

APPLICATION: MA/12/0602 Date: 30 March 2012 Received: 30 March 2012

APPLICANT: Two Chimneys Ltd

LOCATION: LITTLE VENICE COUNTRY PARK, HAMPSTEAD LANE, YALDING, MAIDSTONE, ME186HH

PARISH: Yalding

PROPOSAL: Application for a new planning permission to replace extant planning permission MA/07/2296 (Change of use of land and engineering works to create a 200 berth marina with associated service pontoon, footbridge, means of access and car parking) to allow a further three years in which to implement the development in accordance with the design and access statement; construction traffic impact assessment; supporting statement; environmental statement; plan no. 070911 Pt C Rev 3, 070911 Pt B Rev C, site location plan; ecological survey information as updated November 2012; transport statement; plan 080115, 080602 Rev 2 as received on September 2008; updated Arboricultural Survey received November 2012.

AGENDA DATE: 16th May 2013

CASE OFFICER: Amanda Marks

The recommendation for this application is being reported to Committee for decision because:

- It is contrary to views expressed by the Parish Council

## **1. POLICIES**

- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, ENV35, ENV49, ED25
- Village Design Statement: N/A
- Government Policy: National Planning Policy Framework, Good Practice Guide for Tourism

## **2. HISTORY**

MA/07/2296 Little Venice Country Park, Hampstead Lane, Yalding, Maidstone. Change of use of land and engineering works to create a 200 berth marina with associated service pontoon, footbridge, means of access and car parking. APPROVED 2/4/09

MA/07/1680 Little Venice Country Park, Hampstead Lane, Yalding, Maidstone.  
Scoping opinion sought in respect of an environmental impact assessment to be submitted in relation to a proposed 200 berth marina.

MA/07/1508 Little Venice Country Park, Hampstead Lane, Yalding, Maidstone.  
Formal request for screening opinion under requirements for an environmental impact assessment in accordance with the town and country planning (EIA) regulations 1999: proposed 200 berth marina at Little Venice Country Park – Environmental Statement is required.

MA/04/2255 Little Venice Country Park, Hampstead Lane, Yalding, Maidstone.  
Change of use of land and engineering works to create a marina together with means of access and car parking – withdrawn.

### **3. CONSULTATIONS**

3.1 **Yalding Parish Council** were consulted and objected to the application on the same grounds as they raised on MA/07/2296. They understand that the application is for renewal and that the previous objections were considered by committee, however they wish to maintain their objections. The concerns previously raised in 2007 by the Parish were as follows:

- Visual Impact – The proposed development would represent a visually incongruous feature harmful to the character of the open countryside, to the Area of Local Landscape Importance and to the Yalding Conservation Area;
- The proposal has the potential to result in a significant level of light and noise pollution to nearby residents;
- Due to the level of excavation there could actually be a detrimental impact on flood prevention within the locality;
- The proposal has an over-reliance upon the motor car and additional car movement has not been adequately addressed;
- The proposal may lead to a significant increase on congestion upon the river;
- Concern is raised that there will be the proliferation of permanent moorings within the locality, which could give rise to safety issues during times of flooding.

3.2 Kent Highways: no objections subject to the imposition of previous conditions

3.3 Kent Wildlife Trust: no objections, but urge MBC to re-impose the previous conditions as they addressed the Trusts comments on the original application relating to control over lighting, excavation and potential river pollution.

3.4 Natural England: No response.

- 3.5 English Heritage: No comment
- 3.6 The Environment Agency: no objections to the renewal of the permission
- 3.7 Upper Medway Internal Drainage Board: They would prefer to leave all comments to the Environment Agency.
- 3.8 Medway River Users Association: No response.
- 3.9 UK Power Networks: No objection.
- 3.10 MBC Landscape & Conservation: There are no new considerations relating to this replacement application which would give landscape/arboricultural grounds to object. However, since the 2007 application, new standards on tree protection have been published and a new Landscape Character Assessment adopted, therefore the conditions need bringing up to date.
- 3.11 Kent County Council Ecology: requested the ecological surveys relating to reptiles be updated, which was duly done and subject to the imposition of conditions no objection is raised to the renewal of this permission.

#### **4. REPRESENTATIONS**

- 4.1 None

#### **5. CONSIDERATIONS**

##### **5.1 Site Description**

- 5.1.1 The application site lies in the open countryside within a designated Area of Local Landscape Importance and adjacent to the Yalding Conservation Area to the east. Land to the north-east of the site is designated as a Special Landscape Area in the Maidstone Borough-Wide Local Plan 2000.
- 5.1.2 The site is in the region of 3.7 hectares and is located to the north-west and west of Yalding village. The well established Little Venice caravan park is to the north. Venturing further north beyond the caravan park is the Hampstead Marina which berths approximately 150 vessels. To the east of the site is the River Medway and also the River Beult, which converge at the most north-easterly point of the site. This area is designated as a Site of Special Scientific Interest (SSSI). Beyond the river to the east are open fields which are bounded by Yalding village and to the south east is an area of open space used for recreation purposes.

5.1.3 To the south-west of the site lies a cluster of industrial units, which I believe still include an Environment Agency building and car repair centre. The site is relatively level and includes two pill boxes within the site which are to be retained. There are also three existing trees which are identified to be retained. Overall it seems a fair observation that the characteristics of the site have not noticeably changed since the original grant of planning permission.

## **5.2 Proposal**

5.2.1 This application is to renew the previous planning permission which was granted in April 2009 subject to conditions under planning application MA/07/2296. Permission was given for a 200 berth marina together with marina, slipway, pontoon, sanitation facilities and a car park. The marina would be located to the south of the existing Little Venice Caravan Park. In terms of the proposal it is as previously described by officers, 'The marina would have an area of approximately 27,000 m<sup>2</sup>, with a length of approximately 320m and an approximate width of 130m (this would not be regular in shape – a kidney shaped layout). The layout of this marina would include 9 finger berths, which would project from the western wall (inland wall) of the proposal. All but two of these berths would be double side. An access ramp is proposed to the south of the marina, which would measure 6m in width.

5.2.2 The profile and landscaping of the existing river bank would remain unaltered aside from the access point into the marina – with a new footbridge proposed over this access way – to enable the whole river frontage to be walked.

5.2.3 A car parking area is also proposed, which would be located alongside the marina. This could accommodate up to 160 vehicles, with the vehicular access being through the caravan park, and up through the existing access onto Hampsted Lane. A new hedgerow buffer is proposed to be planted alongside this parking area to ensure that there is a good level of screening for this proposal, in particular the car parking area. A turning area is also proposed at the end of this parking area, which will also serve the slipway into the marina. A temporary contractors access is proposed to the south-west of the site.

5.2.4 One small pitched roof amenity building is proposed to be located upon a pontoon upon the marina, which would serve the boats within.'

5.2.5 The original planning application included a significant level of additional information which was required in order for the application to be determined; this included an Environmental Impact Assessment. The previous consultees on the original application have been reconsulted and, subject to updated surveys that formed part of the EIA, raise no objection in principal to the renewal of this application. The applicant was therefore asked to update the ecological and

arboricultural reports; the resulting reports have been considered and the consultees are satisfied that ecological and arboricultural concerns have been and can be addressed as previously proposed through appropriate conditions. In light of this, it was not considered appropriate to request a full new EIA.

### **5.3 Principle of Development**

5.3.1 Previously the application was assessed under the Kent Structure Plan, the Maidstone Borough Wide Local Plan 2000 (MBWLP 2000) and a number of Planning Policy Statements. Whilst the status of the site in the open countryside has not changed, the policy framework now consists of the MBWLP 2000, the emerging Local Plan and the NPPF. When considering an application for an extension of the period of time in which to implement a planning permission, it is of course necessary to consider whether or not there has been any material change that would render the proposal now unacceptable. Whilst I do not consider the change in the government advice is significant enough to reach a different conclusion to the previous officer's recommendation, I consider it appropriate to set out the current policy framework which leads me to this conclusion.

#### 5.3.2 Maidstone Borough Wide Local Plan 2000

**Policy ENV6** of the MBWLP requires development to incorporate the retention of existing trees, woodlands, hedgerows, natural and man made features which contribute to the character of the area and provide a scheme of new planting of trees and or shrubs as appropriate, using native or near native species.

**Policy ENV28** of the MBWLP states that planning permission will not be given for development which harms the character and appearance of the area or the amenities of surrounding occupiers, and development will be confined to:

- That which is reasonably necessary for the purposes of agriculture and forestry;
- The winning of minerals;
- Open air recreation and ancillary buildings providing operational use only;
- The provision of public or institutional uses for which a rural location is justified; or
- Such other exceptions as indicated by policies elsewhere in this plan.

**Policy ED25** of the MBWLP states that small scale and shorter term mooring facilities will be acceptable at Yalding providing that the following criteria are met:

- That there is no loss of flood plain or land raising;

- Proposals are consistent with landscape qualities, ecology and uses of the river and valley in the locality;
- Proposals create no operational problems for other river users, including fishermen;
- Facilities are provided for the disposal of boat toilet contents;
- The height, setting, massing and appearance of the development is acceptable in the context of environmental policies and its impact upon the surrounding area;
- The site is capable of being adequately screened and it being adequately screened with indigenous species;
- Arrangements for access, parking and servicing of the proposed development are adequate and there are no highway objections to the proposed use of the site;
- There is no adverse effect on adjacent premises or visual amenity;
- Measures for the mitigation of noise and general disturbance emanating from the development must be proposed to the satisfaction of the Borough Council; and such concentration would have, would be acceptable in terms of environmental impact and highway safety.

### 5.3.3 National Planning Policy Framework

The NPPF supports 'sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.' For the reasons identified later in this report, it is considered that this proposal does respect the character of the countryside and would benefit the local rural economy.

5.3.4 The Good Practice Guide to Planning for Tourism is also relevant. This guide emphasises the importance that the planning system has in facilitating development and enhancing tourism in appropriate locations. As previously explained in more detail, this document adds support in principle to a proposal such as the application for this marina.

From the planning policy and guidance set out above, it is clear that subject to detail the principle of this development is considered acceptable.

## 5.4 Visual Impact

5.4.1 There is no significant change in the visual impact of this proposal than when reported previously. The site lies low in its surroundings and benefits from hedgerow screening on all the site boundaries. The main views of the site would be from the northern-most point of the playing fields to the south-west of Yalding. The existing caravan park can be glimpsed from the Green-sand ridge to the north-east of the site, and it is therefore likely the marina could also be visible but not strikingly so. From Hampstead Lane to the west, views of the

marina would be restricted due to the existing and additional landscaping that is proposed.

5.4.2 Users of the footpath on the opposite side of the river to the proposed marina would have clear views. However, the existing views are of mooring boats and of course, the existing caravan park. Clearly the fact that the marina will be visible from outside the site to varying degrees, is not in itself a reason for refusal. The level of harm that would be caused visually results from the significant change to the current localised landscape substantially within the application site. The proposed development would be an acceptable visual use in as much as it would relate to an existing river, rivercraft and recreational facilities. It would not therefore result in an alien feature in the locality.

## **5.5 Ecology**

5.5.1 Due to the proximity of the site to the SSSI a survey was previously undertaken to assess the potential impact on *Depressed River Mussels*. A high presence of River Mussels were found and the survey recommended mitigation measures. Such measures – secured by planning condition would ensure that there would be no significant impact on the long term well-being of the protected species.

5.5.2 There was no evidence of bats on site, although measures are still proposed to ensure good protection for future possible use of the trees as roosts.

5.5.3 Similarly Great Crested Newts were not present due to the lack of suitable habitat for them. Natural England raise no objection to the development.

5.5.4 The ecological surveys mentioned above have been updated and the results are of no significant difference. Kent County Council Ecology are satisfied with the results.

## **5.6 Highways**

5.6.1 Vehicular access to the marina would be through the caravan park. The highways officer has indicated that due to the clear visibility on either side of the access, there would not be any increased risk of highway safety issues. Within the site there is a controlled barrier and speed restrictions are in place for safety of residents and pedestrians.

5.6.2 It is proposed to provide car parking for up to 160 cars. An area would be provided adjacent to the site and constructed of recycled shale which would give a permeable surface. Clearly this is a significant amount of car parking which has been given particularly consideration for its impact on the landscape. In

order to mitigate the visual impact detailed conditions are proposed to include a wide landscape buffer to screen views of the car parking from the west.

- 5.6.3 No change is proposed to the arrangements for construction, which involves a temporary access through the haulage yard in Hampstead Lane. The use of this access will route construction traffic away from the caravan park environs.

## **5.7 Landscaping**

- 5.7.1 Additional planting is proposed where necessary. The areas adjacent to the river are to be left in their natural state. The river has an ecological value and it is not considered of any benefit to introduce new planting that may alter the existing eco system that is in place. The main proposals for additional planting comprise the western boundary of the car park with a hedgerow boundary; soft landscaping within the marina; the retention of existing mature trees and an additional hedgerow outside the application site which would help shield views of the overall development from the west.

- 5.7.2 Some details of native species have been provided, including field maple, hawthorn and blackthorn which you might expect to see in this area. Detailed conditions require a greater level of information and the applicant should discuss this with Council Officers to ensure a high quality landscape finish is achieved to the development.

## **5.8 Other Matters**

- 5.8.1 Flood risk was a matter also previously considered due to the location of the site in an area prone to flooding. The proposal has been designed with this knowledge in mind to ensure neither an increase nor worsening of impact occurs as a result of this development.

- 5.8.1 By virtue of the development proposal, the area available for water to sit will be increased whether at times of flooding in the parish or not. There are no changes proposed to the river wall on either the application side of the river or opposite, save for the mouth into the marina. The Environment Agency have been consulted on this application and raise no objections.

- 5.8.2 Lighting was a concern raised by the Parish Council in its detailed objections on the original application; through the careful control of type, number and level of luminance this can satisfactorily dealt with through planning condition.



## **6. CONCLUSION**

- 6.1 As can be deemed from the above considerations, there has been no significant material change since the grant of planning permission for the marina in 2009. The issue of impact on the character of the countryside vs the economic benefits on the local economy have been balanced. Whilst there would be an obvious change to the appearance and character of the site to how it currently appears, this is to be expected from such a development. The location however, adjacent to a watercourse and in an area where river-craft are already to be found, renders this a good and expected site for such a development. The ecological impact of the proposal has been considered in depth and up to date surveys provided; likewise the arboricultural statement has been updated. It is considered that through the imposition of appropriate conditions, that the development can be undertaken without detriment to the environment and overall character and functioning of the area. Members are therefore recommended to allow a further 3 years for the implementation of this development.

## **7. RECOMMENDATION**

GRANT PLANNING PERMISSION 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. The use of the site hereby permitted shall be for the storage of boats and any cleaning, repair and maintenance shall be by washing down, wet and dry sandpapering and painting only: light hand held electric tools may be used only within the hours of 09.00am and 20.00hrs, and no heavy power driven equipment may be used.

Reason: To ensure that the development does not have a detrimental impact upon any residential property, and to ensure that the marina is used for pleasure purposes, thereby maintaining the character of the area in accordance with the guidance contained in the National Planning Policy Framework.

3. The area shown on the submitted layout plan as vehicle parking spaces shall be provided, surfaced, and drained to the satisfaction of the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to the premises, and no permanent development, whether or not permitted by the Town and Country

Planning (General Permitted Development) Order 1995 (or any Order revoking and re-acting that Order) shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: To ensure a suitable level of parking provision within the site, and to prevent overspill onto the highway, in the interests of highway safety, in accordance with Policy T13 of the Maidstone Borough-Wide Local Plan 2000 and the National Planning Policy Framework.

4. The area shown on the approved plan as vehicle loading, off-loading and turning space, shall be paved and drained to the satisfaction of the Local Planning Authority before the use is commenced or the premises occupied and shall be retained for the use of the occupiers of, and visitors to the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) shall be carried out on that area of land or in such a position as to preclude its use.

Reason: In the interests of highway safety and in accordance with the guidance contained in the National Planning Policy Framework.

5. Prior to the commencement of use of the development hereby permitted, a space will be laid out for the storage of a minimum of 15 bicycles within the site.

Reason: To provide facilities for a more sustainable form of transport thereby reducing the reliance upon the private car in accordance with the guidance contained in the National Planning Policy Framework.

6. The access details as shown on the approved plans shall be completed prior to the use of the site being commenced. The access shall thereafter be maintained.

Reason: In the interests of highway safety in accordance with the guidance contained in the National Planning Policy Framework.

7. The development hereby permitted shall not be commenced until the visibility splays shown on the submitted plan have been provided with no obstruction to visibility at or above a height of 60mm above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstructions at all times.

Reason: In the interests of highway safety, in accordance with the guidance contained in the National Planning Policy Framework.

8. Prior to the commencement of the development, details of all fencing, walling and other boundary treatments shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first use of the land and maintained thereafter;

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers in accordance with the guidance contained in the National Planning Policy Framework.

9. Prior to the commencement of the development, details of satisfactory facilities for the storage of refuse on the site shall be submitted to and approved in writing by the Local Planning Authority and the approved facilities shall be provided before the first use of the land and maintained thereafter;

Reason: No such details have been submitted and in the interest of amenity in accordance with the guidance contained in the National Planning Policy Framework.

10. No structure, plant, equipment or machinery shall be placed, erected, or installed on or above the roof or on external walls of the building hereby permitted, without the prior approval in writing of the Local Planning Authority;

Reason: To safeguard the external appearance and character of the building in accordance with the guidance contained in the National Planning Policy Framework.

11. All trees to be retained must be protected by barriers and/or ground protection in accordance with BS 5837 (2012) 'Trees in Relation to Construction-Recommendations'. No work shall take place on site until full details of protection have been submitted to and approved in writing by the Local Planning Authority. The approved barriers and/or ground protection shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the areas protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas without the written consent of the Local Planning Authority;

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development in accordance with the guidance contained in the National Planning Policy Framework.

12. No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding land-form and the development shall be carried out in accordance with the approved details;

Reason: To ensure a satisfactory setting and external appearance to the development in accordance with the National Planning Policy Framework.

13. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, including the long-term maintenance of the proposed nature reserve site and hedgerow and the mechanical control of invasive plant species (Giant Hogweed & Japanese Knotweed) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development for its permitted use and the landscape management shall be carried out in accordance with the approved plan over the period specified;

Reason: To ensure satisfactory maintenance and management of the landscaped area in accordance with Policy ENV6 of the Maidstone Borough-Wide Local Plan 2000 and the guidance contained in the National Planning Policy Framework.

14. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include a minimum of a 5metre deep strip along the western most boundary using mature indigenous species; a land survey and tree survey in accord with BS 5837 (2012) 'Trees in Relation to Construction Recommendations' with indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: To ensure satisfactory landscaped treatment of the site in accordance with Policy ENV6 of the Maidstone Borough-Wide Local Plan 2000 and the guidance contained in the National Planning Policy Framework.

15. Prior to the commencement of the development hereby permitted details of any lighting to be placed, erected or provided within the site including any lighting to be attached to the proposed amenity building, together with details of measures to ensure adequate screening of the lighting to prevent light pollution when

installed, shall be submitted to and approved by the local planning authority. The development shall thereafter be undertaken in accordance with the subsequently approved details and no additional lighting to that approved shall be placed, erected or provided within the site at any time without the prior approval of the local planning authority.

Reason; In the interests of the character and amenity of the surrounding countryside and the amenities of nearby residents and to prevent light pollution pursuant to policies ENV28 and ENV49 of the Maidstone Borough-wide Local Plan 2000.

16. No stationing of vehicles or boats for sale, hire or display shall take place on the land, or within the marina hereby approved;

Reason: To safeguard the character and appearance of the surrounding area in accordance with the guidance contained in the National Planning Policy Framework.

17. The development shall be undertaken in accordance with the ecological report submitted on the 23 September 2008 and as updated by reports dated November 2012 relating to Depressed River Mussels, Great Crested Newts, Bat Survey Reptiles and the SSSI, with all mitigation measures proposed within these reports completed prior to the first use of the site.

Reason: To ensure the protection of the existing habitats and wildlife within the locality in accordance with the guidance contained in the National Planning Policy Framework.

18. Prior to the commencement of works of site, details of the storage, treatment and disposal of sewerage within the site shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure the safe, and clean disposal of waste matter in accordance with the guidance contained in the National Planning Policy Framework.

19. Prior to the commencement of the development, written details and samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development in accordance with the guidance contained in the National Planning Policy Framework.

20. The marina hereby approved shall be solely used for the provision of berths for boats to be used for recreational purposes only, and shall not, under any circumstances be used for permanent accommodation.

Reason: To ensure the continued use of the site for tourism purposes in accordance with the National Planning Policy Framework.

21. The use of the site shall not be commenced until the construction access has been closed, with the exception of bringing boats into and out of the site and details of measures to be put into place to ensure that the access is solely used for that purpose shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy QL1 of the Kent and Medway Structure Plan 2006.

22. Prior to the commencement of the development hereby permitted, a construction method statement will be created that will include the recommended protection and mitigation measures for the Depressed River Mussel during construction works. The scheme shall include the following: -

- i) Methods and timing for sensitively removing mussels from the river bed where the entrance way is to be constructed;
- ii) Method and timing for accessing dredged material for salvaging mussels for re-location;
- iii) An ecologically acceptable location is to be identified for moving those found at the proposed entrance to the marina;
- iv) 5 Year monitoring proposal to check the success of this approach. Surveys post works to be carried out at least twice following relocation during this period.

Reason: In order to ensure the continued protection of the Depressed River Mussel which is designated as a species of 'principal importance', in accordance with the guidance contained in the National Planning Policy Framework.

23. No development shall take place until a scheme for the design and management of the riparian corridor, including the southern margin of the marina, for the benefit of Biodiversity has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: Development that encroaches on the river corridor has a potentially severe impact on its ecological value and it therefore shall be afforded significant protection, in accordance with the guidance contained in the National Planning Policy Framework.

24. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development in accordance with the guidance contained in the National Planning Policy Framework.

25. The development shall not commence until additional details to provide timber boarding to the sides of the Marina entrance have been submitted to and approved in writing by the Local Planning Authority;

Reason: In the interest of the character and amenity of the riverside and surrounding countryside pursuant to policies ENV28, ENV35 and ED25 of the Maidstone Borough-Wide Local Plan 2000.

### **Informatives set out below**

Sufficient space is required along the construction access for 2 vehicles to pass each other at least every 40metres. These spaces should be intervisible.

This permission seeks to solely allow for recreational boats to be sited within the marina. Should any of these boats be used in any other way, then the Local Planning Authority will seek to undertake enforcement action to cease this unlawful use.

There shall be no burning on site.

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

Prior to the submission of any landscaping scheme to discharge condition 14 of this permission, the applicant is advised to contact the Local Planning Authority to discuss a both a suitable level of provision, and suitable species to be implemented.

No vehicles may arrive, depart, be loaded or unloaded within the general site except between the hours of 0800 and 1900 Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Adequate and suitable provision in the form of water sprays should be used to reduce dust from demolition work.

The developer shall implement a scheme for the use of wheel cleaning, dust laying and road sweeping, to ensure that vehicles do not deposit mud and other materials on the public highway in the vicinity of the site or create a dust nuisance.

Prior to the commencement of the development hereby permitted, the applicant, or their successors in title is recommended to undertake an agreement to work in accordance with the considerate contractor's scheme.

Prior to the commencement of the development hereby permitted, the applicant, or their successors in title is requested to provide a method statement outlining the schedule for the construction phase of the development.

The lighting details required under Condition 15 should provide low level 'sensor' lighting to minimise the impact of lighting on the surrounding area.