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<b>East Malling &amp; Larkfield</b> East Malling	<b>569525 155080</b>	<b>05.07.2005</b>	<b>TM/05/02102/FL</b>
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Proposal:	Change of use of farm buildings (in part retrospective) to a combination of B1; B2 and B8 uses
Location:	Corio Farm 450 Watringbury Road East Malling West Malling Kent
Applicant:	W A King

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**1. Description:**

1.1 Members will recall that this application was deferred from the October APC3 (DPT pages 59 to 71 refer) for a Members Site Inspection. The Inspection is due to be held on the 16 November 2005 at 8.30am. A copy of the report to the October Committee meeting is attached (Annex 3).

**2. Consultees (brought forward from supplementary report):**

- 2.1 PC: As far as the PC recalls sheep were kept in the fields but has no records of exact location.
- 2.2 Private Reps: Additional letter received from a local resident's agent suggesting that the visibility along the private track should be improved as it is a shared driveway.

**3. Determining Issues:**

- 3.1 The suggested change by a local resident could be covered by an informative advising the applicant to improve visibility of the junction of the private accesses rather than being covered by a condition, as it does not affect a public highway nor has the KCC Highways raised objections to this arrangement.
- 3.2 Any matters arising from the Members Site Inspection will be reported in the supplementary report.
- 3.3 In light of the above considerations, and those raised in my October report, I remain of the opinion that Section 73A Approval should be granted.

**4. Recommendation:**

4.1 **Grant Section 73A Approval** as detailed in letter dated the 15.09.2005 and 04.07.2005, schedule of buildings received on the 05.07 2005 and by plans P124 sheet 3, 050201.11, 050201.01, 050201.03, 050201.02, 050201.04, 050201.08, 050201.05, 050201.09, 050201.07, 050201.06, 050201.10 and site received on the 05.07. 2005 subject to the following conditions:

- 1 The business and associated operations shall not be carried on outside the hours of 07:00 to 18:00 Mondays to Fridays and 07:30 to 12.00 Saturdays with no working on Sundays or Public and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties.

- 2 No vehicles used in connection with the business operations shall arrive, depart, be loaded or unloaded within the application site outside the hours of 07:00 to 18:00 Mondays to Fridays, 07:30 to 12:00 Saturdays, or at any time on Sundays or Public and Bank Holidays unless otherwise agreed in written by the Local Planning Authority.

Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties.

- 3 There shall be no open storage of lorry bodies, containers, plant or other equipment, materials, machinery or skips outside the area(s) shown for such use on the approved plans, and the height of open storage within the designated areas shall not exceed 3 metres in height above ground level.

Reason: To avoid obstruction of vehicle parking/manoeuvring areas and to ensure the character and appearance of the development and the locality is not significantly harmed.

- 4 No materials shall be burnt on the site.

Reason: To protect the amenities of nearby dwellings.

- 5 Within three months of the date of this permission the area shown on the submitted layout as vehicle parking space shall be provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

- 6 Within three months of the date of this permission the area shown on the submitted plan as turning area shall be provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved turning area.

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway.

- 7 Within three months of the date of this planning permission, the applicant shall submit for approval to the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following approval of the landscaping details. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 8 No external lights shall be installed on any building or any part of the application site without the express written consent of the Local Planning Authority.

Reason: In the interests of the visual amenity of the locality.

- 9 Within three months of the date of this planning permission the area of land within the vision splays shown on the approved plans shall be reduced in level as necessary and cleared of any obstruction exceeding a height of 1.05metres above the level of the nearest part of the carriageway. The vision splay so created shall be retained at all times thereafter.

Reason: To ensure the safe and flow of traffic.

Informative:

- 1 The applicant is advised to consider improving the visibility of the junction of the private accesses between Corio Farm and Badgers Dell.

Contact: Aaron Hill