

Murston Old Church Studios
C/O Sell Wade Consultants
Lords
Sheldwich
Faversham
Kent
ME13 0NJ



30 November 2018

PLANNING DECISION NOTICE

APPLICANT:	Murston Old Church Studios
DEVELOPMENT TYPE:	All other minor development
APPLICATION REFERENCE:	15/508773/FULL
PROPOSAL:	Construction of new artists studios with ancillary cafe; Change of use of old church from vacant to exhibition space
ADDRESS:	All Saints Church Stadium Way Sittingbourne Kent

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

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) No development beyond the construction of foundations shall take place until details in the form of samples of external finishing materials to be used in the construction of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

MKPS – Working in Partnership with: Swale Borough Council

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

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

Email: planningsupport@midkent.gov.uk

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

Reason: In the interest of visual amenity and to preserve the setting of the Scheduled Ancient Monument

- 3) The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans and specifications (unless otherwise superseded by details submitted pursuant to conditions):

- o Detl 11, Detl 12, Elev 13, Plan 11, Sect 11 (received 4th November 2015)
- o Elev 21, Plan 21, Plan 22 (received 8th January 2018)
- o Plan 03 Rev C, (received 29th November 2018)

Reason: To provide certainty and in the interests of proper planning.

- 4) All hard and soft landscape works shown on the approved plans shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- 5) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- 6) No development beyond the construction of foundations shall take place until detailed drawings at a suggested scale of 1:5 of all new external joinery work (including but not limited to windows, doors, weatherboarding, roof, ridge, eaves and verges) and fittings together with sections through glazing bars, frames, mouldings, and details of finishes, have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the special architectural or historic interest of the Scheduled Ancient Monument

- 7) No work shall commence on the proposed access and parking provision until the associated length of Church Road has been formally stopped up to remove the existing public rights of access, and Bridleway ZU53 has been extended as shown on the approved drawings to connect to the publicly adopted highway.

Reason: In the interests of highway safety and to maintain the public right of way network

- 8) The access details shown on the approved plans shall be completed prior to the occupation or first use of any buildings hereby approved, and the access shall thereafter be maintained.

Reason: In the interests of highway safety.

- 9) No development beyond the construction of foundations shall take place until full details of the barrier at the access have been submitted to and approved in writing by the Local Planning Authority. These details shall include elevations at a suggested scale of 1:10.

Reason: In the interests of visual amenity and highway safety.

The Council's approach to this application:

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 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 applicant/agent was advised of minor changes required to the application and these were agreed.

If your decision includes conditions, there is a separate application process to discharge them. You can apply online at, or download forms from, www.planningportal.co.uk (search for 'discharge of conditions').



James Freeman
Head of Planning Services
Swale 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.