

REPORT SUMMARY

REFERENCE NUMBER: 23/504905/FULL		
APPLICATION PROPOSAL: Erection of 1no. three storey self-storage unit, including access, parking and associated works.		
ADDRESS: Oakleigh House, Pattenden Lane, Marden, Kent, TN12 9QJ		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION: The proposal is located within a Rural Service Centre and represents an appropriate employment generating use within a defined Economic Development Area. The proposal is therefore in accordance with the spatial strategy as outlined in the development plan. The design and appearance of the development is considered to be appropriate within its context. The proposal is also considered to be located in a sustainable location served by various modes of transport and it is not considered to unduly impact the wider highway. Improvements to encourage the use of sustainable transport options would be secured by condition. The assessment of the proposal has not identified undue harmful impacts to residential amenity. Sustainable drainage, and landscaping and biodiversity improvements would also be secured by condition.		
REASON FOR REFERRAL TO COMMITTEE: Referred by Marden Parish Council		
WARD: Marden And Yalding	PARISH/TOWN COUNCIL: Marden	APPLICANT: Mr Roger Marsh AGENT: Rees Construction Management Ltd
CASE OFFICER: Sean Scott	VALIDATION DATE: 07/11/23	DECISION DUE DATE: 06/02/24
ADVERTISED AS A DEPARTURE: No		

Officer Site Visit

30 November 2023

Relevant Planning History

The application site has a substantial planning history relating to the commercial uses taking place. The most relevant and notable cases are listed below.

22/501913/FULL - Section 73 Application for removal of conditions 7 (landscaping details) and 10 (retention of cut timber/wood), and variation of condition 11 (electric vehicle charging points) pursuant to 21/506173/FULL for - Erection of an extension to an existing warehouse including parking, access, landscaping and associated works - Approved 09.06.2022 and upon visiting the site it is noted that this proposal has not yet been implemented.

21/506173/FULL- Erection of an extension to an existing warehouse including parking, access, landscaping and associated works - Approved 18.01.2022 and upon visiting the site it is noted that this proposal has not yet been implemented.

84/0986 - 2000 sq ft warehouse buildings - Approved 30.08.1984

81/0632 - Steel framed building with cladding and glazing with process plant for the manufacture of metal powders as validated on 5/5/81 and as amended by letter dated 7/8/81 and accompanying drawing no. 867/84/A - Approved 29.09.1981

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The site is located on Pattenden Lane, Marden, 13 km south of Maidstone, Kent and sits to the east side of Pattenden Lane in the Guardian Industrial Estate. The site is approximately 0.25ha in size.
- 1.02 The site currently comprises an area of car park which serves an existing commercial unit with a drop-off point to the rear, and a 64-bay car park to the frontage facing Pattenden Lane. It is understood that the site is currently occupied by Alpha Wholesale which supplies and distributes parts for heating, ventilation, and air conditioning.
- 1.03 The site is currently bordered by a grass ditch and Pattenden Lane along the frontage and fencing to the rear and north side. The site is surrounded (to the north, south & east) by a number of other commercial and industrial units that comprise the industrial estate.
- 1.04 Policy Constraints include: Economic Development Area, Minerals and Waste Site; Minerals and Waste Safeguarding/Buffering; Ancient Woodland 380 m to the north; SSSI Impact Zone; Local Wildlife Site – approx. 150 m to the north; Local Wildlife Site Buffer (500m) – covering the north of the site; Flood Zones 2 and 3 (affects the access road).

2. PROPOSAL

- 2.01 The proposal is for the erection of a three storey self-storage unit falling within Use Class B8 (Storage or distribution) to be located in the car park to the west of Oakleigh House. The self-storage unit would have a total gross internal area (GIA) of 1908 sqm. The proposal would include provision for 34 car parking spaces. In addition, there would be works to the access and associated works related to landscaping.
- 2.02 Officers requested amendments to the proposal to introduce glazing to the front and also an updated Design and Access Statement to set out the intended cladding material for the proposed building.
- 2.03 The notable change when compared to the previous applications (ref. 21/506173/FULL & minor material amendment ref. 22/501913/FULL) is that this proposal will be a standalone warehouse building rather than an extension to the existing warehouse to the east. It is also the case that the existing adjacent warehouse does not sit within the red line of this application. The proposal would therefore project 5 metres further forward than those previously approved. Otherwise, the use and the scale and massing would be similar to that previously approved. The key features and considerations of the scheme are assessed in greater detail in the Appraisal of the application below.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan – (2017) & Local Plan Review (2024)

3.01 The latest position on the Local Plan Review at the time of writing is that this Council invited the Inspector to make any changes necessary to the Main Modifications in order to make the Plan sound. The Inspector has done so in his Final Report (8 March 2024) and so the recommendation is simply one of adoption to PAC PI, Cabinet and, crucially, Council on the 18, 19 and 20, respectively, of March. However, if the recommendation to adopt is accepted then the Plan would still not have full weight because the 6 week period for judicial review would need to expire (i.e 6 weeks from the date of the Council’s decision) and so, at this stage, the Plan enjoys ‘substantial’ weight.’

3.02 Relevant policies are set out in the table below:

Policy Title (2017/2024)	Maidstone Borough Local Plan (2017)	Local Plan Review (2024)
Maidstone Borough spatial strategy	SS1	LPRSS1
Rural service centres	SP5	LPRSP6
Marden Rural Service Centre	SP9	LPRSP6(E)
Economic development	SP21	LPRSP11
Retention of employment sites / Safeguarding existing employment sites and premises	SP22	LPRSP11(A)
Sustainable transport	SP23	LPRSP12
Principles of good design	DM1	LPRSP15
Parking standards / Parking	DM23	LPRTRA4
South of Claygate, Pattenden Lane, Marden	EMP1(2)	EMP1(2) (unchanged)

Marden Neighbourhood Plan (2020): BE1, BE3, E1, NE3, NE4

Supplementary Planning Guidance: SP4 Kent Vehicle Parking Standards

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

4. LOCAL REPRESENTATIONS

Local Residents:

4.01 No representations have been received either in support or objection to the application.

Marden Parish Council (PC):

4.02 Objection for the following reasons:

- In principle Parish Council (PC) support development that encourages employment.
- Concern regarding the large blank elevation facing onto the street scene would have detrimental impact on the character of the street and on the residential properties opposite. The proposed building projects further forward than the majority of the street building line, and the large blank elevation would be prominent and overbearing.
- The proposal is architecturally lacking and provides no street interest and substantial areas of dead space.
- This application is a clear deviation of the previously approved scheme which included some glazing to the front, and a more active street frontage whereas this proposal includes a large blank western elevation.
- No landscape plan associated with this application.
- Marden Parish Council also refused application 21/506173/FULL for which Cllrs comments were as follows:
 - However, due to its bulk, size and form, together with being significantly closer to the highways in relation to the existing building and the neighbouring warehousing, Cllrs recommend refusal as does not fully comply to MNP Policy BE1.
 - Cllrs also felt that the largely blank façade is out of keeping with other neighbouring modern buildings and detrimental to the street scene. If MBC are minded to approve Cllrs wished to see an enhanced landscaping scheme put in place.
 - Cllrs concerns with regards to the bulk, size and form of the building remain, but accept that the principle has largely been established. We do however strongly feel that the visual impact on this proposal is a substantial deviation from the previously approved proposal, and is substantially worse.
 - Refusal recommended as contrary to Marden Neighbourhood Plan Policy BE1 (Local Character). The PC refers this application to Committee if the LPA is minded to approve.

5. CONSULTATIONS

KCC Ecology

5.01 No objection subject to conditions and informative:

- Biodiversity Enhancement Plan.
- Informative for 'Breeding Birds' is recommended and this is supported by officers.

National Highways

5.02 No objection.

Environment Agency

5.03 No comment.

KCC – Lead Local Flood Authority (LLFA)

5.04 No objection subject to conditions on:

- No surface water drainage strategy was provided for the proposed development. Therefore, was recommended that the application is not determined until complete surface water drainage strategy has been provided

for review. The applicant has provided the requested information and the LLFA has been reconsulted.

Kent Police – Designing Out Crime Officer

5.05 No objection subject to conditions on:

- Secure by Design

Environmental Health

5.06 No objection subject to conditions:

- Extraction/treatment of fumes/odours
- Land contamination
- Informative recommended regarding Mid Kent Environmental Code of Development Practice

Southern Water

5.07 Initial objection as the proposed development would lie over an existing public foul sewer, which would not be acceptable to Southern Water. Further information provided by the developer regarding sewer diversion is considered to be satisfactory to Southern Water. A condition for diversion measures of the public sewer has been recommended.

Natural England

5.08 No objection.

KCC Highways and Transportation

5.09 No objection subject to conditions on Provision and permanent retention of the vehicle parking spaces, and Provision and permanent retention of the vehicle loading/unloading and turning facilities. An informative regarding permissions to undertake work on the highway has also been requested.

Upper Medway Internal Drainage Board

5.10 No objection – however an informative is to be included to highlight a conflict between the planning process and the Board's regulatory regime.

6. APPRAISAL

6.01 The key issues are:

- Spatial Strategy and Principle of Development
- Character and Appearance
- Residential Amenity
- Highways and Parking
- Biodiversity and Landscaping
- Other Matters: Flooding and Substantiable Drainage

Spatial Strategy and Principle of Development

6.02 The site is located within the designated Rural Service Centre of Marden, a defined settlement. Local Plan Policy SS1 and Local Plan Review (LPR) Policy LPRSS1 direct development to settlement areas and allocated sites, noting that Maidstone Town Centre is the primary focus for development, with rural service centres having a secondary focus.

- 6.03 The application site lies within the Pattenden Lane area of Marden, where together Local Plan policies SP21, SP22, SP5, SP9 and EMP(2), and LPR policies LPRSP11, LPRSP11(A), LPRSP6, LPRSP6(E), EMP1(2) support employment uses and the site is identified as being within an Economic Development Area known as 'South of Claygate, Pattenden Lane, Marden' (also referred to elsewhere in the Plan as Pattenden Lane, Marden). EMP1(2) in both the Local Plan and LPR specifically refers to this area as being suitable for the proposed B8 use class (storage or distribution) and well as use classes B1 and B2.
- 6.04 Notably the notion of aforementioned policies in the Local Plan and LPR seek to safeguard and also intensify employment uses within Economic Development Areas.
- 6.05 The principle of the land use is strongly supported by the Local Plan and the LPR. Furthermore, the planning history also has a bearing on the principle as it is evident that a similar development was approved under permission references 22/501913/FULL and 21/506173/FULL (extant permissions).
- 6.06 Overall, the proposal is considered to adhere to the Council's spatial hierarchy, and it is considered to be acceptable in principle.

Character and Appearance

- 6.07 Local Plan Policy DM1 and LPR Policy LPRSP15 set out the principles to achieve good design in the Borough. Of particular relevance to this proposal, the Policy states that regard should be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage. Also, the policy supports development that responds to the existing townscape and landscape to uplift areas of poor environmental quality and there is a focus on the need for landscaping.
- 6.08 Marden Neighbourhood Plan Policy BE1 indicates that new development must be both visually and functionally sympathetic to the existing styles and materials.
- 6.09 The proposal is located in an industrial location which contains a number of buildings of a utilitarian appearance. The proposal seeks to erect a new three storey building for the purposes of storage and distribution.
- 6.10 The proposed scale and massing of the proposal is similar to that approved in June 2022 under ref. 22/501913/FULL. The most notable difference with this proposal is that the roof would have a shallow pitch rather than a flat roof and this means that the proposed eaves of the roof would sit marginally lower than the previous approval.
- 6.11 With regards to the layout, the proposal would project further to the road than the previous approval by 5 metres. Consideration has been given to this more prominent position and while it does sit further forward, there is no strict building line or rhythm of development in the industrial part of Pattenden Lane. The proposal would leave enough room to the front for parking and landscaping along the boundary, this is considered to be acceptable and in keeping with the character of this part of the street.
- 6.12 The architecture of the building is industrial in appearance, serving the needs of the intended storage and distribution use. Officers were not satisfied with the initially submitted design, as it introduced a blank elevation on the main street facing façade. The Applicant has therefore sought to address these concerns by including an area of glazing to the front, this would serve the office within the development. While the glazing is less extensive than the June 2022 permission, it responds adequately to the layout of the proposal which is predominantly storage rooms that would not require windows. Finally, officers were unclear of the intended treatment of the facades of the building and therefore the applicant

has responded by submitting indicative cladding designs within the Design and Access Statement. The designs show examples of metal cladding broken up using varying paint colours. It is considered that varying colour bands or blocks are important to add visual interest and to help break up the massing. Should the application be minded for approval appropriately worded conditions for materials and elevational detailing have been suggested, to ensure this approach is carried through in the completed building.

6.13 Landscaping is assessed separately later in this report.

6.14 Overall, the design and appearance of the proposal is considered to appropriately respond to development in this location. With respect to character and appearance the proposal is supported, subject to the imposition of the aforementioned condition.

Residential Amenity

6.15 Local Plan Policy DM1 and LPR Policy LPRSP15 seek to ensure that development respect the amenities of occupiers of neighbouring properties and uses. These policies make it clear that development should not introduce significant harmful impacts from noise, vibration, odour, air pollution, activity or vehicular movements, overlooking, or visual intrusion, or loss of light to occupiers.

6.16 Residential dwellings are predominantly located in Marden and are over 100m to the south of the site, separated by the railway. The proposed development would be in close proximity to a small cluster of residential dwellings to the northwest of the site on the opposite side of Pattenden Lane approximately 50m from the application site.

6.17 The proposed development is an intensification the existing B8 use class and is compatible with the designated Economic Development Area as identified in the Local Plan and LPR. The impact of noise and disturbance has been considered and other than some noise from vehicular movements and the process of loading/unloading to the external units, it is considered that there would not be undue harmful impacts. The number of potential vehicles is not considered to increase significantly and it is noted that the number of parking spaces would be reduced. The use itself is not considered to be a significant generator of noise that would have undue harmful impacts on nearby residents.

6.18 The impact on residential amenity regarding daylight and sunlight, privacy and outlook has also been considered. In this instance there is considered to be a sufficient distance from neighbouring properties and undue harmful impacts have not been identified.

6.19 Overall, the proposal is considered to have an acceptable impact on residential amenity.

Highways and Parking

6.20 Local Plan Policy DM1 and LPR Policy LPRSP15 seeks for development to provide adequate vehicular and cycle parking to meet adopted council standards. Policy DM23 and Policy LPRTRA4 relate to parking and echo this approach and indicate active and passive car parking spaces should be provided according to a 50/50% split.

6.21 Marden Neighbourhood Plan supports sustainable travel in particular development designed to maximise travel on foot and by cycle.

6.22 The site is located less than 400 metres from Marden Station and the local facilities around the station comprising a convenience store and petrol garage. The site is accessible on foot and by cycle to residential development within the

settlement. Therefore, the site is considered to be in a sustainable location which benefits from a variety of sustainable transport modes.

- 6.23 The Kent Vehicle Parking Standards (KPS) SPD (July 2006) indicate that the parking standard for storage and distribution is a single maximum value of 1 space per 110 sqm. In addition, for car parks up to 40 spaces 2 designated spaces and 1 space of sufficient size but not specifically designated should be provided for employees and visitors.
- 6.24 A total of 34 parking spaces are proposed. As the proposal would remove parking spaces from the existing warehouse site to the west (outside of the red line), the quantum of parking for both sites is considered under this assessment.
- 6.25 The existing site contains 61 parking spaces. The applicant has confirmed that there would be a total of 34 spaces, of which 2 spaces would be for blue badge holders and 2 spaces for loading and unloading. A goods yard to the rear of the existing warehouse to the west would be retained.
- 6.26 It is also noted that the proposal would create 7 new jobs which brings the total number of employees to 32 for both sites. The adjacent warehouse building contains 1,908 sqm in floorspace and the proposed would be 1386 Sqm (GIA). Therefore 30 spaces would be required for both sites.
- 6.27 The current level of parking significantly exceeds the Kent Standard and whilst the proposed development would reduce the amount of parking available by 30 parking spaces to 34 spaces, it would still exceed the standards.
- 6.28 The current occupier of the adjacent warehouse employs 25 people and the proposed development would employ 7. For both sites, there would be a total of 32 employees. It is not expected that all employees would drive and they are likely to be on site at the same time. It is the case that officers are satisfied that there would be sufficient parking capacity and the proposal would comply with Policy and the KPS SPD.
- 6.29 No objections have been received from highways consultees subject to conditions for:
- Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.
 - Provision and permanent retention of the vehicle loading/unloading and turning facilities shown.
- 6.30 Officers are supportive of the inclusion of these conditions.
- 6.31 It is noted that the application does not address cycle provision and therefore it does not accord with the KPS SPD. To address this, a condition is proposed to meet the SDP requirement for at least three on-site cycle parking spaces in order to support sustainable transport options.
- 6.32 With respect to the access, it is noted that the existing access onto Pattenden Lane would continue to be used. There are some modifications to the internal access road, to ensure access to the proposal and the existing warehouse to the east. It is therefore the case that officers have no concerns regarding the access.
- 6.33 Overall, it is considered that the proposal is acceptable in relation to highways and parking, provided that the aforementioned conditions are applied if the application is minded for approval.

Biodiversity and Landscaping

- 6.34 The NPPF speaks of the need to minimise impacts on and provide net gains for biodiversity. One of the key principles, set out at Para 180 (a) states that “if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused”. This suggests that a more appropriate (perhaps brownfield) and on-site provision should be a preference.
- 6.35 There is a requirement to demonstrate a net gain in biodiversity as reflected by the NPPF. However, in this instance due to the time that the application was submitted there is no requirement to demonstrate an uplift of 10%, which has been a requirement for applications submitted since 12 February 2024. There is no BNG policy in the LPR concerning non-residential development.
- 6.36 Local Plan and LPR Policy EMP1(2) highlights that in this area South of Claygate, Pattenden Lane, Marden that proposals should be accompanied by a landscaping scheme along eastern and southern boundaries. In addition, the Policy indicates the need for an ecological assessment and for development to incorporate habitat creation, enhancement and mitigation measures.
- 6.37 Marden Neighbourhood Plan policies NE4 and NE5 promote enhancements to biodiversity and native landscaping, respectively.
- 6.38 As the existing site is largely covered by hard surfacing and it is not considered that there would be a negative impact to any existing biodiversity. KCC Ecology has reviewed the proposal and considers that there is limited potential to result in significant ecological impacts and is satisfied that an ecological survey does not need to be carried out. However, a condition is recommended for a biodiversity enhancement plan which meets the requirements of Policy EMP1(2).
- 6.39 The applicant has confirmed that no trees are to be felled as part of this proposal. It is noted that none of the trees on site are protected by Tree Preservation Order and the site is not located in a Conservation Area. Therefore, the prior approval of the local authority to carry out works to trees on the site is not required.
- 6.40 While some areas of grass verge will be lost, it is apparent that provision for two additional areas of soft landscaping will be made. In order to maximise the potential of the soft landscaping and in order to improve the visual amenity of the frontage, a condition for a soft landscaping scheme is suggested which is firmly supported by LPR Policy EMP1(2). This condition has been worded to secure new tree planting and the inclusion of native species in order to enhance biodiversity and in the interests of enhancing visual amenity.
- 6.41 If the application is minded for approval the following conditions are recommended:
- Soft landscaping - to ensure a good quality landscape.
 - Biodiversity Enhancement Plan – to enhance biodiversity on the site.
- 6.42 An Informative relating to breeding birds is also included to highlight their protected status.
- 6.43 Provided the above-mentioned conditions are secured, officers are satisfied that the proposal is acceptable with regards to biodiversity and landscaping.

7. Other Matters

- 7.01 Flooding and sustainable drainage: The Lead Local Flood Authority highlighted that sufficient details had not been provided. The Applicant has now provided these details and officers have recommended a condition to secure a sustainable drainage system. Officers are therefore satisfied that this condition sufficient to address drainage matters.

PUBLIC SECTOR EQUALITY DUTY

- 7.02 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.

Community Infrastructure Levy

- 7.03 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.

8. CONCLUSION

- 8.01 The proposed development is located within a defined Rural Service Centre. The proposal is for intensification of an appropriate employment generating use within a defined Economic Development Area for which the Local Plan is clearly supportive of. The design and appearance of the development is considered to be appropriate within its context. The proposal is also considered to be located in a sustainable location served by various modes of transport and it is not considered to unduly impact the wider highway. Improvements to encourage the use of sustainable transport options would be secured by condition. The assessment of the proposal has not identified undue harmful impacts to residential amenity. Landscaping and biodiversity improvements would also be secured by condition.
- 8.02 The development is in accordance with local and national planning policies and is therefore recommended for approval.

EIA Screening

EIA Development	No
Comments	N/A

9. 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 and/or informatives in line with the matters set out in the recommendation and as resolved by the Planning Committee:

CONDITIONS:

1) Time Limit

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) Approved Drawings and Documents

- Location Plan - R0365 - 006
- Proposed Site Plan - R0365 – 300
- Proposed Site Plan - R0365 – 002 Rev P1
- Proposed Ground & First Floor Plan, R0365-003 - Rev P2
- Proposed Second Floor & Roof Plan Cross Section, R0365-004 Rev P2
- Proposed Elevations, R0365-005 - Rev 2
- Existing and Proposed Street Scenes R0365-007 - Rev P1
- Design and Access Statement, Rev P4, Prepared by Rees CM Architectural Design
- Addendum to Transport Statement - R0365

3) Materials

The construction of the development hereby approved shall not commence above slab/podium level until written details and virtual samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved by the Local Planning Authority. The development shall be constructed using the approved materials.

Reason: To ensure a satisfactory appearance to the development

4) Elevation Details

Notwithstanding the drawings hereby approved, the construction of the development hereby permitted shall not commence above slab/podium level until further details of the façade treatment to be finished in cladding, with articulated painted banding, and fenestration including a glazed feature across western elevation have been submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development.

5) Biodiversity Enhancement Plan

Within three months of works commencing, a detailed plan showing how the development will enhance and maintain biodiversity, plus management for native planting, will be submitted to, and approved in writing by, the local planning authority. This will include details of native and wildlife-friendly planting, durable bat and bird boxes, and log piles. The approved measures will be implemented and retained thereafter.

Reason: in the interests of enhancing the biodiversity of the site.

6) Soft Landscaping

Prior to first occupation of the development hereby permitted all planting, seeding and turfing specified in the approved landscape details shall have been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property,

commencement of use or adoption of land, 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

7) Hard Landscaping

The works shall not commence above slab/podium level until details of hard landscape works (where possible virtual samples) have been submitted for approval by the Local Planning Authority. The hard landscape works shall be carried out in accordance with the approved details before first occupation.

Reason: To ensure a satisfactory appearance to the development.

8) Secure by Design

The development hereby permitted shall incorporate measures to minimise the risk of crime. No development above slab level shall take place until details of such measures in line with the principles and physical security requirements of Crime Prevention Through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

Reason: To secure crime prevention and safety of the area

9) Surface Water Drainage

The development hereby approved shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles. Where possible, and an assessment of the hydrological and hydro geological context of the development has been submitted to and approved by the local planning authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves to manage surface water on site in accordance with the submitted flood risk assessment (Refs: A7690 – 110, A7690 – 135, A7690 – 140, A7690 – 160). The submitted details shall incorporate inter-alia wildlife friendly drainage gullies and design feature. The development shall thereafter be carried out in accordance with the approved details.

Reason: To reduce the impact of flooding both to and from the proposed development and third parties and pursuant to the National Planning Policy Framework 2012.

10) Land Contamination

If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

11) Extraction/treatment of fumes/odours

Prior to the first operation of the premises, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in accordance with the EMAQ publication Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (September 2018 & any subsequent revisions). Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and these shall thereafter be operated and retained in compliance with the approved scheme.

Reason: in the interests of protecting residential amenity.

12) Land Contamination

If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: In the interests of protecting the health of future occupants from any below ground pollutants.

13) Diversion of public sewer

Prior to the commencement of the development hereby approved a sewer diversion report of the measures to be undertaken to divert the public sewers shall be submitted to, and approved in writing by, the local planning authority.

Reason: to avoid adverse impacts on public utilities.

14) Parking/Turning Implementation

The approved details of vehicle parking, loading/unloading bays, and turning areas shall be completed before the first occupation of the buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access thereto.

Reason: In the interests of road safety.

17) External Lighting Strategy

Any external lighting installed on the site shall be in accordance with details that have 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. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter.

Reason: In the interest of residential amenity

15) Cycle Parking

Prior to the occupation of the development hereby approved, details of cycle parking for a minimum of three spaces to serve commercial occupiers and visitors of the development shall be submitted to and approved in writing by the local planning authority. The details shall demonstrate safe and secure and accessible storage and shall be retained thereafter.

Reason: to support sustainable travel options.

INFORMATIVES

1) Breeding Birds

The applicant is reminded of its requirements in relation to Wildlife and Countryside Act 1981 (as amended).

2) Mid Kent Environmental Code of Development Practice

The Applicant's attention is drawn to the Mid Kent Environmental Code of Development Practice.

3) County Highways Considerations

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

4) Upper Medway Internal Drainage Board

The Board's regulatory function and how to apply for Land Drainage Consent is highlighted.