

Mr William Moss
Maidstone Town Centre Management Ltd
The Mall Management Suite
Pads Hill
Maidstone
ME15 6AT



19 November 2014

PLANNING DECISION NOTICE

APPLICANT:	Mr William Moss
DEVELOPMENT TYPE:	Change of use
APPLICATION REFERENCE:	14/503619/FULL
PROPOSAL:	Change of use from pedestrian only walkway to pedestrian walkway/square to allow for markets and /or promotional activity as shown on application Form and Site Location Plan received 28th August 2014, supporting email received 9th October 2014 and Block Plan received 21st October 2014.
ADDRESS:	Jubilee Square High Street Maidstone Kent ME14 1TF

The Council hereby **GRANTS** planning permission subject to the following Condition(s):

- (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 market hereby permitted shall only operate between 09.00 and 17.30 Monday to Saturday and between 10.00 and 16.00 on Sundays and Bank Holidays. No activity in connection with the use, including the setting up and taking down of the market stalls, shall take place outside of the hours of 07:00 and 19:30, other than on Sundays and Bank Holiday Mondays when the setting up and taking down of the market stalls shall not take place outside of the hours of 08:00 and 18:00.

Reason: To safeguard the character of the surrounding area and the enjoyment of their properties by adjoining residential occupiers.

MKPS – Working in Partnership with: Maidstone Borough Council

Please Note: All planning related correspondence for MBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Tel: 01622 602736 email: planningsupport@midkent.gov.uk

Access planning services online at: www.maidstone.gov.uk; or submit an application via www.planningportal.gov.uk

- (3) No stalls or structures shall remain on the land in connection with the market use other than within the hours as permitted by condition 2 above.

Reason: To safeguard the character of the surrounding area and the enjoyment of their properties by adjoining residential occupiers.

- (4) The market hereby permitted shall only take place for a maximum of 60 days in any calendar year.

Reason: To safeguard the character of the surrounding area and the enjoyment of their properties by adjoining residential occupiers.

- (5) The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form and Site Location Plan received 28th August 2014, supporting email received 9th October 2014 and Block Plan received 21st October 2014.

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

Informative(s):

(1) It is anticipated that the applicant will need to apply to this authority for licensing approvals. 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.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Offering a pre-application advice service.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed.

Yours faithfully

R. L. Jarman

**Rob Jarman
Head of Planning Services
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 LPA's 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 must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.

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.