



Wates Developments
C/O Avison Young
FAO Mr Elliott Kelly
St Catherines Court
Berkeley Place
Bristol
BS8 1BQ

28 June 2023

PLANNING DECISION NOTICE

APPLICANT:	Wates Developments
DEVELOPMENT TYPE:	Large Maj Gen.Ind./Storage/Warehousing
APPLICATION REFERENCE:	23/500899/OUT
PROPOSAL:	Outline application for the erection a building for storage and distribution (Class B8 use) with a floorspace up to 10,788sqm (Gross External Area), ancillary offices, associated car parking, HGV parking, landscaping and infrastructure (All matters reserved except for access).
ADDRESS:	Land North Of The A20 Ashford Road Hollingbourne Kent

The Council hereby **REFUSES** Planning Permission for the above for the following Reason(s):

- (1) There are no Maidstone Borough Local Plan 2017 policies that allow for major employment development outside of designated economic development areas, site allocations, or upon undeveloped greenfield land falling within the countryside. The proposals are therefore contrary to the Spatial Strategy (policy SS1) of the Maidstone Borough Local Plan and policy SP21 for the location of economic development.
- (2) The development would cause significant harm to the character and appearance of the countryside and landscape within the local area through its site coverage and scale, further consolidation of development and urbanisation in the vicinity, and prominence in local views. It would also have a significant adverse impact on the setting of the Kent Downs AONB in views towards the scarp slope from Old Mill Road to the south. This would be contrary to policies SP17(1) and (4) and DM20(ii) of the Maidstone Borough

Local Plan 2017, policy SD8 of the Kent Downs AONB Management Plan and paragraphs 174(a) and (b) and 176 of the NPPF.

- (3) The off-site habitat biodiversity net gain proposed by the applicant has not been sufficiently demonstrated due to a lack of information to evidence that the off-site land is suitable to provide the habitat creation proposed. The proposals therefore fail to demonstrate the provision of a habitat net gain for biodiversity contrary to paragraph 174(d) of the NPPF.

The Council's approach to this application:

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2021 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance:

The application was considered to be fundamentally contrary to the provisions of the Development Plan and the NPPF, and there were not considered to be any solutions to resolve this conflict.

The applicant was given the opportunity to address consultee objections.

R. L. Jarman

Rob Jarman
Head of Development Management
Maidstone Borough Council

IMPORTANT: YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the LPAs decision on your application, then you must do so within **28 days** of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the LPA’s decision on your application, then you must do so within **28 days** of the date of service of the enforcement notice, or within **6 months [12 weeks** in the case of a **householder** or **minor commercial** application decision] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA’s decision, or any of the conditions imposed, then you must do so within **12 weeks** of the date of this notice.
- In all other cases, you will need to submit your appeal against the LPA’s decision, or any of the conditions imposed, within **6 months** of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority (planningappeals@midkent.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted planning permission for the proposed development or could not have granted it without

the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.