

REPORT SUMMARY

REFERENCE NO - 14/505920/FULL		
APPLICATION PROPOSAL Partial demolition of existing barn and demolition of other outbuilding, conversion and extension of barn to a B1 (a) office use, with ancillary works for access, turning and parking.		
ADDRESS Lynch Bank Farm Barn Detling Hill Detling Kent ME14 3EX		
RECOMMENDATION		
SUMMARY OF REASONS FOR RECOMMENDATION The proposal is recommended for approval for the following reasons: <ul style="list-style-type: none"> - There is considered to be no objection in principle to conversion of the barn to office use nor to its partial demolition and replacement. - Enables retention of the Non Designated Heritage Asset. - Will bring material improvements to the character and setting of the AONB, rural character of the area while safeguarding the setting of the SSSI. - Will not result in any material harm to the outlook and amenity of nearby houses. - Will secure wildlife and habitat improvements in accordance with the NPPF. - Is acceptable on highway and parking grounds - Unsustainable siting of the development now substantially outweighed by the benefits derived from the proposal. - Proposal is considered to materially address the reasons for refusing the previous proposal to demolish the existing barn, outbuilding and concrete bunker and erection of an office building. 		
REASON FOR REFERRAL TO COMMITTEE Recommendation is contrary to the views of the Parish Council		
WARD Detling And Thurnham Ward	PARISH/TOWN COUNCIL Detling	APPLICANT Mr J Breeds AGENT Mr John Collins
DECISION DUE DATE 04/02/15	PUBLICITY EXPIRY DATE 04/02/15	OFFICER SITE VISIT DATE 18 th December 2014

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The site abuts the north side of Detling Hill (A249) with a roadside verge separating it from the A249. It is sited a short distance to the east of the

junction with Pilgrims Way. There is an access directly from the site onto the A249 which is not used. The main access is via a long narrow track off Pilgrims Way to the south which also serves Lynch Place, a detached property to the west of the site.

- 1.02 The site is occupied by a dilapidated timber barn fronting directly onto the A249 to the north of which is an underground concrete bunker. There is a single storey detached timber outbuilding set some distance to the north of the main barn. Apart from areas of level hard standing to the west of the barn much of the site is now heavily overgrown.
- 1.03 In a wider context the site lies within an AONB abutting a SSSI and forming part of a strategic gap.

2.0 HISTORY:

- 2.01 76/0463- Outline application for single storey agricultural dwelling-REFUSED- 2nd July 1976
- 2.02 87/2046- Outline consent for change of use at industrial premises to studio/office use and the erection of a farmhouse- - WITHDRAWN
- 2.03 91/1352- Change of use to car repairs and paint spraying service – WITHDRAWN
- 2.04 10/1165- Demolition of existing barn, outbuilding and concrete bunker and erection of an office building- WITHDRAWN
- 2.05 11/0799- Demolition of existing barn, outbuilding and concrete bunker and erection of an office building- REFUSED- 5 September 2013 on the grounds that (a) loss of the barn as a non designated heritage asset not sufficiently justified (b) the increased height, mass and developed footprint would harm character and setting of the North Downs Area of Outstanding Natural Beauty(c) failure to address wildlife and habitat concerns and (d) unsustainable location of site for office use.
- 2.06 There is also enforcement history for this site. In December 2000 the building was being used for car repairs but this use ceased in May 2001.
- 2.07 Notwithstanding the above, it is considered, on the balance of probability, that the lawful use of the premises is for agricultural purposes as the original agricultural use does not appear to have been superseded by an implemented planning permission or evolution of an alternative lawful use.

3.0 PROPOSAL

- 3.01 The proposal involves partial demolition of the existing barn with the end abutting Detling Hill (already truncated to enable construction of the A249 back in 1960's) being removed along with barn extensions abutting the north east side of the central bay. It is also intended to remove an underground concrete bunker sited a short distance to the north east of the existing building and a detached timber outbuilding sited some distance to the north of the existing barn.

- 3.02 The existing barn will then be extended and converted into B1 (office) use comprising two main office areas, reception, waiting/meeting area, kitchen and wc's.
- 3.03 The existing barn has an irregular footprint, a floor area of just under 74 sqm metres with a depth of just over 9 metres and a maximum height of just under 6 metres. The combined width of all its elements is just over 11 metres with the barn at its closest point coming to within 1 metre of the site boundary with Detling Hill.
- 3.04 It is intended to retain the central part of the barn with the extended barn having a floor area of just over 80 sqm metres, a maximum height of just over 6 metres, a width of just over 12 metres a depth of just over 7 metres and be set just over 2 metres back from the site boundary with Detling Hill.
- 3.05 The proposed building will have a rectangular footprint and comprise a pitched roof building clad in timber weatherboarding with a slate roof. In response to heritage objections the external appearance has been amended with the front elevation comprising an inset entrance feature flanked by 8 no. narrow section windows. The rear elevation shows a full depth clerestory window again flanked by 8 no. narrow section windows.
- 3.06 On site parking and turning will be provided for 6 vehicles immediately in front of the main façade of the building. On a day to day basis access will be via the existing track onto Pilgrims Way to the west though the access to the site from the A249 will remain to provide an emergency access and for use by farm vehicles.
- 3.07 The site perimeter and much of the length of the access track will be defined by a native species hedgerow with the chalk grassland to the north of the site to be maintained as a semi improved chalk grassland habitat.

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF) 2012
National Planning Practice Guidance (NPPG) 2014
Maidstone Borough Wide Local Plan:
ENV28 – Development in the countryside
ENV31- Strategic gap
ENV33- Kent Downs AONB
ENV44- Conversion of rural building to commercial use

Supplementary Planning Documents:

Kent Downs AONB: Management Plan 2009-2014

5.0 LOCAL REPRESENTATIONS

- 5.01 **Neighbours:** 1 property notified. 1 objection received which is summarised below:
- Visual intrusion due to possible advert clutter.

- Concerns regarding waste, surface water disposal and storage of waste or rubbish.
- Proximity of site to A249 will mean that employees will be exposed to unacceptable levels of road traffic noise.
- In order to meet provisions of the NPPF relating to impact on the AONB and wildlife all buildings should be demolished and site returned to its natural state. In addition have noted adders, grass snakes, frog and toads on site which have not been mentioned in ecology survey.
- Harm to free flow of traffic and highway safety due to conflicting vehicle movements at the junction of Pilgrims Way/A249 while narrow rutted track to site of insufficient width to enable service vehicles to gain access.
- Site has been vacant for more than 20 years

6.0 CONSULTATIONS

6.01 Detling Parish Council: Objects on the following grounds:

- site does not appear to have existing commercial use and it lies in an AONB and SSSI.
- planning application lacks detail with regards to the provision of utilities such as water and waste water and these matters should be fully considered.
- Concerned regarding the access onto the A249 which is unacceptable and should be closed as if used this would increase the risk of accidents on this already dangerous road.

6.02 KCC Ecology:

- An 'exceptional' population of slow-worms and a 'low' population of viviparous lizards were recorded on the site. Mitigation measures proposed within the Reptile Survey report indicating that all habitat will initially be lost. Principles of the proposed mitigation are nevertheless acceptable.
- Regarding the proposed receptor site though the applicants advise that it is highly likely that reptiles will be recorded on it as this would be a temporary holding area until on site landscaping becomes established no requirement for a survey of the receptor site.
- The bat survey did not record any bats roosting within the buildings on site and only foraging animals were recorded using the site. With the buildings assessed as having low and negligible potential to support roosting bats satisfied that no further surveys or mitigation for bats is required at this time.
- The badger sett identified during the previous survey work is no longer present. However as the more recent survey identified no signs of badgers accept that the previous survey may have wrongly identified the earth works as a badger sett. As such an advisory approach on the potential impact on the development on badgers is acceptable.
- In line with the provisions of the NPPF to secure both habitat conservation and improvements there will be a need to secure the ecological mitigation for

reptiles, nesting birds and badgers by condition. In addition, to ensure there is suitable habitat available post-development habitat creation and long-term habitat management (both on-site and off-site) for reptiles should also secured by condition,

6.03 Natural England:

- The Site is in close proximity to the Wouldham to Detling Escarpment Site of Special Scientific Interest (SSSI). If proposal undertaken in strict accordance with the submitted details it is not likely to have a significant effect on the North Downs Woodlands or damage or destroy the interest features contained in the Wouldham to Detling Escarpment SSSI.

- Advise consultation with Kent Downs AONB unit to confirm whether or not the development accords with the aims and policies set out in the AONB management plan. - Regarding protected species its standing advice should be taken into account in determining the application.

- The NPPF states that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm 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.'

6.04 Kent Downs AONB unit: Do not wish to make any comment.

6.05 Environment Agency: Have assessed this application as having a low environmental risk and therefore have no comments to make.

6.06 EHO: No objection subject to impositions of conditions to address site contamination.

6.07 Kent Archaeology: No objection

6.08 MBC Heritage: The existing barn is a truncated structure with 2 or more bays of the original having been removed in the early 1960s when the Detling Bypass was built. The remaining structure contains some re-used timbers from an earlier building but essentially appears to be an early 19th Century barn with later alterations. There is just about enough historic fabric remaining to justify consideration of the building as a non-designated heritage asset.

The proposal is to remove the partially-extant southernmost bay and extend the remaining structure by three bays to the north. Demolition of the southern bay will result in some loss of historic fabric, but much of the structure post-dates the demolition of the original southern end of the barn in the 1960s and no objection is identified to this.

The addition of three bays to the north would return the barn to its original size though not in its original location.

In conclusion no objection to the proposal in design or siting terms subject to conditions to secure joinery details, samples of materials, details of external finishes and a detailed repairs schedule.

- 6.09 **Kent Highways:** No objection - The proposal offers sufficient parking and turning facilities and make use of an existing access. Furthermore, it is not expected that this change of use will significantly increase traffic movements. Recommend imposition of conditions to secure no access direct onto Detling Hill, provision of on site parking and turning both in the course of implementing the development and at all times thereafter.

7.0 APPRAISAL

- 7.01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 7.02 The key issues are considered to be whether the proposal materially addresses the reasons for refusal set out in connection with application ref: MA/11/0799 in terms of a) Principle (b) Impact on non designated heritage asset (NDHA) (c) Impact on the character setting and function of the AONB, rural character of the area and the strategic gap (d) Impact on the outlook and amenity of houses overlooking and abutting the site (e) wildlife and habitat protection including impact on SSSI (f) highway and parking considerations and (g) sustainability.

Principle:

- 7.03 While the barn could be repaired and reused in its current form and layout, this has to be balanced against whether this would bring about a demonstrable improvement to the appearance of the site. The barn is in a dilapidated condition and apart from a small central core having some historic merit, the truncated appearance of the building has further compromised its character and appearance. As such it is considered that the barn currently lends little to the character and appearance of the area. Subject therefore to retention of those parts of the building having historic merit, it is considered that the proposal has the potential to bring a potential package of visual and habitat benefits better responding to the sensitive landscape quality and wildlife concerns.
- 7.04 The proposal needs to be considered against the specific provisions of policy ENV44 of the adopted local plan (conversion of rural building to commercial use) which states, amongst other things, that (a) the reuse of rural buildings, such as those existing on the application site, will be permitted amongst other things where the buildings are sound and capable of conversion without major reconstruction and (b) will not lead to a dispersal of activity on a scale to prejudice town and village vitality.
- 7.05 **Response to point (a):** For the reasons already amplified above it is considered that though the barn building could be capable of conversion, the potential visual benefits of allowing its partial demolition and rebuild (subject to strict size and siting limits) justify a more flexible approach
- 7.06 **Response to point (b):** Given the small scale of the likely enterprise it considered that objections based on dispersal of activity on a scale likely to prejudice town and village vitality cannot be sustained.

7.07 In addition the NPPF at para 28 requires planning policies to support growth in rural areas to create jobs and prosperity by taking a positive approach to sustainable new development by amongst other things through the conversion of existing buildings and well designed new buildings.

7.08 As such there is considered to be no objection in principle to conversion of the barn to business use nor to its partial demolition and replacement.

Impact on non designated heritage asset:

7.09 Though the barn is not Listed, given the heritage status of part of the building it demonstrably qualifies as a non designated heritage asset (NDHA).

7.10 The NPPF at para 135 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. In weighing applications affecting directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

7.11 As it is no longer the intention to wholly demolish the barn but to integrate those parts of it having historic merit into the proposed scheme and in the absence of objection from the MBC Heritage Advisor, it is considered that there is no sustainable objection to the proposal on heritage grounds. In the circumstances as loss of the barn is no longer involved thereby enabling retention of its key heritage elements, this materially addresses the previous heritage reason for refusal in connection with application ref:MA/11/0799.

Impact on the character setting and function of the AONB rural character of the area and strategic gap:

7.12 The site occupies an extremely prominent and sensitive location in the North Downs AONB on the scarp slope. In such circumstances landscape considerations must be given great weight in determining the application.

7.13 In design terms the proposed buildings represents a pastiche of a Kentish barn/agricultural building and is therefore considered to be appropriate in this rural setting. However design is not the only test of acceptability and in areas of great landscape sensitivity the size and siting of buildings are also key considerations.

7.14 The total ground floor area of the barn is 74 sqm while the combined total of all buildings currently occupying the site is 107.2 sqm. This compares to 80 sqm for the proposal, increasing the area covered by the existing barn by just under 7%. When removal of the concrete bunker and outbuilding is taken into account, this brings about a 34% reduction in built footprint.

7.15 Turning to height comparisons, the maximum height of the existing barn is just under 6 metres while the proposal increases this to just over 6 metres. This is not considered significant particularly when taking into account the enhanced visual appearance of the building along with the greater setback and improved screening when viewed from the Detling Hill.

7.16 In the circumstance taking into account the proposed reductions in the developed footprint over the whole site and design, size and siting of the proposal particularly when viewed from Detling Hill, it is considered that overall

there will be a positive impact on the character and setting of the AONB and rural character of the area.

- 7.17 Regarding erosion in the function of the strategic gap the scale of development is too small to have any material impact on this.
- 7.18 Turning to the remaining elements of the proposal, the proposed parking and turning area reflects the existing situation such that there will be no material change. To safeguard the night-time rural character of the area controls over external lighting should be imposed.
- 7.19 As such the previous objections to development of this site based on increased built mass harming the character and setting of the North Downs AONB are considered to be addressed.

Impact houses overlooking and abutting the site:

- 7.20 The nearest affected property is Lynch Place to the west. Taking into account the separation distance between the western boundary of the site and eastern boundary of Lynch Place (just over 30 metres) and design and siting of the proposal, it is not considered that this property will experience any material loss of visual amenity or outlook. In terms of harming aural amenity, given the separation distance and proposed site enclosure no harm is identified on these grounds though it should also be taken into account that B1 uses, by definition, can be carried out in any residential area without detriment to the amenity of that area.

Wildlife and habitat protection including impact on SSSI

- 7.21 The application was accompanied by an extended phase 1 Habitat and bat scoping survey, bat re-entrant and reptile surveys.
- 7.22 Populations of both slow worm and lizards were identified and which will need to be relocated to a receptor size while the development takes place. The subsequent use of the much of the rest of the site as a semi improved south facing grassland will result in improvement in reptile habitat subject to conditions to secure this.
- 7.23 The bat survey did not record any bats roosting within the buildings while only foraging animals were recorded using the site.
- 7.24 Regarding previous concerns relating to the presence of badgers, as the sett identified in the previous survey is no longer present and may have been wrongly identified as a badger sett in any event no specific response to badgers is required as part of this application.
- 7.25 Turning to the impact of the proposal on the Wouldham to Detling Escarpment Site of Special Scientific Interest (SSSI) given the comments of Natural England it is not considered that the proposal will result in any harm to the SSSI.
- 7.26 As such in the absence of any objections from KCC ecology and Natural England and subject to conditions to secure habitat mitigation for reptiles, nesting birds and badgers along with suitable habitat provision and management, the proposal is considered to meet the provisions of the NPPF relating to wildlife concerns.

- 7.27 As such the previous objections to development of this site based on the failure to address wildlife and habitat concerns are considered to be addressed.

Highway and parking considerations:

- 7.28 Kent Highways advise that the proposal provides sufficient on site parking and turning facilities while making use of an existing access. Furthermore that it does not expect that the proposal will significantly increase traffic movements. As such in the absence of objection from Kent Highways it is considered that the proposal is acceptable in its highway and parking impacts.
- 7.29 The intention to retain use of the existing access onto Detling Hill as an emergency access and to allow access for agricultural vehicles is acknowledged. Though the applicants desire to maintain his access options are acknowledged this application should be seen as an opportunity to secure permanent closure of this dangerous access onto Detling Hill.

Sustainability:

- 7.30 One of the reasons for refusing application ref: MA/11/0799 (Demolition of existing barn, outbuilding and concrete bunker and erection of an office building) was that the site represented an unsustainable location for office use.
- 7.31 Given (a) the reduced size of the proposal (b) since this decision was made it is now possible under prior approval procedures for buildings having lawful use for agricultural use to be converted to commercial purposes (which includes offices) as permitted development and (c) improvements to the visual appearance of the site, retention of the NDHA and habitat and wildlife improvements, on balance, it is considered the adverse effects of an unsustainable location are now outweighed by the benefits of the proposed development.

Other matters:

- 7.32 The majority of the objectors concerns have already been addressed but a response is required to the following:
- 7.33 Concerns relating to possible advert clutter is noted but this is a matter that can be controlled by condition.
- 7.34 In response to concerns regarding the storage of waste and disposal of rubbish this can be dealt with by condition as can the disposal of waste and surface water.
- 7.35 It is acknowledged that the site is close to the A249 and therefore exposed to road traffic noise. However in the absence of objection from the EHO on aural amenity grounds and that the building will be insulated and double glazed there is considered to be no sustainable objection to the proposal on aural amenity grounds
- 7.36 The reference to adders, grass snakes, frog and toads being present on site is noted. It is acknowledged that these were not identified in the ecology survey. This is not to say that that these species have not visited the site at some time but given their transient nature and that surveys, by their very nature represent a snapshot of a situation, it is not considered that this brings into doubt the

veracity of the survey undertaken. It must also be acknowledged that once the habitat improvements have been carried out this will improve site conditions for all reptiles.

8.0 Conclusions:

8.01 These are considered to be as follows:

- No objection in principle to conversion of the barn to office use nor to its partial demolition and replacement.
- Enables retention of the NDHA.
- Will bring material improvements to the character and setting of the AONB, rural character of the area while safeguarding the setting of the SSSI.
- Will not result in any material harm to the outlook and amenity of nearby houses.
- Will secure wildlife and habitat improvements in accordance with the NPPF.
- Is acceptable on highway and parking grounds
- Unsustainable siting of the development now substantially outweighed by the benefits derived from the proposal.
- As such the proposal is also considered to materially address the reasons for refusing the proposal submitted under ref:MA/11/0799 (Demolition of existing barn, outbuilding and concrete bunker and erection of an office building).

8.02 In the circumstances it is considered that the balance of issues now fall significantly in favour of the proposal and planning permission should be granted as a consequence.

9.0 RECOMMENDATION – GRANT Subject to the following conditions

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

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

(2) Before the development hereby approved commences joinery details of the proposed windows and doors shall be submitted for prior approval in writing by the Local Planning Authority. The details shall specify materials and finishes and include large scale plans at a scale of 1:20 showing long and cross sections of the mullions, transoms and cills. Work shall only be carried out in accordance with the approved details and retained as such at all times thereafter.

Reason: In the interests of visual amenity.

(3) Prior to the development hereby approved commencing details of all external materials and finishes including those specified for the wearing surfaces of the access track, turning and

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parking area shall be submitted for prior approval in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

(4) Prior to the development hereby approved commencing a detailed repairs schedule showing how it is intended to retain and incorporate the acknowledged heritage elements of the existing barn into the proposed development shall be submitted for prior approval in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard the fabric of the heritage asset.

(5) The building shall only be used for office purposes falling within Class B1(a) of the Town and Country Planning (Use Classes) Order 1995 (as amended) and for no other purpose irrespective of whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015.

Reason: To retain control over the use of the site in the interests of amenity.

(6) Prior to the development commencing details of on site parking and turning for all vehicles likely to be associated with the construction phase of the development shall be submitted for prior approval in writing by the Local Planning Authority. The approved details shall be in place before construction work commences and retained until completion of the construction phase.

Reason: In the interests of highway safety and the free flow of traffic.

(7) The development hereby approved shall not be occupied until the parking and turning areas shown on the approved plans have first been provided. They shall be retained at all times thereafter with no impediment to their intended use.

Reason: In the interests of highway safety and the free flow of traffic.

(8) No external lights shall be installed anywhere on site without first obtaining the approval of the Local Planning Authority. Lighting shall only be installed in accordance with the approved details and retained as such at all times thereafter.

Reason: To protect the night-time rural environment in the interests of visual amenity.

(9) Both during the course of and post the development construction phase the reptile safeguarding measures set out in paragraphs 5.4 and 5.5 of the Greenspace Ecological Solutions Reptile Survey dated October 2014 and mitigation/enhancement measures set out in paragraphs 5.1-6.1 (inc) of the Update Extended Phase 1 Habitat and Bat Scoping Survey shall be implemented in accordance with the approved details.

Reason: To ensure that adequate provision is made for wildlife in accordance with the provisions of the NPPF.

(10) Prior to commencement of the development hereby approved the 3 ft high native species hedgerow sited as shown on drawing no:13/1247 shall be planted in accordance with the submitted details. Any part of the approved hedgerow becoming dead, dying or diseased within 5 years of planting shall be replaced with a similar species of a size to be agreed in writing beforehand with the Local Planning Authority.

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Reason: In the interests of visual amenity.

(11) The development hereby permitted shall not commence until a scheme for (a) the disposal surface water (which shall in the form of a SUDS scheme) and (b) waste water has been submitted to and approved by the local planning authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To prevent pollution of the water environment and to ensure satisfactory drainage in the interests of flood prevention.

(12) Prior to commencement of the development hereby approved details of the storage and disposal of waste shall be submitted for prior approval in writing by the Local Planning Authority. The approved details shall in place before first use of the development and retained as such at all times thereafter.

Reason: In the interests of visual amenity and the free flow of traffic and highway safety.

(13) If during construction/demolition works contamination not previously identified is found to be present on site work 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 amenity and public safety.

(14) No signs (irrespective of whether they can be displayed with deemed consent under the Advert Regulations) shall be displayed on site without first obtaining the prior consent in writing of the Local Planning Authority. Any signs shall only be displayed in accordance with the approved details.

Reason: In the interests of visual amenity.

(15) Prior to first occupation of the development hereby permitted the existing site access onto Detling Hill (A249) shall be permanently closed off in a manner to be agreed beforehand in writing with the Local Planning Authority. Thereafter access to the site shall only be gained via the existing track onto the Pilgrims Way.

Reason: In the interests of highway safety and the free flow of traffic,

(16) The development hereby permitted shall be carried out in accordance with the following approved plans being drawing nos: 10/5001, site plan 1:1250 and plan showing construction details h received 24th November 2014, 13/1240, 1247, 1248 (but not approving the roof), 1250 and 1256.

Reason: To ensure the quality of the development is maintained in the interests of visual amenity.

INFORMATIVES

1. You are reminded of the legal protection afforded to nesting birds and to ensure that no development is carried out which might affect these.
2. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.
3. In submitting details to discharge condition 12 you should take into account the following. With regards to waste collection, the applicant should communicate with the local waste authority to ensure they are satisfied with the proposals. The applicant should also be aware that Manual for Streets guidance states that: Residents should not be required to carry waste more than 30 m (excluding any vertical distance) to the storage point; and waste collection vehicles should be able to get to within 25 m of the storage point and the gradient between the two should not exceed 1:12. If the applicant decides that refuse vehicles will be required to access the site, then tracking diagrams should be provided to show that refuse vehicles can enter, turn and exit the site in a forward gear.
4. The applicant may be required to apply to the Environment Agency for other consents directly from it. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and it has a regulatory role in issuing and monitoring them. The applicant should contact 03708 506 506 or consult its website to establish whether a consent will be required. <https://www.gov.uk/environmental-permit-check-if-you-need-one>
5. Any facilities used for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume of the tanks.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Offering a pre-application advice and duty desk service.

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Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

Following clarification and amendment of the submitted details the application was acceptable

Case Officer: Graham Parkinson

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.