, Part 1 Classes A, AA, B, D, and E, and Schedule 2, Part 2, Class A to that Order shall be carried out.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value; and to safeguard the enjoyment of their properties by existing and prospective occupiers.

15. The other land outside the application site (as outlined in blue on drawing reference: 2168/51 Rev A), shall not be used as garden land for any of the three dwellings hereby approved.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value; and to safeguard the longevity existing and proposed trees.

16. The development hereby permitted shall be carried out in accordance with the following approved plans/documents: 2168/51 Rev A; 52 Rev A; 53; and 54 Rev A; 0340/20/B/20C (Landscape Strategy); Tree Survey Report (July 2021) including drawings: 2590/2020/B/1 and B/2C; Bat Emergence Survey Report (Corylus: 19100); Preliminary Ecological Appraisal (Corylus: 19100).

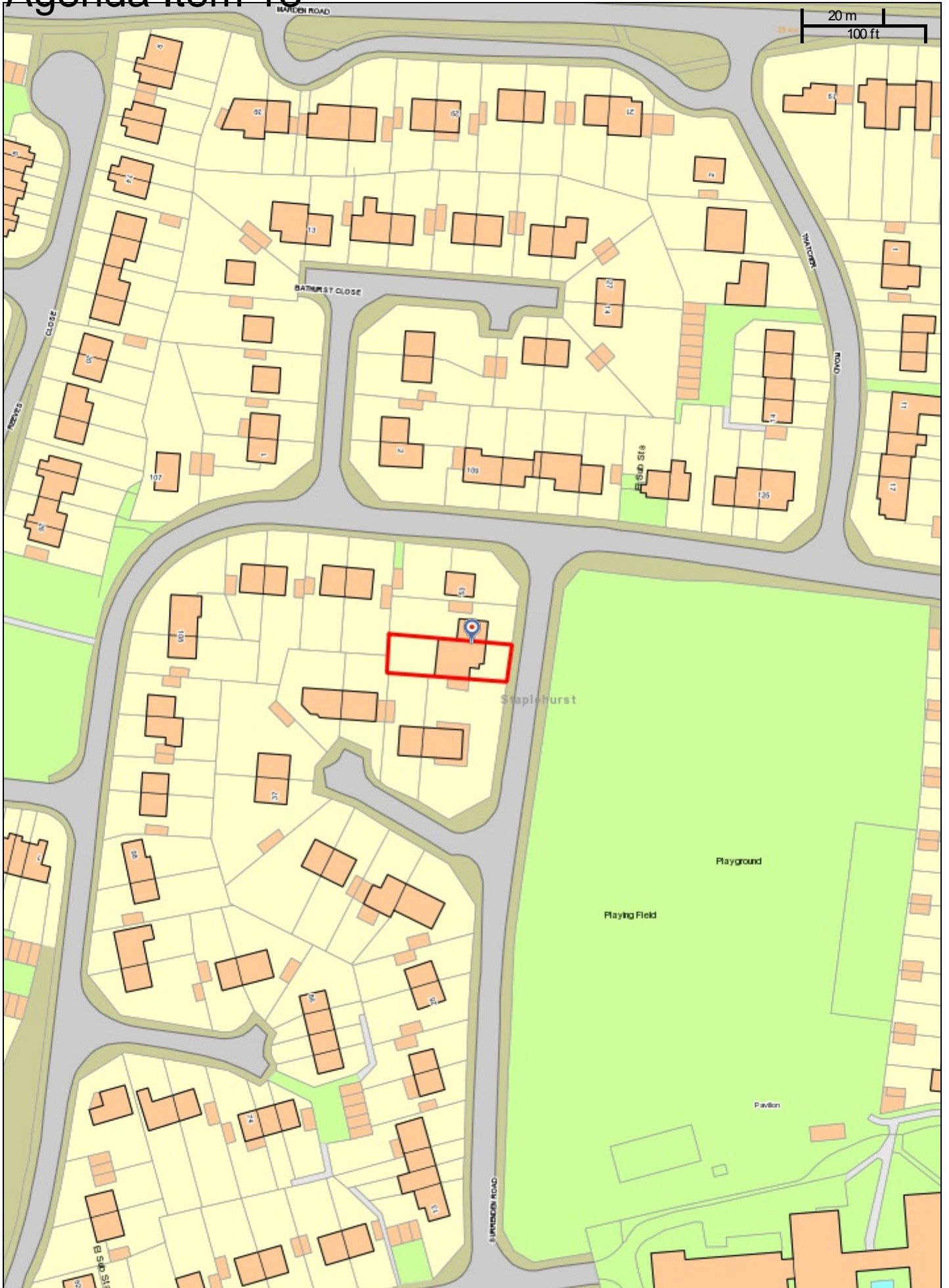
Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES

1. The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25th October 2017 and began charging on all CIL liable applications approved on and from 1st 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.
2. 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. 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.
3. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Breeding bird habitat is present on the application site and assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.
4. The applicant is advised that the tree works proposed in the submitted Woodland Management Plan' are likely to require a felling licence from the Forestry Commission, including any trees within the red line boundary whose removal is not immediately required for the purposes of constructing the buildings.

Case Officer: Kathryn Altieri

Agenda Item 13



21/503237/FULL 49 Surrenden Road, Staplehurst, Tonbridge, Kent, TN12 0LY

Scale: 1:1250

Printed on: 13/9/2021 at 14:09 PM by JoannaW

REFERENCE NO - 21/503237/FULL		
APPLICATION PROPOSAL Conversion of garage into habitable space. Erection of single storey front and two storey side extensions. Creation of first floor side and rear extensions, including internal alterations.		
ADDRESS 49 Surrenden Road Staplehurst Tonbridge Kent TN12 0LY		
RECOMMENDATION The Head of Planning and Development BE DELEGATED POWERS TO GRANT planning permission subject to the conditions attached.		
SUMMARY OF REASONS FOR RECOMMENDATION The proposed by virtue of its design, scale and appearance is considered to be in keeping with the character of the original building and character of the area including the streetscene and would not result in significant adverse harm on neighbouring occupiers by way of a loss of light, overlooking or overshadowing.		
REASON FOR REFERRAL TO COMMITTEE Cllr Perry has requested that the application be considered by Planning Committee. Concerns are raised regarding its effect on the streetscene and by its size and height and whether it is in line with Policy DM9 of the Local Plan.		
WARD Staplehurst	PARISH/TOWN COUNCIL Staplehurst	APPLICANT Doreen Braganza AGENT Kent Design Studio Ltd
TARGET DECISION DATE 27. 09. 2021 (EOT)		PUBLICITY EXPIRY DATE 04/08/2021

Relevant Planning History

- 80/0034 - Rear extension to form sun lounge, study and store as amended on plan by applicant on 26/3/80. Approved 17/04/1980

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site comprises a semi-detached dwelling set within a modest plot on the western side of Surrenden Road within the settlement boundary of Staplehurst.
- 1.02 The property comprises tile hanging, brickwork walls, tiled roof and uPVC windows and timber uPVC doors.
- 1.03 Surrenden Road is characterised with residential properties, typically semi-detached in form, which vary in material, style and appearance. The residential plots are typically generous in size, with car parking to the front of the site and private amenity to the rear.
- 1.04 The edge of the Staplehurst Conservation Area is located across the playing field to the west of the site but is sufficient distanced from the application proposals not to impact on its setting.

2. PROPOSAL

- 2.01 The application is for the conversion of garage into habitable space, erection of single storey front and two storey side extensions and creation of first floor side and rear extensions, including internal alterations.

- 2.02 The two storey side extension does not extend the width of the property and creates a first floor level above the garage and ground floor and first floor level to the front. Amended plans received show the first floor of the side extension set in by approximately 0.6 m with the ridge line set below the existing host property. This creates a subservient appearance to the extension.
- 2.03 The two storey rear extension does not extend further than the existing main dwelling with the ridge line of the rear two-storey extension set approximately 0.6m lower than the main dwelling.
- 2.04 The single-storey front extension projects approximately 1m from the existing dwelling and building line.
- 2.05 The proposed materials are tile hanging, brickwork walls, tiled roof and uPVC windows and timber uPVC doors. All of which match the existing dwelling.

3. POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough Local Plan 2017: Policies DM1, DM9 and DM23
- Maidstone Local Development Framework, Residential Extensions Supplementary Planning Document (2009)
- Staplehurst Neighbourhood Plan – Made December 2016, updated August 2020
- The National Planning Policy Framework (NPPF) (2021)
- National Planning Practice Guidance (NPPG)

4. LOCAL REPRESENTATIONS

- 4.01 4 letters of objection have been received.
- 4.02 The objections can be summarised as follows:
- Privacy and overlooking
 - Loss of sunlight and overshadowing
 - Visual appearance
 - Structural problems
 - Traffic and pedestrian safety
 - Parking

Ward Councillor

- 4.03 Cllr Perry has requested that the application be considered by Planning Committee. Concerns have been raised regarding its effect on the streetscene and by its size and height and whether it is in line with Policy DM9 of the Local Plan.

5. CONSULTATIONS

Staplehurst Parish Council

- 5.01 Councillors recommend that the application be REFUSED and request the application be referred to MBC Planning Committee if the Planning Officer were minded to approve, for the following reasons; the application is against Policy DM9 of the MBC Local Plan in that the scale, height and form of the proposal is obtrusive and dominating to the existing building and the street scene, the residents at the rear of the application site would be adversely affected in respect

of their privacy, daylight, sunlight and the maintenance of a pleasant outlook. Additionally, the application is against sections 4.38 and 4.39 of the MBC Residential Extensions Supplementary Planning document in that it is not subservient to the original dwelling as previously mentioned, due to the scale, height and form of the application. Councillors also commented that if MBC Planning Committee were minded to approve the application, a condition for parking restrictions be included for the period of the construction of the application

6. APPRAISAL

Main Issues

- Design and Appearance
- Impact on the Streetscene
- Impact on the amenity of neighbouring occupants
- Parking
- Other Matters

Design and Appearance

- 6.01 Policy DM1 (Principle of good design) outlines the importance of high-quality design for any proposal. This includes taking into account the scale, height, materials, detailing, mass, bulk, articulation and site coverage, respecting the amenities of neighbouring occupiers and properties, incorporating adequate storage for waste and recycling, providing adequate parking facilities to meet adopted Council standards, protect and enhance biodiversity.
- 6.02 Policy DM9, as stated above, of the Local Plan also requires that the scale, height, form and appearance should fit the character of the existing local area.
- 6.03 The Council's adopted Supplementary Planning Document – Residential Extensions requires that the scale, proportion and height of extensions should not dominate the original house and should fit unobtrusively with the building and its setting and be subservient to the original dwelling. For two- storey extensions, the pattern of gaps in the streetscene should be maintained. Other than in areas with significant spacing between dwellings, there should normally be a minimum gap of 3 metres between the side wall of a two-storey extension and the adjoining property for the full height of the extension.
- 6.04 Following the receipt of amended plans, the two storey side extension is now set in from the front elevation of the host property by approximately 0.6 metres with the ridge line set below that of the main dwelling. This creates a subservient extension as required by the Residential Extensions SPD.
- 6.05 Whilst the two storey extension extends up to the boundary of the property, and gaps between dwellings is a particular character of the immediate area, the adjacent property, no. 47 Surrenden Road is set at a right angle to the application property with its intervening garden. This therefore maintains a gap well in excess of 3 metres, meeting the policy requirements of the Residential Extensions SPD and maintaining the character of the street by retaining space between the dwellings.
- 6.06 The two-storey rear extension does have a lower ridge height than the main dwelling, and therefore, appears visually subservient. Additionally, the building line to the rear is not extended.

- 6.07 In the above context, the proposed extensions are considered to be of a suitable scale which would not overwhelm or destroy the character of the original dwelling.
- 6.08 Regarding the design of the extensions, they are in-keeping with the design of the original dwelling and in keeping with the character of neighbouring properties. The entrance of the property will move from the side to front elevation, similar to other properties along Surrenden Road. The proposed windows are of a similar design to the existing windows and these are also considered appropriate.
- 6.09 The proposed materials will match the existing such as the roof and brickwork.
- 6.10 Overall, with regard to design and appearance, the proposals do not overwhelm or harm the character of the property or area, as such, comply with policies DM1, DM9 of the Maidstone Local Plan and the Residential Extension SPD.

Impact on the Streetscene

- 6.11 Surrenden Road is characterised with residential properties, typically semi-detached in form, which vary in material, style and appearance. The residential plots are typically generous in size, with car parking to the front of the site and private amenity to the rear. Similar two storey side extensions have been approved in the locality and with the changes now proposed to make the extension appear subservient to the host dwelling, the proposals have an acceptable impact on the street-scene and comply with development plan policies concerning design and appearance.

Impact on the amenity of neighbouring occupants

- 6.12 Policy DM1 of the Local Plan requires proposals to;
- 'Respect the amenities of occupiers of neighbouring properties and uses and provide adequate residential amenities for future occupiers of the development by ensuring that development does not result in, or is exposed to, excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties'*
- 6.13 Likewise, Policy DM9 of the Local Plan permits developments for conversions subject to a list of criteria, which includes the privacy, daylight, sunlight and maintenance of a pleasant outlook of adjoining residents would be safeguarded.
- 6.14 The proposed development does not include the installation of windows on the side elevations adjacent to 47 and 51 Surrenden Road and in this regard, there will no direct overlooking.
- 6.15 As for the windows on the rear elevation at first floor, the neighbouring properties are side by side to 49 Surrenden Road, therefore, views from the windows on the rear elevation at first floor would not result in direct overlooking such that it would significantly impact the privacy of neighbouring occupiers.
- 6.16 Views from the first floor rear window of the extension would be possible towards the garden of no. 43 with a more direct line of sight due to the positioning of the extension. A distance of approximately 12.8 metres is maintained from the new extension to the boundary fence with no.43 with the rear most part of the garden of no. 43 visible. The owner of no.43 has commented on the recently removed

trees along the side boundary which previously provided screening to this boundary.

- 6.17 Whilst the first floor extension would allow more direct and closer views over the garden of no. 43, views into the garden area of no.43 and neighbouring properties are already gained from the existing windows of the host property and a degree of overlooking exists from/to surrounding properties due to the tighter grain of development in the locality. Taking all these factors into consideration, it is not considered that a ground of refusal on overlooking would be warranted in this instance.
- 6.18 Regarding overshadowing and loss of light, as per the Residential Extensions SPD an extension should not cause any significant loss of daylight or the cutting out of sunlight for a significant part of the day to principal rooms (including lounge, dining room, kitchen and bedrooms) in neighbouring properties or private amenity space. The proposed development is not considered to impact any habitable rooms of neighbouring properties. Whilst the garden area of no.47 is north facing, the extension will not interference with the amount of daylight/sunlight received to that property.
- 6.19 In light of the above and on balance, the proposal would not result in significant adverse harm on neighbouring occupiers by way of a loss of light, overlooking or overshadowing.

Parking

- 6.20 The property would be converted from a 3-bed to a 5-bed property as a result of the extension, and as such, 2 independently accessible spaces per unit would be required in a suburban area as per the Councils parking standards.
- 6.21 The site comprises a large front drive, which would be able to accommodate 3 car parking spaces, as such, the proposal would adhere with parking standards.

Other Matters

- 6.22 Concerns from residents were raised regarding the structural capability of 49 Surrenden Road to accommodate a two-storey extension. However, this issue will be addressed at the building regulations stage should the application be approved.
- 6.23 Additionally, concerns were raised regarding traffic and pedestrian safety and that a traffic plan should be provided, however, given the nature of the proposal it is not considered that it would have an adverse impact to warrant these measures. Restrictions pertaining to the parking of construction vehicles would not be a planning issue.

7. CONCLUSION

- 7.01 For the reasons set out in this report, it is considered that the development proposals, on balance, would meet the requirements as set out in the planning policies and residential guideline SPD and, as such, recommend approval subject to conditions.

8. RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following planning conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of the 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 hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site Location Plan and Existing Block Plan – Drawing no. 3458 – 01

Existing Floor Plans and Elevations – Drawing no. 3458 – 02

Proposed Block Plan – Drawing no. 3458 – 10 Rev A

Proposed Floor Plans and Elevations – Drawing no. 3458 – 11 Rev B

Reason: To ensure the appearance and the character of the building are maintained.

- 3) The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied without the prior written permission of the Local Planning Authority.

Reason: In the interests of visual amenity.

- 4) No further windows or other openings other than those shown on the southern elevation of the extension, which shall obscure glazed, and the northern elevation (the first floor rear extension) shall be inserted at any time.

Reason: To protect the amenity of adjacent occupiers.

- 5) The rear flat roof area shown on the plans shall not be used as an amenity area of any kind.

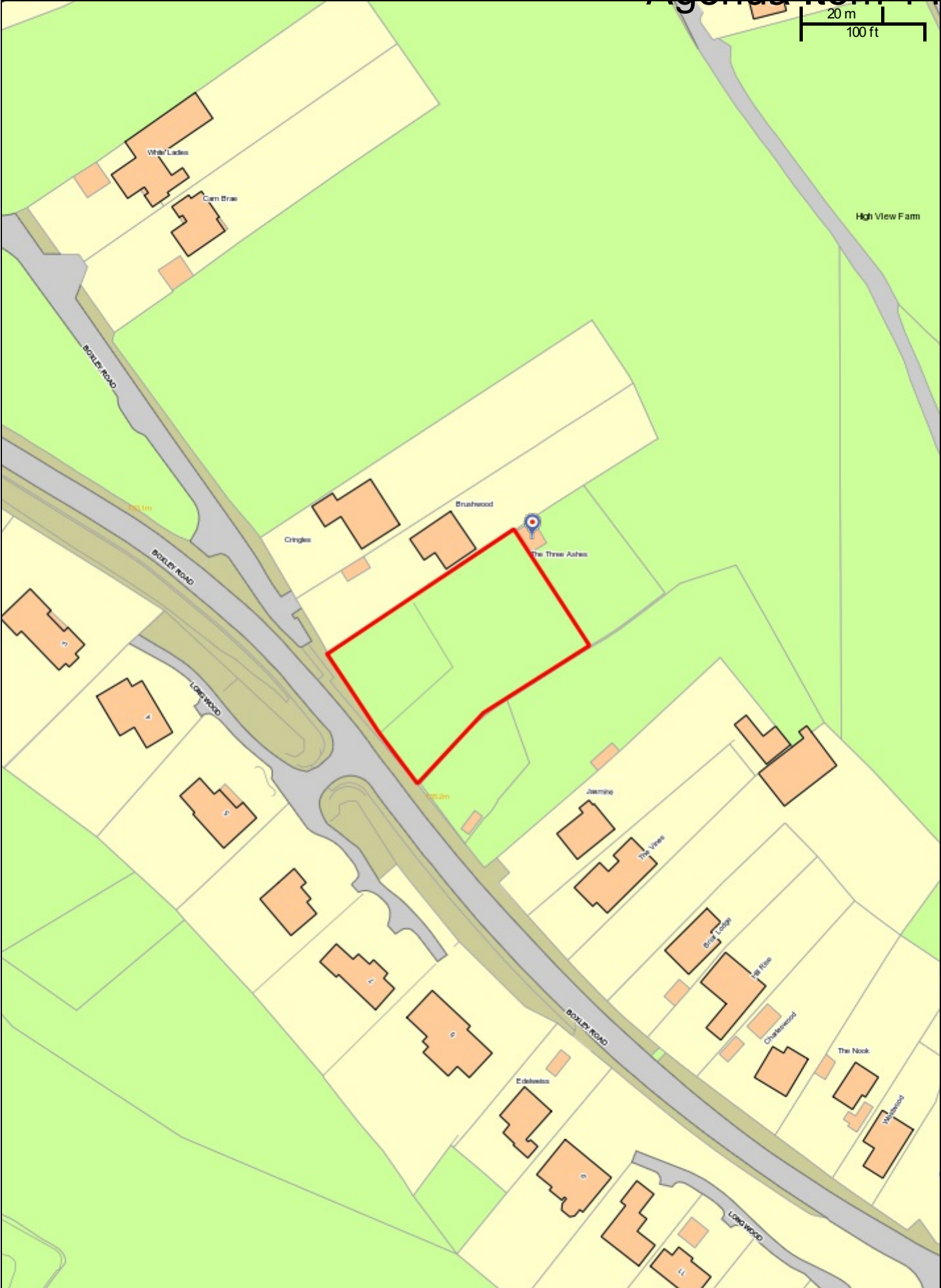
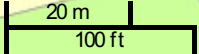
Reason: To protect the amenity of adjacent occupiers

- 6) The extension/s hereby approved shall not commence above slab level until details of a scheme for the enhancement of biodiversity on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through at least one integrated method into the design and appearance of the extension by means such as swift bricks, bat tubes or bee bricks, and through the provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgehog corridors. The development shall be implemented in accordance with the approved details prior to first use of the extension/s and all features shall be maintained thereafter.

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

INFORMATIVE

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



21/502307/OUT The Three Ashes, Boxley Road, Walderslade, Chatham, Kent, ME5 9JG

Scale: 1:1250

Printed on: 13/9/2021 at 14:03 PM by JoannaW



REFERENCE NO 21/502307/OUT			
APPLICATION PROPOSAL Outline application with access matters sought for a residential development. (Matters of appearance, landscaping, layout and scale are reserved for future considerations.)			
ADDRESS The Three Ashes Boxley Road Walderslade Chatham Kent ME5 9JG			
RECOMMENDATION GRANT OUTLINE PLANNING PERMISSION subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION The proposal would be acceptable with regard to the Local Plan, the NPPF and all other relevant material considerations. All material considerations indicate that planning permission should be approved. A previous full application (19/506003/FULL) was granted for one dwelling, and whilst the current application would have a similar footprint the current outline submission does not specify a number of units but a 'developable area'.			
REASON FOR REFERRAL TO COMMITTEE Cllr Hinder requested that the application be referred to the Planning Committee for consideration if officers were minded to approve due to the reduction of protected trees on the site over the years, and concern regarding the impact on the character of the locality.			
WARD Boxley	PARISH/TOWN Boxley	COUNCIL	APPLICANT M Worsfold AGENT Graham Simpkin Planning Ltd
TARGET DECISION DATE 01/10/21 (EOT)		PUBLICITY EXPIRY DATE 19/07/21	

Relevant Planning History

- 19/506003/FULL Erection of a detached 4 bed eco-house and carport. Approved 27.02.2020 and extant until 27.02.2023
The application was for an eco dwelling. It had a grass frontage and was located at an angle within the site which enabled views beyond it at either side to the wooded area at the rear



Image of previously granted application referenced 19/506003/FULL

- 13/1760 Erection of a detached bungalow. Refused 09.12.2013 for the following reasons: *"The loss of openness of the street scene between Brushwood and Jasmine and subsequent consolidation of the built environment, resulting in harm to the character and appearance of the Beechen Bank Area of Local Landscape Importance"*.
- 13/1760 An appeal made against the refusal of permission was dismissed on 09.05.2014. The Inspector's main comments were as follows: *"The appeal site is located within the Beechen Bank Area of Local Landscape Importance. In these areas particular attention will be given to the maintenance of open space and the character of the*

landscape. In the vicinity of the site the locality is characterised by sporadic frontage residential development separated by substantial 'green' gaps which provide landscape relief and prevent coalescence. The proposal would result in a more substantial and wider domestic built frontage, consolidating and intensifying the existing sporadic development and this would be exacerbated with the modest gap to the boundary with Brushwood. (Officer comment: The Beechen Bank Area of Local Landscape Importance no longer exists, and the application site does not have any landscape designation)

- 09/1222 Erection of a detached four bedroom chalet bungalow. Refused 11.09.2009

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site is located to the north east side of Boxley Road and to the south east (side) of the detached property, Brushwood. The site is to the northwest of the detached property, Jasmine, which is in the applicant's ownership. The land is within the urban area with no landscape designation although the site is within the groundwater source protection zone.
- 1.02 The land on the application site slopes down from a wooded ridge to Boxley Road with two protected ash trees (TPO 20/2007) towards the front section of the site. A wooded area (designated as Ancient Woodland and protected by TPO 1/1972) extends from Lords Wood Lane along the north-eastern and south-eastern boundary to Boxley Road and is covered by TPO 14/1994. It appears that a large number of trees have previously been cleared from the entire site right up to the wooded area set back 100 metres from Boxley Road (covering an area of approximately 0.3 hectares) in around 2007, although this tree clearance is unconnected to the current planning application. Trees are also located adjacent to the south-eastern boundary of the application site.
- 1.03 There is a dilapidated building just outside the northwest boundary of the application site with Brushwood. There is 1.8m high close boarded fencing to the front and side boundaries of the plot and generally the site is grassed over. Another fence divides the plot diagonally.



View towards the northwest of the site with the building shown just outside the boundary.

2. PROPOSAL

- 2.01 The proposal seeks outline planning permission for a residential development on the site with 'access' to be considered as this stage. (Matters of appearance, landscaping, layout and scale are reserved for future consideration.)
- 2.02 When compared to the development previously approved, the overall application site has been reduced in depth to avoid the 15 metre deep ancient Woodland buffer zone. The developable area identified on the submitted site plan has a width of 28 metres and a depth of 18 metres. The developable area extends across the majority of the site width and approximately 9.5 metres forward of the neighbouring dwelling called Brushwood. Where hardstanding and a garage were shown in the southern corner (front) of the plot referenced 19/506003/FULL, hardstanding and car parking spaces are proposed on the indicative plans.



19/506003/FULL Previously approved application



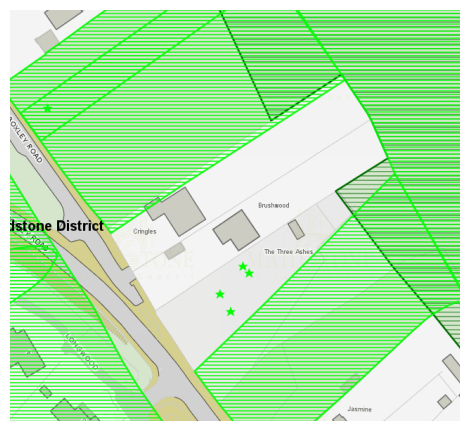
Current application

Background

- 2.2 This site originally belonged to Maidstone Borough Council but was sold in 2005 and appears to have been cleared of trees in 2007. In the previous Local Plan the site was within the Area of Local Landscape Importance. In the current Local Plan the site does not have any landscape designation.



Aerial view of the application site dated 06.02.2020



Map showing blanket TPOs on the Maidstone Local Plan Proposals map 2017 to the southeast of the site, and including approximately half of the application site. Ancient woodland outside the site and to the northeast, and TPOs (stars) within the site to the southwest.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017 SS1, SP1, DM1, DM3, DM6, DM9, DM23

Supplementary Planning Documents: Maidstone Landscape Character Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.01 31 representations received from local residents objecting to the proposal and raising the following (summarised) issues
- Urbanisation of semi-rural area
 - Poor precedent
 - Intensification of the use of the plot
 - A number of historic planning applications which were refused and dismissed on appeal were referred to on the application site and neighbouring sites.
 - Over half of the plot is still under a Woodlands TPO
 - The land on which the car parking spaces are located is unregistered land.
 - The current application is no different to previous applications.
 - Adverse impact on the character of the area
 - Lost TPO trees should be reinstated
 - Increase in pollution and air quality
 - Loss of wildlife habitat
 - Development proposal would place an additional strain on the infrastructure.
- 4.02 1 letter was received in support, noting that the applicant had nothing to do with the removal of the trees covered by a TPO.
- 4.03 Officer comment: Issues relating to applications that pre-date the planning application, and Local Plan designations that pre-date the current planning policies, decreases over time in terms of relevance and weight. The other matters raised by neighbours and other objectors are discussed in the detailed assessment below.

5. 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)

Boxley Parish Council

- 5.01 No material reasons to object to the application.

KCC Ecology

- 5.02 The ecological information is sufficient. The current proposals will not impact the adjacent ancient woodland (being at least 15m from the woodland boundary), protected species, like reptiles, are unlikely to be present and the two mature trees will be retained. Conditions relating to the incorporation of biodiversity enhancements, the submission of a lighting plan to protect bats, and mitigation measures to be carried out in accordance with the details provided, were requested.

Environmental Services

- 5.03 In terms of noise issues, any impact as a result of the development (other than during the construction phase) would be unlikely. A condition relating to construction hours was requested. An informative was requested in terms of Radon levels and the removal of asbestos.

Tree officer

- 5.04 Based on the planning history for this site, there are no arboricultural grounds to refuse this outline application.
- 5.05 It is highlighted that the submitted tree details are outdated and refer to the previous permitted application for an eco-home (reference 19/506003/FULL). Therefore, the detailed stage of the development, the application must be accompanied by an updated tree survey, arboricultural impact assessment, arboricultural method statement and tree protection details, all in accordance with the current version of BS5837.
- 5.06 KCC Highways
No comments received

**6. APPRAISAL
Main Issues**

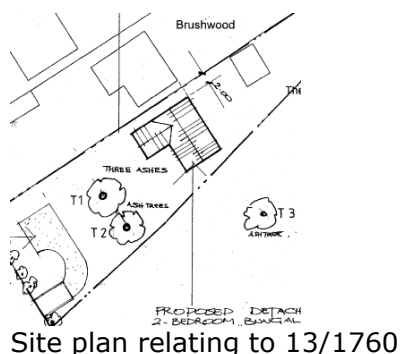
- 6.01 The key issues for consideration relate to:
- Sustainability
 - Visual and landscape impact
 - Ancient woodland and tree protection orders
 - Residential amenity
 - Ecology and biodiversity
 - Highways, parking, access and servicing

Sustainability

- 6.02 Local Plan policy and central Government guidance within the revised National Planning Policy Framework (NPPF) encourages new housing in sustainable urban locations as an alternative to residential development in more remote countryside situations. Policy SS1 (Spatial Strategy) of the Local Plan includes a sustainable development hierarchy that directs new housing to the most sustainable locations in the borough, with the Maidstone Urban Area being the preferred location at the top of this hierarchy, followed by the designated Rural Service Centres and then the larger villages.
- 6.03 The application site is within the urban area of Maidstone and, as such, is considered to be in a sustainable location in accordance with Local Plan policies and suitable in principle for new residential development subject to assessment against other adopted policies.

Visual and landscape impact

- 6.04 Local Plan policy SP1 states that new development in the urban area should be on appropriate sites, and contribute positively to the locality's distinctive character. Local Plan policy DM1 sets out the principles of good design, which include the requirement for new development to respond positively to, and where possible enhance local character.



Site plan relating to 13/1760



19/506003/FULL previously approved

Potential Impact on the street scene

- 6.05 As set out in the planning history section of this report and prior to the adoption of the current Local Plan, an appeal decision letter dated 09.12.2013 considered the refusal of planning application 13/1760. This proposal was for a single new house on the northern part of the current application site.
- 6.06 The Inspector highlighted the importance of gaps in the street scene, "...landscape relief, allowing attractive views of woodland and demarcating different areas of housing and preventing their coalescence The importance of this is demonstrated by the detrimental effect on the street scene where the development of adjoining plots in the locality has tended to coalesce into groups" (NB: former local plan policy in place at that time relating specifically to coalescence not carried forward to the current plan).
- 6.07 Although the landscape designation no longer applies to this site, the importance of retaining gaps between the dwellings is key as it helps to provide views through the continuous built development to the landscape at the rear.
- 6.08 The more recent approved planning application (19/506003/FULL) was double the width of the application plot that was considered by the planning inspector. The application was granted as the dwelling of a low height and unobtrusive design largely retained views of the ancient woodland through the site (as well as according with Local Planning policies overall). A computer generated image of the approved dwelling is provided below.
- 6.09 The current development proposal is the same width as the site that was previously granted planning permission, but the site depth has been reduced. The site depth has been reduced to ensure that no development takes place within the ancient woodland buffer zone towards the rear of the site.



Computer generated image of approved eco-house (19/506003/FULL)

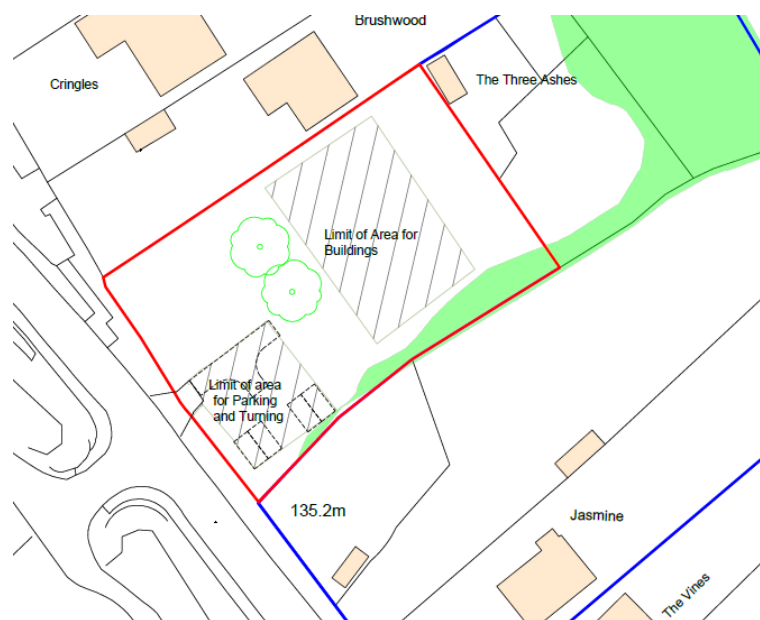
- 6.10 In assessing potential visual harm, it is important to consider the existing pattern of development and then subsequently to consider the potential way that a development would impact on this pattern of development.
- 6.11 The current application site is part of, and approximately half the width of a wider gap that exists in the street scene along Boxley Road. There is also a similar sized gap in the street scene two houses to the north of the application site.



Location plan showing adjoining land in applicant's ownership

- 6.12 The gap containing the application site has a width of approximately 67 metres. The land is located between the properties of Brushwood (to the northwest of the site) and Jasmine and its side garden (to the southeast of the site). With the property called Jasmine in the applicant's ownership as well as the application site, all of the land forming this gap in the street scene is in the control of the current applicant.
- 6.13 Nearby existing properties on the same side of Boxley Road have building widths generally of between 11.5 and 18 metres. The current planning application is in outline form with access the only matter being considered. In this context, the submitted plans do not provide the number of units or the precise location of future built development on the application site. The submitted plans do show a developable area in the centre of the site with a width of 28 metres and a depth of 18 metres.
- 6.14 With the nature of outline planning applications, if the principle of development is found to be acceptable planning conditions can be used to define the parameters of an acceptable future development submitted through separate reserved matters applications. Planning conditions are used in these circumstances to define parameters in matters such as position of buildings on the site, separation from boundaries and building heights.
- 6.15 The importance of the views through the application site have been highlighted earlier in this report, including the views of the planning appeal Inspector. The council approved the earlier planning application for a dwelling on this site on the basis that the proposal largely maintained the views through the site (19/506003/FULL). This planning permission which is extant until 27.02.2023 provides a fallback position for the development of this site and establishes the principle of residential development on this site.
- 6.16 In a situation where all the developable area shown on the outline plan was built on there would be a gap of 5.8 metres between the new building and the site boundary with Jasmine and 37 metres separating the new building and the actual property called Jasmine. On the other side of the site, the measurements are 2.4 metres to the boundary and 3.5 metres between the buildings in respect of Brushwood.

- 6.17 A building covering all of the developable area is considered inappropriate in this location and detrimental to local character. Planning conditions are as a result recommended restricting the extent of a future building on the site. These conditions state that any new built development building must be a setback a minimum of 8 metres from either of the two side site boundaries.
- 6.18 The front line of the developable area shown on the submitted plans is approximately 9.5 metres forward of the neighbouring property called Brushwood. With no defined building line in the local area, the developable area is also in contrast set behind other existing nearby properties including Cringles to the north and Jasmine to the south. In this context and with no set building line the extent of the developable area towards the front boundary is considered acceptable.
- 6.19 In relation to the building height and based on what was considered acceptable as part of the extant permission under 19/506003/FULL a planning condition is recommended stating a new building on the site shall not exceed a total height of 4.5 metres.



Site plan of the current planning application

Ancient woodland and tree protection orders

- 6.20 Policy DM3 states that development proposals should protect positive landscape character, including trees with significant amenity value and Ancient Woodland. The revised NPPF states: "Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists". Natural England standing advice has been considered and this states that new development should be a minimum of 15 metres away from the edge of any Ancient Woodland.
- 6.21 The developable area shown on the submitted plan illustrates that the proposals would be a minimum of 15 metres from the Ancient Woodland and sited to minimise the impact on the character of the area. In terms of the TPO trees on the south-eastern side of the site, the Tree Officer has not objected to the development based on the imposition of planning conditions. The tree officer has advised of the need for an updated tree survey, tree protection details, arboricultural impact assessment and method statement, all in accordance with the current version of BS5837, to be submitted as part of a future reserved matters application. In any

case, this information would be necessary when finalising the siting of the development.

- 6.22 I note that the application site was cleared in 2007, and the number of trees on it was significantly reduced as a result. The blanket TPO shown between Jasmine and the proposed development plot on the Maidstone Local Plan Proposals Map no longer contains the trees that are shown on historic maps on Google Earth. With this in mind, the current development proposal should incorporate a comprehensive landscaping scheme which seeks to mitigate the loss of these trees on the site. The scheme shall include native trees and hedging in accordance with the Maidstone Landscape Character Guidance. The resultant development would then provide a positive contribution in terms of the landscaping in the locality. This issue can be dealt with by condition.
- 6.23 In summary, subject to the recommended planning conditions the proposal is acceptable in relation to arboricultural matters.

Residential amenity

- 6.24 Policy DM1 sets out the importance of respecting the amenities of occupiers of neighbouring properties. DM1 also sets out the importance of adequate residential amenities for future occupiers in terms of noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion. A development should not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties.
- 6.25 The nearest property to the development proposal would be Brushwood. The limit for the area of buildings (hatched on the site plan) would be approximately 3.5 metres from the flank wall of the neighbour. The depth, height and siting of the flank wall of the development proposal is not known at this stage but it is considered possible for the future design of building to adequately respect the neighbours amenity.
- 6.26 The retention of boundary treatment (close-boarded fence and shrubbery) to the north-west of the application site would maintain screening of the site with regard to privacy and ground floor fenestration. The omission of any fenestration in the flank wall of the proposed development at first floor level would also reduce any potential loss of privacy for the neighbouring property. These are matters that can be considered at a future detailed design stage with conditions as necessary. .
- 6.27 Whilst no details of the future residential floorspace are available at this stage, there would be sufficient space for development on the site to take account of the amenities of future occupiers. The extant approval on this site also provided a good standard of amenity for future occupants.

Ecology and biodiversity

- 6.28 Policy DM3 sets out the importance of protecting the natural environment and providing net gain for biodiversity from all new development.
- 6.29 It is considered that the proposed location of residential development and associated garden would not impact the adjacent ancient woodland (being at least 15m from the woodland boundary). It is not considered that protected species like reptiles for example would be present on the site and the two mature trees near the front of the site would be retained.
- 6.30 Conditions are recommended relating to the incorporation of biodiversity enhancements within any new building on the site. Conditions are recommended seeking the submission of a lighting plan to protect bats, and mitigation measures

to be carried out in accordance with the details provided. The ecological information submitted with the current application was considered acceptable by KCC Ecology,

Highways, parking, access and servicing

- 6.31 Policy DM1 and DM23 (and LP appendix B) take into account the type of the development, car parking, access, cycle facilities on new developments and the incorporation of electrical vehicle charging infrastructure.
- 6.32 Four car parking spaces are shown at the front of the site, along with a parking and turning area. This parking is in accordance with minimum standards set out in appendix B to the Local Plan (suburban edge) for two three bedroom dwellings. Cycle and bin storage would need to be provided, but this could be dealt with by condition, along with the provision of a car charging point for each dwelling.
- 6.33 In terms of the access, this would remain unchanged from the current arrangements. No adverse comments have been received by KCC Highways, and it is considered that the development will not have any impact on highway safety.
- 6.34 It is noted that the current application is outline only, with access being considered. This access is retained as per the existing one and was previously considered acceptable for a single dwelling on this site. Need to highlight in this section that the current outline application is only considering access and that this access is retained as existing and the access has previously been considered acceptable for a single dwelling on this site.

Other Matters

- 6.35 The application site is located within a groundwater source protection zone. As such a condition relating to contamination will be added to ensure that it wouldn't be affected by the development.
- 6.36 A letter of objection set out that the land on which the car parking spaces are located is unregistered. However, the planning form states that the applicant owns all the land that forms part of the application.
- 6.37 Concerns have been raised with regard to pollution and air quality. However, this development proposal is relatively modest in size. The air quality in this location is clean, and the introduction of a modest development would not be likely to result in pollution. Finally, the introduction of a small development would be unlikely to place a strain on the infrastructure.
- 6.38 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.

PUBLIC SECTOR EQUALITY DUTY

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

7. CONCLUSION

- 7.01 The proposed development complies with the Maidstone Local Plan 2017, although it is acknowledged that there would be some impact on the character, appearance and visual amenity of the locality. However, the incorporation of tree and landscaping conditions would assist in mitigating the loss of the TPO'd trees by former owners as well as enhancing the character of the locality.

- 7.02 Biodiversity conditions would also ensure the protection of the wildlife in this location. Contamination conditions would ensure the Groundwater Source Protection Zone is protected. Conditions relating to car parking and the storage of bins and cycles would ensure the character of the locality and the safety of the highway network would not be marred by the development, and the restriction of fenestration of the northwest flank wall would ensure that the privacy of the adjoining occupier of Brushwood would not be adversely affected.
- 7.03 The proposal would be acceptable with regard to the Local Plan, the NPPF and all other relevant material considerations. There are no overriding material considerations to indicate a refusal of planning permission and the recommendation is to approve planning permission.

RECOMMENDATION

GRANT planning permission subject to the following conditions:

- 1) The development hereby approved shall not commence until approval of the following reserved matters has been obtained in writing from the local planning authority:
(a) Scale (b) Layout (c) Appearance (d) Landscaping
Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved; Reason: No such details have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 2) With regards to the matters of access, the development hereby permitted shall be carried out in accordance with the following approved plans:
26 May 2021 3268/01 Rev B Site Location Plan
26 May 2021 3268/02 Rev B Existing Block Plan
26 May 2021 3268/03 Rev B Proposed Block Plan
27 Apr 2021 Design and Access Statement with Planning Statement
Reason: For the avoidance of doubt.
- 3) The details submitted pursuant to condition 1 shall show all built development within the developable area shown on the submitted plan with no buildings over a total height of 4.5 metres or within 8 metres of the side boundaries of the application site.
Reason: To ensure a satisfactory appearance to the development in its context.
- 4) Notwithstanding the information received, no development including site clearance 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 should detail implementation of any aspect of the development that has the potential to result in the loss of, or damage to trees (including the hedgerow immediately to the south of the proposed dwelling), including their roots and, for example, 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. The development shall only proceed in accordance with the agreed details including the installation of tree protection measures prior to any on site works and the retention of these measures for the duration of the construction works. Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.
- 5) The development hereby approved shall not commence until details of the a) the existing site levels and b) the proposed slab levels of the building and have been submitted to and approved in writing by the local planning authority and the

development shall be completed strictly in accordance with the approved levels.
Reason: In order to secure a satisfactory form of development having regard to the topography of the site.

- 6) The development hereby approved shall not commence until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:
- a) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - b) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.
Reason: In the interests of protecting the health of future occupants from any below ground pollutants.
- 7) A contamination closure report shall be submitted to the Local Planning Authority prior to first occupation of approved residential accommodation. The closure report shall include full details as set out in condition 5, including details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean as part of the closure report. Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.
- Reason: In the interests of protecting the health of future occupants from any below ground pollutants.
- 8) No development including site clearance shall take place until all the precautionary mitigation measures for the ancient woodland and protected species contained in sections 12.2 and 12.4 through to 12.9 of the Ecological Impact Assessment (Native Ecology November 2019) have been carried out. The measures shall be retained in accordance with the submitted details.
Reason: In the interests of biodiversity.
- 9) The development hereby approved shall not commence above slab level until details (manufacturer name, product name, and photographs) of the external facing materials to be used for 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 and maintained as such thereafter.
Reason: To ensure a satisfactory appearance to the development.
- 10) The development hereby approved shall not commence above slab level until details of a scheme for the enhancement of biodiversity on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme

shall consist of the enhancement of biodiversity through at least one integrated method into the design and appearance of the building structure to provide wildlife niches such as swift bricks, bat tubes or bee bricks, and additionally through provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgerow corridors. The development shall be implemented in accordance with the approved details prior to the use of the first dwelling and all features shall be maintained permanently thereafter”.

Reason: To enhance ecology and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development.

- 11) The development hereby approved shall not commence above slab level until details of foul sewage and surface water disposal have been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details before the first occupation of any dwelling hereby approved and maintained as such thereafter.
Reason: To ensure adequate foul sewage and surface water disposal arrangements.
- 12) Prior to first use of the dwelling(s) hereby approved, landscaping shall be in place on the site that is in accordance with a landscape scheme that has previously been submitted to and approved in writing by the local planning authority. The landscape scheme shall be designed in accordance with the principles of the Council's landscape character guidance (Maidstone Landscape Character Assessment Supplement 2012). The scheme shall
 - a) show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed,
 - b) include a planting specification, implementation details and a [5] year landscape management plan (Only non-plastic guards shall be used for the new trees and hedgerows, and no Sycamore trees shall be planted).
 - c) provide details of screening, including trees and hedging, around the perimeter of the site to mitigate for the development and strengthen the front (southwest) boundary to enhance the locality.Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.
- 13) All approved landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first use of the dwelling(s) 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.
- 14) Prior to the first occupation of the development, facilities for the (a) storage and screening of refuse bins (b) collection of refuse bins, and (c) cycle storage shall be in place that are in accordance with details that have previously been submitted to and approved by the Local Planning Authority. These details will be maintained thereafter.
Reason: In the interests of amenity and the street scene.
- 15) The development shall not commence above slab level until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the Local Planning Authority (to include gaps at ground level in the boundaries to allow the passage of wildlife) and the development shall be carried out in accordance with the approved details before the first occupation of the buildings and maintained as such thereafter.

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

- 16) Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. These details shall include, inter alia, measures to shield and direct light from the light sources so as to prevent light pollution and illuminance contour plots covering sensitive neighbouring receptors and the sensitive landscape location. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter. Reason: In the interest of amenity and landscape.
- 17) Prior to the first occupation of any individual dwelling, a minimum of one operational electric vehicle charging point for low-emission plug-in vehicles for each dwelling shall be installed and ready for the use of the new occupant with the electric vehicle charging point thereafter retained and maintained operational as such for that purpose.
Reason: To promote to promote sustainable travel choices and the reduction of CO2 emissions through use of low emissions vehicles.
- 18) Notwithstanding the information submitted, prior to the first occupation of the development, parking spaces and a sufficient turning area to enable vehicles to enter and leave the site in forward gear shall be in place in accordance with details that shall be submitted to and approved in writing by the local planning authority. The parking and turning area will be retained for these purposes thereafter.
Reason: Development without adequate parking/garage provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

INFORMATIVES

- 1) The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25th October 2017 and began charging on all CIL liable applications approved on and from 1st 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.
- 2) The applicant should be aware that the site is in a radon affected area with a 3-5% probability of elevated radon concentrations. If the probability of exceeding the action level is 3% or more in England and Wales, basic preventative measures are required in new houses, extensions, conversions and refurbishments (BRE 1999, 2001, AND 2007). If the probability rises to 10% or more, provision for further preventative measures are required in new houses. Test(s) for the presence of radon gas are recommended to be carried out. Further information can be obtained from Public Health England.
- 3) The applicant is reminded that, as the development involves demolition and/or construction, broad compliance with the Mid Kent Environmental Code of Development Practice is expected.

Case Officer: Jocelyn Miller

Agenda Item 15



REFERENCE NO: 21/503799/FULL		
APPLICATION PROPOSAL: Erection of 2(no) light industrial units (Use Class E(g)(ii) and E(g)(iii)) and associated works.		
ADDRESS: Corbin Business Park Caring Lane Bearsted Kent ME14 4NJ		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions		
SUMMARY OF REASONS FOR RECOMMENDATION: The proposal is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant.		
REASON FOR REFERRAL TO COMMITTEE: Thurnham Parish Council has requested application is considered by Planning Committee if officers are minded to approve application. This request is made for reasons outlined in consultation section below.		
WARD: Detling & Thurnham	PARISH COUNCIL: Thurnham	APPLICANT Rapid Associates Commercial Ltd AGENT DHA Planning
TARGET DECISION DATE: 27/09/21		PUBLICITY EXPIRY DATE: 13/08/21

RELEVANT PLANNING HISTORY

- 21/501302 - Erection of 2 units [Use Class E(g)(ii) & E(g)(iii)] – Refused:
Application has failed to demonstrate through a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement that proposal would not adversely harm longevity and amenity value of trees found close to southern and western boundaries of application site. Potential loss of these trees (either immediately or through long term decline in health as a result of new buildings and associated works) would have adverse impact on character and appearance of countryside hereabouts that falls within Len Valley Landscape of Local Value; and by virtue of proposal's scale, and layout with buildings on, or in close proximity to site boundary, there is inadequate room to provide meaningful and appropriate landscaping within site to mitigate against potential loss of these trees and to provide onsite landscape screening of proposed buildings. Proposal would be contrary to policies SP17, DM1, DM3, DM30, and DM37 of Local Plan (2017), advice in BS5837:2012; and NPPF (2019).
- 17/506430 – Change of use of land & erection of vehicle preparation building (21.6m by 7.2m; and with pitched roof some 4.2m in height) - Approved
- MA/12/0886 – Change of use of land to car park – Approved
- MA/10/0140 - 2 storey rear extension to office building – Approved
- MA/07/1361 – Advert consent – Approved
- MA/07/0176 – (Retro) replacement building for B1 use - Approved
- MA/05/2133 - Change of use of barn from B8 use to B1 use - Approved
- MA/05/0324 - Lawful Development Certificate for existing development being use of site for storage within Use Class B8 - Approved

MAIN REPORT

1.0 SITE DESCRIPTION

- 1.1 Corbin Business Park is located on the western side of Caring Lane, some 540m to the south of the A20. The site is also some 2km from junction 8 of the M20, with the village of Bearsted some 2.5km to the north-west. G-Forces, who delivers automotive ecommerce solutions through their Net Director software platform and intelligent digital infrastructures, moved to Corbin Business Park in 2007. This company has won numerous awards in recent years, demonstrating that they are one of Britain's fastest growing international sales centres; and they consider themselves to be a key local employer in the Borough.

- 1.2 The application site specifically relates to a parcel of land to the south-west of the business park, behind an existing parking area. The site is currently a well-maintained area of grass lawn with existing trees/planting along the eastern, southern and western boundaries. The land originally formed part of the residential curtilage for 23 Caring Lane, but when developing the car park adjacent to the application site, this parcel of land became detached from the curtilage of this property.
- 1.3 The site is bounded by Caring Lane and 23 Caring Lane to the east; by fields to the south; there is a golf course to the west; and to the north is a wooded area. A public footpath (KH139) runs along the northern boundary of the business park, before heading off in a northern direction away from the application site. For the purposes of the Local Plan the site is within the countryside that falls within the Len Valley Landscape of Local Value; the site is within a minerals safeguarding area and within an Area of Archaeological Potential.

2.0 PROPOSAL

- 2.1 The proposal is for the erection of two light industrial units with associated works including hardstanding and parking area; and the submission stipulates that the units would fall under Use Class E(g)(ii) and E(g)(iii). These uses are defined as being for:

*(ii) the research and development of products or processes, or
(iii) any industrial process,*

being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

- 2.2 Each unit would provide some 120m² in floor space; the external footprint of the proposal would be some 22m by 12m (264m²); the pair of semi-detached units would have a mono-pitched roof that at its highest point would stand some 7.2m in height. At their lowest point, the units would stand some 5.8m. In terms of external materials, the elevations would be a combination of insulated profile steel cladding (Kingspan Goose Grey) and glazing, similar to the appearance of the existing building on the site. The proposal would make use of the existing access to the business park from Caring Lane; and bicycle stands for 8 bikes would be provided. In terms of car parking, eight of the existing parking spaces on the site would be removed and replaced with 10 new parking spaces.
- 2.3 The submission states that the proposal would provide ideal start up units, providing additional and flexible employment floorspace which will contribute to the economic vitality of the Borough. The application is also supported by a letter from Watson Day local commercial agents that states there is a need and demand for units like this (below 1,500ft²) to be on the market.
- 2.4 In 2018, planning permission was granted for a vehicle preparation building (under 17/506430) on the same parcel of land that is now the subject of this application. This permission has not been implemented and is no longer extant.

3.0 POLICY AND OTHER CONSIDERATIONS

- 2017 Local Plan: SS1, SP17, SP21, SP22, DM1, DM2, DM3, DM8, DM23, DM30, DM37
- National Planning Policy Framework (2021) & National Planning Practice Guidance
- Landscape Character Assessment (2012 amended 2013)
- Landscape Capacity Study: Sensitivity Assessment (Jan 2015)
- Kent Minerals & Waste Local Plan (2013-30) amended by Early Partial Review (2020)
- BS5837:2012 'Trees in relation to construction - Recommendations'

4.0 REPRESENTATIONS

4.1 **Local Residents:** 2 representations received raising following (summarised) issues:

- *Highway safety/traffic generation*
- *will set precedent for future development*
- *overdevelopment of site (expanding site from one business).*
- *Impact of proposed use which is unknown*
- *Woodcut Farm already provides ample opportunity for new industrial units and warehousing impact upon character and appearance of area; and residential amenity*

5.0 CONSULTATION RESPONSES

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

5.1 **Thurnham Parish Council:** Wish to see application refused and reported to Planning Committee if minded to recommend approval for the following reasons:

- *Proposal is in countryside and industrial estate is on rural lane.*
- *Proposal amount to further inappropriate expansion of industrial units in rural location.*
- *Previous justification for expansion on site was to assist existing business. This is not related.*
- *Development of Woodcut Farm meets criterion made by applicant in their Planning Statement of proximity to junction 8 of M20. We feel this would be more suitable location for development.*

5.2 **Landscape Officer:** Raises no objection to application.

5.3 **KCC Highways:** Raises no objection to application.

5.4 **KCC Minerals Safeguarding:** Confirms KCC has no minerals or waste safeguarding objections or further comments to make regarding this proposal.

5.5 **KCC Archaeological Officer:** No representations received.

6.0 APPRAISAL

Main issues

Maidstone Local Plan

6.1 The development is subject to the normal constraints of development in the countryside as designated under the Maidstone Local Plan. Indeed, Local Plan policies will not permit new development in the countryside unless (inter alia) it accords with other policies in the Local Plan; it is of a high quality design; it will not result in harm to the character and appearance of the area, but instead maintain, or where possible, enhance the local distinctiveness of an area; it will respect the amenities of occupiers of neighbouring properties; and it will be safe in highway safety terms. The distinctive landscape character of the Len Valley of Landscapes of Local Value should also be conserved and enhanced; and in accordance with Local Plan policy DM2, proposals for new non-domestic buildings should achieve BREEAM Very Good for energy credits where technically and financially viable.

6.2 Local Plan policy SS1 seeks to support small scale employment opportunities at appropriate locations to support the rural economy. As an exception to the general themes of constraint for new development in the countryside, the Local Plan is committed to supporting and improving the economy of the borough and providing for the needs of businesses, and there is policy support for appropriate expansions of existing businesses in the rural area provided the scale and impact of the development is appropriate for its countryside location, in accordance with policy DM37.

Landscape Character Assessment

- 6.3 The Maidstone Landscape Character Assessment (2012 amended 2013) identifies the application site as falling within the Langley Heath Undulating Farmlands (Milgate Park) Landscape Character Area (Area 30-6). The landscape guidelines for both areas are to 'IMPROVE'. Within the Council's Landscape Capacity Study: Sensitivity Assessment (Jan 2015), the overall landscape sensitivity of the Orchards and Mixed Farmlands (Langley Heath Undulating Farmlands) Landscape Character Area is *HIGH*.

Revised NPPF (July 2021)

- 6.4 The NPPF is clear that good design is a key aspect of sustainable development and that permission should be refused for development that is not well designed; and section 12 of the NPPF refers to achieving well-designed places. Paragraph 174 of the NPPF also states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside; and to achieve well-designed places the NPPF also makes it clear that (para 126):

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.

- 6.5 Notwithstanding this, the NPPF seeks to support the rural economy and planning decisions should enable (inter alia): *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings (para 84).*

- 6.6 Furthermore, paragraph 85 of the revised NPPF states:

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Summary

- 6.7 Notwithstanding development at Woodcut Farm, there is policy support for small scale (windfall) employment opportunities in the rural area subject to certain criteria; and whilst the site is not wholly sustainable in terms of its location, the proposal is on an existing business park and it is not considered to be of such a scale that it would undermine sustainable economic development in the borough, as set out in the hierarchy identified in Local Plan policy SS1. The details of the submission will now be assessed.

Visual impact

- 6.8 The application site is set back more than 90m from Caring Lane; and is set away more than 50m from the public footpath to the north of the wider site. Any views from these public vantage points would be largely screened by existing buildings and mature planting (discussed further below). The building would also be grouped with existing buildings and read in the context of the existing business park (including in terms of its external appearance); its height would be lower than the existing buildings on the site; and the loss of this relatively small grassed area, that has little landscape amenity value, is not considered to be objectionable.

- 6.9 This submission now also demonstrates that whilst it is set close to the western boundary of the site; the proposal building would be set away from the southern boundary, with new planting to the rear of the building to provide a soft buffer that also helps to retain an open, landscaped area.
- 6.10 Under the previous planning refusal on the site (21/501302), no arboricultural information had been submitted to demonstrate that the proposal would not adversely harm the longevity and amenity value of these trees. As part of this application, an Arboricultural Implications Assessment has now been submitted for consideration, and this shows that the surrounding trees are either BS Category C or U, with a group of trees [T1-T13] having a group value of B that re to be retained. The submitted plans also show the planting of five trees close to the south-western corner of the application site (to include Field maple; Hazel; Wild cherry and Hawthorn). The summary of this report states:
- 17.1 Proposal will require the removal of one short section of young Cypress screen and some small hedges/shrubs. These are of no planning significance and cannot represent a constraint. Two dying Ash trees are recommended for removal on safety grounds whether or not the proposals go ahead.*
- 17.2 Proposal and parking do not impact on any retained tree RPAs and there are no grounds for refusal on arboricultural matters. Only light pruning back of outer canopies of overhanging offsite trees is proposed, in line with normal maintenance practices.*
- 17.3 Robust tree protection fencing is proposed to ensure retained trees are not adversely affected by proposal.*
- 17.4 Overall, arboricultural impact is minimal and there are no grounds for arb refusal.*
- 6.11 The Council's Landscape Officer has reviewed the submission and has raised no objections in arboricultural terms, subject to the proposal adhering to the submitted arboricultural report by way of a condition if the application were to be approved. The application has demonstrated that the proposal would retain a number of the existing healthy trees and would provide new boundary planting to help mitigate against the necessary loss of some trees. The development will be conditioned to be carried out in accordance with the submitted arboricultural report (including tree protection details); and details of a landscaping scheme will be requested. On this basis, the proposal would be adequately screened from public view.
- 6.12 To further safeguard the character and appearance of the countryside hereabouts, appropriate conditions will be imposed requesting details of external building and hardsurfacing materials, lighting, and restricting the open storage of materials.
- 6.13 With everything considered, it is therefore considered that the proposal can be satisfactorily integrated into the local landscape, and so it is concluded that the proposal would not cause unacceptable harm to the character and appearance of the countryside hereabouts that falls within a Landscape of Local Value.

Highway safety

- 6.14 Paragraph 111 of the NPPF states: *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*
- 6.15 The existing access will not be affected by the proposal; the business park would continue to provide adequate onsite parking/turning; the proposal is unlikely to generate any significant increase in vehicular trip rates; and in the context of existing levels of traffic on the local network, there is unlikely to be a significant impact in terms of congestion and highway capacity. Given the size of units proposed the KCC Highways Officer has considered the proposal and the effect on the highway network, and raises no objection on behalf of the local highway authority.

- 6.16 Furthermore, in accordance with Local Plan policy, in the interests of sustainability and as recommended by the Highways Officer, suitable conditions will be imposed to secure the permanent retention of the parking spaces and the provision of electric vehicle charging points for low-emission plug-in vehicles within the application site (10% of spaces should be ready for Electric Vehicle Charging with a further 10% passive supply); and a condition has been added to request details of secure and covered cycle parking facilities for a minimum of eight bicycles.
- 6.17 The Highways Officer has also recommended the submission of a Construction Management Plan before the commencement of any development on the site. In this instance and in line with paragraphs 55-57 of the revised NPPF, given the scale of the proposal; the site's separation from any residential property; and the fact that the business estate has onsite space for construction vehicles to park and turn, it is not considered that such a condition meets the tests of when conditions are necessary.
- 6.18 On this basis, the residual cumulative impacts of the proposal on the road network would not be severe, and no objection is raised to the proposal in highway safety terms.

Residential amenity

- 6.19 There are residential properties in the vicinity of the proposal site, the nearest being 23 Caring Lane. The proposal buildings would be more than 30m from the rear boundary of 23 Caring Lane; and more than 65m from the property itself. No other residential property would be within 60m of the proposal site, with existing well-established planting and existing buildings largely found in between.
- 6.20 The application specifically states that the proposed use of the two units would fall under Class E(g)(ii) and E(g)(iii), as set out above. The Use Class Order legislation clearly stipulates that such uses can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. Whilst it is not known who the future occupants of the units would be, occupants would have to fit in with the uses as defined in the legislation.
- 6.21 The proposal would be part of an existing business park; it would make use of the existing vehicle access; and the additional traffic generated by the proposal is not expected to be significantly greater than the current situation. On this basis, it is not considered that the expected comings and goings from the site would not be unacceptable in terms of general noise and disturbance. Furthermore, given the separation distances between any residential property and the proposal, there are no objections raised in terms of loss of privacy, light, and outlook.
- 6.22 In summary, given the scale and location of the proposal and its separation distance from any residential property, together with the intended use of the units within the grounds of an existing business park, it is considered that the proposal would not result in unacceptable harm to the living conditions of any local resident when trying to enjoy their property, in accordance with relevant Local Plan policies.

Other considerations

- 6.23 The application site and its immediate surroundings are considered to have little ecological value and it is considered that no further ecology details are required prior to the determination of this application. Notwithstanding this, paragraph 180 of the NPPF states:

When determining applications, LPA's should apply the following principles (inter alia):
d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be

integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

- 6.24 With this considered, a suitable condition is recommended to request details of biodiversity enhancements on the site (to also demonstrate a net biodiversity gain). This shall include details of enhancements through integrated methods into the fabric and appearance of the building.
- 6.25 Under 17/506430, the Environmental Protection Officer raised no objections in terms of land contamination and air quality. The site remains undeveloped and there is no evidence to suggest that this stance would now change as a result of this application. As such, there continues to be no objection raised on these issues. The submission states that surface water drainage will be via soakaway and foul sewage disposal will be via septic tank. There is no objection raised to this and it is not considered necessary to require any further details in this respect.
- 6.26 The site is within a minerals safeguarding area, but the KCC Minerals Safeguarding Officer has confirmed that there are no minerals or waste safeguarding objections or further comments to make regarding this proposal. The KCC Archaeological Officer has made no representations on the application and so it is assumed they have no comments to make on this application.
- 6.27 In accordance with Local Plan policy and in the interests of sustainability, a suitable condition will be imposed requesting details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development. Furthermore, a suitable condition is recommended to ensure that the development achieves BREEAM Very Good for energy credits where technically and financially viable. External lighting will also be restricted in the interests of amenity.
- 6.28 The description of the development stipulates what use the proposed units would be put to. If the application were to be approved, an appropriate condition could be imposed to restrict certain uses permitted under Use Class E, for example retail and office use, as the traffic and amenity impacts of such use has not been assessed. Looking through the planning history, it appears that the existing uses at Corbin Business Park have no restrictions in terms of operation hours. With this considered and the fact that the proposed use, as set out in the legislation, should be able to be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit, imposing such a condition now is not considered reasonable.
- 6.29 All representations received, including from Thurnham Parish Council and local residents, have been considered in the assessment of this application. Please note here that each application must be considered on its own merits against current policy/guidance.
- 6.30 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010, and it is considered that the proposal would not undermine the objectives of this Duty. The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy in October 2017 and began charging on all CIL liable applications approved on and from 1st 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 if planning permission is granted or shortly after.

7.0 CONCLUSION

- 7.1 The previous planning application on the site (21/501302) was refused for one reason only, in that the application failed to demonstrate the proposal would not adversely harm longevity and amenity value of trees found close to southern and western boundaries of application site; and that the potential loss of these trees would have adverse impact on character and appearance of countryside hereabouts that falls within Len Valley Landscape of Local Value. Then subsequently there would be inadequate room to provide meaningful and appropriate landscaping within the site to mitigate against the potential loss of these trees and to provide onsite landscape screening of the proposal. It is considered that this current application has adequately addressed this matter.
- 7.2 For the reasons outlined above, the proposal is considered to be acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant. A recommendation of approval is therefore made on this basis.

8.0 RECOMMENDATION: GRANT planning permission subject to 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. Prior to commencement of the development above damp-proof course level, written details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be constructed using the approved materials and maintained as such thereafter.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value.

3. Prior to the commencement of development above damp-proof course level, details of a scheme of hard and soft landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with a programme for the approved scheme's implementation and longterm management, which shall be for a minimum of 10 years, shall be submitted to and approved in writing by the local planning authority. The landscape scheme shall be designed using the principle's established in the Council's adopted Landscape Character Assessment (2012) and shall include:

- a) Details of a planting schedule (including location, planting species and size)
- b) 5 new trees (at a minimum of Standard size), to include Field maple; Hazel; Wild cherry and Hawthorn), as shown on submitted drawings; and
- c) Details of hardsurfacing materials (to include block paving).

Only non-plastic guards shall be used for the new trees and hedgerows, and no Sycamore trees shall be planted. The implementation and longterm management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas. The landscaping of the site and its management thereafter shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value and biodiversity on the site in line with

the requirement to achieve a net biodiversity gain from all development; and to safeguard the longevity of existing and proposed trees.

4. The approved landscaping shall be in place at the end of the first planting and seeding season following completion of the building(s). Any trees or plants, which, within a period of 10 years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value; and to safeguard the longevity of existing and proposed trees.

5. The development hereby approved (including tree protection details) shall be carried out in accordance with the Arboricultural Implications Assessment (by Broad Oak Tree Consultants - Report ref: J60.57: June 2021).

Reason: In the interests of protecting the longevity of existing trees.

6. Prior to the commencement of the development above damp-proof course level, details of a scheme for the enhancement of biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through at least one integrated method into the design and fabric of the building structure such as swift bricks, bat tubes or bee bricks, and additionally through provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgerow corridors. The development shall be implemented in accordance with the approved details prior to first use of the building and all features shall be maintained permanently thereafter.

Reason: To enhance ecology and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development.

7. Prior to the first occupation of the development hereby approved, there shall be a minimum of one operational electric vehicle charging point within the application site for low-emission plug-in vehicles that shall be maintained as such thereafter. There shall also be a minimum of 1 electric vehicle charging point enabled for future use on the site for low emission plug-in vehicles.

Reason: To promote reduction of CO₂ emissions through use of low emissions vehicles.

8. Prior to the first occupation of the development hereby approved, details of secure and covered cycle parking facilities for a minimum of eight bicycles shall be submitted to and approved in writing by the local planning authority. The approved details shall be in place prior to the occupation of any residential unit and maintained as such thereafter.

Reason: In the interests of sustainable development.

9. Prior to commencement of the development above damp-proof course level, details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation of the relevant dwelling and maintained as such thereafter.

Reason: To ensure an energy efficient form of development.

10. No external lighting, whether temporary or permanent, shall be placed or erected within the application site unless details are submitted to and approved in writing by the local planning authority. Any details to be submitted shall be in accordance with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005 (and any subsequent revisions), and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter.

Reason: In the interest of amenity.

11. The main building hereby permitted shall achieve a minimum BREEAM rating of at least 'very good' and within 12 months of the first use of the building, a final certificate shall be submitted to the local planning authority certifying that a BREEAM rating of at least Very Good has been achieved.

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

12. The vehicle parking spaces, as shown on the submitted plans, shall be provided prior to occupation of the development hereby approved and then permanently retained for parking thereafter.

Reason: In the interest of visual amenity and parking provision.

13. There shall be no open storage of plant, materials, products, goods for sale or hire or waste.

Reason: To safeguard the character and appearance of the countryside that falls within the Len Valley Landscape of Local Value.

14. The building(s) hereby approved shall only be used for purposes within Use Class E(g) (ii) and (iii) of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended), or permitted under the provisions of the Town and Country Planning General Permitted Development (Amendment) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification);

Reason: In order to properly assess the impact of other potential uses included within Use Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended), to protect neighbouring amenity by ensuring that specific consideration is given to these uses which could result in a loss of amenity and in the interests of highway safety.

15. The development hereby permitted shall be carried out in accordance with the following approved plans/documents: Site location plan (1:1250); 1591-03-00 Rev A; 01 Rev D; 02 Rev D; and 04 Rev A.

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES

1. The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25th October 2017 and began charging on all CIL liable applications approved on and from 1st 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.

2. 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. 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.

Case Officer: Kathryn Altieri

Agenda Item 16

THE MAIDSTONE BOROUGH COUNCIL **PLANNING COMMITTEE – 23.09.21**

APPEAL DECISIONS:

1. **20/500269/FULL** **Erection of 1no. 4 bedroom detached dwelling with associated amenity (Resubmission of 19/503872/FULL).**

APPEAL: ALLOWED

Land South Of South Cottage
High Street
Staplehurst
Kent
TN12 0BH

(Committee)

2. **20/503770/FULL** **Loft conversion with alterations to existing roof including raising height and inserting dormer windows and a roof light.**

APPEAL: DISMISSED

The Forge
New Barn Road
Hawkenbury
Tonbridge
Kent
TN12 0ED

(Delegated)

3. **20/502756/FULL** **Erection of a detached garage and 1 bedroom ancillary annexe.**

APPEAL: DISMISSED

86 Hardy Street
Maidstone
Kent
ME14 2SJ

(Delegated)