

Development Management Policies for Maidstone Borough

Sustainable design and development

Policy DM 1

Sustainable design and development (ref CS6) - March 2013

Design principles

1.1 Good design is the fundamental principle underpinning good planning. It has a very important impact upon the quality of the environment and the way in which places function. The National Planning Policy Framework places great emphasis upon raising the quality of the built, natural and historic environment and the quality of life in all areas. It attaches great importance to the securing of high quality design and seeks to ensure that all development contributes positively to making places better for all.

1.2 The council aspires to achieve high quality design throughout the borough, and policy DM2 seeks to manifest this aim and will be used to assess all development requiring planning permission, both in urban and rural locations. In order to achieve high quality design, the council expects that proposals will respect and, where appropriate, enhance the character of their surroundings. It is important that development contributes positively to its context and to the sense of place.

1.3 Key aspects of built development will be the scale, height, materials, detailing, mass, bulk and site coverage. These features should relate well, and respond positively, to the context in which they are seen. In appropriate locations, local distinctiveness should be reinforced and natural features worthy of retention be sensitively incorporated. Good design should also address the functioning of an area, including accessibility to all, linkages to local services, and issues of crime. New development should integrate well into the built, natural and historic environment and should address the connections between people and places, including vehicle and pedestrian movement.

1.4 In assessing the appropriateness of design, the council will have regard to adopted Conservation Area Appraisals and Management Plans, Character Area Assessments and the Kent Design Guide, which provide specific information about local character and distinctiveness and give guidance on design principles. Regard will also be given to the Kent Downs Area of Outstanding Natural Beauty Management Plan.

1.5 Proposals which fail to take opportunities to secure high quality design will be resisted.

Policy DM 2

Design principles

Proposals which would create high quality design and meet the following criteria will be permitted:

- i. Create designs and layouts that are accessible to all, and maintain and maximise opportunities for permeability and linkages to the surrounding area and local services;
- ii. Respect and enhance the local, natural or historic character of the area, paying particular regard to scale, height, materials, detailing, mass, bulk and site coverage;
- iii. Create high quality public realm and, where opportunities permit, provide improvements, particularly in town centre locations;
- iv. Respect the amenities of occupiers of neighbouring properties and uses and provide adequate residential amenities for future occupiers of the development by ensuring that development does not result in 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;
- v. Respect the topography of the site and sensitively incorporate natural features such as trees, hedges and ponds worthy of retention within the site;
- vi. Safely accommodate the vehicular and pedestrian movement generated by the proposal on the local highway network and through the site access;
- vii. Create a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour;
- viii. Incorporate measures for the storage of waste, including recyclable waste;
- ix. Provide adequate vehicular and cycle parking to meet adopted council standards; and
- x. Be flexible towards future adaptation in response to changing life needs.

Account should be taken of Conservation Area Appraisals and Management Plans, Character Area Assessments, the Kent Design Guide and the Kent Downs Area of Natural Beauty Management Plan.

Residential garden land

1.6 Within the borough, there is significant pressure for the development of residential garden land. Such development, typically involving the subdivision of existing residential curtilages, can often appear cramped and damage the existing pattern of development. The council wishes to resist development where it cannot be absorbed within the existing character, pattern and layout of the built environment without detriment to visual amenity. All new development

should respect the amenities of neighbouring occupiers and their quality of life. It should be designed to avoid an unacceptable loss of privacy, light or outlook and also excessive levels of noise from activities, processes and traffic movements.

Policy DM 3

Residential garden land

Development of domestic garden land to create new buildings will not be permitted unless the following criteria are met:

- i. The higher density resulting from the development is appropriate to its location;
- ii. The proposal would not result in harm to the character and appearance of the area;
- iii. There is no significant loss of privacy, light or outlook for adjoining properties and/or their curtilages;
- iv. Access of an appropriate standard can be provided to a suitable highway; and
- v. There would be no significant increase in noise or disturbance from traffic gaining access to the development.

External lighting

1.7 Lighting can be an important factor of good design. Appropriate types and levels of lighting can contribute positively towards a sense of place, whilst poorly designed lighting schemes can damage local amenity and biodiversity interests. The National Planning Policy Framework seeks to limit light pollution in locations which are particularly sensitive to light, such as intrinsically dark landscapes.

1.8 The council recognises that carefully designed external lighting can enhance the night-time economy and have benefits for security and the viability of recreational facilities. However, inappropriate and excessive external lighting can not only be both visually obtrusive and inefficient in energy terms, but can also damage rural character in areas containing little built development, and can have highway safety implications for drivers. Protected species, such as bats, tend to avoid well-lit areas and lighting schemes should ensure that ecological issues are fully considered in their design.

1.9 The council will seek to secure well-designed lighting schemes, which are suitable for their environments. Where appropriate the recommendations within the Institute of Lighting Engineers Technical Report Number 5 will be considered as a guide to maximum levels of luminance. Low level bollard lighting will be supported where appropriate. The council will also encourage the use of PIR motion sensor lighting for business development and public buildings, in order to provide energy efficiency savings.

Policy DM 4

External lighting

Proposals for external lighting which meet the following criteria will be permitted:

- i. The minimum amount of lighting necessary to achieve its purpose is proposed;
- ii. The design and specification of the lighting would minimise glare and light spillage and would not dazzle or distract drivers or pedestrians using nearby highways; and
- iii. The lighting scheme would not be visually detrimental to its immediate or wider setting.

Signage and shop fronts

1.10 Signage and shop fronts have a significant impact upon the attractiveness and vitality of shopping and other commercial areas. The National Planning Policy Framework requires that new development integrates well into the built environment. Advertisements which are poorly placed can result in visual clutter which both detracts from the quality of the built environment and leads to a more confused and less coherent visual presentation. Unsympathetic shop windows and signs can also damage the character of their locality, especially in historic areas.

1.11 The council wishes to support commercial and retail frontage and signage schemes which are in sympathy with, and contribute positively towards, the visual amenity of their locality. The scale, design and detailing of such schemes should respect and visually complement their surroundings, being appropriately designed for their context.

1.12 Solid external shutters which completely cover a shop or other commercial front are visually unattractive and generally detract from the vitality of commercial areas. In order to preserve the quality of the built environment, the council will seek alternative security solutions such as internal lattice grilles, security systems or use of laminated glass. In some cases, external roller shutters having an open grille design which let light on to the street may be acceptable, subject to the housing being unobtrusive and unlikely to harm the character of the building or street scene. Solid external roller shutters will only be approved where an overriding security need can be demonstrated. Such evidence is likely to include details of break-ins and correspondence from Kent police confirming that roller shutters are necessary and the only viable security solution.

Policy DM 5

Signage and shop fronts

Proposals for new signage and for shop (A1) or other commercial (A2-A5) fronts which meet the following criteria will be permitted:

- i. The size, design, positioning, materials, colour and method of illumination of signage would not be detrimental to the character and appearance of the building or the surrounding area;
- ii. The proposal would not result in the loss of a traditional shop front or features and details of architectural or historic interest;
- iii. The proposal would be in sympathy with the architectural style, materials and form of the building(s) of which it would form part and the character of the neighbouring properties; and
- iv. Where a fascia is to be applied, it would be of an appropriate height which would be in scale with the overall height of the shop front and other elements of the building.

Residential extensions, conversions and redevelopment

1.13 The conversion of larger residential properties to self-contained flats and houses in multiple occupation (HMOs) aids the provision of accommodation for smaller households and contributes towards a mix and choice of homes, advocated by the National Planning Policy Framework. HMOs differ from self contained flats as bedrooms/bed sitting rooms are private but other facilities, such as bathrooms and kitchens, are shared. The National Planning Policy Framework also places emphasis upon the quality of new residential development and requires a good standard of amenity to be provided for all existing and future occupants of land and buildings.

1.14 The council wishes to ensure that new residential units are attractive, high quality places to live, which respond positively to the local area. Good quality development should be of a scale and layout which provides attractive and comfortable places to live. The intensified use of dwellings to create smaller households can cause problems for nearby residents, for example noise and disturbance from increased traffic movements and requirements for parking. Policy DM6 seeks to control the potential problems arising from such proposals.

1.15 Residential extensions generally benefit the community by increasing the amount and quality of accommodation in the borough. However, careful design is necessary, in order to prevent a reduction in the quality of living conditions for adjoining residents and the built environment in general. The adopted Residential Extensions Supplementary Planning Document (May 2009) will be used to guide the assessment of proposals for residential extensions.

Policy DM 6

Residential extensions, conversions and redevelopment

1. Proposals for the extension, conversion or redevelopment of a residential property which meet the following criteria will be permitted:
 - i. The scale, height, form, appearance and siting of the proposal would fit unobtrusively with the existing building where retained and the character of the street scene and/or its context;
 - ii. The traditional boundary treatment of an area would be retained and, where feasible, reinforced;
 - iii. The privacy, daylight, sunlight and maintenance of a pleasant outlook of adjoining residents would be safeguarded; and
 - iv. Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of the street scene.
2. Proposals for the conversion or redevelopment of a dwelling to self-contained flats or the use of a building as a house in multiple occupation which also meet the following criterion will be permitted:
 - i. The intensified use of the building and its curtilage would not significantly harm the appearance of the building or the character and amenity of the surrounding area.

Historic and natural environment

Policy DM 7

Historic and natural environment (ref CS13) - March 2013

Open space and recreation

1.16 Sports and recreation opportunities can contribute positively to the well-being and quality of communities. High quality open space can facilitate such opportunities, promoting social interaction and inclusion. The National Planning Policy Framework encourages the provision and retention of high quality open spaces and this stance is echoed by the council. The council will seek to secure open space provision for new housing and mixed use development sites, in accordance with the Green and Blue Infrastructure Strategy.

1.17 The loss of existing open space, sport and recreation facilities will be resisted, unless there is a proven overriding need for the development and there would be no deficiency, or net loss, of such facilities/space in the locality. Open space can also have a positive impact upon the quality of the built environment and can be of ecological value. In considering the impact of the loss of open space, the council will also have regard to the visual amenity and biodiversity value of the land in question.

1.18 It is important to ensure that any new open space and sports provision preserves the quality of life for existing residents and also the visual amenity of the locality, especially in rural areas. Intense sports uses, such as multi use games areas, can generate significant amounts of noise; and sports and other recreation uses may include lighting, such as floodlighting. This can be harmful to the living environment of nearby occupiers and to the visual amenity of the countryside where levels of artificial lighting are generally very limited. Policy DM8 also seeks to ensure that new open space and recreation areas are appropriate to their setting in these regards.

Policy DM 8

Open space and recreation

1. For new housing or mixed use development sites, the council will seek delivery of the following categories of open space provision in accordance with the Green and Blue Infrastructure Strategy:
 - i. Natural and semi natural areas of open space
 - ii. Amenity green space
 - iii. Provision for children and young people's equipped play areas
 - iv. Public and private outdoor sports facilities
 - v. Allotments.
2. Proposals for, and including, new open space and recreation provision shall respect the amenities of neighbouring occupiers, by ensuring that development does not result in excessive levels of noise or light pollution. New lighting relating to such development shall also preserve the character and visual amenity of the countryside.
3. Proposals for new development which would result in the net loss of open space or sport and recreation facilities will not be permitted unless there is a proven overriding need for the development and there would be no deficiency of open space or recreation facilities in the locality, or alternative provision of an equivalent community benefit can be provided to replace the loss.
4. In dealing with applications to develop existing open areas within the urban area and village settlements, the borough council will have regard to the contribution which the existing site and the proposed development will make to the character, amenity and biodiversity of the area, and the need to maintain and improve the appearance of the locality and conserve wildlife habitats.

Community facilities

1.19 In order to build well functioning, sustainable communities, it is essential that adequate community facilities are provided. The National Planning Policy Framework emphasises the importance of creating healthy, inclusive communities, with appropriate facilities, to create attractive residential environments.

Community facilities encompass educational, cultural and recreational facilities, including schools, libraries, places of worship, meeting places, cultural buildings (such as museums and theatres) and sports venues.

1.20 The council seeks to resist the net loss of viable community facilities, as this runs contrary to the aim of achieving sustainable, inclusive communities.

1.21 School premises are generally only in operation during particular hours. These sites offer opportunities to provide additional community uses outside of school hours. Such dual uses can increase the range of community facilities and can help to maximise land usage in a suitable manner. The council will therefore encourage dual usage of educational premises in appropriate circumstances.

Policy DM 9

Community facilities

The adequate provision of community facilities, including social, education and other facilities, is an essential component of new residential development.

1. Residential development which would generate a need for new community facilities or for which spare capacity in such facilities does not exist, will not be permitted unless the provision of new, extended or improved facilities (or a contribution towards such provision) is secured by planning conditions or through legal agreements.
2. Proposals which would lead to a loss of community facilities will not be permitted unless demand within the locality no longer exists or a replacement facility acceptable to the council is provided.
3. The council will seek to ensure, where appropriate, that providers of education facilities make provision for dual use of facilities in the design of new schools, and will encourage the dual use of education facilities (new and existing) for recreation and other purposes.

Sustainable transport

Policy DM 10

Sustainable transport (ref CS7) - March 2013

Policy DM 11

Public transport

1. Within the bus and hackney carriage corridors, as defined on the policies map, the council and the highway authority will develop preference

measures to improve journey times and reliability and make public transport more attractive, particularly on park and ride routes. Such measures may include:

- i. Dedicated bus lanes, including contraflow lanes where appropriate;
 - ii. Bus priority measures at junctions;
 - iii. Prioritisation within traffic management schemes; and/or
 - iv. Enhanced waiting and access facilities and information systems for passengers, including people with disabilities.
2. Proposals for major development will be permitted if adequate provision is made, where necessary and appropriate, within the overall design and site layout for the following facilities for public transport secured through legal agreements:
- i. Priority or exclusive provision for public service vehicle access to or through the proposed development area;
 - ii. Safe and convenient passenger waiting facilities, information systems and signed pedestrian access routes;
 - iii. Suitable provision for disabled access to the waiting facilities from all parts of the development area; and
 - iv. Suitable provision for disabled access onto buses from the waiting facilities.

Policy DM 12

Park and ride

1. The following sites, as defined on the policies map, are designated bus park and ride sites:
 - i. Old Sittingbourne Road (to serve the A249 corridor);
 - ii. London Road (to serve the A20 west corridor); and
 - iii. Willington Street (to serve the A20 east corridor).
2. The provision of new or replacement park and ride facilities should meet the following criteria:
 - i. Satisfactory access, lay-out, design, screening and landscaping; and
 - ii. Provision of suitable waiting and access facilities and information systems for passengers, including people with disabilities; and
 - iii. The implementation of complementary public transport priority measures both to access the site and moreover along the route. Measures will include dedicated bus lanes (including contraflow lanes where appropriate), together with bus priority measures at junctions.

Policy DM 13

Economic development (ref CS8) - March 2013

Retention of employment sites

1.22 In addition to new allocations of employment land, it is important that a stock of existing employment sites is maintained. A range of well located commercial premises and sites need to be secured so that they can continue to be available to meet the needs of existing and modernising businesses. Policy DM14 identifies Economic Development Areas across the borough designated specifically for B class uses, which include sites with planning permission as well as established, existing employment locations.

1.23 The demand for office, manufacturing and warehouse premises can be expected to fluctuate over the plan period in line with changes in the economic cycle. It is important that these designated, good quality and productive sites are not permanently lost to alternative uses as a result of only short term changes in demand, whilst recognising that the permanent protection of a site that has no prospect of coming forward for its designated use is counter-productive for the local economy. Recent changes to the General Permitted Development Order enable the conversion of office space to residential use without the need for planning permission for a limited 3 year period (until 30 May 2016). Policy DM13 identifies locations with higher quality office floorspace for retention in the longer term, recognising that in the short term conversion to residential use could happen without consent. The recent General Permitted Development Order changes also allow up to 500m² of B1 floorspace to be used for B8 uses without the need for planning permission.

1.24 Planning applications which seek alternative non B class uses in identified Economic Development Areas will be supported only where there is clear evidence that substantiates why the site should not be retained for its designated use. This must include evidence of, and the outcomes from, the concerted marketing of the site for its designated uses for a continuous period of at least 12 months prior to the applicant's submission via relevant commercial property publications and websites. In addition, applications should include an analysis of the on-going suitability of the site for its designated uses and its commercial viability for those uses. Both the suitability and viability assessments should evidence current market conditions and also the future prospects for the sectors for which the site is designated. The analysis of future prospects should look ahead at least 5 years to ensure a medium term view of market trends and employment land requirements is taken.

1.25 Exceptionally, a mixed use scheme which incorporates an element of non B class uses may be a means to achieve an overall upgrade in the quality of B class business premises on a designated site. The overall employment capacity of the site should be maintained or increased by such a scheme as measured by either the employment-generating floorspace provided or the number, permanence and quality of the jobs created. Any proposals for retail would also need to comply with policy DM15.

1.26 There is also a significant stock of employment premises and sites outside the designated Economic Development Areas. In the Maidstone urban area and the rural service centres, the redevelopment or expansion of existing sites for employment-generating uses will be supported. Redevelopment of such sites for non-employment generating uses will be permitted where the existing use is inappropriately located in terms of impact on the amenity of surrounding properties, it does not provide safe access, and/or it is proven that there is no realistic prospect of its commercial reuse. This should be evidenced using the same approach as set out in paragraph 1.26 above or through the submission of a viability appraisal.

Policy DM 14

Retention of employment sites

1. The following locations, as defined on the policies map, are designated Economic Development Areas for use classes B1, B2 and B8:
 - i. Lordswood Industrial Estate;
 - ii. Forstal Road, Aylesford;
 - iii. 20/20 Allington;
 - iv. Parkwood Industrial Estate, Maidstone;
 - v. Tovil Green/Burial Ground Lane, Tovil
 - vi. Station Road/Lodge Road, Staplehurst;
 - vii. Pattenden Lane, Marden;
 - viii. Detling Airfield;
 - ix. Lenham Storage, Lenham;
 - x. Marley Works, near Lenham;
 - xi. Barradale Farm, near Headcorn;
 - xii. Station Road, Harrietsham;
 - xiii. Dove Hill Works, Boxley;
 - xiv. Lenham Triangle, Lenham;
 - xv. Tenacre Park, Harrietsham; and
 - xvi. Hart Street Commercial Centre, Hart Street, Maidstone.
2. The following locations, as defined on the policies map, are designated Economic Development Areas for use class B1:
 - i. South Park Business Village, Maidstone;
 - ii. Turkey Mill Court, Maidstone;
 - iii. Eclipse Park, Maidstone;;
 - iv. Albion Place and Sittingbourne Road, Maidstone;
 - v. East And West Of Lower Stone Street, Maidstone;
 - vi. Fairmeadow And Bishops Way, Maidstone; and
 - vii. County Gate, Staceys Street and Invicta House, Sandling Road, Maidstone.
3. Within designated Economic Development Areas, change of use or redevelopment of a site or premises to non B class uses will not be permitted unless it can be demonstrated that there is no reasonable

prospect of their take up or continued use for the designated uses in the medium term.

4. Within designated Economic Development Areas, mixed use proposals incorporating an element of non B class uses may exceptionally be permitted where such development would facilitate the regeneration of the site to more effectively meet the needs of modern business and where the overall employment capacity of the site is maintained.
5. Outside the designated Economic Development Areas, the redevelopment and expansion of existing employment premises in Maidstone urban area and the rural service centres for employment-generating uses will be supported. Redevelopment of existing or vacant employment premises in Maidstone urban area and the rural service centres for non-employment uses will be permitted provided it can be demonstrated that the existing use is inappropriately located in terms of impact on the amenity of surrounding properties, it does not provide safe access, and/or there is no reasonable prospect of continuing or re-establishing an employment use.

Town centre uses

1.27 Main town centre uses are retail, leisure and entertainment, offices, arts culture and tourism, as defined in the National Planning Policy Framework . The town centre is the first choice location for these uses. Applicants will be expected to have actively and demonstrably followed a sequential approach when selecting development sites for town centre uses. This approach, whereby in centre and then edge of centre sites are selected above well connected out of centre sites, is underpinned by the principle that sites closest to existing centres are likely to be better served by public transport and be more accessible by walking and cycling. Development on such sites also increases the prospect of linked trips, whereby one journey into the centre can serve a number of purposes.

1.28 The National Planning Policy Framework provides the definitions of 'edge of centre' and 'out of centre' sites. For retail uses the site's relationship to the primary shopping area is the key factor in determining whether a site is in, edge or out of centre. This is defined on the policies map. For other town centre uses the key factor is the site's relationship to the town centre boundary, which is also shown on the policies map. Applicants should follow the approach to sequential sites' assessment set out in the Communities and Local Government (CLG) document 'Practice Guidance on Need, Impact and the Sequential Approach December 2009', together with the tests set out in the National Planning Policy Framework (paragraph 24). The local plan also identifies a number of district and local centres across the borough, which serve more localised shopping and service needs, and these should also be regarded as centres for the purposes of a sequential search for retail sites.

1.29 In assessing the impact of proposals, applicants should also follow the approach in the CLG practice guidance and the National Planning Policy Framework (paragraph 26). Additionally, applicants will be expected to give specific analysis to the impact of their proposals on the retailers in the primary shopping frontages

because maintaining the health of this core retail area is considered to be particularly important in sustaining the future vitality and viability of the town centre.

1.30 The Local Plan identifies the Maidstone East/Royal Mail Sorting Office, which is an important regeneration site, as its priority site for new retail development at the edge of the town centre. Out of centre retail proposals which would undermine the delivery of this key allocated site will not be supported.

Policy DM 15

Town centre uses

1. Proposals for main town centre uses should be located in an existing centre unless:
 - i. By means of a sequential approach, it is demonstrated that the proposal could not be accommodated first on a site within an existing centre and the proposal is located at the edge of an existing centre, or second it is demonstrated that the proposal could not be accommodated on a site within or at the edge of an existing centre and the proposal is located on an accessible out of centre site; and
 - ii. By means of an impact assessment it is demonstrated that a retail, office or leisure proposal would not result in a significant adverse impact on the vitality and viability of an existing centre or undermine the delivery of a site allocated for the use proposed.
2. Proposals located at the edge of an existing centre or out of centre should ensure the provision of specific measures which will improve the quality and function of sustainable connections to the centre, in particular walking and cycling routes and public transport links and specific measures which will mitigate the impact of the proposal on the identified centre or centres. The nature, extent and permanence of the measures will be directly related to the scale of the proposal.

District centres, local centres and local shops and facilities

1.31 Local convenience shops and other such facilities can play an important role in sustainable development, by meeting the day-to-day needs of local communities. The National Planning Policy Framework seeks to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet such needs.

1.32 Whilst the council recognises the importance of securing viable uses for premises, this must also be balanced against the needs of the community. Changes in socialising habits in particular sometimes lead to public houses

becoming vacant and alternative uses being sought. However, for some communities, especially in rural areas, these facilities provide both important services and leisure opportunities.

1.33 Where the loss of a local convenience shop or facility is proposed, the council will expect such an application to be supported by a viability report, prepared by a qualified professional within the relevant industry, together with financial accounts and marketing information illustrating that the use is no longer viable. Accounts should, where possible, cover a three year period. The council will also give consideration to the availability of comparable alternative facilities. In assessing this, the feasibility of such alternatives being used will be considered, including not only the distance from the potential users, but also the attractiveness and likelihood of the route being used. The impact of the loss of a local facility may be greater in village locations, where alternatives are less accessible. Well located local facilities can be positive assets, which are available to all, including those without cars and mobility problems.

1.34 Within the borough, the council has identified district and local centres which fulfil the function of providing essential local facilities as a group. District centres serve a wider catchment than a local centre and will typically cater for weekly resident needs. A district centre will usually comprise groups of shops, often containing at least one supermarket or superstore, and a range of non retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library. Local centres include a range of small shops serving a small catchment. Typically, amongst other shops, a local centre might include a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and launderette. In rural areas, large villages may perform the role of a local centre. Additionally, there are small parades of shops throughout the borough of purely neighbourhood significance.

1.35 The council wishes to maintain the existing retail function together with supporting community uses in these locations, in the interests of securing sustainable, well-functioning communities. Within the defined district and local centres, new non A or D use classes⁽¹⁾ will be resisted at ground level in order to maintain the retail role of the centres. The provision of additional retail and/or community facilities, plus a new local centre to complement the new residential development scheme at Langley Park, will be supported for similar sustainability reasons.

Policy DM 16

District centres, local centres and local shops and facilities

1. The council will seek to maintain and enhance the existing retail function and supporting community uses in the following district centres, as defined on the policies map:
 - i. Mid Kent Centre, Castle Road, Allington;

1 A use classes comprise A1 shops, A2 financial and professional services, A3 food and drink, A4 pubs and bars, and A5 hot food takeaways; D use classes comprise non residential community uses and small scale leisure uses.

- ii. Grovewood Drive, Grove Green;
 - iii. Heath Road, Coxheath;
 - iv. The Square, Lenham;
 - v. High Street, Headcorn;
 - vi. High Street, Marden; and
 - vii. High Street, Staplehurst.
2. The council will seek to maintain and enhance the existing retail function and supporting community uses in the following local centres, as defined on the policies map:
- i. Ashford Road, Bearsted;
 - ii. The Green/The Street, Bearsted;
 - iii. Marlborough Parade, Beverley Road, Barming;
 - iv. Cherry Tree, Tonbridge Road;
 - v. Boughton Parade, Loose;
 - vi. Egremont Road, Madginford;
 - vii. Parkwood Parade;
 - viii. Sandling Lane, Penenden Heath;
 - ix. Senacre Square, Woolley Road;
 - x. Northumberland Court, Shepway;
 - xi. Snowdon Parade, Vinters Park;
 - xii. Mangravet, Sutton Road/Mangravet Avenue;
 - xiii. High Street/Benover Road, Yalding; and
 - xiv. Hermitage Walk, Hermitage Lane.
3. A new local centre will be provided as part of a new residential development scheme at Langley Park.
4. In considering planning proposals which would involve or require the loss of existing post offices, pharmacies, banks, public houses or class A1 shops selling mainly convenience goods outside local and district centres, consideration will be given to the following:
- i. Firm evidence that the existing uses are not now viable and are unlikely to become commercially viable;
 - ii. The availability of comparable alternative facilities in the village or the local area; and
 - iii. The distance to such facilities, the feasibility of alternative routes being used, and the availability of travel modes other than by private motor vehicle.

Residential premises above shops and businesses

1.36 'Living over the shop' can have a positive impact upon the vitality of town centres and other commercial areas. Once shoppers and workers depart, residential units to upper floors can provide a sense of life and occupation, which can add to a perception of security and vitality. 'Living over the shop' also helps to create a sense of place and mix of uses advocated by the National Planning Policy Framework.

1.37 The council wishes to support such proposals in all suitable locations, where good standards of living can be provided for future occupiers. New proposals will be required to meet the design criteria set out in policy DM2. The loss of residential accommodation above retail and business premises will be resisted, unless the circumstances of the site render it unsuitable for continued occupation.

Policy DM 17

Residential premises above shops and businesses

1. Change of use from residential accommodation in premises where the ground floor is (or last was) in class A retail or class B1 business uses within town, district or local centres will be permitted, provided it can be shown that the accommodation is no longer suitable or is potentially unsuitable for occupation because of location or design.
2. The council will permit 'living over the shop' projects in all suitable premises in the town centre, district and local centres, and village shops.

Mooring facilities and boatyards

1.38 Mooring facilities and boatyards can provide tourism and recreation facilities which can contribute positively towards the economy. The National Planning Policy Framework lends strong support to the building of a robust economy, including within rural areas. The River Medway, which runs through both the urban and rural parts of Maidstone Borough, is an important asset, which provides opportunities to enhance tourism and recreation facilities through additional and enhanced mooring facilities. The council wishes to safeguard existing boat yards, in order to protect water-based recreation facilities. The River Medway contributes positively towards a varied range of recreational facilities and this enhances the attractiveness and diversification of the borough for local communities and visitors.

1.39 However, in order to safeguard the rural character of the countryside and the quality of the built environment, it is important that such proposals are limited in scale and that their cumulative impact is not harmful to visual amenity. Much of the River Medway is seen in the context of highly sensitive townscape and landscapes, such as the Maidstone All Saints' Church Conservation Area, the valley formation of high landscape quality through Teston, East and West Farleigh and the Green Belt at Nettlestead.

1.40 The council will also have regard to the advice of the Environment Agency in assessing flooding issues.

Policy DM 18

Mooring facilities and boat yards

1. Small scale and short term mooring facilities will be permitted at the following locations as indicated, subject to the views of the Environment Agency:
 - i. Allington - overnight moorings;
 - ii. Maidstone town centre - overnight or short-stay moorings subject to an increase in the width of the navigable channel without loss of ecological value;
 - iii. Watlington - replacement of permanent moorings with short-stay moorings;
 - iv. East Farleigh - replacement of permanent moorings with short-stay moorings;
 - v. Yalding - short-stay moorings;
 - vi. Stoneham - overnight or short-stay moorings;
And provided that all of the following criteria are met:
 - vii. There is no loss of flood plain or land raising;
 - viii. The visual impact, including cumulative impact, shall preserve landscape quality, ecology and uses of the river and valley in the locality;
 - ix. Proposals create no operational problems for other river users, including fishermen;
 - x. Facilities are provided for disposal of boat toilet contents;
 - xi. The site is capable of being adequately screened and it being possible to provide appropriate landscaping with indigenous species; and
 - xii. The presence of any similar uses in the locality and the combined effect of any such concentration would be acceptable in terms of environmental impact and highway safety.
2. The council will not permit the redevelopment to other uses of boat yards that are in use, or have the potential to be used, in connection with water-based recreation.

Housing Development

Policy DM 19

Housing mix (ref CS9) - March 2013

Policy DM 20

Affordable housing (ref CS10) - March 2013

Policy DM 21

Local needs housing (ref CS11) - March 2013

Policy DM 22

Gypsy, Traveller and Travelling Showpeople accommodation (ref CS12) - March 2013

Development Management Policies for Maidstone Town Centre

Primary and secondary shopping frontages

1.41 The primary shopping frontages are the identified parts of the town centre where retail uses are concentrated. These primary frontages include the key shopping locations of Fremlin Walk and The Mall together with the connecting stretch of Week Street. In these frontages the proportion of ground floor floorspace ⁽²⁾ dedicated to retail uses (use class A1) is some 85% or above (at May 2013). This part of the town centre is principally occupied by national retailing chains and is where the town centre's supply of larger shop units (above 500m²) is predominantly found. The attraction of the town centre for shoppers is particularly influenced by the presence of national retailers, and retaining the overall and predominant retail character of this area and a critical mass of such operators is important in sustaining ongoing vitality. A further important factor in maintaining vitality is the presence of associated cafés and restaurants which encourage people to stay in the town centre for longer, as well as banks, buildings societies and other retail services such as hairdressers and travel agents for both day-to-day and more specialist needs. As well as retaining the predominant retail character of the central part of the town, existing retail floorspace also contributes to meeting predicted needs for the town centre.

2 the exception is The Mall where frontage figures for the lower ground floor, ground floor and upper floor have been estimated separately

1.42 The objective of policy DM23 is to ensure retail (A1) remains the predominant use in this area. In addition it allows for limited retail-based supporting uses in a manner so as not diminish the overall prime retail purpose of this part of the town centre.

1.43 Recent amendments to the General Permitted Development Order (2013) do enable A1 premises to be temporarily changed to A2 (professional and financial services), A3 (cafés and restaurants) or B1 (offices) without the need for planning permission. This change of use can be enacted for a finite period of 2 years after which the premises must revert to their previous lawful use. A permanent change of use for beyond the 2 year period would require the submission of a planning application, and the considerations of policy DM23 would apply.

1.44 In the secondary frontage areas, also shown on the policies map, the retail units are generally smaller (under 500m²) and occupied by a mix of both national and local independent retailers. The latter have an important role in adding to the diversity and distinctiveness of the shopping 'offer' in Maidstone town centre. The approach of policy DM23 is to enable a broader range of retail uses to include professional services (A2), cafés and restaurants (A3) and pubs and wine bars (A4) which contribute to the wider appeal of the town centre. Earl Street in particular has become popular for food and drink outlets making it a destination in its own right.

Policy DM 23

Primary shopping frontages

The primary shopping frontages are shown on the policies map. To ensure that retail (A1) remains the predominant use within the primary shopping frontages, development will be permitted where:

- i. The proposal is for retail (A1) use; or
- ii. The proposal is for a professional and financial services use (A2), a café and restaurant use (A3) or a drinking establishment (A4) and would not result in the percentage of ground floor retail (A1) floorspace in the frontage block in which the development would be located falling below 85%.

Policy DM 24

Secondary shopping frontages

The secondary shopping frontages are shown on the policies map. Development within the secondary frontages will be permitted where:

- i. The proposal is for a retail use (A1), a professional and financial services use (A2), a café and restaurant (A3) or a drinking establishment (A4);
or

- ii. The proposal is for a hot food takeaway (A5) provided it does not have an adverse impact on local amenity, including as a result of fumes, noise, hours of operation or the visual impact of ducting; or
- iii. The proposal is for a leisure or community use which accords with Policy DM25.

In all cases, proposals should establish or retain an 'active frontage' to the street.

Leisure and community uses in the town centre

1.45 Allowing for a variety of leisure uses (Class D2) as well as more community uses (class D1) such as health centres, crèches and community centres within the town centre will add to its diversity and will extend both its appeal and periods of activity throughout the day. Allowing these types of uses, including within the secondary shopping area, could similarly increase the prospects of vacant premises being brought into use. It is the case, however, that both these use class are quite broad and cover a wide variety of uses, so the impact of individual uses within the classes may be very different. The degree and nature of those impacts on local amenity need to be assessed as part of the overall assessment of proposals.

1.46 Changes of use can sometimes create concentrations of single uses, where the cumulative effects can also cause local problems. Proposals should be assessed not only on their positive contribution to diversification, but also on their cumulative effects on local amenity.

1.47 A feature of vibrant and attractive shopping streets is the prevalence of open, glazed frontages to premises at ground floor level. An open frontage to the street, with views in to and out of the premises, is an invaluable way of enlivening the street scene. This is a characteristic of retail type uses, and community and leisure proposals in the secondary shopping areas should also be specifically designed to incorporate such active frontages.

Policy DM 25

Leisure and community uses in the town centre

Proposals for leisure uses (Class D2) and community uses (Class D1) in the town centre which meet the following criteria will be permitted:

- i. The development, including in combination with any similar uses in the locality, will not have an adverse impact on local amenity, including as a result of noise and hours of operation;
- ii. The proposal establishes or retains an 'active frontage' to the street; and
- iii. The proposal is not located at ground floor level in the primary shopping frontage.

Development Management Policies for the Countryside

New agricultural buildings and structures

1.48 Certain agricultural and forestry developments do not require planning permission provided that the development falls within one of the categories set out in the Town and Country Planning (General Permitted Development) Order 1995 (as amended). However, most of these permitted developments need to be submitted to the council for their prior approval of siting, design and external appearance. Developments that are not covered by this Order require planning permission in the usual way. The National Planning Policy Framework lends strong support to the rural economy and seeks to promote agricultural and land based rural businesses. The maintenance of land in agricultural use generally aids the preservation of the rural character of the countryside and the rural economy.

1.49 Whilst the council generally seeks a positive approach towards agricultural development, it is important to ensure that new development is justified and appropriately sited, in order to minimise the impact upon the openness, character and appearance of the countryside.

Policy DM 26

New agricultural buildings and structures

Proposals for new agricultural buildings or structures on land in use for agricultural trade or business which meet the following criteria will be permitted:

- i. The proposal is necessary for the purposes of agriculture;
- ii. The proposal would not have an adverse impact on the amenity of existing residents; and
- iii. The building or structure would be located within or adjacent to an existing group of buildings, in order to mitigate against the visual impact of development, unless it can be demonstrated that a more isolated location is essential to meet the needs of the holding. Where an isolated location is essential the site should be chosen to minimise the impact of the building or structure on the character and appearance of the countryside.

Conversion of rural buildings

1.50 Kent has a long agricultural history, with many buildings and structures having been constructed over the centuries to support the agricultural industry. However, changes in agricultural practices have rendered many of these vernacular buildings redundant, leaving them vacant and prone to dereliction. Government advice in the National Planning Policy Framework supports the re-use of redundant buildings where an enhancement to their setting would result. It also places emphasis upon the building of a strong, rural economy, which the conversion of redundant rural buildings can support.

1.51 However, the quantity and quality of buildings in the countryside in Maidstone Borough brings increasing pressure for their re-use. In line with the objective to protect the quality of rural landscapes for their intrinsic value and openness, it is necessary that buildings considered for re-use are of permanent and substantial construction, not requiring major or complete reconstruction and that their resulting form and appearance is in keeping with the simple, functional character inherent in rural areas.

1.52 The quality and condition of rural buildings in the borough varies considerably. This wide range of buildings also includes buildings such as oasthouses, which are indigenous only to the hop growing areas of the country and exemplify the historical development of agriculture in Kent. Many of these vernacular buildings have a degree of significance which merits consideration as a heritage asset. These functional buildings are often of simple form and character, so external alterations require careful consideration.

1.53 In order to support the objective of promoting a strong, rural economy, the council will seek to secure business or recreation uses for redundant rural buildings, unless it can be demonstrated that such a use is not suitable or viable. Such uses are of a more functional nature than residential uses, and typically require less physical changes, having a lesser impact upon the countryside and rural character. Residential conversions can be detrimental to the fabric and simple form and character of the building. They therefore require particular attention, in order to prevent a loss of rural character and local identity.

Policy DM 27

Conversion of rural buildings

1. Proposals for the reuse and adaptation of existing rural buildings which meet the following criteria will be permitted:
 - i. The building is of a form, bulk and general design which is in keeping with its rural surroundings;
 - ii. The building is of permanent, substantial and sound construction and is capable of conversion without major or complete reconstruction;
 - iii. Any alterations proposed as part of the conversion are in keeping with the rural character of the building in terms of detailed design, form and materials;
 - iv. There is sufficient room in the curtilage of the building to park the vehicles of those who will live there without detriment to the visual amenity of the countryside; and
 - v. No fences, walls or other structures associated with the use of the building or the definition of its curtilage or any sub-division of it are erected which would harm the visual amenity of the countryside.
2. Proposals for the reuse and adaptation of existing rural buildings for commercial, industrial, sport, recreation or tourism uses which meet the following criteria will be permitted:

- i. The traffic generated by the new use would not result in the erosion of roadside verges, and is not detrimental to the character of the countryside;
 - ii. In the case of a tourist use, the amenity of future users would not be harmed by the proximity of farm uses or buildings; and
 - iii. In the case of self-catering accommodation a holiday occupancy condition will be attached, preventing their use as a sole or main residence.
3. Proposals for the re-use and adaptation of existing rural buildings for residential purposes will not be permitted unless:
- i. Every reasonable attempt has been made to secure a suitable business re-use for the building;
 - ii. Residential conversion is the only means of providing a suitable re-use for a listed building, an unlisted building of quality and traditional construction which is grouped with one or more listed buildings in such a way as to contribute towards the setting of the listed building(s), or other buildings which contribute towards the character of the countryside or which exemplify the historical development of the Kentish countryside; and
 - iii. There is sufficient land around the building to provide a reasonable level of outdoor space for the occupants, and the outdoor space provided is in harmony with the character of its setting.

Rebuilding and extending dwellings in the countryside

1.54 The intrinsic character and beauty of the countryside is an important asset of the borough, which is recognised by the National Planning Policy Framework and which is highly sensitive to development. However, in order to support rural communities, a level of flexibility for certain forms of development in rural areas is required.

1.55 In appropriate circumstances, the council will support the rebuilding of a lawful residential dwelling or an extension to an existing dwelling. In considering such proposals, the council will have particular regard to the mass and visual prominence of the resulting building, including the cumulative impact of such changes. The volume of new development will be more critical than its footprint.

1.56 The term 'original dwelling' refers to the dwelling as it was on 1st July 1948 or, if built later, as it was when first erected and granted planning permission.

Policy DM 28

Rebuilding and extending dwellings in the countryside

1. Proposals for the replacement of a dwelling in the countryside which meet the following criteria will be permitted:
 - i. The present dwelling has a lawful residential use;

- ii. The present dwelling is not the result of a temporary planning permission;
 - iii. The mass and volume of the replacement dwelling is no more visually harmful than the original dwelling;
 - iv. The replacement dwelling would result in a development which individually or cumulatively is visually acceptable in the countryside; and
 - v. The replacement dwelling is sited to preclude retention of the dwelling it is intended to replace, or there is a condition or a planning obligation to ensure the demolition of the latter on completion of the new dwelling.
2. Proposals to extend dwellings in the countryside which meet the following criteria will be permitted:
- i. The proposal is well designed and is sympathetically related to the existing dwelling without overwhelming or destroying the original form of the existing dwelling;
 - ii. The proposal would result in a development which individually or cumulatively is visually acceptable in the countryside; and
 - iii. The proposal would not create a separate dwelling or one of a scale or type of accommodation that is capable of being used as a separate dwelling.

Change of use of agricultural land to garden land

1.57 Changes in the agricultural industry sometimes result in vacant agricultural land being sold off as individual plots. In some cases this land is simply retained as open pasture land. However, planning permission is required where agricultural land is used to form an enlarged domestic garden, for example, where land is regularly mown and laid to lawn or used as an outdoor seating and play area.

1.58 Significant swathes of the borough, particularly in the Medway valley and Greensand fruit belt, are graded as high quality agricultural land under the DEFRA classification. The National Planning Policy Framework recognises the benefits of best and most versatile agricultural land. Where agricultural land is highly graded (Grade 1 or Grade 2) and is functionally well located for agricultural purposes, such that future agricultural use is feasible, the council will seek to resist its irreversible loss to domestic use.

1.59 The change of use of agricultural land to domestic garden land is also, in principle, contrary to the objective of safeguarding the open, rural character of the countryside, which is advocated by the National Planning Policy Framework. The domestication of the countryside, through the replacement of open pasture with lawns, domestic plants and garden furniture is generally harmful to the integrity and character of rural landscapes. This policy of restraint will safeguard against inappropriate and excessive extensions to domestic gardens.

1.60 In some cases, applicants may seek development that results in the infill of an area between existing clear boundaries to existing built development. Where development constitutes such infilling and is in keeping with the layout of the existing built environment, the impact upon the countryside is likely to be minimised.

Policy DM 29

Change of use of agricultural land to domestic garden land

Planning permission will not be granted for the change of use of agricultural land to domestic garden if there would be harm to the character and appearance of the countryside and/or the loss of the best and most versatile agricultural land.

Accommodation for agriculture and forestry workers

1.61 The maintenance of land in agricultural use generally aids the preservation of the rural character of the countryside and the rural economy. The National Planning Policy Framework lends strong support to the rural economy and seeks to promote agricultural and land based rural businesses. It also recognises that residential development in the countryside may be justified when there is an essential need for a rural worker to live permanently at, or in the immediate vicinity of, their place of work.

1.62 In considering whether a dwelling is essential, the council will apply functional and, if appropriate, financial tests. It is the needs of the holding, not the preferences of the individuals concerned, which will determine whether a dwelling is essential or not. The council will condition any planning permission to ensure that proposed dwellings and, where appropriate, existing dwellings remain in agricultural occupancy.

1.63 If a new dwelling is essential to support a new farming activity, whether on a newly created agricultural unit or an established one, it should normally be provided by a caravan or other temporary accommodation for the first three years. This is to ensure that the enterprise is viable and to prevent the retention of unnecessary built development within the countryside.

Policy DM 30

Accommodation for agricultural and forestry workers

1. Proposals to site a caravan or other form of temporary housing accommodation for an agricultural or forestry worker in the countryside outside defined settlement boundaries which meet the following criteria will be permitted:
 - i. The dwelling and its siting on an agricultural or forestry holding are essential for the efficient development and running of the enterprise there;
 - ii. The need is for accommodation for a full time worker;
 - iii. There is clear evidence that the enterprise has been planned on a sound financial basis and that there is a firm intention and ability to develop it;

- iv. No other housing accommodation is already available locally to meet the need;
 - v. The necessary accommodation cannot be provided by the conversion of a building on the holding; and
 - vi. The necessary accommodation would be sited with any farmstead or other group of rural buildings on the holding.
2. Where a temporary planning permission is granted for a dwelling, the council will:
- i. Limit the permission to a term of no more than 3 years;
 - ii. Limit the occupation of the accommodation to a person solely or mainly working, or last working in the locality in agriculture or forestry, or a widow or widower of such a person and to any resident dependants;
 - iii. Require the removal of the temporary accommodation within 3 months after the expiry of the permission; and
 - iv. Require the restoration of the site within 12 months after the expiry of the permission in accordance with a scheme agreed with the local planning authority unless a permission is granted for a permanent dwelling there.
3. Proposals for a new permanent agricultural or forestry dwelling in the countryside outside defined settlement boundaries in support of existing agricultural or forestry activities on well-established units which meet the following criteria will be permitted:
- i. There is a clearly established existing functional need for the dwelling;
 - ii. The need relates to a full time worker or one who is primarily employed in agriculture and does not relate to a part time requirement;
 - iii. The unit and the agricultural or forestry activity have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
 - iv. The functional need could not be fulfilled by another dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the worker(s) concerned; and
 - v. The new dwelling is no larger in size than is justified by the needs of the enterprise or more expensive to construct than the income of the enterprise can sustain.

The council will limit the occupation of any dwelling to a person solely or mainly working, or last working, in the locality in agriculture or forestry, or a widow of such a person, and to any resident dependents.

Holiday caravan and camp sites

1.64 Holiday caravan and camp sites provide alternative forms of accommodation which can add to the tourist attraction of the borough. The National Planning Policy Framework recognises the importance of sustainable tourism for a prosperous rural economy. However, the provision of tourist facilities must be balanced against the need to protect the quality of the countryside for

the sake of its intrinsic character and beauty. Holiday caravan and camp sites should be located outside the borough's most sensitive landscape areas, in particular outside the Kent Downs Area of Outstanding Natural Beauty, and should not be prominent in the landscape and should be well screened.

1.65 In order to prevent the creation of isolated residential uses in rural areas, which would conflict with the aims of sustainable development, a holiday occupancy condition will be attached to any planning permissions.

Policy DM 31

Holiday caravan and camp sites

1. Proposals for sites for the stationing of holiday caravans and/or holiday tents which meet the following criteria will be permitted outside the defined urban area and villages:
 - i. The proposal would not be an intrusive feature in the landscape or detrimental by its siting or appearance to the visual or other amenity of the surrounding area; and
 - ii. The site would be capable of being adequately screened and would be internally landscaped with indigenous species.
2. A holiday occupancy condition will be attached to any permission, preventing use of any unit as a permanent encampment.

Caravan storage in the countryside

1.66 In many cases, it is impractical to store private caravans within the curtilage of dwellings. However, open storage of caravans can be an intrusive feature of rural landscapes. Within Maidstone Borough, the Kent Downs Area of Outstanding Natural Beauty is a highly sensitive and open landscape of national importance. In this area, the council will resist proposals for open storage of caravans, in order to preserve the quality of this valued landscape. In other locations, such development should be appropriately screened and sited, where it would not be isolated or prominent in the landscape.

Policy DM 32

Caravan storage in the countryside

Proposals for the open storage of private caravans in the countryside which meet the following criteria will be permitted:

- i. The site lies outside an Area of Outstanding Natural Beauty and its setting;
- ii. The site would provide comprehensive all year screening before the use commences, which may include bunding, tree and shrub planting, and

- fencing in appropriate locations, and there is no unacceptable impact on the landscape or environment;
- iii. Security arrangements (including lighting) would not be intrusive;
- iv. The proposal would not result in a concentration of sites; and
- v. The proposal is situated close to existing built development, including residential accommodation.

Retail units in the countryside

1.67 The creation and expansion of rural businesses can contribute towards a prosperous rural economy. However, whilst promoting a strong rural economy, the National Planning Policy Framework also recognises the intrinsic character and beauty of the countryside, which is a valuable asset. Retail development in the countryside, if not strictly controlled, can also run counter to the objectives of sustainable development, by creating additional journeys to rural locations. It is therefore necessary to restrict development to that which primarily actively supports the maintenance of land in agricultural and other appropriate land based uses, such as farm shops primarily retailing produce at, and produced upon, their holding.

1.68 In considering such development, the council will view positively proposals where a significant proportion of produce, in terms of turnover, would originate upon the farm holding where it would be sold and, in granting planning permission, will consider the imposition of conditions to restrict the type of goods and extent of produce which does not originate upon the holding, for sustainability reasons. The council will seek to resist retail proposals in rural locations where the business case is not considered to justify such a location.

Policy DM 33

Retail units in the countryside

1. Proposals involving retail sales outside defined settlement boundaries will only be allowed in the case of shops selling fresh produce at the point of production (or originating off the farm holding) provided that:
 - i. A significant proportion, based on annual turnover, of the range of goods offered for sale continues to be fresh produce grown and sold on the farm holding in question; and
 - ii. The range of any additional sale goods would be restricted to agricultural produce and the offer for sale of other goods, including packaged or preserved food products, would not exceed a minimal level; and
 - iii. The proposal is not demonstrably damaging to the viability of rural local centres and village shops.
2. In granting planning permission for farm shops, the council may impose conditions to restrict the amount of produce which originates outside the farm holding in which the proposed development is located and also

to restrict the proportion of non food and other items to be sold, unless the proposal provides for a more sustainable alternative for the local community.

Equestrian development

1.69 Horse riding remains a popular leisure activity in the borough. The National Planning Policy Framework advises that recreational facilities can make an important contribution to health and wellbeing of communities. Whether planning permission is needed for the use of land and buildings for horses and equestrian activities depends on whether the horses are used for agricultural, recreational or commercial purposes. The use of land for grazing (which is part of the definition of agriculture in Section 336 of the Town and Country Planning Act 1990) is widely taken to include the grazing of horses and so does not require planning permission. The need for planning permission arises when horses are kept on the land. Horses are considered to be 'kept' when their food is supplemented over and above any grazing that takes place or shelter is provided for them. This can be in the form of stables or field shelters. If these circumstances exist the land is no longer used for agricultural purposes but is used for the keeping of horses. Planning permission is necessary for this change of use.

1.70 In order to protect the openness of the countryside, the use of existing buildings is preferred to the erection of new structures for equestrian purposes. Where this is not possible, the scale, siting and finish should be chosen to minimise visual impact and avoid prominent and isolated development. Consideration must also be given to the security and safety of the animals being kept upon the land. In determining planning applications for equestrian development, the council will only grant consent where the owners of the horses live upon a parcel of land which either adjoins or is opposite the site or has clear sight of the area where the horses are kept.

Policy DM 34

Equestrian development

Proposals for domestic or commercial stables or associated equestrian development which meet the following criteria will be permitted:

- i. The conversion of existing buildings would be used in preference to new built development;
- ii. New stables and associated buildings would be grouped with existing buildings on the site wherever possible;
- iii. All new development is of a design which is sympathetic to its surroundings in terms of scale, materials, colour and details;
- iv. The proposal is accompanied by an integral landscaping scheme including boundary treatments which reflect the landscape character of the area;

- v. The proposal contains an appropriately sited and designed area for the reception of soiled bedding materials and provision for foul and surface water drainage;
- vi. Adequate provision is made for the safety and comfort of horses in terms of size of accommodation and land for grazing and exercising;
- vii. Adequate provision is made for the security of the site in terms of the location of the proposed development in relation to the owners of the animals; and
- viii. The site would have easy access to bridleways and/or the countryside.

The Delivery Framework

Infrastructure delivery

Policy ID 1

Infrastructure delivery (CS14) - March 2013

Electronic communications

1.71 Advanced, high quality communications infrastructure plays a key role in sustainable economic growth, and high speed communication networks, including broadband, are also an important element in the provision of local community facilities and services. The National Planning Policy Framework lends strong support to the expansion of electronic communication networks, including telecommunications and high speed broadband. The council recognises the importance of such development and similarly adopts a positive approach to such development.

1.72 Certain telecommunications developments do not require planning permission by virtue of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). However, local authorities are able to exercise some control over the siting and appearance of these developments. In these cases, and in the case of telecommunication developments subject to full planning control, the council will apply policy ID2.

1.73 In considering electronic communications development, the council will expect the operator to have regard to the Code of Best Practice on Mobile Network Development in England (published July 2013) or any subsequent Best Practice Guide. Development should be sited, where possible, to minimise visual impact.

Policy ID 2

Electronic communications

The council supports the expansion of electronic communications networks. Development of new masts and antennae by telecommunications and code systems operators will be permitted provided:

- i. It has been demonstrated that mast or site sharing is not feasible and that the apparatus cannot be sited on an existing building or other appropriate structure that would provide a preferable environmental solution;
- ii. It has been demonstrated that an alternative, less environmentally harmful means of providing the same service is not feasible;
- iii. Every effort has been made to minimise the visual impact of the proposal;
- iv. Proposals adhere to current Government advice on the health effects of exposure to radio waves; and
- v. Consideration has been given to the future demands of network development, including that of other operators.