

REPORT SUMMARY

REFERENCE NO: 23/501009/FULL		
APPLICATION PROPOSAL: Erection of a third floor to create additional business space.		
ADDRESS: Chord Electronics Ltd, The Old Pump House, Farleigh Bridge, East Farleigh Maidstone Kent ME16 9NB		
RECOMMENDATION: GRANT PLANNING PERMISSION– subject to the planning conditions set out in Section 8.0 of the report.		
SUMMARY OF REASONS FOR RECOMMENDATION: For the reasons set out below the proposed erection of a third floor to create additional business space would be acceptable and would not cause significant visual harm, it would not harm neighbouring amenity or highway safety. The proposal is acceptable in terms of any other material planning considerations and is in accordance with current policy and guidance.		
REASON FOR REFERRAL TO COMMITTEE: Call in from Cllr Gooch for the reasons set out at paragraph 4.02		
WARD: Barming And Teston	PARISH/TOWN COUNCIL: Barming	APPLICANT: Chord Electronics AGENT: DHA Planning
CASE OFFICER: Chloe Berkhauer-Smith	VALIDATION DATE: 30/03/23	DECISION DUE DATE: 30/06/23
ADVERTISED AS A DEPARTURE: No		

Relevant planning history

89/2153 : Alterations renovation and refurbishment of existing building plus demolition of some existing buildings Approved 06.06.1990

89/2159: Demolition of single storey to 'The Egyptian Building' and subsequent renovation alteration and refurbishment Approved 17.07.1990

90/1292: The carrying out of the development permitted by planning permission MA/89/2153W without complying with condition (xiii) (hours of work). Approved 02.11.1990

90/1345: Amendment to fenestration of west elevation of building formerly known as Egyptian Building. Approved 15.10.1990

90/1362: Listed Building Consent for amendment to fenestration of west elevation of building formerly known as Egyptian Building. Approved 15.10.1990

96/0788: Change of use and conversion of existing buildings to provide three no. dwellings with associated parking and amenity areas Approved 03.12.1996

96/1087: Conversion of existing buildings to form 3 no. dwellings with associated parking areas. Approved 02.10.1996

96/1517: Listed Building Consent application for alterations internally and externally including new fenestration staircases garage doorway and velux rooflights. Approved 31.01.1997

96/1559: Alterations and insertion of additional first floor to existing workshop including insertion of garaging doorway. Approved 31.01.1997

97/0655: Listed Building Consent for the insertion of 3 rooflights. Approved 31.07.1997

97/1135: Advertisement consent application to install a wall mounted sign to east elevation. Approved 24.09.1997

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The site is in the countryside as defined in the Local plan. The site is in an area of built development between the River Medway in the south, and the railway line and East Farleigh Railway Station in the north. The applicant reports "*The whole complex was converted in the 1990s to provide office accommodation and new housing to the west following a period of dereliction*".
- 1.02 The single track vehicle access from Farleigh Lane is shared with Empress Riverside Park. Empress Riverside Park located to the west consists of a gated residential estate of 36 park homes. Empress Riverside Park plots 34 and 35 are closest to the application site. The single storey timber clad building called The Malthouse to the south of the application site provides 5 dwellings.
- 1.03 The former waterworks building (known as The Works) built in stock brick is to the south east of the application site (east of The Malthouse) and is Grade II Listed. Permission was granted in 2019 for the conversion of first floor office space into a single self-contained flat (19/500694/FULL), with self-contained office space at ground floor. Permission was granted in August 2021 for alterations to fenestration and doors, creation of rear steps to balconies and erection of second floor roof extension to provide additional office space (20/505875/FULL).
- 1.04 The Works is at the northern end of the East Farleigh Station Road bridge which is Grade I Listed. To the north of The Works and east of the application site is a terrace of two storey brick houses fronting Farleigh Lane (No's 1 and 2 River Lodge)
- 1.05 Immediately to the north of the application site is a railway embankment with the railway track at a higher level. There is a general rise in ground level when travelling north away from the site on Farleigh Lane and a slight fall in ground level from the east to the west across the site.
- 1.06 The building on the application site is constructed in yellow brick with red brick detailing including curved brick window lintels and piers. The application building is curtilage listed due to its relationship with Grade II The Works building with a separate application for listed building consent on this committee agenda. The application building is provided with 8 off street car parking spaces, with two spaces to the east side of the building and the remainder on the west side.
- 1.07 The application building is currently used as a business space for Chord Electronics who are a designer and manufacturer of high-end HiFi electronics.

2. PROPOSAL

- 2.01 This application is for the construction of an additional building storey (at third floor level) over the main part of the building to create additional floorspace for the

existing commercial use. The additional floor is intended to provide showroom space.

- 2.02 The additional building storey would have the same width and depth of the main building which is approximately 7m wide and depth of 14.7m (additional 70 square metres) . The proposal would increase the main building eaves height from 11m to 13m and the roof ridge height from 12.3 metres to 15.7m.
- 2.03 The applicant has provided the following background information:
- *"Chord Electronics are an established designer and manufacturer of high-end HiFi products, having been established in 1989. Chord Electronics is a key generator of high skilled manufacturing jobs.*
 - *Chord Electronics have experienced exponentially growth over the last decade or so, and whilst expanding operations into 'The Works' provided much needed additional space, custom built space with high acoustic qualities is required to showcase products, provide quality meeting space and an area for training. With this additional space, Chord's operation on the site (and the job opportunities available in the company) are safeguarded in the medium and long-term.*
 - *The additional floor space will not result in more employees being present on the site at any one time but will improve the existing function of the Chord Electronics site".*

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan (2011-2031):

SS1 - Spatial strategy

SP17 - Countryside

SP18 - Historic environment

SP21 - Economic development

SP23 - Sustainable transport

DM1 - Principles of good design

DM2 - Sustainable design

DM3 - Natural environment

DM4 - Development affecting designated and non-designated heritage assets

DM6 - Air quality

DM8 - External lighting

DM21 - Assessing transport impacts

DM23 - Parking standards

DM30 - Design principles in countryside

DM37 - Expansion of existing businesses in rural areas

Maidstone Borough Council – Local Plan Review

The Regulation 22 draft is a material consideration however weight is currently limited, as it is the subject of an examination in public that commenced on the 6 September 2022 (Stage 2 concluded on the 9 June 2023). The relevant policies in the draft plan are as follows:

LPRS7 - Larger villages

LPRSP7(A) - East Farleigh

LPRSP11 - Economic development

LPRSP11(A) - Safeguarding existing employment sites and premises

LPRSP11(B) - Creating new employment opportunities

LPRSP12 - Sustainable transport

LPRSP14 - Environment

LPRSP14(A) - Natural environment

LPRSP14(B) - Historic environment

LPRSP14(C) - Climate change

LPRSP15 – Principles of good design

LPRSS1 - Spatial strategy
LPRTRA2 - Assessing transport impacts
LPRTRA4 - Parking
LPRENV1 - Historic environment
LPRQ&D1 - Sustainable design
LPRQ&D2 - External lighting

The National Planning Policy Framework (NPPF):

National Planning Practice Guidance (NPPG):

4. LOCAL REPRESENTATIONS

Local residents

4.01 5 representations received raising the following (summarised) issues:

- Overshadowing
- Traffic and parking
- Loss of privacy
- Drainage concerns

The other matters raised by neighbours and other objectors are discussed in the detailed assessment below.

Councillor Gooch

4.02 A decision on this application should be made by the Planning Committee and not through the delegated procedures to balance benefits against harm and for the following reasons:

- I urge officers to revisit the Daylight and Sunlight assessment on 1-2 River Lodge, which will be dwarfed by this proposal. The degree of separation between the two buildings (The Old Pump House and River Lodge) is not sufficiently reasonable, consequently the impact on River lodge will be inescapable all year round, particularly during winter months when the sun is at its lowest in the sky and daylight hours are shortest.
- Just as for the yet-to-be-completed conversion of The Works, parking is still totally inadequate with no turning space on this narrow site. No additional parking is provided, I would suggest because there isn't any more to be had on site. The private car parking spaces to 1-2 River Lodge are frequently used as turning spaces causing angst and disturbing the quality of life and environmental amenity of the residents.
- Local residents' local amenity, enjoyment of the locality and quality of life - particularly that of 1-2 River Lodge - is already impeded by the ongoing noise and disturbance, mess and dust of ongoing conversion works to The Works. If planning permission were to be granted, I request that a condition be imposed to preclude commencement of this proposal until completion of The Works conversion 20/505875.
- This proposal may well generate more visits and in time maybe more jobs, yet no travel plan has been submitted to discourage parking on site or to encourage use of sustainable transport. This requirement was conditioned to planning permission 20/505875 to convert The Works and has yet to be met, so I would have thought it would have accompanied this proposal.

Barming Parish Council

4.03 Support this application, but have the following concerns:

- There is no transport policy to encourage the use of bicycles/trains to get to the site (bicycle station etc),
- Not enough environmental improvements have been considered (rain water catchers and highest BREEAM standards) and
- Concern about future parking pressures.

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)

MBC Conservation Officer

- 5.01 No objection and recommend approval for reasons set out in the assessment later in this report.

KCC Minerals and Waste

- 5.02 No objection. No minerals or waste management capacity safeguarding objections or comments to make regarding this proposal.

Historic England

- 5.03 No comment. This should not be interpreted as comment on the merits of the application.

KCC Public Rights of Way

- 5.04 No objection to the proposal. Planning application will not have any impact on public footpath KM15, which passes along the lane adjacent to The Old Pump House on its' Southern side. Safe access to the Right of Way must be maintained at all times, and particularly when work is taking place overhead.

KCC Highways

- 5.05 No objection for the following reasons:
- Whilst adopted guidance (SPG4) indicates that up to three additional parking spaces should be provided, this is a maximum figure. In any event, there appears to be no additional land within the site for this purpose.
 - In the absence of additional on-site parking provision there is an increased potential for overspill car parking onto adjoining streets. Empress Riverside Park does not form part of the publicly maintained highway network, but it is noted that the adjacent section of Farleigh Lane has double yellow lines.
 - Given the limited additional parking demand associated with the extension and restrictions in place on Farleigh Lane, an objection on parking grounds is likely to be difficult to sustain.

6. APPRAISAL

The key issues are:

- Character and appearance
- Heritage
- Visual impact
- Residential amenity
- Highways and parking
- Expansion of existing rural businesses
- Flooding
- Biodiversity
- Sustainable construction.

- 6.01 The site is located within the countryside as defined in the adopted local plan. The starting point for assessment of applications in the countryside is Local Plan Policy SP17. Policy SP17 states that development proposals in the countryside will not be permitted unless:
- a) they will not result in harm to the character and appearance of the area and
 - b) they accord with other Local Plan policies.

Character and appearance (policy SP17 a)

- 6.02 Whilst located in the countryside, with the application site in a group of existing buildings the character and appearance of the immediate area is of built development.
- 6.03 With the nearby listed building and bridge and the curtilage listed status of the application building, heritage considerations form an important part of existing character and appearance and in the assessment of the potential impact of the development.

Heritage and design (policies SP18, DM1, DM4 and DM30)

- 6.04 Policy SP18 of the Local Plan relates to the historic environment and requires that, inter-alia, the characteristics of heritage assets are protected, and design is sensitive to heritage assets and their settings. Policy DM4 of the Local Plan also relates to development affecting designated heritage assets and requires applicants to ensure that new development affecting heritage assets conserve, and where possible enhance, the significance of the heritage asset.
- 6.05 The NPPF (paragraphs 201 and 202) requires the impact on the significance of a designated heritage asset to be assessed as either “substantial harm” or “less than substantial harm” with NPPG guidance setting out that “substantial harm” has a high threshold “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.

(left to right) The Maltings, The Works building and East Farleigh bridge (with the application building and River Lodge in the background).



- 6.06 NPPF guidance (paragraphs 199 and 200) states that when assessing the impact of development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the

greater the weight should be). This is irrespective of whether any potential harm to significance amounts to substantial harm, total loss or less than substantial harm.

6.07 Decision making on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged. This obligation, found in found in sections 16(LBC) and 66(FULL) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1).

6.08 The south east corner of the application building is 12 metres away from the north east corner of the grade II listed former East Farleigh Waterworks. In terms of existing character and appearance the Historic England official listing description of the building is as follows:

*"...Former East Farleigh Waterworks GV II Waterworks, now coachworks and joinery. 1860, by James Pilbrow, in an Egyptian style. Gault brick in English bond. Rectangular. 2 storeys. Coursed stone plinth towards river to south. Battered clasping buttress to each corner, and 2 set close together towards centre of each long side, all running into deep brick plat band under eaves. Rendered coved cornice with deep roll to base and chamfer to top. Low rendered parapet. Truncated projecting brick stack, formerly tall and tapering, filling most of east gable end, with cornice carried round it and bearing the initial "P". Irregular fenestration to south of one small first-floor casement almost filling the narrow central bay and one broad 10- pane window with thin glazing bars to each outer bay of ground floor, all with rendered architraves and deep rendered coved and splayed cornices. 2 inserted 3-light wooden casements. Similar first-floor window to north. First-floor door to left gable end. Single-storey section in a similar style adjoining north-west corner. 2 doorways with rendered coved and splayed ridge cornices flanking base of stack to east. Interior not inspected. (J.S. Curl, *The Egyptian Revival*, 1982)".*

6.09 The conservation officer has highlighted historic photographs which show that the application building previously had an additional storey in place of the existing "strange roof structure. The conservation officer also makes the following points:

- The proposed scheme looks to form a similar scale and form of the lost upper floor and roof structure, but in a contemporary design. This will allow the changes to be clearly visible but reinstate the wider appearance of the building.
- While many industrial buildings are often considered as ugly, or harmful to the more rural setting, they form an important part of our history and development, often forming key buildings within the landscape.
- Solar panels are usually discouraged on listed buildings, but the use of modern technology on a former industrial building continues the ethos of the original building and in this case, the use of solar panels on the curtilage listed building is supported.
- The proposed design is not considered to cause harm to the significance of the curtilage listed building, or the setting of the adjoining designated heritage assets.
- The interior of the building was formed when converted to an office, and has limited significance to the building, and the proposed internal works are considered to cause no harm to the curtilage listed building.

6.10 Whilst allowing for larger amounts of glazing than the original form, the extension design and materials proposed are in keeping with the character of the building reflecting the existing architecture and original scale and form of the building.

- 6.11 The proposed materials respond to the main building on the application site but also introduce modern materials which connect to the new extension to main adjacent listed building The Works. This approach ensures that the connection between the buildings remains.
- 6.12 The proposal would incorporate solar panels to the west elevation. Solar panels on listed buildings are usually discouraged, however the conservation officer does not object to this given the general appearance of the application building.

Existing and proposed south elevations



- 6.13 The scale and design of the proposal is subservient and in keeping with the original building. The proposed scheme would reinstate a similar scale and form of the original upper floor and roof structure and would reflect the historic form of the original building. The proposed design and materials would reflect the architectural style of the host building.
- 6.14 The building extension in terms its scale, height, materials, detailing and articulation is in keeping with the character and appearance of the existing building and responds positively to local character. The extension will have no significant adverse impact on the form, appearance or setting of the building, and will respect the architectural and historic integrity of adjoining buildings. The design and appearance of the extension is in keeping with policies DM1 and DM30.
- 6.15 It is concluded that the extension will lead to 'less than substantial harm' to the significance of the grade II listed The Works building. In these circumstances the NPPF (paragraph 202) advises that "...this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".
- 6.16 The purpose of the extension is to provide additional commercial floorspace for the existing business that occupies the application building. The business employs 17 full time staff and 6 part time staff. Whilst the current application is not intended to increase staff numbers, the applicant has stated "With this additional space, Chord's operation on the site (and the job opportunities available in the company) are safeguarded in the medium and long-term". Enabling the continued commercial occupation of the building and the employment is a public benefit and overall the proposal will result in a positive impact.

- 6.17 Farleigh Lane road bridge over the River Medway is Grade I listed. The road bridge is separated from the application site by The Works building. In this context, it is considered that the current proposal will not harm the significance of the Grade I listed bridge.

Neighbour amenity

- 6.18 Local Plan policy DM1 states that development must "*Respect the amenities of occupiers of neighbouring properties and uses 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*".

Daylight and sunlight

- 6.19 The industry standard best practice guidance for assessing daylight and sunlight impact is published by the Building Research Establishment called "Site Layout Planning for Daylight and Sunlight – A guide to good practice" Third Edition 2022. The applicants have carried out an assessment of potential impact using this best practice, and the conclusions of this assessment has been submitted with the planning application.
- 6.20 The assessment identified potential impact and assessed this impact on the windows in the four neighbouring properties The Malthouse, 1-2 River Lodge and 33 and 34 Riverside Park. The assessment considers the additional building height and the relationship of the buildings in terms of the sun path throughout the day. The application building is to the north of The Malthouse, to the west of 1-2 River Lodge and to the east of 33 and 34 Riverside Park.
- 6.21 After assessment of impact on sunlight, it was found that daylighting provided to windows in neighbouring buildings will be within limits set as being acceptable by BRE guidelines. The assessment concludes that the change in daylight to neighbouring windows will be insignificant and unlikely to be noticed by adjacent occupiers.
- 6.22 The assessment of impact has shown that despite some reductions seen in the number of probable sunlight hours to relevant neighbouring windows (including River Lodge), sunlight hours for neighbouring windows and amenity areas would be within the thresholds that BRE guidelines deem as acceptable.

Privacy and overlooking

- 6.23 The potential impact on privacy and overlooking has been considered in relation to The Malthouse, 1-2 River Lodge and 33 and 34 Riverside Park.
- No.1-2 River Lodge
- 6.24 No.1-2 River Lodge are two storey semi-detached properties located to the east of the application site and fronting Farleigh Lane. Distance of approximately 13m separates the application property from the rear elevation of River Lodge across a parking area shared between the two buildings.
- 6.25 The proposed extension would be situated much higher than the No.1-2 River Lodge and therefore no direct window-to-window views would result and any views that may occur would be oblique. The views available from the proposed extension would also be similar to those available from the existing second-floor windows. It is therefore concluded that no significant loss or privacy or overlooking would result.

- No.1-5 The Malthouse
- 6.26 The Malthouse is 4.6 metres to the south of the application building. In terms of a loss of privacy and overlooking, again the proposed extension would be situated much higher than The Malthouse and therefore no direct window-to-window views would result, and any available views would be oblique. The proposed windows on the third floor would also offer similar views to those available from the existing second-floor windows. It is therefore concluded that no loss of privacy or overlooking would result.
- No.33-34 Riverside Park
- 6.27 No.33-34 Riverside Park are to the west of the application site. They are located approximately 14.3m from the application building and are situated approximately 2.2m higher than the ground level.
- 6.28 In terms of any loss of privacy or overlooking, the proposed windows would offer similar views to those available from the existing second-floor windows and the proposed extension would be situated much higher than both No.33-34 Riverside Park and therefore any views available would be oblique. It is therefore concluded that no significant loss of privacy or overlooking would result.

Construction phase

- 6.29 The impact of construction works on residential amenity has been raised in consultation responses, including the possibility of approved works on the application site and The Works building (20/505875/FULL) taking place simultaneously.
- 6.30 A planning permission can be implemented any time within the 3 years after approval and it would be unreasonable and fail the necessary tests to seek to prevent implementation until works on the neighbouring site have been completed.
- 6.31 Generally potential problems associated with the construction phase , for example, hours of work, noise, dust, and construction vehicles are also not planning considerations. In this instance, given the unique circumstances with multiple planning permissions and the current efficient use of application site land, a planning condition is justified requesting the submission of a construction management plan.
- 6.32 Overall, the proposals would not result in a significant harm to neighbouring residential amenity that would warrant a refusal. The applicant states "*The operations carried out on the site by Chord will change and, as such, these proposals would have no additional effects in terms of noise and other general amenity impacts*".

Access, servicing parking, traffic, and highway safety

- 6.33 The application building currently provides 381 square metres of floorspace and the extension will add 70 square metres (total of 451 square metres). The applicant has stated that proposed extension will allow the floorspace to operate more effectively but the extension will not increase the level of existing employment on the site (17 full time jobs and 6 part time staff).

Access, servicing, and trip generation

- 6.34 Local Plan policy DM 1 states that proposals will be permitted, where they can safely accommodate the associated vehicular and pedestrian movement on the local highway network and through the site access.

- 6.35 In relation to trip generation, the applicant has advised:
- The application will not increase the amount of people employed on the site. The development is to allow for additional internal space for meetings and training and will not result in additional staffing numbers.
 - The development will not result in additional visitors coming to the site. Visitors currently come to the site to view and listen to audio products, albeit, at present, there is not a designated room to host visitors. The proposed developments will not make visitor trips more frequent but will provide a dedicate space to showcase products.
- 6.36 Consultation comments refer to potential future changes on the application site, the current application must be assessed based on the impact of the current proposal.
- 6.37 The absence of a Travel Plan has been questioned in consultation responses. Travel Plans are normally required for non-residential development providing more than 1,000 square metres. The current application is significantly below this threshold providing 70 square metres.
- 6.38 The proposal will use the existing vehicle access. The existing access has been assessed in relation to its anticipated level of use, its width, driver sight lines and the future servicing of the accommodation and is considered suitable.
- This requirement was conditioned to planning permission 20/505875 to convert The Works and has yet to be met, so I would have thought it would have accompanied this proposal.

Car and cycle parking

- 6.39 Local Plan policy DM 23 states that the car parking for non-residential uses will consider the following:
- The accessibility of the development and availability of public transport.
 - The type, mix and use of the development proposed, and
 - Whether development proposals exacerbate on street car parking to an unacceptable degree.
- 6.40 The application site is in East Farleigh. Following the 2021 assessment of population, village services and facilities across the borough the local plan review recommends that East Farleigh is designated as a 'larger village' (sustainability location hierarchy of urban area-rural service centre-larger villages). The local plan review advises that in East Farleigh "*There are a moderate number of services and light industrial sites in and around the settlement, there is a primary school in the southern part of the village*".
- 6.41 The application site is immediately adjacent to the public transport offered by East Farleigh Railway Station (connections to Maidstone town centre, Paddock Wood, Tonbridge and the Medway Towns). A nearby riverside footpath provides pedestrian and cycle access to Maidstone. Whilst the accessibility issues caused by the nearby single track grade I listed road bridge are acknowledged, the application provides a modest level of additional floorspace and does not involve any additional employees on the site.
- 6.42 Car parking standards for non-residential uses are set out in Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards July 2006. In terms of the proposed floorspace, the guidance states that a maximum (not minimum) or up to three additional car parking spaces should be provided.

- 6.43 There is no available space on the application site for any additional parking car parking. The nearby vehicle access to Empress Riverside Park (residential estate of 36 park homes) is gated, with the estate also not part of the publicly maintained highway network. The section of Farleigh Lane close to the application site has double yellow lines. The East Farleigh Railway Station car park is located close to the application site, the 35 spaces are available for non-rail passengers.
- 6.44 There is no space available on the application site for any cycle parking in the open areas of the site and in the context of no new staff or customer trips resulting from the proposal the lack of cycle parking is acceptable.
- 6.45 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 (Paragraph 111)*".
- 6.46 It is concluded that the impact of the application on highway safety will be acceptable and the impact on the road network will not be 'severe'. The impact of the proposal is found to be acceptable for the following reasons:
- The application involves a modest level of additional floorspace which is ancillary and does not involve any additional staff or customer trips.
 - Parking standards are set as maximum and there is no available space on the site for additional parking.
 - On street parking is restricted on Farleigh Lane with double yellow lines but the railway station car park is nearby.
 - The application has been assessed by the highways authority and they raise no objection.
- 6.47 Local Plan policy DM1 sets out that new development should provide adequate vehicular and cycle parking to meet adopted council standards, encouraging good access routes.

Expansion of existing rural businesses (policy DM37)

- 6.48 Policy DM37 of the Local Plan allows the expansion of existing rural businesses in rural areas subject to the criteria listed below. Each criteria is followed by comment.
- 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.*
- 6.49 The current proposal relates to an extension of part of the application building and not a new building. The assessment above concludes that the extension is appropriate in scale for the location and will be integrated into the area.
- 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.*
- 6.50 As set out above, the proposal has been found to be acceptable in relation to traffic and travel impact.
- 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*
- 6.51 As set out above, the proposal has been found to be acceptable in relation to amenity impact.

iv) No open storage of materials will be permitted unless adequately screened from public view throughout the year.

- 6.52 There is no space available on the application site for open storage and a condition is recommended that requires the parking spaces to be retained.

Flooding

- 6.53 The application site is situated within flood zones 2 and 3. The submitted flood risk assessment states that it can be demonstrated that the development proposal is compatible with the predicted flood risk profile.
- 6.54 Furthermore, it states that the proposed development is not predicted to increase the risk of flooding to others over the development lifetime and it is therefore concluded that with regards to the Flood Risk requirements of the NPPF, the development proposals are acceptable.
- 6.55 Considering this and the nature of the proposal, whereby it would not be adding any ground floor accommodation or staff, the proposal would not result in any issues in terms of flood risk.

Biodiversity

- 6.56 Local Plan policy DM3 states: "To enable Maidstone borough to retain a high quality of living and to be able to respond to the effects of climate change, developers will ensure that new development protects and enhances the natural environment ...where appropriate development proposals will be expected to appraise the value of the borough's natural environment through the provision of...an ecological evaluation of development sites...to take full account of the biodiversity present, including the potential for the retention and provision of native plant species".
- 6.57 The proposal would not result in the need for further ecological surveys, and there are no protected species which would be at risk. Policy DM1, DM3 and the NPPF do however all promote ecological enhancement. With the nature and extent of the proposals a condition is recommended seeking integral biodiversity enhancements.

Sustainable construction

- 6.58 The Parish Council have referred to the BREEAM standards. Policy DM2 of the Local Plan states that BREEAM standards (for non-residential development - includes measures on water consumption) should only be applied where technically and financially viable.
- 6.59 The current application is not for a new building but for an modest extension to an existing building and in these circumstances it would not be technically possible or financially viable to seek BREEAM compliance. (min area as a rule of thumb to be viable would be 500 square metres and the current proposal is 70 square metres).

PUBLIC SECTOR EQUALITY DUTY

- 6.60 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 For the reasons set out above the proposed erection of a third floor to create additional business space would be acceptable and would not cause significant

visual harm, harm to neighbouring amenity nor would it be unacceptable in terms of any other material planning considerations. The proposed developments is in accordance with current policy and guidance.

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

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed Second Floor Plan – Drawing No. 348(P)033 Rev 1 – Received 27/02/2023
Proposed Third Floor Plan – Drawing No. 348(P)034 Rev 2 – Received 27/02/2023
Proposed Roof Plan – Drawing No. 348(P)035 Rev 1 – Received 27/02/2023
Proposed South Elevation – Drawing No. 348(P)040 Rev 4 – Received 27/02/2023
Proposed East Elevation – Drawing No. 348(P)041 Rev 3 – Received 27/02/2023
Proposed North Elevation – Drawing No. 348(P)042 Rev 4 – Received 27/02/2023
Proposed West Elevation – Drawing No. 348(P)043 Rev 4 – Received 27/02/2023
Proposed Section AA – Drawing No. 348(P)045 Rev 1 – Received 27/02/2023
Proposed Site Plan – Drawing No. 348(P)003 Rev 1 – Received 08/03/2023v
Reason: To clarify which plans have been approved.
- 3) No development shall take place until a Construction Management Plan for the site has been submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include the following details-
 - (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (e) Temporary traffic management / signage
 - (f) Measures to control dust.The construction works shall proceed only in accordance with the approved Construction Management Plan.
Reason: In the interests of residential amenity and highway safety
- 4) Prior to first occupation of the approved accommodation measures taken for the on-site enhancement of biodiversity shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the enhancement of biodiversity through integrated methods into the design and appearance of the building structure (where possible) by means such as swift bricks, bat tube or bricks and additionally through provision within the site curtilage of measures such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgerow corridors. 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.
- 5) No external work shall take place on the building until details (manufacturer name, product name, and photographs) of the external facing materials to be used for the extension 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.

- 6) 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 wildlife.

- 7) The development shall not commence above slab level until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved to provide at least 10% of total annual energy requirements of the development, have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation of the approved dwelling and maintained thereafter.

Reason: To ensure an energy efficient form of development.

- 8) The vehicle parking spaces and turning facilities as shown on the submitted plans shall be permanently retained for parking and turning and shall not be used for any other purpose.

Reason: In the interest of highways safety and parking provision.

- 9) The extension hereby permitted shall not be occupied until the following have been submitted to, and approved in writing by, the local planning authority

- details of measures to be put in place to encourage the use of sustainable (non-private vehicle) modes of travel for staff and customers,
- details of measures to be put in place to prevent adjacent parking spaces being used as vehicle turning areas.

The approved measures shall be in place prior to the first use of the approved extension hereby permitted and thereafter retained permanently.

Reason: Due to the limited parking provision and to promote more sustainable methods of travel.