

REFERENCE NO - 19/500811/FULL		
APPLICATION PROPOSAL Demolition of existing office building and erection of a two-storey office building, a storage building, car park, landscaping and fencing (Revised scheme to 17/506323/FULL).		
ADDRESS The Site of Previous Maple Leaf Garage, Ashford Road, Hollingbourne, Kent		
RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions		
SUMMARY OF REASONS FOR RECOMMENDATION The site is a former car sales site and has the benefit of planning permission granted under reference 17/506323/FULL (committee decision) for redevelopment with the erection of a two-storey office building with storage and associated parking. The current application is essentially a redesign of the previously approved scheme. The currently proposed two-storey office building is more contemporary in design than that previously permitted but traditional local materials of Kentish ragstone and weatherboarding are to be used. Whilst the currently proposed office building is sited closer to the Ashford Road frontage than that previously approved, which will increase the visual impact in views from the road, there is adequate scope along the site frontage for landscaping/planting to soften the visual impact of the development in views from the road and within the countryside setting. The proposed redevelopment of the site will provide a good quality contemporary building on a key route into Maidstone town on a site that is currently harmful to the visual amenity along the route. The scale of development currently proposed reflects that approved under the previous application and it is not considered that the current proposals raise any new issues with regards to impact on neighbouring property, parking and highway safety, impact on ecological interests at the site, and landscaping. The current and previous applications are/were considered acceptable in these regards.		
REASON FOR REFERRAL TO COMMITTEE Hollingbourne Parish Council have requested that the application be considered by the Planning Committee if Officers are minded to recommend approval.		
WARD North Downs	PARISH/TOWN COUNCIL Hollingbourne	APPLICANT Mr Jack Russell AGENT GDM Architects
TARGET DECISION DATE 31/07/19		PUBLICITY EXPIRY DATE 20/05/19

Relevant Planning History

17/506323/FULL - Demolition of existing stores, offices and WCs, and erection of new offices with dry store and associated parking. Approved 03.05.2018

18/502584/SUB - Submission of details pursuant to Condition 4 (details of hard landscape works), Condition 7 (details of satisfactory facilities for the storage of refuse), Condition 10 (details of a minimum of 5 publicly accessible electric vehicle charging points, including a programme for their installation, maintenance and management), Condition 11 (method statement for the demolition and/or construction of the development), Condition 12 (details of wheel cleaning facilities to be provided during site demolition, excavation, preparation and construction), Condition 13 (landscaping details indicated on drawing no.P850/1 Rev A) and Condition 23 (details of how rainwater harvesting and grey water recycling measures shall be incorporated within the development) for planning permission

17/506323/FULL. Approved 19.07.2018

18/502847/SUB - Submission of details to discharge Condition 3 (Materials) Condition 5 (Surface Water Drainage Scheme) Condition 6 (Energy Efficiency) and Condition 20 Parts 1-3 (Contamination) Subject to 17/506323/FULL. Approve 18.07.2018

07/0065 - Erection of a new car showroom. Approved 07.06.2007

02/1193 - Residential development comprising 2No. detached dwellings and 8No. terraced dwellings (two blocks of four) plus access, parking spaces and internal road. Refused 27.09.2002. Appeal against refusal dismissed 26.06.03.

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The site is located on the south side of Ashford Road (A20), approximately 0.65km to the west of the roundabout turnoff to junction 8 of the M20. The triangular shaped site of 0.32ha approx. is not currently in use and was previously used for car sales. The site is predominantly hardstanding and has access to Ashford Road. The western boundary of the site is largely defined by an established hedgerow which separates the site from the adjoining Bearsted Caravan and Motorhome Club site to the west. An agricultural field adjoins the site to the east. On the opposite side of Ashford Road to the north is open agricultural land, a car wash and tyre sales/fitting site and a residential property.
- 1.02 The site is located within the open countryside and forms part of the defined Len Valley Landscape of Local Value as shown on the Policies Map to the adopted Maidstone Borough Local Plan. The site is also within a KCC Minerals Safeguarding Area.
- 1.03 The extensive Woodcut Farm site on the opposite side of Ashford Road to the north is an allocated site (Policy EMP1(4)) in the adopted Maidstone Borough Local Plan for development for up to 49,000 sq. m mixed employment floorspace (B1(a), B1(b), B1(c), B2 and B8 uses). Outline planning permission was granted 20.07.18 under reference 17/502331/OUT for a mixed commercial development of the Woodcut Farm site comprising B1(a), B1(b), B1(c) and B8 units with a maximum floorspace of 45,295 sq. m.

2. PROPOSAL

- 2.01 The application proposes the erection of a two-storey office building along the eastern side of the Ashford Road frontage of the site with a detached storage building in the southern (rear) corner of the site. The proposed development will be accessed from the existing access point on Ashford Road and the open site to the side (west) and rear (south) of the proposed office building will be predominantly car parking (36 car parking spaces). The applicants are a local construction company and the proposed development will be their headquarters. The proposed office building provides 592 sq. m gross internal floorspace and the detached storage building provides 103 sq. m floorspace.
- 2.02 The proposed two-storey office building is contemporary in design with a shallow pitched metal roof set behind a low parapet to the front part of the building and a flat roof behind a parapet to rear part of the building. The front part of the proposed office building is to have a mainly Kentish Ragstone finish with a recessed white render panel at ground floor level on the front (Ashford Road) elevation. The rear part of the proposed office building is predominantly vertical dark grey weatherboarding. The proposed windows and doors are to be dark grey aluminium

framing. Photovoltaic panels are proposed to the rear (south facing) roof slope to the front part of the building. The proposed detached storage building is utilitarian in design and appearance with dark green vertical profiled metal cladding and a shallow pitched dark green metal roof.

- 2.03 A new ragstone boundary wall with railings above is proposed along the western part of the Ashford Road frontage to enclose the open car parking/servicing yard area. New soft landscaping/planting is proposed in front of the new wall with railings and along the eastern part of the Ashford Road frontage to the front of the new office building. The submitted plans show the open car parking/servicing yard to incorporate a permeable surface finish. The proposed site layout allows for the retention of existing trees, hedgerow and shrubs to the eastern and western boundaries.
- 2.04 The site currently has the benefit of planning permission granted under reference 17/506323/FULL for the erection of a two-storey office building of 662 sq. m gross internal floorspace of which 144 sq. m would be used as dry storage. The current application is an amended scheme for the previously approved development.

3. POLICY AND OTHER CONSIDERATIONS

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Borough Local Plan 2017: Policies SS1, SP17, SP21, DM1, DM5, DM8, DM23, DM30, DM37, EMP1(4)
KCC Minerals Plan

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.01 One representation received from a local resident raising the following (summarised) issues:
- Construction work and the on-going operation of the site will be disruptive and cause disturbance to the neighbouring residence (within the adjoining Bearsted Caravan and Motorhome Club site).
 - The operation and movement of machinery and lorries in connection with the use of the proposed storage building will result in noise and disturbance to neighbouring residential property.
 - The privacy of the neighbouring residential property could be compromised.
 - The development could result in disturbance to users of the adjoining touring caravan site.
 - Lorries entering and leaving the site on a bend on Ashford Road raises safety concerns.
 - Drainage from the site into the adjacent stream could result in flooding and the discharge of untreated foul water into the stream and into the neighbouring residence.
- 4.02 An objection to the application has been received from the Caravan and Motorhome Club, owner of the adjoining Bearsted Caravan and Motorhome Club site, raising the following issues and concerns:
- An increase in noise generated from the site, including significant noise from lorries delivering and manoeuvring about within the site and cars manoeuvring to park.

- The increase in the number of lorries and other delivery vehicles entering and leaving the site via Ashford Road will be a significant hazard given the site's entrance on a bend in the highway.
- The Caravan and Motorhome Club site has flooded twice in the last year caused by surface water run-off. The additional development will potentially increase surface water run-off which could lead to flooding of the Club's site.
- If the proposed sewage treatment plant fails there may be a risk of untreated effluent being discharged into the adjacent stream which will be a nuisance in terms of the smell this would create.
- Construction activity and the on-going operation of the site could be detrimental to the Caravan and Motorhome Club site and the surrounding area.
- The proposed buildings on the site are large and unattractive and incongruous with the rural surroundings. The two-storey office building will overlook the Caravan and Motorhome Club site and impact negatively from a privacy perspective.
- Security between the application site and the Caravan and Motorhome Club site should be maintained.
- Significant dust will be created during the construction works and during the on-going operation of the site which will have a negative impact on the Caravan and Motorhome Club site and those staying on the site.
- The application should be refused to protect not only the Caravan and Motorhome Club site but also the surrounding rural area.

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)

Hollingbourne Parish Council

- 5.01 The Parish Council raise concerns regarding the extra traffic the new development will generate on Ashford Road as the proposed offices, store and parking is extensive. Further comment that this part of the road is notorious for traffic accidents, some of which are fatal, and the development does not have deceleration or acceleration areas to approach the Ashford Road which would exacerbate the problem of road traffic and lack of safety.

Environmental Health Officer

- 5.02 No objection raised. The submitted site investigation report identifies minimal concern regarding potential site contamination and recommends a watching brief is maintained during construction. Comments that as the development involves demolition and/or construction, broad compliance with the Mid Kent Environmental Code of Development Practice is expected in the development.

Kent Highways

- 5.03 Comments that the car parking proposed is commensurate with standards for the 700sq. m of office space proposed. The access is fundamentally existing although modifications to it are proposed and these works on highway land will require the applicant to enter into a S278 agreement with Kent Highways. Further comments that the previous application proposed that the area of hardstanding fronting the site on the eastern side (also highway land) would be reinstated as verge and that this work is required with the current application and should be incorporated as part of the S278 site access works. No objection to the application subject to the following conditions:

- Submission of a Construction Management Plan, to include reinstatement of the highway verge.
- Provision of construction vehicle loading/unloading and turning facilities.

- Provision of parking facilities for site personnel and visitors.
- Provision of measures to prevent the discharge of surface water onto the highway.
- Provision of wheel washing facilities on site
- Provision and permanent retention of the vehicle parking spaces shown on the submitted plan.
- Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plan.
- Provision and permanent retention of the cycle parking facilities shown on the submitted plan.
- Completion and maintenance of the access shown on the submitted plan prior to the use of the site commencing, including measures to maximise inter-visibility with approaching traffic.

Environment Agency

- 5.04 Comment that the submitted report on ground investigation did not report any concentrations of ground contaminants that would represent a significant risk to Controlled Waters. Comment that planning permission should only be granted for the proposed development subject to planning conditions to safeguard Controlled Waters from any contamination not previously identified found to be present at the site.

6. APPRAISAL

Main Issues

- 6.01 The key issues for consideration relate to:

- Principle of development
- Visual impact
- Character and appearance
- Residential amenity
- Parking and highway safety
- Ecology
- Landscaping

Principle of development

- 6.02 The application site is located within the countryside on Ashford Road (A20), a major route into the Maidstone urban area from the east. The site has previously been in commercial use as a car sales site.
- 6.03 Government guidance in the NPPF states (para. 83) that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. The NPPF states (para. 84) that 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. The NPPF further states (para. 84) that the use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 6.04 Policy SP17 of the adopted Maidstone Borough Local Plan states that *development proposals in the countryside will not be permitted unless they accord with other policies in this plan and they will not result in harm to the character and appearance of the area.*

- 6.05 Policy SP21 of the adopted Maidstone Borough Local Plan states that the Council is committed to supporting and improving the economy of the borough and providing for the needs of businesses. One of the means by which this will be achieved is through supporting proposals for the expansion of existing economic development premises in the countryside, including tourism related development, provided the scale and impact of the development is appropriate for its countryside location, in accordance with policy DM37.
- 6.06 Policy DM37 of the adopted Maidstone Borough Local Plan states that planning permission will be granted for the sustainable growth and expansion of rural businesses in the rural area where:
- i. New buildings are small in scale and provided the resultant development as a whole is appropriate in scale for the location and can be satisfactorily integrated into the local landscape;
 - ii. The increase in floorspace would not result in unacceptable traffic levels on nearby roads or a significant increase in use of an existing substandard access;
 - iii. The new development, together with the existing facilities, will not result in an unacceptable loss in the amenity of the area. In particular the impact on nearby properties and the appearance of the development from public roads will be of importance; and
 - iv. No open storage of materials will be permitted unless adequately screened from public view throughout the year.
- 6.07 In this case the former cars sales site already has the benefit of planning permission for redevelopment with the erection of a two-storey office building with storage and the current application is essentially a redesign of the previously approved scheme. In addition to the existing planning permission for the redevelopment of the site, the extensive Woodcut Farm site on the opposite side of Ashford Road to the north is an allocated site (Policy EMP1(4)) in the adopted Maidstone Borough Local Plan for development for up to 49,000 sq. m mixed employment floorspace (B1(a), B1(b), B1(c), B2 and B8 uses). Outline planning permission was granted 20.07.18 under reference 17/502331/OUT for a mixed commercial development of the Woodcut Farm site comprising B1(a), B1(b), B1(c) and B8 units with a maximum floorspace of 45,295 sq. m.
- 6.08 The current application is very modest compared to the large scale commercial development which has been permitted on the opposite side of the road. The principle of the development of the site with a two-storey office building has been established by the previous grant of planning permission and the current application is not considered to raise any overriding issues of conflict in principle with the above Government guidance in the NPPF and adopted Local Plan policies.

Visual impact

- 6.09 Government guidance in the NPPF (para. 124) states that 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. The NPPF further states (para. 130) that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.10 Policy DM1 of the adopted Maidstone Borough Local Plan states that proposals which would create high quality design and meet certain criteria (14 in total) will be

permitted. One of the criteria to be met is that development should *respond positively to, and where possible enhance, the local, natural or historic character of the area. Particular regard will be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage – incorporating a high quality, modern design approach and making use of vernacular materials where appropriate.*

- 6.11 Policy DM30 of the adopted Maidstone Borough Local Plan relating to design principles in the countryside states that proposals which would create high quality design, satisfy the requirements of other policies in this plan and meet certain criteria (5 in total) will be permitted. Amongst the criteria to be are the following:
- The type, siting, materials and design, mass and scale of development and the level of activity would maintain, or where possible, enhance local distinctiveness including landscape features;
 - Impacts on the appearance and character of the landscape would be appropriately mitigated;
 - Any new buildings should, where practicable, be located adjacent to existing buildings or be unobtrusively located and well screened by existing or proposed vegetation which reflect the landscape character of the area.
- 6.12 The site has previously been used for the display of cars for sale with associated undistinguished low quality buildings and the previous use would have had a harmful visual impact in the open countryside location on a key route into Maidstone town.
- 6.13 The site has the benefit of planning permission granted under reference 17/506323/FULL for redevelopment with the erection of a two-storey office building with storage and associated parking. The approved office/storage building would be set back from the frontage to Ashford Road and is of traditional design with a shallow pitched synthetic slate roof and a mix of brick and Kent ragstone to the front part of the building.
- 6.14 The currently proposed two-storey office building is contemporary in design with a shallow pitched metal roof set behind a low parapet to the front part of the building and a flat roof behind a parapet to rear part of the building. The front part of the proposed office building is to have a mainly Kentish Ragstone finish with a recessed white render panel at ground floor level on the front (Ashford Road) elevation. The rear part of the proposed office building is predominantly vertical dark grey weatherboarding. The proposed windows and doors are to be dark grey aluminium framing. The proposed detached storage building is utilitarian in design and appearance with dark green vertical profiled metal cladding and a shallow pitched dark green metal roof.
- 6.15 A new ragstone boundary wall with railings above is proposed along the western part of the Ashford Road frontage to enclose the open car parking/servicing yard area. New soft landscaping/planting is proposed in front of the new wall with railings and along the eastern part of the Ashford Road frontage to the front of the new office building.
- 6.16 Whilst the currently proposed building is sited closer to the Ashford Road frontage than that previously approved which will increase the visual impact in views from the road, the proposed building remains almost 10m back from the road frontage at it's closest point and there is adequate scope along the site frontage for landscaping/planting to soften the visual impact within the countryside setting. An existing area of hardstanding along the Ashford Road frontage can also be reinstated as highway verge which will further enhance the setting.

- 6.17 The proposed detached storage building to be sited in the rear (southern) corner of the site is located behind the main two-storey building and given the location and the distance back from Ashford Road, it is not considered that the proposed storage building will have any significant visual impact in any public views from the road. The proposed storage building will be visible from the adjoining Caravan and Motorhome Club site to the west. The retention of hedgerow along the western side boundary will mitigate any visual impact of the building in the views from the adjoining site but the impact on a view is not a planning consideration.
- 6.18 The proposed redevelopment of the site with the erection of a two-storey office building, detached storage building, and associated parking will have a visual impact in the countryside setting as would the currently permitted office building for the site and the former use of the site for the display of cars for sale. The proposed redevelopment will provide a good quality contemporary building on a key route into Maidstone town on a site that is currently harmful to the visual amenity along the route. Subject to the provision of a good quality soft landscaping/planting scheme for the site frontage to Ashford Road, to be secured by planning condition, which would help soften the impact of the development in the context of the countryside location, it is not considered that the proposed development will have an unacceptable harmful visual impact in the locality.

Character and appearance

- 6.19 The site is located within the open countryside and forms part of the defined Len Valley Landscape of Local Value as shown on the Policies Map to the adopted Maidstone Borough Local Plan. The site is predominantly hardsurfaced and was previously used for the display of cars for sale. The previous use and the site in its current unused state is harmful to the character and appearance of the countryside landscape.
- 6.20 The site has the benefit of the planning permission granted under reference 17/506323/FULL for redevelopment with the erection of a two-storey office building with storage and associated parking. The impact of approved redevelopment scheme on the character and appearance of countryside landscape has been accepted and the current application is an amended scheme for the previously approved development. The current application is not considered to raise any new overriding issues in terms of impact on the character and appearance of the area which were not addressed under previously approved application.
- 6.21 The extensive Woodcut Farm site on the opposite side of Ashford Road to the north is an allocated site (Policy EMP1(4)) in the adopted Maidstone Borough Local Plan for development for up to 49,000 sq. m mixed employment floorspace (B1(a), B1(b), B1(c), B2 and B8 uses). Outline planning permission was granted 20.07.18 under reference 17/502331/OUT for a mixed commercial development of the Woodcut Farm site comprising B1(a), B1(b), B1(c) and B8 units with a maximum floorspace of 45,295 sq. m. The current application is very modest compared to the large scale commercial development which has been permitted on the opposite side of the road and the current application will have limited additional impact on the character and appearance of surrounding area as a result.

Residential amenity

- 6.22 The western boundary of the site is largely defined by an established hedgerow which separates the site from the adjoining Bearsted Caravan and Motorhome Club site to the west. The living accommodation of the warden of the Caravan and Motorhome Club site is located close to western boundary of the site. An agricultural field adjoins the site to the east. On the opposite side of Ashford Road to the north is open agricultural land, a car wash and tyre sales/fitting site and a residential property.

- 6.23 The proposed two-storey office building and detached storage building are sufficiently distanced and separated from the adjoining Caravan and Motorhome Club site, including the wardens accommodation building, by an established hedgerow to prevent any unacceptable unneighbourly impact from the proposed buildings. The impact of the office and storage use of the site, including the impact of vehicle movements within and to and from the site, on the adjoining Caravan and Motorhome Club site was considered under the previously approved application under reference 17/506323/FULL and the proposed office, storage and associated parking use of the site was considered acceptable in these regards. The previous use of the site for car sales would have generated a reasonable level of vehicle movements both within and to and from the site. The current application is not considered to raise any new issues regarding the impact of the proposed use of the site on neighbouring property.

Parking and highway safety

- 6.24 The proposed development will be accessed from the existing access point on Ashford Road and the open site to the side (west) and rear (south) of the proposed office building will be predominantly car parking (36 car parking spaces). The proposed site layout makes provision for motorcycle parking and bicycle parking and five of the proposed parking spaces are to be provided with electric car charging points. Kent Highways have commented that the level of on-site parking proposed in the scheme is commensurate with the amount of office floorspace proposed in the development. The proposed site layout demonstrates that a large service vehicle can turn within the site.
- 6.25 The access arrangements to and from the site via Ashford Road (A20) remain as previously approved under application reference 17/506323/FULL and as the scale of the current proposals does not materially change from the previously approved application no new highway safety issues are raised by the current proposals. Ashford Road (A20) is a busy route to and from Maidstone town and the relatively modest scale of the development proposed is not likely to have any significant impact on traffic flows along the road.

Ecology

- 6.26 The site is predominantly hardsurfaced with trees and hedgerows to the east and west perimeters. A small former car sales office building remains on the site adjacent to the western boundary and a larger former building associated with the car sales use has been removed.
- 6.27 The Habitat Survey Report submitted identified the existing building on site to be unsuitable to support roosting bats. The existing building and the perimeter trees and hedgerows are suitable for breeding birds and one tree is identified as having moderate potential for roosting bats. The existing trees and hedgerows to the perimeters of the site can be retained in the development and a condition can be imposed on any grant of planning permission to secure their protection during the course of development.
- 6.28 The likelihood of other protected and notable species to occur within the site is considered negligible and no further surveys for other protected species are required.
- 6.29 Government guidance in the NPPF encourages opportunities to incorporate biodiversity enhancements as part of new developments. The application indicates that bat and bird boxes will be provided to the walls of the proposed office building and the use of native plant species for the landscaping would be of benefit to invertebrates and birds and bats. The ecological/biodiversity enhancements can be secured by planning condition.

Landscaping

- 6.30 The proposed site layout allows for the retention of existing perimeter trees and hedgerows to the site and protection of these during construction can be secured by planning condition. Whilst there is limited scope within the main body of the site for new planting, there is adequate scope along the site frontage to Ashford Road for landscaping/planting, including native trees, hedgerows, and meadow grass to the highway verge, to soften the visual impact of the new built development within the countryside setting and enhance the setting. The detailed landscaping scheme can be secured by planning condition.

Drainage

- 6.31 The existing site is predominantly hardstanding with an area of unmade ground in the south-western corner. A sustainable drainage system is proposed for the site to improve surface water run-off. Currently the site drainage has an unrestricted discharge into the adjacent stream along the south-eastern boundary. The application states that the current impermeable area on the site is to be reduced by approximately 15 per cent and surface water is attenuated within a permeable gravel layer below the tarmac car park. Flows generated from the car parking areas will pass through a catchpit and bypass interceptor prior to discharging to the adjacent stream. Foul drainage is to be treated on site using packaged sewage treatment plant with outfall to the adjacent stream. The site discharge is to be limited to the greenfield runoff rate of 5.8L/s, which provides a significant improvement.

Other Matters

- 6.32 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

7. CONCLUSION

- 7.01 The former car sales site has the benefit of planning permission granted under reference 17/506323/FULL for redevelopment with the erection of a two-storey office building with storage and associated parking and the current application is essentially a redesign of the previously approved scheme. The currently proposed two-storey office building is more contemporary in design than that previously permitted but traditional local materials of Kentish ragstone and weatherboarding are to be used.
- 7.02 Whilst the currently proposed office building is sited closer to the Ashford Road frontage than that previously approved which will increase the visual impact in views from the road, there is adequate scope along the site frontage for landscaping/planting to soften the visual impact of the development in views from the road and within the countryside setting.
- 7.03 The proposed redevelopment of the site will provide a good quality contemporary building on a key route into Maidstone town on a site that is currently harmful to the visual amenity along the route.
- 7.04 The scale of development currently proposed reflects that approved under the previous application and it is not considered that the current proposals raise any new issues with regards to impact on neighbouring property, parking and highway safety, impact on ecological interests at the site, and landscaping, which were not

considered under the previous application. The current and previous applications are/were considered acceptable in these regards.

- 7.05 In light of the above, approval is recommended subject to the conditions set out below.

8. RECOMMENDATION

GRANT planning permission subject to the following conditions:

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

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

- 2) No development shall take place above the slab levels of the two-storey office building and storage building hereby permitted until full details, including samples, of the external surfacing materials to be used on the respective buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details;

Reasons: In the interests of the appearance of the completed development and to ensure the proposed development is satisfactorily integrated with its immediate surroundings.

- 3) No development shall take place until such time as details of proposals for the retention and protection of the existing trees and hedgerows to the eastern and western boundaries of the site during the course of the works and how any excavation, construction and surfacing works are to be carried out and any underground service runs to and from the site accommodated without causing damage to the trees and hedgerows, including their root systems, has been submitted to and approved in writing by the Local Planning Authority. The approved tree and hedgerow protection measures shall be put in place prior to the commencement of any works on site and shall be retained in place throughout the construction phase of the development. The works shall be carried out in accordance with the details approved;

Reason: The existing trees and hedgerows make a significant contribution to the character and visual amenities of the locality and provide screening for the development and warrant adequate protection during the development to prevent damage and ensure their long-term retention and good health.

- 4) No development shall take place above the slab levels of the two-storey office building and storage building hereby permitted until there has been submitted to and approved in writing by the Local Planning Authority, a scheme of hard and soft landscaping for the site, including details of all hard surfacing, boundary treatments, walls, railings and fencing, using indigenous species and a programme for the approved scheme's implementation and long term management. The scheme shall include indications of all existing trees and hedgerows to the perimeters of the site and details of those to be retained, together with measures for their protection during the course of development. The scheme shall include details of native species tree, hedgerow and meadow grass planting to the site frontage to Ashford Road, including removal of the existing hardstanding area east of the access and reinstatement of the grass verge to the highway. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines. The development shall

be carried out in accordance with the approved scheme of hard and soft landscaping, boundary treatments, walls, railings and fencing;

Reason: In the interests of visual amenity and to ensure a satisfactory setting and external appearance to the development is provided and maintained.

- 5) All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the office building hereby permitted or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five 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: In the interests of visual amenity and to ensure a satisfactory setting and external appearance to the development is provided and maintained.

- 6) If during the course of carrying out the works, evidence of potential contamination is encountered, the 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:

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 works then evidence (e.g. photos or letters from the site manager) to show that no contamination was discovered should be included;

Reason: In the interests of the health and well-being of future occupiers and users of the approved development.

- 7) No development shall take place above the slab levels of the two-storey office building and storage building hereby permitted until details of a scheme of ecological enhancements for the site based on the recommendations set out in the submitted Greenspace Ecological Solutions Extended Phase 1 Habitat Survey (October 2016) and the update Preliminary Ecological Appraisal dated 15.02.19, including the installation of bird and bat boxes to the building and use of native plant species for the landscaping, has been submitted to and approved in writing by the Local Planning Authority. The scheme of ecological enhancements for the site shall be implemented in full in accordance with the details approved prior to the first occupation of the two-storey office building and shall be retained and maintained thereafter;

Reason: In accordance with Government guidance in the NPPF (2019) (para. 175).

- 8) No development shall take place until such time as details of a Construction Management Plan for the development has been submitted to and approved in

writing by the Local Planning Authority. The Construction Management Plan shall include on-site provision for construction vehicle loading/unloading and turning facilities, parking facilities for site personnel and visitors, measures to prevent the discharge of surface water onto the public highway, storage of materials, and wheel washing facilities. The construction works shall be carried out in accordance with the approved Construction Management Plan;

Reason: In the interests of highway safety and local amenity.

- 9) No activity in connection with the use of the two-storey office building and storage building hereby permitted, other than the cleaning of the buildings, shall take place outside the hours of 07:00 and 22:00 Monday to Friday and 08:00 and 13:00 on Saturday, and not at any time on Sunday, Bank or Public Holidays;

Reason: To safeguard the amenities of the occupiers of neighbouring properties and local amenity generally.

- 10) The facilities shown on the approved plan (Drawing No. P101) for the storage of refuse shall be provided and be available for use prior to the first use of the two-storey office building hereby permitted and shall be retained and maintained for such use thereafter;

Reason: In the interests of residential amenity and local amenity generally.

- 11) The parking spaces and service vehicle turning space shown on the approved plan (Drawing No. P003 Rev. B) shall be provided and be available for use prior to the first use of the two-storey office building hereby permitted and the parking spaces and service vehicle turning space shall be retained and maintained for such use thereafter. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and/or re-enacting that Order, with or without modification) or not, shall be carried out on the areas shown as parking spaces or service vehicle turning space or in such a position as to preclude vehicular access to them;

Reason: Development without adequate parking/turning provision is likely to lead to parking/vehicle turning inconvenient to other road users and in the interests of road safety.

- 12) The area/facility shown on the approved plans (Drawing Nos. P003 Rev. B and P101) for the parking of bicycles shall be provided and be available for use prior to the first use of the two-storey office building hereby permitted and the area/facility shown for the parking of bicycles shall be retained and maintained for such use thereafter. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and/or re-enacting that Order, with or without modification) or not, shall be carried out on the area/facility shown for the parking of bicycles or in such a position as to preclude vehicular access to the area/facility;

Reason: In order to encourage sustainable means of transport to and from the site by means other than the private car in accordance with Government guidance in the NPPF (2019) (para. 102).

- 13) The five electric car charging points shown on the approved plans (Drawing Nos. P003 Rev. B and P101) shall be provided and be available for use prior to the first use of the two-storey office building hereby permitted and the five electric car charging points shall be retained and maintained for such use thereafter;

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 110 of the NPPF (2019).

- 14) The two-storey office building hereby permitted shall be used for purposes within Class B1(a) of Class B to the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) only. No change of use of the building, whether permitted by Class O, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and/or re-enacting that Order, with or without modification) or not, shall be carried out to the building without the prior written approval of the Local Planning Authority;

Reason: The current application only considers the impact of the use proposed in the current application and a separate assessment would be required for other uses that could otherwise be introduced as permitted development.

- 15) No open storage of plant, materials, products, goods for sale or hire or waste shall take place on the land outside of the buildings shown on the approved plan (Drawing No. P003 Rev. B) without the prior written approval of the Local Planning Authority;

Reason: To safeguard the character, appearance and visual amenity of the immediate surroundings.

- 16) No external lighting, other than that shown on the approved plans (Drawing Nos. P201, P202 and P203), shall be installed to the buildings or within the site boundaries without the prior written approval of the Local Planning Authority;

Reason: In order to safeguard the ecological interests at the site, the night-time rural environment, road safety and visual amenity.

- 17) The development hereby permitted shall be carried out in accordance with the following approved plans/drawings:

Drawing No. P001 – Site location plan
Drawing No. P003 Rev. B – Proposed site plan
Drawing No. P101 – Proposed floor plans
Drawing No. P102 – Proposed roof plan
Drawing No. P201 – Proposed north and south elevations
Drawing No. P202 – Proposed east and west elevations
Drawing No. P203 – Proposed Dry Store elevations
Drawing No. P110 – Proposed Dry Store floor plan and roof plan
Drawing No. P301 – Proposed Section
Drawing No. P601 – Visual Image 1 – Entrance
Drawing No. P602 – Visual Image 2 – Rear
Drawing No. P603 – Visual Image 3 – Entrance
Drawing No. 14528/01 – Drainage Strategy Plan
GDM Architects – Design & Access Statement;

Reason: To ensure the quality of the development is maintained and to prevent harm to the character, appearance and visual amenity of the area.

- 18) Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approved details;

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in the shallow soil/made ground which could ultimately cause pollution of groundwater.

- 19) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details;

Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. The Environment Agency recommend that where soil contamination is present, a risk assessment is carried out in accordance with EA's guidance 'Piling into Contaminated Sites'. EA will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

- 20) The sustainable drainage system for the site shall be designed to ensure that the site discharge is limited to the greenfield runoff rate of 5.8L/s;

Reason: To ensure that the principles of sustainable drainage are incorporated into the development and prevent potential flooding in the area.

INFORMATIVES

- 1) The grant of planning permission does not convey any approval for alterations to the existing vehicular access, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council – Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.
- 2) Kent Highways advise that 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. Information about how to clarify the highway boundary can be found at:

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

- 3) The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.
- 4) Kent Highways and Transportation advise that the modifications proposed to the existing access to Ashford Road (A20) and the removal of an area of hard standing to the site frontage (east of the access) and reinstatement of the highway verge will require the applicant to enter into a S278 agreement with Kent Highways and Transportation.

Case Officer: Jon Barnes