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<b>Aylesford</b> Aylesford	<b>572352 157847</b>	<b>20 October</b> <b>2006</b>	<b>TM/06/00825/FL</b>
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Proposal: Partial demolition of Unit 5 (BHS) and formation of a new shop frontage, pedestrian areas and parking in front of it, removal of the burger van and the erection of a new 'pod' building (for cafe/retail use (Class A1/A3), with operations/CCTV room, public toilets and public information), improved pedestrian links, CCTV/security fencing and lighting improvements and landscaping

Location: South Aylesford Retail Park Quarry Wood Industrial Estate  
Aylesford Kent

Applicant: South Aylesford Retail Park Nominees No.1 And No.2 Ltd

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### **1. Description:**

1.1 Members will recall that this application was considered at the Area Planning Committee No.3 on the 22 June 2006. The application was deferred for applicant to submit an up to date parking survey and for officers to investigate the possibility of controlling the 3 hour maximum parking stay provision.

1.2 Further to Members request for an up to date parking survey, the applicant waited until after the World Cup and summer holidays to carry out a new parking survey. The survey was carried out on Friday 15 September 2006 and Saturday 16 September 2006.

### **2. Consultees (Reconsultations on additional transport report and parking survey):**

2.1 PC: No objection.

2.2 KCC (Highways): The submitted Transport Report and Parking Survey show that the total parking provision proposed along with the increased site management to eradicate rogue parking should provide ample capacity to meet the needs of the retail park.

2.3 Private Reps: No response.

### **3. Determining Issues:**

3.1 The new parking survey was requested by Members to address their anecdotal experience that it can be difficult to find parking spaces at the retail park during peak times. The new parking survey was carried on the Friday 15 September 2006 and Saturday 16 September 2006 when the retail park car park was operating at a reduced capacity due to the current refurbishment works and extensions to a number of the retail units. The survey was carried out when all the retail units were open for business.

- 3.2 The updated parking survey shows that on the Friday, the maximum number of parking spaces in use during any 15 minute period was 232, whilst on the Saturday the maximum number of parking spaces in use during any 15 minute period was 361. This actually shows a slight decrease in the maximum parking compared to the parking survey carried out in May 2005, when 246 and 381 parking spaces were in use on the Friday 13 May 2005 and Saturday 14 May 2005 respectively.
- 3.3 Members may recall from the June supplementary report, that I clarified the on-site parking provision against the parking requirements of the Kent Vehicle Parking Standards. In short the total parking provision for the Retail Park under the KVPS would be 800 parking spaces, when incorporating the mezzanine floors, which until very recently did not require planning permission to be inserted. When the mezzanine floors are excluded from the actual retail floorspace which has been subject to planning permissions, the parking provision under KVPS is for 636 spaces.
- 3.4 The proposed development will be served by 500 parking following changes to the parking layout. Whilst this is still below the actual requirements of the KVPS, it is clearly well above the maximum number of parking spaces being used as recorded from two parking surveys from May 2005 and September 2006. There appears to be in excess of 100 spaces available to customers within the retail park during peak times. KCC Highways consider that there is ample capacity to meet the needs of the retail park. It must be remembered that OVERALL this proposal, even with the Pod newbuild, will see a net reduction in retail floorspace. Therefore, I am satisfied that the proposed development will not result in adverse highway conditions through the lack of an adequate number of parking spaces.
- 3.5 Whilst the applicant has been exercising a 3 hour maximum parking period within the retail park to prohibit parking by non-users of the retail park, this has not been quite as successful as initially hoped for. However, it is intended that the management of the car park would be sited within the proposed pod building and the applicant accepts that further enforcement of this 3 hour parking period is required. The parking by those not using the retail park accounts up to 2% of the total available parking spaces. To assist in the elimination of this parking abuse and to ensure that there is still spare capacity within the car park, I consider that details of the management and enforcement of the 3 hour maximum parking stay period should be controlled by condition.
- 3.6 In light of the above considerations and those set out in my June 2006 report, I support this proposal.

**4. Recommendation:**

- 4.1 **Grant Planning Permission** as detailed by letters dated the 19 October 2006, 4 April 2006 and the 10 March 2006, Transport Statement dated 9 March 2006, Addendum to Transport Statement dated the 19 October 2006, Design Statement received on the 13 March 2006 and by plans 1788/PP/05 Rev A, 0644-PD11 Rev A, 0644-PD-15, 0182/PD08 Rev M , 0045/PD04 Rev E, 0045/PD05 Rev C and 0045/PD06 Rev B.

**Conditions**

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

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2. All materials used externally shall accord with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

3. The scheme of landscaping and boundary treatment shown on the approved plans shall be carried out in the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or plants which within 10 years of planting 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: 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.

4. The building shall not be occupied, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been 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.

5. No external plant, such as heating or ventilation plant shall be installed without the prior written approval of the Local Planning Authority.

Reason: To protect the amenities of nearby residential properties.

6. Deliveries of goods shall be undertaken only between the hours of 07:00-18:00 Mondays to Fridays with no deliveries on Saturdays and Sundays unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of nearby residential properties.

7. At no time shall the noise rating  $L_{A,T}$ , calculated in accordance with the method provided in BS4142:1997, attributable to the combined operation of all existing fixed plant and machinery and additional fixed plant and machinery installed pursuant to the implementation of this permission shall exceed the background noise level  $LA_{90,T}$  by more than 3dB at the outside of any noise sensitive premises.

Reason: In the interests of residential amenity.

8. Details of external lighting & CCTV, including details of the level of illumination, direction of lights and cameras, shielding, hours of use, precise siting and design shall be submitted to the Local Planning Authority upon approval and the work shall be carried out in strict accordance with those details and the building shall not be occupied until the works have been completed.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

9. The building shall not be occupied until the highway improvements to the junction of Mills Road and London Road as approved under planning application TM/05/1734/FL have been carried out and brought into use.

Reason: In the interests of highway safety.

10. The kitchens and restaurants shall not be brought into use until full details of a scheme of mechanical air extraction from the kitchens, including arrangements for the continuing maintenance of this equipment and any noise attenuation measures required in connection with the equipment, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully installed before use of the kitchens commence and shall thereafter be maintained in strict accordance with the approved details. No cooking of food shall take place unless the approved extraction system is being operated.

Reason: In the interests of the amenities of nearby properties.

11. The cafés within the hereby approved pod shall only be operated when the retail units within the retail park are open for business.

Reason: To ensure that the café facilities are solely ancillary to the retail park.

12. The building shall not be occupied until details of the management and enforcement of the 3 hour maximum parking stay of the retail park car park has been submitted to and approved by the Local Planning Authority. Thereafter, the approved scheme shall be implemented prior to occupation of the building and shall be maintained thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.\*

Contact: Aaron Hill