

REFERENCE NO: 23/500505/FULL		
APPLICATION PROPOSAL: Retrospective application for change of use from an agricultural barn to a florist, including alterations to fenestration.		
ADDRESS: Brattle Farm Five Oak Lane Staplehurst Kent TN12 0HE		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions in Section 8 of this report.		
SUMMARY OF REASONS FOR RECOMMENDATION:		
<ul style="list-style-type: none"> The proposal will result in harm to the character and appearance of the countryside contrary to policy SP17 and there are no Local Plan policies that directly support retail uses outside of a designated settlement (other than farm shops). In this context as the application is not in accordance with the adopted Local Plan, it needs to be determined as to whether there are other material considerations that justify granting planning permission. The application building is modest in floorspace size (with a condition restricting future expansion of the external display area) and the existing use would not have required full planning permission if a proposed use. It has been found that a minimal level of harm has been caused to the character and appearance of this rural area. A planning condition will require a further application for the display of any advertisements or signs. The proposal is acceptable in relation to heritage impacts as confirmed in the comments from the conservation officer. The application is found to be acceptable in relation to neighbour amenity, with adequate access and parking arrangements. The application brings a vacant building back into beneficial use and supports the aims of NPPF and the Local Plan in achieving a prosperous rural economy. It is concluded that whilst the application is not in accordance with the development plan (a departure) these material considerations that have been outlined and the minimal level of resulting harm indicate that planning permission should be approved. 		
REASON FOR REFERRAL TO COMMITTEE:		
<ul style="list-style-type: none"> The application is a departure from the development plan. 		
WARD: Staplehurst	PARISH: Staplehurst	COUNCIL: APPLICANT: Mr William Thompson AGENT: Kent Planning Consultancy Ltd
CASE OFFICER: Tony Ryan	VALIDATION DATE: 13/02/23	DECISION DUE DATE: 28/07/23
ADVERTISED AS A DEPARTURE: Yes		

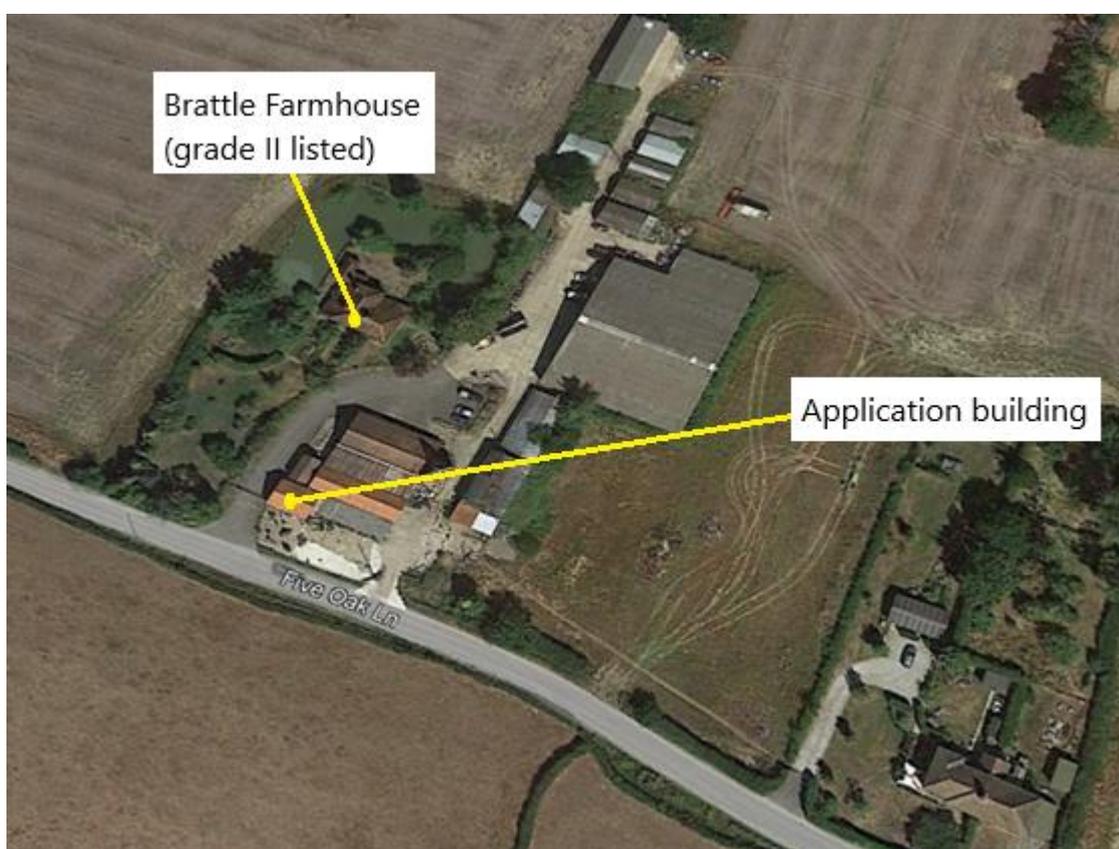
Relevant planning history

- 22/503766/PNR Prior notification for the change of use of agricultural building to a flexible use within Class B8 (storage) and B1 (light industrial). For its prior approval

to: Transport and Highways impacts of the development - Noise impacts of the development - Contamination risks on the site - Flooding risks on the site. Approved 26.09.2022

- 22/505937/PNR Prior notification for the change of use of agricultural building to a flexible use for its prior approval to: Transport and Highways impacts of the development - Noise impacts of the development - Contamination risks on the site - Flooding risks on the site. Approved 28.02.2023 subject to various conditions including requirement for a Traffic and Parking Management Plan and a restriction on the hours of use for uses within planning use class B8 (storage or distribution) and Class E (commercial, business or service)
- 23/501386/FULL Operational development in association prior approval reference 22/505937/PNR consisting of demolition of existing store and changes to fenestration. Approved 13.06.2023
- 23/501387/SUB Submission of Details pursuant to condition 2 (Traffic and Parking Management Plan) of Application 22/505937/PNR Approved 18.05.2023

Site location



MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The site (248 square metres) is in the countryside as designated by the Maidstone Borough Local Plan 2017. The site has no special landscape designation. Staplehurst settlement boundary is circa 0.5 miles to the east of the site.

- 1.02 The site is on the north side of Five Oak Lane circa 325 metres to the west of the junction with Pinnock Lane. The application building forming part of Brattle Farm is occupied by a rectangular small single storey brick building with a pitched tiled roof, the building has a gross internal area of 40 square metres.
- 1.03 Agricultural land is to the west, east and north of the application site. Brattle Farmhouse (Grade II listed building) is located circa 40 metres to the south of the application building and to the rear of a neighbouring building. At a point circa 73 metres to the south west of the application building, footpath KM316 meets Five Oak Lane from the south.

2. PROPOSAL

The application is for the change of use from an agricultural barn to a florist, including alterations to fenestration. The application is retrospective.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan Adopted October 2017,
SS1: Maidstone Borough spatial strategy
SP17: Countryside
SP18: Historic Environment
SP21: Economic development
DM1: Principles of good design
DM3: Natural environment
DM4: Development affecting designated and non-designated heritage assets
DM18: signage and shopfronts
DM23: Parking standards
DM30: Design principles in the countryside
DM31 Conversion of rural buildings

Staplehurst Neighbourhood Plan - VH1 Retention and support of existing retail

Maidstone Borough Council – Local Plan Review, draft plan for submission (Regulation 22) dated October 2021.

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:

LPRSS1 Maidstone Borough Spatial Strategy
LPRSP9 Development in the Countryside
LPRSP11 - Economic development
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
LPRQ&D 4 Design principles in the countryside

Supplementary Planning Documents: Maidstone Landscape Character Assessment
The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

4. LOCAL REPRESENTATIONS

Local residents

- 4.01 Objections received from one address for the following summarised reasons:
- Contrary to the National Planning Policy Framework (paras 84c, 85, 130c, 174, 199 and 202).
 - Contrary to Staplehurst Neighbourhood Plan (para Paragraph 2.10 (5) "Protecting and enhancing the natural and historic environment, the quality and character of the whole built environment and the wider countryside").
 - Contrary to the Local Plan (policies DM18, DM31, DM40).
 - Fails to respect and is damaging to the rural and historical character of the area
 - Substantially a new building for retail use in the countryside, or an existing rural building which required major or complete reconstruction
 - Adverse effect of external display area on the environment.
 - The site is in an unsustainable location and the space available for parking and turning is inadequate

Staplehurst Parish Council

- 4.02 No objection, recommend that the application is approved and do not wish the application to be referred to MBC Planning Committee.

5. CONSULTATIONS

MBC Conservation Officer

- 5.1 No objection.
- 5.2 The works have changed the building appearance from "*a simple 'working' rendered building dating from the early 1900's to a building with the appearance of an earlier farm building*".
- 5.3 Whilst the building changes have altered the development of the farmstead, it is highlighted that buildings did evolve and develop, with repairs of various quality being undertaken, so recladding of the building would not be uncommon. The works undertaken to the building are unlikely to have caused harm to the structure (due to the age of the barn).
- 5.4 The proposed change of appearance and change of use within the setting of the listed building are not deemed to cause harm to the significance of the farmhouse.

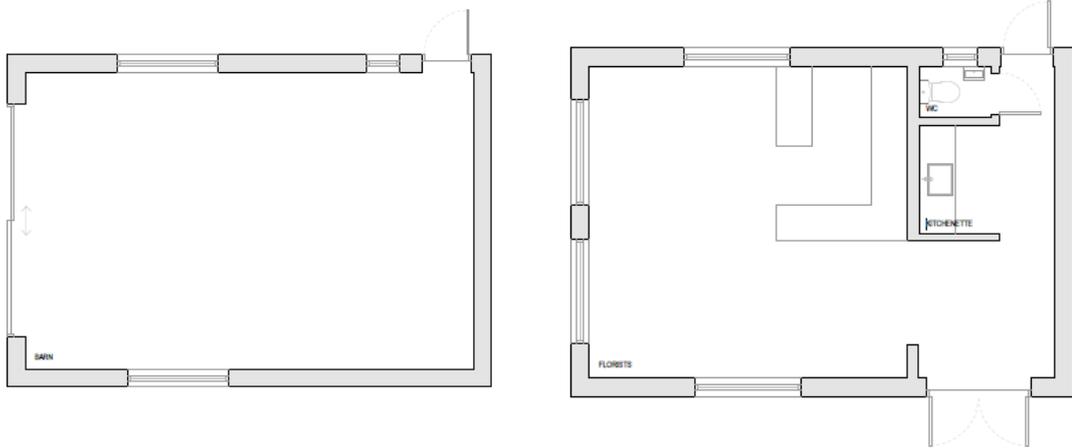
6. APPRAISAL

- 6.01 The starting point for assessment of all applications in the countryside is Local Plan Policy SP17. Policy SP17 states that development proposals in the countryside will only be permitted where:
- a) there is no harm to local character and appearance, and
 - b) they accord with other Local Plan policies

- 6.02 Policy SP17 does not specify an acceptable level of harm and all proposals in the countryside are likely to result in some harm to local character and appearance. In this context all countryside development does not accord with the first part of policy SP17 above.
- 6.03 Other Local Plan policies permit development in the countryside in certain circumstances (and subject to listed criteria). If development accords with one of these other policies, in these circumstances this compliance generally outweighs the harm caused to character and appearance with a proposal in accordance with LP policy SP17 overall.
- 6.04 LP Policy SP21 (vii) states that improving the economy and providing for the needs of business will be achieved through "*Prioritising the commercial re-use of existing rural buildings in the countryside over conversion to residential use, in accordance with policy DM31*".
- 6.05 With reference to buildings with the quality of Oast Houses, policy DM31 permits the retention and conversion of rural buildings that 'reinforce landscape character' subject to several listed criteria. The conservation officer concludes that the application building is not curtilage listed. The application has been considered on the basis that the retained building does not 'reinforce landscape character'
- 6.06 The application does not involve the conversion of agricultural land to domestic garden so DM33 is not relevant. The application does not involve the expansion of an existing business on the application site so policy DM37 is not relevant. LP policy DM40 does permit retail uses in the countryside but only where the uses are restricted to selling a significant proportion of produce in turns of turnover that originates from the farm holding where the retail use is located.
- 6.07 The current application does not involve produce or goods which originate from the Brattle Farm site and as a result policy DM40 offers no support to the current application.
- 6.08 The proposal will result in harm to the character and appearance of the countryside and there are no Local Plan policies that support the application. The application is a departure from the adopted Local Plan.
- 6.09 The National Planning Policy Framework (NPPF) highlights that the planning system is plan-led. The NPPF reiterates The Town and Country Planning Act 1990 and The Planning and Compulsory Purchase Act 2004, which require by law that planning applications "*must be determined in accordance with the development plan, unless material considerations indicate otherwise*".
- 6.10 The relevant material considerations in this case include assessing the impact of the proposal in the following areas:
- Permitted development rights
 - Character and appearance
 - Location
 - Heritage
 - Rural economy
 - Neighbour amenity
 - Access, parking, transport, and Public Right of Way (PROW)
 - Biodiversity

Original and existing images for comparison.

- Original and application floorplans



- Original and existing front (south) elevation



- Original and existing side (west) elevation



- Original and existing street scene



Permitted development rights

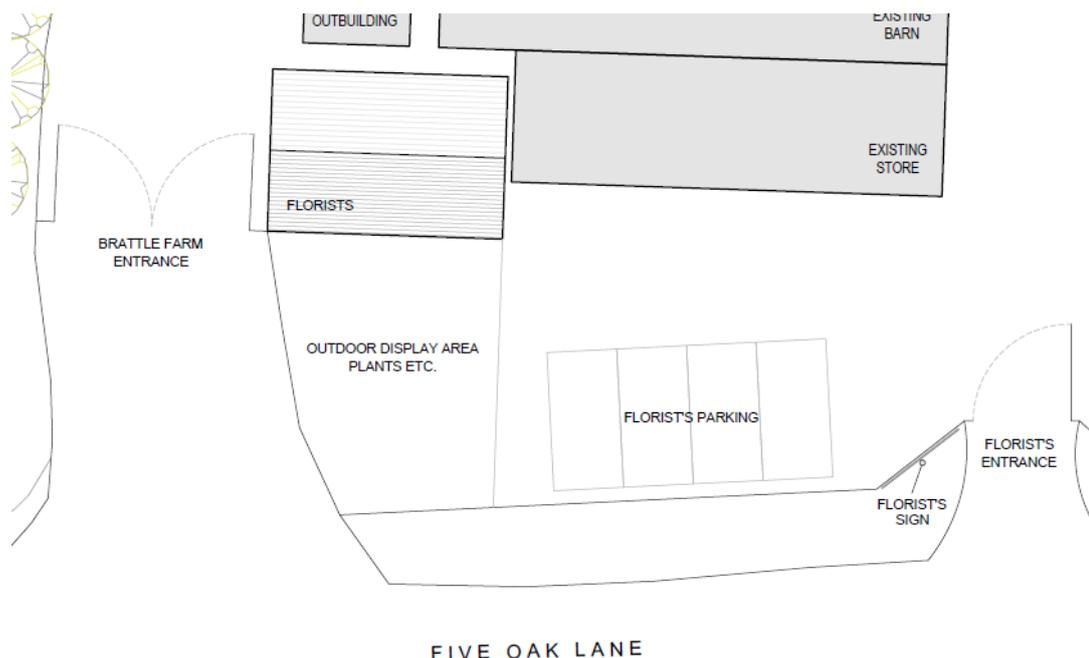
- 6.11 National legislation allows the conversion of agricultural buildings to retail use (and a variety of other uses) without the need for full planning permission (permitted development). This legislation is Schedule 2, Part 3, Class R of the General Permitted Development Order 2015 (as amended) (GPDO).
- 6.12 To benefit from this flexibility to change to retail use, an application for 'prior' approval is required from the Council before the use commences. The extent of what can be considered as part of this prior approval application and information requirements are restricted by the above legislation.
- 6.13 The application building is 40 square metres and information on transport and highways, noise, contamination, and flooding are only required as part of the prior approval application when floorspace is over 150 square metres. The Council's conservation officer has assessed the age and location of the building and has determined that the building is not curtilage listed.
- 6.14 In summary if the retail use had not already commenced, the application building would benefit from permitted development rights allowing retail use under the prior approval system. A planning application was required in this instance as the development is retrospective (the need for full planning permission is only due to a failure on the 'prior' part of the prior approval system).
- 6.15 In addition to the flexibility of changing between agricultural and retail use, there is also flexibility to change between retail and residential use (Class M, GPDO). To remove future flexibility for the application building to change from retail to residential use a planning condition is recommended removing this permitted development right. This condition will result in a need for full planning permission for this change.

Character and appearance

- 6.16 Supporting text to policy SP17 advises "*The countryside has an intrinsic character and beauty that should be conserved and protected for its own sake*". In terms of assessing this intrinsic character, the Council's published Landscape Character Assessment shows the application site in the Low Weald Fruit Belt which is part of the wider Low Weald landscape. The summary of actions in this area include:
- Conserve the abundance of oak as a dominant species, and plant new isolated oaks within pasture and hedgerows to replace ageing population
 - Conserve the pastoral land use and resist conversion to arable land
 - Conserve and enhance the small scale field pattern and sense of enclosure
 - Conserve the largely undeveloped rural landscape and the remote quality of isolated farmsteads
 - Resist infill linear development along Maidstone Road
 - Soften the visual prominence of large agricultural barns through native planting
 - Enhance habitat opportunities around water bodies and ditches by promoting a framework of vegetation in these areas
- 6.17 The application site has a lawful agricultural use. The modest detached application building has a gross internal area of 40 square metres. The application building is at the south west corner of a group of other farm buildings and is seen in the context of these buildings.
- 6.18 Immediately to the west of the application building is the main vehicular access to the farm and Brattle Farmhouse (grade II listed) which is circa 40 metres to the south.

- 6.19 The changes to the building include the insertion of a new door to the front elevation, the sliding doors to the side elevation have been changed to two windows. The window to the front elevation of the original building was broadly domestic in style and the proposed changes to the fenestration reflect the same style. The changes to arrangement of doors and windows is in keeping with the appearance of the building and these changes are acceptable.
- 6.20 The original white rendered building is now finished in black timber cladding. There is some variety in facing materials locally including the two existing breeze block buildings immediately to the north east of the application building and the red brick Oast to the rear of the site. Saynden Cottages further to the west on Five Oak Lane is painted brick and the Acorns on the opposite side of Five Oak Lane has black timber cladding at first floor like the cladding on the application site.
- 6.21 Other buildings on the farm site behind the application building are also finished in black timber cladding and this facing material is found on many buildings in the wider Kent countryside. The use of timber cladding on the application building is keeping with the character of the area.
- 6.22 Allowing unrestricted outdoor display of goods in this location could have an adverse impact on the character of the area. As a result, a planning condition is recommended that prevents the storage or display of goods associated with the use outside the display area indicated on the plan below.
- 6.23 Allowing unrestricted outdoor signage in this location could have an adverse impact on the character of the area. As a result, a planning condition is recommended that would require separate consent for the the display of any sign or advertisement on land controlled by the applicant or in the vicinity of the application site in connection with the approved use (without this condition certain advertisements and signage could be displayed without advertisement consent). The condition also highlights that the current application does not give any consent to the signage indicated on the plan below at the site entrance.

Layout drawing provided with the current application.



Heritage

- 6.24 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.
- 6.25 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”.
- 6.26 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.
- 6.27 Brattle Farmhouse (Grade II listed building) is located circa 40 metres to the south (rear) of the application building and to the rear of a neighbouring building. The listing gives the following detail:

Farmhouse. Mid-to-late C16, with late C16 or early C17 addition and later alterations. C19 facade. Timber framed. Ground floor painted brick. First floor tile-hung with thick band of pointed fishscale tiles towards base and five diamonds of fishscale tiles above. Right gable end weatherboarded on both floors. Plain tile roof.

Main range with principal room of 2 timber- framed bays incorporating cross-passage to left, and formerly with further timberframed bay to left end. Stack bay to right of principal room. Bay to right of stack bay possibly of same date or, probably, built or rebuilt slightly later, and framed as a cross-wing.

Main range formerly integrally roofed with the cross-wing. Rear addition of one timber-framed bay, spanning whole of principal room and either newly-built in the early C17 or removed at about that time from left end of main range. 2 storeys. Underbuilt continuous jetty beneath and to left of stack. Hipped roof. Multiple brick ridge stack slightly to right of centre. Irregular fenestration of 4 casements; 3 two-light, and one single-light under stack. Ribbed and boarded door to left end and another under stack. Lean-to to left in same materials. Short timber-framed rear wing to left, weatherboarded on both floors to right side, tilehung to first floor to rear, with hipped roof. Rear lean-to to rest of main range.

Interior:

exposed framing. Plank-and- muntin partition, with beaded planks, to right side of rear wing, and probably removed from grooved cross-beam to right side of cross-passage when rear wing was built. Chamfered stone ground-floor fireplace to left with cambered bressumer, and chamfered brick fireplace to first floor. Ovolo-moulded beams to both floors of right end bay, and evidence for frieze windows. Clasped purlin roof with windbraces. Cross-wing re-roofed, possibly in C18. C17 newel to top of attic stairs in rear wing. Moated site.

- 6.28 The Council's conservation officer makes the following points:
- *"The proposed design converts the simple structure into a more 'traditional' farm building".*
 - *"The works undertaken to the building are unlikely to have caused harm to the structure (due to the age of the barn)".*
 - *"The proposed change of appearance and change of use within the setting of the listed building are not deemed to cause harm to the significance of the farmhouse".*
- 6.29 The impact of the application on the significance of the nearby designated heritage assets will be less than substantial. This conclusion is reached for the following reasons:
- The application building is separated from the listed building by circa 40 metres and other timber nearby clad buildings.
 - The general appearance of the original building was domestic in terms of form and building shape and window proportions, and the new fenestration is in keeping with this original style.
 - The retail use of the building (even when accounting for outdoor space) is modest and visual impact is minimal .
- 6.30 The 'less than substantial harm' has been weighed against the public benefits of the proposal including, and the harm is outweighed by the benefits from the reuse of this site.

Inside of the florists shop



Neighbour amenity

- 6.31 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, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties".

- 6.32 The nearest residential dwelling is Brattle Farmhouse that is separated from the new building by circa 40 metres. In this context there are no issues with daylight, sunlight, privacy and overlooking.
- 6.33 Another potential source of nuisance is noise. The application involves a modest retail unit, the operation of the unit and the vehicle trips that it generates are acceptable in relation to residential amenity. A planning condition is recommended that restricts operation of the use to Monday to Friday 08.00-18.00

Trip generation and access

- 6.34 The NPPF states planning decisions "*...should recognise that sites to meet local business...needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development ... does not have an unacceptable impact on local roads...*".
- 6.35 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.
- 6.36 Whilst outside of a settlement, the application site is one minute drive to the Staplehurst settlement boundary. The vehicle trips associated with the retail use can be safely accommodated on the local network. The site access is found to be suitable for the proposed use and the trips associated with the use.

Car and cycle parking

- 6.37 Local Plan policy DM 23 states that the car parking provided 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.
- 6.38 The car parking standards for non-residential uses set out in Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards July 2006. These standards are set as maximum (not minimum) and for non-food retail the standards are a maximum of one space for every 25 square metres.
- 6.39 The application site is provided with an area for informal car parking and the applicant has advised that this area provides 4 car parking spaces. With a floor area of 40 square metres the 4 spaces are more than the maximum permitted, however given the nature of the use and the location this parking provision is acceptable. There is no indication that the existing use causes any highway safety issues in relation to on street parking.
- 6.40 The cycle parking standards for non-residential uses are set out in Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards July 2006. These standards state that the site should provide a minimum of one cycle parking space. A planning condition is recommended asking for this onsite cycle parking.
- 6.41 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)*". 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

Biodiversity

- 6.42 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".
- 6.43 The proposal does not result in the need for 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 biodiversity on site enhancements.

Rural economy

- 6.44 Guidance in the National Planning Policy Framework is a material planning consideration. Under the heading "*Supporting a prosperous rural economy*" the NPPF states planning decisions "*...should enable the sustainable growth and expansion of all types of business in rural areas...through conversion of existing buildings*". Although not directly relevant, Local Plan policies SP21 and DM37 are generally supportive of proposals for economic development in the countryside.
- 6.45 With the nature of the use, the current application is in line with this policy advice.

External view looking east



Third party comments

- 6.46 Most of the comments from the third party are addressed in the above report. The following comments are made on the policy references.
- NPPF para 84c relates to tourism and leisure uses so this advice is not relevant to the current application that is for retail use.
 - NPPF para 85 recognises "*...sites to meet local business...needs in rural areas may have to be found ...beyond existing settlements, and in locations that are not well served by public transport...*".

- The current application is in line with the other requirements of the NPPF in that it is sensitive to its surroundings.
- With the modest level of floorspace, trip generation can easily and safely be accommodated on local roads.
- The application is in accordance with NPPF 130c in that the application is sympathetic to local character, the surrounding built environment and landscape.
- The application involves a change of use and elevational changes and is in line with NPPF 174 that seeks to protect the intrinsic character of the countryside.
- In line with NPPF 199 the potential impact on Brattle Farmhouse has been considered and the relevant weight attached to the asset's conservation. The less than substantial harm to the listed building has been weighed up against the public benefits of the current application and there are no grounds to refuse planning permission.
- The application is in accordance with the Staplehurst Neighbourhood including the Neighbourhood Plan Vision at Paragraph 2.10.
- It is agreed that the application is not in accordance with local plan policies DM31 (does not reinforce landscape character) and DM40 (farm shops); however, material considerations indicate that permission should be approved.
- Policy DM18 relates to new shop fronts. The application is in accordance with this policy as the changes to the building reflect the style and form of the building and the cladding is in keeping with this location.

PUBLIC SECTOR EQUALITY DUTY

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

7. CONCLUSION

- 7.01 The National Planning Policy Framework (NPPF) reiterates The Town and Country Planning Act 1990 and The Planning and Compulsory Purchase Act 2004, which requires by law that planning applications "*must be determined in accordance with the development plan, unless material considerations indicate otherwise*".
- 7.02 The proposal will result in harm to the character and appearance of the countryside contrary to policy SP17 and there are no Local Plan policies that directly support retail uses outside of a designated settlement (other than farm shops).
- 7.03 In this context as the application is not in accordance with the adopted Local Plan, it needs to be determined as to whether there are other material considerations that justify granting planning permission.
- 7.04 The application building is modest in floorspace size (with a condition restricting future expansion of the external display area) and the existing use would not have required full planning permission if a proposed use. It has been found that a minimal level of harm has been caused to the character and appearance of this rural area. A planning condition will require a further application for the display of any advertisements or signs
- 7.05 The proposal is acceptable in relation to heritage impacts as confirmed in the comments from the conservation officer. The application is found to be acceptable in relation to neighbour amenity, with adequate access and parking arrangements. The application brings a vacant building back into beneficial use

and supports the aims of NPPF and the Local Plan in achieving a prosperous rural economy.

- 7.06 It is concluded that whilst the application is not in accordance with the development plan (a departure) these material considerations that have been outlined and the minimal level of resulting harm indicate that planning permission should be approved.

8 RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

- 1) The development shall be carried out in accordance with the following approved plans and documents:
Application for planning permission
2163 01 Existing Site Location and Block Plan
2163 02 Existing Floor Plan
2163 03 Existing Elevations
2163 04 Proposed Block Plan
2163 05 Proposed Floor Plan
2163 06 Proposed Elevations
Heritage Statement
Reason: To clarify the approved plans and to ensure the development is carried out to an acceptable visual standard.

- 2) The conversion work shall be reversed, and the use restored to that which existing before the development took place within 6 weeks of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
 - i) Within 6 weeks of the date of this decision a Site Development Scheme, hereafter referred to as the 'Scheme', shall have been submitted for the written approval of the Local Planning Authority. The Scheme shall include details of:
 - a) details of refuse bin storage enclosures,
 - b) details of cycle storage
 - c) details of existing landscaping and details of soft landscape enhancements
 - d) details of the measures to enhance biodiversity at the site,
 - e) a timetable for implementation of the scheme including a) to d) with all details implemented in accordance with the agreed timetable and all details retained for the lifetime of the development.
 - ii) Within 11 months of the date of this decision the Scheme shall have been approved by the Local Planning Authority or, if the Local Planning Authority refuse to approve the Scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
 - iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted Scheme shall have been approved by the Secretary of State.
 - iv) The approved Scheme shall have been carried out and completed in accordance with the approved timetable and thereafter maintained and retained as approved.
Reason: In the interests of landscape, visual impact, and amenity of the area and to ensure a satisfactory appearance to the development.

- 3) The landscaping required by condition 2 shall be designed in accordance with the principles of the Council's Landscape Guidelines (Maidstone Landscape Character Assessment Supplement 2012). The scheme shall
 - (a) show all existing landscaping on, and immediately adjacent to, the site and indicate whether it is to be retained or removed,

- (b) provide details of new on-site planting in a planting specification (location, spacing, quantity, maturity) to the front of the site.
- (c) provide landscape implementation details and timetable
- (d) provide a [5] year landscape management plan

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

- 4) All landscaping approved under condition 2 shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years of planting die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.
Reason: In the interests of landscape, visual impact, and amenity of the area and to ensure a satisfactory appearance to the development.
- 5) The biodiversity enhancement required by condition 2 shall include 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.
Reason: To protect and enhance the ecology and biodiversity on the site in the future.
- 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. The submitted details shall be in accordance with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2011 (and any subsequent revisions) and follow the recommendations within Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting', and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter.
Reason: To safeguard the character and appearance of the countryside and in the interests of residential amenity and wildlife.
- 7) The building or land shall be used as a florist only and for no other purpose (including any other purpose in Classes of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or permitted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any statutory instrument revoking and re-enacting those Orders with or without modification). Reason: Unrestricted use of the building or land could cause demonstrable harm to the character, appearance and functioning of the surrounding area and/or the enjoyment of their properties by adjoining residential occupiers.
- 8) No external storage of plant, materials, products, goods for sale or hire or waste in connection with the use hereby approved shall take place outside of the external display area shown on the submitted proposed block plan drawing 2163 – 04 Reason: To safeguard the character and appearance of the surrounding area.
- 9) Notwithstanding the submitted plans the current permission does not give any consent for the display of any advertisement or signage on the application site in

connection with the approved use. Reason: To safeguard the character and appearance of the surrounding area.

- 10) Notwithstanding the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 separate consent is required for the display of any sign or advertisement on land controlled by the applicant or in the vicinity of the application site in connection with the approved use. Reason: To safeguard the character and appearance of the surrounding area.