

Wrotham

21 April 2016

TM/16/01231/FL

Wrotham, Ightham And
Stansted

Proposal: Demolition of existing single storey structure and associated outhouses (A3 and C3 uses) and creation of new part 2, part 3 storey mixed use complex (A3 restaurant and C1 business hotel) plus basement and surface parking spaces across 3077sqm of the site. 5360sqm to the rear of the site will be planted with native species trees as an improved nature reserve

Location: Oakdene Cafe London Road Wrotham Sevenoaks Kent TN15 7RR

Applicant: Sylvia Godfrey, Cheryl Godfrey & Lorraine Smith

1. Description:

- 1.1 Planning permission is sought to redevelop this site with a part two and part three storey building comprising a 67 bedroom business hotel with ground floor meeting rooms and a basement car park for 77 cars plus motor cycle and cycle parking and external parking for a further 18 cars and landscaping including 0.54 ha area of land to the east (rear) that could be utilised for landscaping enhancement and surface water run-off. The hotel building has been designed in a U shape around a central courtyard garden.
- 1.2 Clarification was sought from the Agents as to the proposed uses on the site and they intend to operate as follows :

The restaurant is intended to be open for passing trade - this is a necessity in this area to make the scheme viable from an operator's point of view. We would be hopeful that this would receive up to c. 40 covers from passing trade at any one time - the rest from the hotel users, which we would assume will occupy c. 20 car parking spaces, and therefore likely use the forecourt parking for this passing trade.

The B1(a) use will be operated under the hotel as it is an integral part of the scheme use - in this type of location the operator often looks on the restaurant and event spaces as the income generator with rooms added on - rather than a hotel with restaurant and event space. It will not be open to external (non-event) use, therefore any hotel rooms occupied by those attending business conferences/ workshops will be occupying the same space as those in the business suites, not additional to this. It's also common for people to car-share heading to these events, but we would not rely on that as a factor. Assuming we had 65 of the 76 bedrooms occupied by a conference then this would occupy the basement car parking spaces approximately, allowing for one space per bedroom (62 spaces),

but in reality there will be some travelling to the conference traveling together so we would estimate that this is a generous and fair allowance.

As regards concerns over wedding attendances, it is unlikely that the function rooms would be rented out at the same period as any business conferences (as both parties would require the same space). It would be a safe assumption that a large proportion of any wedding party would be parking and staying in the hotel rooms (most operators discourage outside guests when there is a wedding or similar function), whilst the remainder would be either traveling by coach/bus, getting taxis from the local train station. Hotels offer a pick-up service from the local train station too (common place for hotels in semi-rural locations).

- 1.3 In support of the application, the Agents have commented that the adjoining site at Nepicar Park has recently been redeveloped: the buildings on that site exceeded the existing level of development but it was considered necessary for modern industrial buildings, the proposal had a wider footprint but met market needs and the impact on the landscape was considered to be minimal due to the topography of the land. Additionally, the proposal provided for additional employment needs within the area. The Agents comment that this application shares many similarities with the adjacent site permission in that it is also within the Major Developed Site area in the LDF, there is land available adjoining the site for landscape enhancement, the scheme is an improvement to the present appearance of the site, it will generate employment opportunities and the scheme will not significantly alter the amount of vehicular traffic compared to the present use as a transport café.
 - 1.4 In support of the application are a Design And Access Statement, an ecological appraisal, a landscape assessment, a flood risk assessment, a noise impact assessment, a contamination assessment, a transport statement, a drainage strategy and an archaeological statement.
 - 1.5 The application has been screened and does not need separate Environmental Statement based upon guidance in the Environment Impact Assessment Regulations 2011 and the NPPG.
- 2. Reason for reporting to Committee:**
- 2.1 Major development within the Green Belt – contrary to Policy M1 (m) of the DLA DPD as height / scale of proposed buildings exceed existing.
- 3. The Site:**
- 3.1 The total site area is 0.84 ha of which to be developed is approx. 0.3 ha. The entire site is within the Metropolitan Green Belt, countryside, and in the Area of Outstanding Natural Beauty.

- 3.2 The 0.3ha of the site that will form the development area lies within an area allocated as a Major Developed Site (Nepicar Area East) in the Green Belt, subject to Policy M1(m) of the DLA DPD. Major Developed Sites in the Green Belt are defined as being acceptable for infill development or redevelopment subject to a number of criteria concerning the scale and footprint of the development along with requirements relating to landscape setting and traffic generation. The site is also within a Water Gathering Area.
- 3.3 The majority of the site within the red line area to be developed is covered with buildings, hard standings or hard core. There is a transport café with adjacent lorry and car park and residential bungalow.
- 3.4 To the rear of the development site (but within the wider red lined application site) is a 0.54 ha grass agricultural paddock owned by the applicants beyond a dividing fence in situ. This 0.54 ha is not within the Policy M1 designation in the Proposals Map of the TMBCS. The applicants have been indicated that this area of land could be utilised for landscaping enhancement and surface water run-off.
- 3.5 To the west of the application site there is a residential dwelling, Fairview; to the north is open agricultural land; to the west is the Nepicar Industrial Park (currently under construction).
- 3.6 Vehicular access to the A20 London Road is currently directly onto London Road. Minor works are proposed on the site and public highway to initiate the development's implementation.

4. Planning History (relevant):

TM/84/10558/FUL TM/84/981,, Extending existing car park by approx. 0.4 ha. (1.1 acres) for use as overnight car and lorry park.	Refuse	22 October 1984
TM/88/11577/FUL Real ref pls Restaurant and managers bungalows.	grant with conditions	15 December 1988
TM/88/11672/OUT TM/88/890, Outline application for 12 bedroom motel.	Refuse	30 September 1988
TM/89/10798/OUT TM/89/1280 Outline application for motel with 24 bedrooms (showing siting and access).	Refuse	27 September 1989

TM/93/01752/FL grant with conditions 22 October 1993

Renewal of permission TM/88/1680 for restaurant and managers bungalow

TM/98/00517/FL Grant With Conditions 12 May 1998

renewal of permission TM/93/0930FL for restaurant and managers bungalow

TM/99/00371/FL Grant With Conditions 22 July 1999

detached bungalow

TM/02/00314/FL Grant With Conditions 29 July 2002

New WC extension and extension to cafe

TM/03/01042/FL Grant With Conditions 2 June 2003

Variation of condition 1 of planning permission TM/98/00517/FL: renewal of permission TM/93/0930FL for restaurant and managers bungalow

5. Consultees:

- 5.1 PC: No objection in principle although PC has concerns regarding the possible privacy issues that may impact on the neighbouring property of Fairview and the residents' enjoyment of their garden amenity.
- 5.2 Environment Agency: No objections subject to conditions relating to protection of ground water from contamination.
- 5.3 Kent Fire brigade: No response.
- 5.4 KWT: No response.
- 5.5 KCC Heritage: No objection subject to archaeological condition.
- 5.6 KCC Highways: No objections raised subject to the following:-
 - 5.6.1 I note that left and right turns in are proposed at the northern access point and that left turns out only are proposed at the southern egress point. The positioning of a central island is proposed to prevent right turns out. A central right turning lane will be created at the northern access point. It is considered that this configuration represents the best balance between an efficient and safe operation for the vast majority of motorists who drive appropriately. Works to the A20 London Road will

need a S278 agreement and should be completed prior to occupation. A construction phase programme should be undertaken for approval prior to commencement. I note that the frontage parking comprises 9 spaces for the swept path analysis drawing 8120R/901 compared to 11 spaces shown on drawing 8120R/902. Clearly only 9 spaces should be designated to allow for efficient servicing access and egress. It is considered that opportunity for some landscaping/planting should be taken at each end of this parking bank to prevent any additional indiscriminate parking at the ends creating a potential service vehicle access or egress safety issue. I consider that the car parking levels proposed, at 80, are in line with the KCC maximum car parking standards for hotels which is 1 space per bedroom plus 1 space per 2 staff. It should be noted however that there should be additional provision where bars or restaurant facilities are open to the general public. Resolution of this issue is therefore required. I accept the findings of the transport assessment regarding trip generation and agree with the conclusion given in paragraph 3.03.

5.7 KCC SUDS: Although the site may be at low-risk from tidal and fluvial flooding, there is no assessment of the pre or post-development surface water management provisions, or how the soakaway system mentioned on the application form has been designed. Accordingly, we are unable to confirm that adequate or suitable drainage will be provided to accommodate the runoff from this proposal. We are therefore still unable to recommend that this application is approved. (Additional information has been consulted on and any further response will be reported in the Supplementary Report).

5.8 Private Reps: (5/0X/3R/0S + Departure site notice + Press Notice) The following concerns are raised

- No privacy in their garden due to overlooking
- There are enough hotels in the area already
- Underground car park might affect the foundations to their property and area well known for underground springs
- Additional traffic generated – A20 already heavily congested and difficulties getting out of their drive with new development at Nepicar Park
- Noise issues 24 hours a day from the hotel use
- Have a right to a peaceful existence in this area
- The café needs to be listed and retained in its entirety as an example of a road side transport vade in the same way that Ace cage in London has been preserved as an iconic piece of our heritage. It is a meeting point for hundreds of motorcyclist and other clubs, is very popular with good food.

6. Determining Issues:

6.1 Principle of development within the Green Belt:

6.2 The whole site lies within the Metropolitan Green Belt and within an area allocated under the Major Developed Sites (MDS) Policy M1 (m) of the Development Land Allocations Development Plan Document (DLA DPD) that allows for infill, development or redevelopment.

6.3 The NPPF indicates that new buildings within the Green Belt are considered to be inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. There are, however, specific exceptions to this position detailed in para 89 which include:

- *Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.”*

6.4 It is clear that the construction of a new hotel building of this size on the site of a café does have a greater impact on openness and so is inappropriate development.

6.5 Policy M1 of the DLA DPD identifies this site as a Major Developed Site in the Green Belt (MDS) which, notwithstanding the Green Belt location, confirms this site as one where infill development or redevelopment will be permitted in principle. This is consistent with section 89 of the NPPF which seeks to achieve environmental benefits from encouraging reasonably beneficial uses for such previously developed land in the MGB.

6.6 Policy M1 includes a number of criteria to be applied when considering applications for redevelopment. These include:

- It does not lead to any greater impact on the openness of the Green Belt and the purposes of including land within it;
- It leads to an overall improvement in the environment, does not harm the landscape setting, includes provision for maintenance of landscaped areas and appropriately integrates within its surroundings;
- Any changes to traffic generated can be satisfactorily accommodated without conflict with rural amenity and without prejudice to highway safety;
- It does not exceed the height of existing buildings;
- For infill development, it does not result in an extension to the currently developed extent of the site; and

- For redevelopment, the proposed coverage of the site by buildings is no larger than the ground floor extent of the original buildings.

6.7 In addition there are also site specific caveats in respect of Nepicar Area East, London Road, Wrotham (m). These are:

- Respecting the setting of the site within the AONB;
- Integration of development into the area;
- Inclusion of a high quality roofscape to protect long distance views;
- Provision of satisfactory access to the A20;
- Achievement of a satisfactory climate in accordance with Policy SQ6 having regard to the proximity of the A20 and the M20 and M26 motorways;
- Investigation and remediation of any land contamination; and
- Any necessary mitigation measures identified as a result of an archaeological assessment.

6.8 The scheme does not comply with the general or site specific requirements of policy M1 and so departs from the development plan.

6.9 In addition to the departure from the development plan and the harm caused by virtue of the fact that the hotel building constitutes inappropriate development, it is also necessary to consider whether the development causes any other harm and, having done so, whether there are other considerations relevant to the overall balance that are a case of “very special circumstances” and material considerations.

6.10 With the above in mind, it is clearly necessary to establish whether very special circumstances and material considerations exist which outweigh the harm caused by the proposed development by virtue of both its inappropriateness by definition, non-compliance with Policy M1, its physical impact on openness and any other harm.

6.11 The construction of the new hotel is a redevelopment of a previously developed site (brownfield land). Previously Developed Land is specifically defined within the NPPF as being

“land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings...land in built up areas such as private residential gardens...and land

that was previously developed by where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time”.

- 6.12 The proposal results in an increased and intensified level of development on this site that exceeds the existing level of development both in footprint, height and overall floor area. The impact of the development on the openness of the area is not just about the amount of built form but also the below ground and surface car parks and the possible development of the nature reserve at the rear of the site.
- 6.13 However the development needs to be considered in terms of its similarities with the adjoining site subject to the same policy constraints that has been redeveloped at Nepicar Park. It is considered that the effect of this development on the openness of the area is no worse than that proposed with this current application. Both schemes serve a purpose in kick starting the intentions behind policy M1 which is to encourage a positive redevelopment. This is part of a brownfield site which has had a positive planning policy for redevelopment for many years.
- 6.14 Moreover, in visual terms the site is in need of improvement, it currently has extensive hardstanding and a mis-match of buildings, a single building with quality materials and finishing would improve the visual quality of the area. There is also scope for creation of the landscape screening to the rear which is the view most visible from the wider AONB.

Development in the countryside:

- 6.15 Policy CP14 of the TMBCS states that:

“In the countryside development will be restricted (inter alia) to:

- (f) *Redevelopment of the defined Major Developed Sites in the Green Belt which improves visual appearance, enhances openness and improves sustainability,*

Within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy will still need to be justified by very special circumstances.”

- 6.16 CP14 (f) allows for the redevelopment of the defined Major Developed Sites in the Green Belt which improves visual appearance, enhances openness and improves sustainability. The scheme does not enhance openness or improve sustainability compared to the café in situ but there are overall benefits which are considered to be material considerations in its favour as discussed.

Setting of the site within the AONB (include roofspace/long distance views)

- 6.17 In respect of the submitted Landscape Appraisal, it has been identified that the site is generally seen in limited views from the adjoining AONB and open countryside and is largely obscured from view by the existing landscape, landforms and the

topography of the area. Consequently, the proposed development will result in a very limited impact on the surrounding landscape and there is a very limited impact on the AONB from any public viewpoint. I do not therefore consider that there will be any detrimental impact on the landscape and visual amenities of the AONB as a result of this development, subject to an appropriately subtle colour palette.

- 6.18 Consequently, I am of the opinion that the proposed development will not worsen the existing impact on the landscape character of the AONB and the proposed development on the MDS and is therefore well integrated into the surrounding area. It must be recognised that views of the site from the surrounding AONB are limited, due to existing vegetation and the topography of the land, and the hotel building would be seen against the backdrop of the wider built environment of the adjoining Nepicar Park, thus limiting its visual impact on the wider countryside. The application in relation to the MDS does not therefore harm the landscape setting.
- 6.19 Notwithstanding that conclusion, an appropriate landscaping scheme for the site is still required and should be fully implemented in accordance with the plan provided with the addendum, which will ensure the site integrates into the local landscape further and enhances the overall character of the site. A condition requiring a full landscaping scheme and maintenance of the landscaping scheme has therefore been imposed. It would therefore accord with paragraph 115 of the NPPF, policy CP7 of the TMBCS and the appropriate section of policy M1 of the DLA DPD.

Integration of development into the area

- 6.20 Firstly consideration needs to be given to the height of the proposed building: Policy M1 specifically requires new buildings to be no higher than the existing buildings. This hotel will be clearly higher than the café it is to replace but this is a policy wide criteria and not specific to the sub-part of the M1 (m) designation that is the application site. The highest point of the building is 9m, 1m higher than the buildings currently under construction on Nepicar Park. The development of Nepicar Park replaced buildings that were originally large bulky agricultural buildings which had been used for a variety of haulage and industrial or storage uses. Also, it would not be reasonable to resist a building of this height when buildings of a similar height have been permitted on the adjoining site within the same policy designation and hence there would be a beneficial visual integration. The proposed roofs will be flat with vegetation and the walling is proposed to be a mixture of perforated bronze panelling, timber cladding, glazing (on the ground floor) and a green wall on the courtyard face. In time, it is considered that the building will blend into the landscape, site and wider views of the area.
- 6.21 Therefore, although the proposed development will cover a wider footprint and area than the existing built development, the design, materials and height of the development has been designed to minimise the impact as far as possible. I am of

the view that the development overall results in no significant detrimental impact on the landscape or immediate locality factoring in the positive policy stance towards redevelopment in this specific location. The proposed landscaping and enhancement scheme further minimises this impact and brings about an overall improvement to the site as a whole, this should be given due weight when considering the policy context for MDS sites. For these reasons I am satisfied that the variation from the specific details of policy requirements in M1 are justified in this case.

Residential amenity

6.22 With regard to the comments made by the residents of the neighbouring bungalow to the north west of the site (Fairview), it is considered that the separation involved will not materially affect the outlook from this property. In order to avoid overlooking issues to the neighbouring property at Fairview and to reduce bulk next to their site, the mass of the building is on the south-eastern side of the site, adjacent to the Nepicar site, which will house buildings of a similar size (currently under construction). The boundary with Fairview will be planted with new trees and hedging to act as a visual screen and additional planting will occur in the 'open' side to the courtyard which will further shield the neighbouring Fairview. Moreover, the entirety of the courtyard will be covered in green 'living walls' to soften the outlook from the Fairview property. The two 'wings' which protrude from the long, main building mass towards Fairview have been stepped-down to just one storey above ground floor. Furthermore, the gables to these wings contain no windows, and therefore negate the possibility of overlooking the property at closer range (23m from the face of the wings to the property at Fairview). The windows at 2nd floor are 41m away from Fairview's dwelling, and 22.3m away from the site boundary. I am therefore of the opinion that policies CP1 and CP24 of the TMBCS are met satisfactorily.

Access onto A20

6.23 Policy M1 (3) requires any changes to traffic generated to be satisfactorily accommodated without conflict with rural amenity and without prejudice to highway safety. In respect of highway issues, the existing access arrangements within the site will be remodelled to form separate in and out crossovers with the ingress being on the northern boundary and the egress on the southern boundary. There will be a reshaping of the exit kerb lines along with the relocation of the centre island on London Road to prevent right turning out of the site and all vehicles leaving the site will turn left towards the M26 junction. These works will be done under a Section 278 Agreement to be entered into with KCC and a planning condition will ensure that these works are completed.

6.24 The submitted Transport Statement identifies that the increased use of this access will not have a material impact on the operation of the local highway network, and the additional trips will be fairly evenly spread throughout the day due to the nature

of the operation. KCC Highways comment that the car parking levels proposed, at 80, are in line with the KCC maximum car parking standards for hotels which is 1 space per bedroom plus 1 space per 2 staff. It should be noted however that they wish for additional provision where bars or restaurant facilities are open to the general public. The agents have therefore submitted a revised basement drawing which would add a further 15 spaces to take account of these concerns.

- 6.25 Alterations are being proposed to the road markings on London Road. Such matters that relate to this site would be fully controlled via a separate agreement direct with the Highway Authority. This would also include the provision of the changes to the road markings and signage. Notwithstanding this, a condition will also be imposed to ensure the access arrangements comply with the plans submitted for consideration. As a result, KCC Highways raise no objections, subject to conditions, and clarification concerning whether any bar or restaurant facilities would be open to the public, as this could create a higher evening demand. Further conditions will also be imposed relating to the provision of parking, loading, off-loading and turning areas, construction vehicles and parking, vision splays and retention of car parking provision. The proposed development therefore complies with the requirements of paragraph 32 of the NPPF and Policy SQ8 of the MDE DPD.

Noise

- 6.26 Policy M1 cites the noise policy SQ6 of the MDE DPD but that policy has since lost its materiality due to the new national noise guidance. A Noise Impact Assessment has been submitted and the site assessed in accordance with BS 2833: 2014. The Assessment identifies that noise from the site will not give rise to an unsatisfactory noise environment for adjoining properties, due to the existing level of background noise from the major roads nearby.
- 6.27 There are a number of possible recommendations identified in the submitted noise report that could be implemented if necessary. I am of the view that due to the nature of the proposal and the adjoining industrial estate that most of these need to be secured by the use of a planning condition. These recommendations are considered necessary, prior to occupation, to ensure any noise impact is minimised as far as possible. These requirements include acoustic fencing to the Nepicar Park boundary and appropriate insulation to the hotel building. A condition to require these recommendations to be complied with and controlling noise from any plant and the function room would ensure that the impact of noise on adjacent properties is controlled and minimised as far as possible and consequently should not give rise to significant disturbance to those residential properties.

Land contamination

- 6.28 A Desk Top Study and Walkover Report have been submitted in respect of potential contamination of the site. These reports find limited evidence of

significant contamination and recommends that further site investigation is not necessary. However, if further potential contamination should be revealed during the construction of the site, then this must be notified to the Council. An appropriately worded condition will be attached to this end. Furthermore the Environment Agency has also requested that further conditions are imposed in respect of potential contamination. I am therefore satisfied that the issue of contamination and its future control is adequate in relation to this site and the application therefore complies with the requirement identified in policy M1 of the DLA DPD and paragraphs 109, 120 and 121 of the NPPF.

Archaeology

- 6.29 An archaeology report has been submitted and concludes that there may be archaeological remains on the site: KCC Heritage Unit have requested that a condition be applied as the site lies within an area associated with early medieval activity.

Other Material Considerations

- 6.30 With regard to a Flood Risk Assessment and Sustainable Drainage Strategy, very limited information was originally submitted. More information regarding the pre or post-development surface water management provisions for this site and how the proposed soakaway system will be designed have been submitted and comments from KCC SUDS are awaited. An appropriate SuDS drainage system would need to be secured by a suitable condition. This approach also accords with policy CC3 of the MDE DPD.
- 6.31 Foul drainage is to the main sewer which is satisfactory.
- 6.32 The agents have submitted information that the basement will be in the Gault Clay and will be approx. 13.5m above the Folkestone Sand Formation. A response is awaited from the EA regarding it being satisfied that this does not harm the groundwater resource.
- 6.33 A protected species report has been submitted in support of this application. The whole site was assessed and a full survey undertaken to determine if protected species are using this site. The survey concluded no bats were found on the site but there is some evidence of bats foraging and commuting within and adjacent to this site. It is however recommended that integrated bat boxes should be installed into the main design of the new buildings. A low level of common lizard has also been found on the site and ecological enhancements to the rear of the site will assist. In this respect, the application therefore complies with paragraph 118 of the NPPF and policies M1 of DLA DPD and NE2 and NE3 of the MDE DPD.

Conclusion

- 6.34 To conclude, the proposed development results in additional employment provision in accordance with policy CP21 of the TMBCS, which should be supported, in line with the NPPF and in particular paragraphs 18-21. The proposed development would result in a high quality building that would comply with policies CP1 and CP24 of the TMBCS and policies CC1 and SQ1 of the MDE DPD.
- 6.35 A number of conditions have been imposed to maintain control over the site, its use and the development. These conditions are considered necessary to allow this development on this sensitive and complex site.
- 6.36 This application is a departure and on face value is contrary to MGB policy. However, overall Members may agree that it represents an acceptable solution to the future of this site, as envisaged in LDF policies for Previously Developed Land. I therefore recommend approval, subject to the appropriate conditions. It will need referral to the National Planning Casework Unit

7. Recommendation:

- 7.1 **Grant planning permission** in accordance with the following submitted details: Email BASEMENT LEVELS related to groundwater dated 07.07.2016, Email ADDITIONAL INFORMATION agent dated 30.06.2016, Drainage Statement ADDITIONAL INFORMATION suds dated 11.07.2016, Proposed Plans 001 c dated 02.08.2016, Email dated 16.06.2016, Elevations V01 Neighbouring views dated 16.06.2016, Email dated 17.06.2016, Drawing 8120R/902 B dated 17.06.2016, Email KITCHEN EXTRACT dated 06.06.2016, Specifications KITCHEN EXTRACT dated 06.06.2016, Archaeological Assessment dated 15.04.2016, Protected Species Report dated 15.04.2016, Existing Plans 111-000 dated 15.04.2016, Proposed Elevations 111-010-C dated 15.04.2016, Landscaping 111-LA APPRAISAL dated 15.04.2016, Other 8120R/901-A VEHICLE SWEEP PATH ANALY dated 15.04.2016, Location Plan 1_2500(1) dated 15.04.2016, Transport Statement dated 15.04.2016, Proposed Plans 002 PROPOSED GROUND FLOOR PL dated 18.04.2016, Proposed Plans 003 PROPOSED FIRST FLOOR PLA dated 18.04.2016, Noise Assessment dated 15.04.2016, Planning Statement dated 15.04.2016, Proposed Plans 004 PROPOSED SECOND FLOOR PL dated 18.04.2016, Proposed Plans 005 PROPOSED ROOF PLAN dated 18.04.2016, Other DOCUMENT LIST dated 18.04.2016, Aerial Photo 2 dated 21.04.2016, Design and Access Statement dated 21.04.2016, Contaminated Land Assessment PART 1 dated 21.04.2016, Contaminated Land Assessment PART 2 dated 21.04.2016, Contaminated Land Assessment PART 3 dated 21.04.2016, Contaminated Land Assessment dated 27.04.2016,, subject to

- Referral to the National Planning Casework Unit as a departure from the Development Plan

- the following conditions:

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 The premises shall be used for a business hotel and associated restaurant open to non-residents and for no other purpose and the restaurant shall not be operated independently or used for any use other than Class A3 without the prior written approval of the Local Planning Authority.

Reason: To accord with the terms of the application.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) no enlargement of the premises by extension or mezzanine shall take place unless planning permission has been granted on an application relating thereto.

Reason: In the interests of controlling further inappropriate development in the Green Belt and ensuring adequate car parking.

- 4 No development other than demolition shall take place until details and samples of materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

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

- 5 No development other than demolition shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping and boundary treatment. This shall include acoustic fencing along the north west and south east flank boundaries of the site if required as noise mitigation. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. 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. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

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

- 6 The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as motor cycle, cycle parking and 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 2015 (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 motor cycle, cycle or vehicular access to these reserved parking and cycle spaces.

Reason: To ensure adequate accommodation for the parking of vehicles.

- 7 Provision shall be made on the site, at all times for vehicles loading, off-loading and turning.

Reason: To ensure that vehicles can be parked or manoeuvred off the highway in order to maintain the safe and free flow of traffic.

- 8 The development shall be carried out incorporating the mitigation measures within the Protected Species Report hereby approved.

Reason: The protection and enhancement of habitat for protected species.

- 9 Before works other than demolition commence details to include the construction, maintenance, planting and materials of the proposed surface water drainage, attenuation/wildlife pond, treatment swales and rainwater harvesting shall be submitted to and approved by the Local Planning Authority and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: The protection of surface water flows and to prevent the risk of

- 10 The vehicular access arrangements, including changes to markings on London Road shall be fully implemented in accordance with 8120R/902 Rev A dated 15.04.16 or any approved variation thereof. Unless otherwise agreed in writing, the works shall include a ghosted right turn lane and be subject to additional signing, lining, lighting and surfacing works in accordance with the Section 278 Agreement. These works shall be undertaken prior to first occupation of the buildings and retained as approved.

Reason: The protection of highway safety.

- 11 Before works other than demolition commence, a further noise report should be submitted to the Local Planning Authority for approval. The report needs expand upon the recommendations referred to in Section 5 of the hereby approved Noise

Impact Assessment by also considering the potential for noise from the proposed development affecting adjacent residential properties. The report should show that a combined limit for all external plant as being 35 (NR 35) at the site boundary (this being 5dB (A) below the lowest background level measured of 49dB LA90) can be met with suitably specified plant/equipment and/or attenuation. The report should also assess the potential for any other noise coming from the proposed development and its effect upon adjacent residential properties; in particular to address the noise from use of any function rooms. The required works shall be fully implemented and maintained in accordance with those approved details. These measures shall not be varied without the prior written approval of the Local Planning Authority.

Reason: The protection of the aural environment of nearby residential properties.

- 12 No development shall take place until details of a scheme for the handling; storage and disposal of all waste materials and refuse have been submitted to and approved in writing by the Local Planning Authority. The approved scheme, which shall show provision for the covered storage of such materials, shall be fully implemented before the use of the premises is commenced, and shall be retained and utilised at all times thereafter.

Reason: In the interests of pollution control in general and residential amenities in particular.

- 13 Before works commence on site, maintenance and management plan in respect of the ecological interest and maintenance of the landscaped areas, grassland, meadow, wildlife pond and all proposed planting shall be submitted to and approved by the Local Planning Authority. Such scheme as approved shall be fully implemented in accordance with the approved plan and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: The protection of the visual amenities of the site and wider environment.

- 14 No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect pollution of controlled waters and comply with the National Planning Policy Framework 2012.

- 15 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from

the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To prevent pollution of controlled waters and comply with the National Planning Policy Framework.

- 16 Piling or any other foundation /underground car park designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent pollution of groundwater in deep aquifers beneath the site through pathways formed by inappropriate foundation works during development.

- 17 The use shall not commence until full details of a scheme of mechanical air extraction from the kitchen, 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 submission should include details of an Odour Abatement system, with due reference to the DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. Any submission should include a risk assessment for odour as detailed in Annex C of the DEFRA guidance. The approved scheme shall be fully installed before use of the kitchen commences 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.

- 18 No development shall take place within the site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (including a timetable for such investigation) which has been submitted to and approved by the Local Planning Authority.

Reason: In the interests of archaeological research.

- 19 No development shall take place until details of a scheme for the handling, storage and disposal of all waste materials and refuse have been submitted to and approved in writing by the Local Planning Authority. The approved scheme, which shall show provision for the covered storage of such materials, shall be fully implemented before the use of the premises is commenced, and shall be retained and utilised at all times thereafter.

Reason: In the interests of pollution control in general and residential amenities in particular.

- 20 No fans, louvres, ducts, similar apparatus, or public address system audible from outside the building shall be installed without the prior written approval of the Local Planning Approval.

Reason: In the interest of visual amenity.

- 21 No external lighting shall be erected on the site without the prior written approval of the Local Planning Authority. Any external lighting scheme submitted for approval should include intended hours of use and measures to reduce light spillage and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure the character and appearance of the development and the locality is not significantly harmed.

Informatives

1. During construction, provision shall be made on the site to accommodate operatives' and construction vehicles, loading, off-loading or turning on the site.
2. Prior to the works commencing on site parking for site personnel, operatives and/or visitors shall be provided and retained throughout the construction of the development
3. Adequate precautions shall be taken during the progress of the works to guard against the deposit of mud and similar substances on the public highway. Such proposals shall include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances.
4. An asbestos survey will be required and will be necessary prior to demolition work commencing. More information can be found in the HSE publication 'Asbestos-The Survey Guide, which can be downloaded free of charge from the HSE website www.hse.gov.uk.
5. This is a business/trade property and therefore must comply with all Duty of Care regulations.
6. Facilities for staff need to be provided in accordance with Regulation 20 of the Workplace (Health, Safety & Welfare) Regulations 1992 for each of the proposed units or collectively if WC's are to be provided in a communal area.
7. Your attention is drawn to the need to fully comply with the requirements of the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010, particularly in regard to protected species.

8. Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.
9. 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.

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