

Updates to the following sections;

5.0 CONSULTATIONS

Comments have been received from Teston Parish Council recommending that the application be refused on the following summarised grounds.

- The owners of the access road have not been formally notified of this application.
- Agreement in place restricting further development at the site.
- Visual harm to the setting of grade II listed buildings.
- Design and mass inappropriate and out of keeping with context of the site.
- Landscape Harm to Teston Conservation Area resulting from proposed removal of trees
- The proposal would exacerbate Parking Highway safety issues in the vicinity of the site

Officer Response

Teston Parish Council's comments regarding access rights have been addressed in a letter received from Martin Tolhurst Solicitors, stating that there are no restrictive covenants relating to the use of the land. The letter further states that the property at the application site enjoys a right of way over the private access roadway from 'The Street', subject to contributions towards maintenance and repair cost.

Teston Parish Council states that a previous meeting by the Planning Committee resolved to prohibit further developments at the site. However, there is no record of any planning restriction or condition prohibiting further development at the site. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises of the Maidstone Borough Local Plan (2017) which formed the basis of the Council's decision to recommend this application for approval.

Matters relating visual impact, landscape harm and highways impact have been covered in the main body of the report.

The matter impact on heritage have been addressed in the original report and the application is supported by a Heritage Statement which was reviewed by the Council's Principal Conservation Officer and considered acceptable.

Recommendation remains unchanged