

REPORT SUMMARY

REFERENCE NO: - 23/503396/FULL			
APPLICATION PROPOSAL: Creation of seasonal wetland features including ponds and scrapes, to provide natural flood management and habitats.			
ADDRESS: Houndshurst Barn, Grave Lane, Staplehurst, Kent, TN12 0JP			
RECOMMENDATION: GRANT PLANNING PERMISSION subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION: The development is acceptable regarding the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant.			
REASON FOR REFERRAL TO COMMITTEE: <ul style="list-style-type: none"> • Call in from Cllr John Perry if officer recommendation is to approve or refuse. • Call in from Staplehurst Parish Council if officer recommendation is to approve for the reasons set out in Section 4 of this report. • Maidstone Borough Council are the 'match funder' for the proposal (Environment Agency the 'Primary funder') 			
WARD: Staplehurst	PARISH Staplehurst	COUNCIL:	APPLICANT: Northwest Kent Countryside Partnership/ Kent County Council
CASE OFFICER: Tony Ryan	VALIDATION DATE: 26/09/24	DECISION DUE DATE: 26/04/24	
ADVERTISED AS A DEPARTURE: No			

Relevant planning history

Application site

No relevant history

Neighbouring land

17/500411/FULL - Conversion of barn to dwelling (Part retrospective) Granted 06.04.2017. (Houndshurst Barn).

18/501798/PNQCLA - Prior Notification for proposed change of use of agricultural building to a dwellinghouse and for associated operational development. Granted 29.05.2018 (Clarendon Barn).

20/504776/FULL Proposed conversion of existing barn to create a single residential dwelling. Granted 15.01.2021 (Newhaven Barn).

MAIN REPORT

1. DESCRIPTION OF SITE

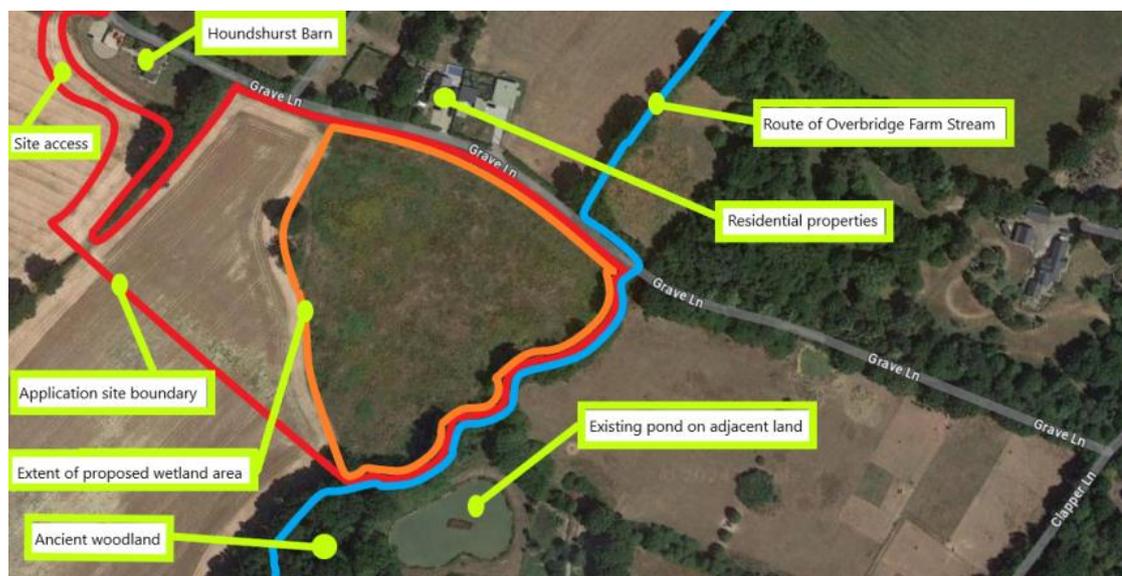
1.01 The application site is in the countryside 1.1km (0.65 miles) to the northwest of Staplehurst Railway Station. The site is currently farmland to the south of Grave Lane. There are several existing ponds on nearby land, including one located on land to the southeast and several to the north of Grave Lane

1.02 The eastern site boundary follows the Overbridge Farm Stream. Overbridge Farm Stream is a watercourse flowing north easterly as a tributary of the River Beult.

The Overbridge Farm Stream is culverted as it goes under Grave Lane at the northeast corner of the application site.

- 1.03 Residential dwellings on the opposite (north) side of Grave Lane include Newhaven Farm, Newhaven Barn, Cordena and Clarendon Barn and have a mixture of fencing and hedges to front boundaries. These properties are separated from the application site by drainage ditches on both sides of Grave Lane and an established boundary hedge (circa 1.8 metres high) to the application site.
- 1.04 The residential dwelling Houndshurst Barn is located to the west of the main part of the application site. Houndshurst Barn is in the same ownership as the application site. Access to the public highway from the site runs to the south and west of Houndshurst Barn.
- 1.05 Existing ground levels on the application site are higher to the west and south of the proposed wetland area (maximum height of 19.20 AOD) sloping down towards the northeast site corner (height of 17.01 AOD). The application site is in an area at 'very low' risk of flooding from rivers (Zone 1) and medium risk of surface water flooding. An existing low bund seek to prevents surface water going onto Grave Lane.
- 1.06 The site is on grade 3 agricultural land. In the Landscape Character Assessment, the site is in the Staplehurst Low Weald and found to be in good condition, with high sensitivity and guidelines to conserve. An area of ancient woodland is located outside but adjacent to the southeast corner of the site with approximately 200 m2 of the application site in the ancient woodland 15-metre buffer zone.
- 1.07 'Grave Lane' is the street name plate at the Clapper Lane junction, and this corresponds with both Council and Post Office records and is the name used for the current application. It is highlighted that this section of the road running east – west is marked as 'Carpenters Lane' on Ordnance Survey maps.

Fig 1: Aerial image showing site boundaries.

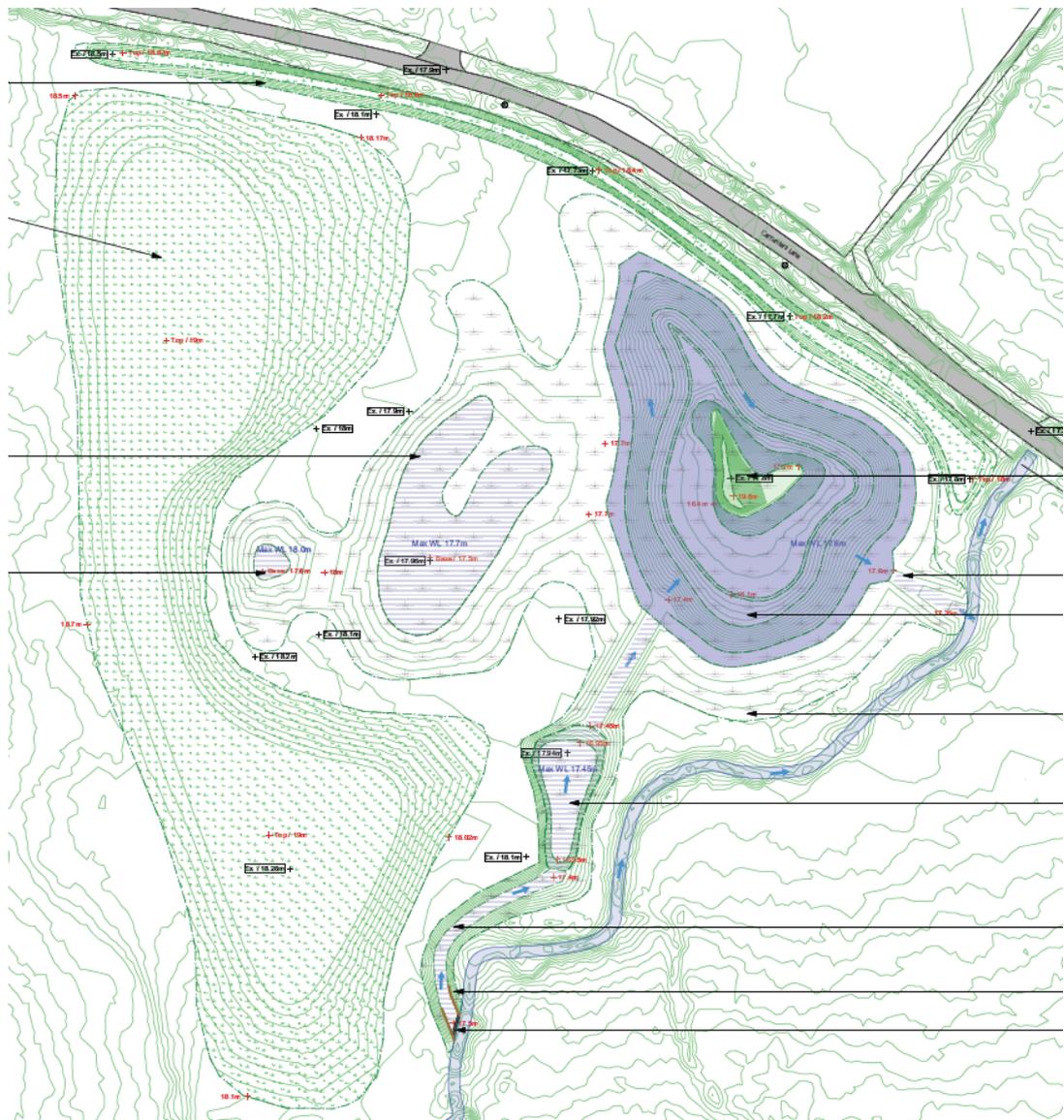


2. PROPOSAL

- 2.01 The application involves creation of a seasonal wetland on the eastern part of the application site, including ponds and scrapes. The application has two separate aims, to provide natural flood management and to create new wildlife habitats.
- 2.02 The wetland involves installing a 'leaky dam' in the adjacent Overbridge Farm Stream in the southeast corner of the site. 'Leaky dams' are a common form of National Flood Management consisting of barriers of natural woody materials laid

in water channels. The 'leaky dam' is designed to allow normal water flow to pass unimpeded but in periods of heavy water flow to hold back water and, in this case, to divert the water to the proposed wetland area.

Fig 2: General arrangement plan



- 2.03 Once diverted from the Overbridge Farm Stream, water will travel down a channel through a settlement pond to the largest main pond that has a central island. The main pond is designed as the only permanent body of water, with the other two ponds to the west designed to flood only in very wet periods.
- 2.04 The overall quantity of water in the wetland ponds will be managed. In the unlikely event that the wetland reaches capacity, a managed amount of excess water would be discharged back into the Overbridge Farm Stream just to the south of Grave Lane.
- 2.05 A new protective bund will run inside the northern (Grave Lane) to offer further protection to Grave Lane and neighbouring properties. This bund would be created using spoil from the creation of the main wetland area and would be sown with an appropriate wildflower seed mix and planted with native tree species. This wetland area will be created at different levels and designed to incorporate a variety of different wildlife habitats (including scrapes, reedbed etc.) that would suit different species at different time of the year.

- 2.06 In forming the wetland ponds, no material will be removed from the site. The volume of earth needed to form the ponds (-3633m³) will be redistributed on the site to a roadside bund (+265m³) and the main fill area (+3368 m³).
- 2.07 Current site levels vary but maximum existing ground levels to the west and south of the wetland area are 19.20 Above Ordnance Datum (AOD) (above mean sea level). The existing ground slopes down towards the northeast site corner with the lowest point a height of 17.01 AOD.
- 2.08 Proposed site levels will generally increase to the west of the wetland area, where the maximum level of the main fill area (19.00 AOD) will be lower than the maximum existing level.
- 2.09 The island in the middle of the larger pond is a maximum height of 19.60 AOD and at the lowest point the bottom of the ponds will be 16.20 AOD. The proposed bund along the Grave Lane boundary will be 18.27 AOD with the road surface in Grave Lane 17.60 to 17.80 (0.47 to 0.67 height difference).

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan (2011-2031):

SS1 - Spatial strategy
SP17 - Countryside
DM1 - Principles of good design
DM3 - Natural environment
DM30 - Design principles in the countryside

Local Plan Review:

The Maidstone Borough Local Plan Review was adopted by the Council on the 20 March 2024. It is highlighted that LPR polices now have 'substantial' weight (but not 'full' weight) in the 6 week Judicial Review period following adoption (ending 1 May 2024). The relevant Maidstone Borough Local Plan Review (March 2024) polices are as follows: ...

LPRSP12: Sustainable transport
LPRSP14: The environment
LPRSS1: Maidstone borough spatial strategy
LPRSP9: Development in the countryside
LPRSP14A: Natural environment
LPRSP14(C): Climate change
LPRSP15: Principles of good Design
LPRTRA2: Assessing the transport impacts of development.
PRTRA4: Parking
LPRQ&D 1 Sustainable design

Staplehurst Neighbourhood Plan (2016) PW1, PW2,

Supplementary Planning Guidance:

Maidstone Landscape Character Assessment (amended 2013)

Other policy documents

Biodiversity and Climate Change in Maidstone
Maidstone Biodiversity and Climate Change Action Plan (October 2020)
Local Plan Review Climate Change, Standards and Design Supplementary Paper
Medway Flood Action Plan (November 2017)
Staplehurst Surface Water Management Plan (January 2017)

National Planning Policy Framework (NPPF): Achieving well-designed places.
National Planning Practice Guidance (NPPG)

4. LOCAL REPRESENTATIONS

Local residents:

- 4.01 3 responses have been received objecting to the proposal on the following grounds:
- a) Impact on existing stream from diversion of water for the wetlands in terms of reduced water levels.
(Response: the 'leaky dam' will only divert water from the stream into the wetlands when the stream is over capacity).
 - b) Future maintenance of the wetland.
(Response: future maintenance of the wetland will be carried out by the landowner).
 - c) Noise from migrating birds "Wildlife is wonderful...however flock of migrating birds in the back garden is not".
(Response: proposed wetland is relatively small, and levels are designed so there is only one permanent body of water. In this context the site would be unsuitable for large flocks of geese).
 - d) Needs to be assurance that this will not become an open public space for bird watchers and nature lovers as there is no parking and road is narrow.
(Response: Land is and will remain in private ownership with no right of way or public access proposed).
 - e) Discrepancy in the application information as to the land area of the proposal 1.2 or 2.2 hectares.
(Response: The wetland will occupy an area of 1.5 hectares with other areas outside the wetland area but still within the redline boundary covering 3.4 hectares).
 - f) Increase in mosquito numbers from standing water.
(Response: There are at least two existing ponds in the local area. There is only one permanent proposed new body of water, and it is unlikely that the site will be a suitable breeding ground for mosquitoes).
 - g) Nearby residential properties not correctly indicated on the plans and Clarendon Barn has been omitted.
(Response: The potential impact of the proposal on Clarendon Barn (prior approval granted from agricultural to residential use under 18/501798/PNQCLA) has been considered as part of this planning application).
 - h) Incorrect lane address on plans that it is Grave Lane and not Carpenters Lane.
(Response: Council and Post Office records and the street name board at the Clapper Lane junction all show the stretch of road running east – west to the north of the application site as part of Grave Lane. This stretch of road is shown on OS maps as Carpenters Lane and OS have been informed).
 - i) Concern about increased risk of flooding downstream from the facility and insurance.
(Response: The proposal will reduce flood risk downstream (north) with the 'leaky dam' diverting water from the stream into the wetlands when the stream is over capacity).
 - j) Disruption from construction vehicles creating the wetland.
(Response: All construction work has the potential to cause nuisance, however as this nuisance is temporary and can be minimised through planning conditions, this nuisance is not grounds to refuse planning permission. The applicant has advised that works are anticipated to be over 5 days and will involve a tipper and a 12 tonne excavator with no material removed from the site).

- k) Have future climate control flooding risks taken into account?
(Response: The FRA details the flooding impact of 1:100 year and 1:200 year events and this accounts for future increased flood risk due to climate change).
- l) Size of the area of water is too large and there should be more area of land between the proposed water and Grave Lane.
(Response: The proposal only includes one permanent water body with other areas designed to flood in times of peak flow. The proposal will remove water from the stream that could result in flooding if properties downstream. There is a bund and two separate drainage ditches between the wetland and properties to the north of Grave Lane).
- m) Reduced time period in which to respond to consultation.
(Response: It is understood that neighbours knew about the proposed wetland prior to the submission of the planning application. In addition to the initial consultation there will also be an opportunity for a neighbour to address the planning committee in person prior to a decision being taken).

Staplehurst Parish Council

- 4.02 Objection and recommend refusal for the following reasons:
- a) Damage to the existing environment of the proposed wetland area.
(Response: Land is currently unproductive field with low biodiversity value).
 - b) Support the Forestry Commission comments.
(Response: Forestry Commission have not objected to the application and their comments are considered in the assessment in this report).
 - c) Impact on the neighbouring properties.
(Response: In relation to removing excess water from the stream and reducing flood risk the proposal will have a positive impact on neighbouring properties).
 - d) Should be no recreational use of the wetland site as no car parking, toilets and road is too narrow.
(Response: Land is and will remain in private ownership with no right of way or public access proposed).
 - e) If officers are minded to approve request referral to the Planning Committee.

Councillor John Perry (ward member)

- 4.03 Application is called in for committee determination as it is considered that the creation of a wetland is a major issue.

5. CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

KCC Highways:

- 5.01 No objections – subject to construction management condition

Environmental Protection

- 5.02 No objections

KCC Ecology

- 5.03 Concerns expressed regarding lack of information on whether great crested newts were present on the site. Applicant due to meet KCC Ecology between publication of this report and the committee date on the 18 April 2024.

Southern Water

- 5.04 No objection. Applicant should check for presence of public sewers on the site.

KCC Local Lead Flood Authority

5.05 Support for the following reasons:

- Proposed wetland will bring multiple benefits.
- Proposal is low risk in relation to on/off site surface water flood risk etc.

Environment Agency

5.06 No comment.

Forestry Commission

5.07 No objection, refer to ancient woodland standing advice, the need to protect existing trees and national guidance on biodiversity net gain.

Fig 3: General arrangement plan superimposed on aerial photograph.



6. APPRAISAL

6.01 The key issues for consideration relate to:

- Development in the countryside policies SP17 and LPRSP10C
- Loss of the existing agricultural field.
- Flooding
- Biodiversity
- Residential amenity
- Traffic and transport.

Development in the countryside policies SP17 and LPRSP10C

6.02 The application site is in the countryside and the starting point for assessing all applications in the countryside are LPRSP9 and adopted policy SP17. Adopted policy SP17 states that development proposals in the countryside will only be permitted where:

- a) there is no harm to local character and appearance, and
- b) they accord with other Local Plan policies

6.03 Policy SP17 does not specify an acceptable level of harm to local character and appearance, and all proposals in the countryside are likely to result in some degree of harm. In this context all development outside the designated settlements does

not accord with this part of SP17. LPRSP9 says the same as adopted policy SP17 with qualification of the level of harm i.e. " ...there is no 'significant' harm to local character and appearance". The current application will not result in a 'significant' level of harm to the countryside.

- 6.04 In specific circumstances where there is locational need for development (equestrian, rural worker dwelling, agricultural buildings etc) other LPR and adopted Local Plan policies permit development in the countryside subject to listed criteria. If development accords with one of these other Local Plan policies, this compliance generally outweighs the harm caused to character and appearance with a proposal found in accordance with LPRSP9 and adopted policy SP17 overall.
- 6.05 Policy DM3 of the 2017 plan and LPRSP14A: Natural environment and LPRSP14(C): Climate change support the current proposal and the application is not considered a departure from the Local Plan.
- 6.06 To retain a high quality of living and to respond to the effects of climate change, policy DM 3 of the Maidstone Local Plan (2017) advises that developers should ensure that new development protects and enhances the natural environment. This action involves creation of new Biodiversity Action Plan priority habitats (including water habitats in the form of ponds), the creation and enhancement of other habitats and to mitigate for and adapt to the effects of climate change.

Loss of agricultural land.

- 6.07 The NPPF (paragraph 180) recognises the benefits of best and most versatile (grades 1 and 2) agricultural land, whilst also acknowledging that where development of agricultural land is proposed the preference should be for poorer quality land (NPPF page 52 footnote 62).
- 6.08 There is no directly relevant local plan policy however policy DM33 (agricultural land to domestic use) states that the loss of agricultural land will be resisted where it is highly graded (grade 1 or grade 2), and where agricultural use is feasible. The NPPF states "*Planning ...decisions should... recognise that some undeveloped land can perform many functions, such as for wildlife...[and] flood risk mitigation...*" (NPPF para 124).
- 6.09 The application site is not best and most versatile agricultural land (grade 3). The landowners have confirmed that the application site is too waterlogged to be economically farmed. In this context the loss of the agricultural field is found to be acceptable.

Climate change and flooding

- 6.10 The 11 key local issues listed at the start of the adopted 2017 Local Plan include:
- "*Promotion of the multi-functional nature of the borough's ...rivers and watercourses*" and
 - "*Ensuring that applications for development adequately address the impact of climate change and issues of flooding...*" (2017 LP page 6).
- 6.11 The NPPF advice on climate change and flooding includes the following:
- "*The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that...minimise vulnerability and improve resilience...*" (NPPF para 157).
 - "*When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment...*" (NPPF para 173).
- 6.12 The Staplehurst Surface Water Management Plan (Final Report January 2017 -Kent County Council) identifies the Staplehurst area as being at significant risk of flooding. The applicant sets out "*Recent flooding in the Staplehurst catchment is*

likely to have occurred because of a combination of surface water and sewer flooding as the drainage network ...became overloaded with surface water” and “This may have also been exacerbated by the elevated main river levels in the River Beult as the peak flood volumes would have prevented excess surface water from being passed through the drainage network (such as the Overbridge Farm Stream) ...”.

- 6.13 The Medway Flood Action Plan (November 2017) identifies Natural Flood Management as an important way to manage or reduce the risk and impacts of flooding upstream of Allington Lock. Natural Flood Management is defined as “*Managing flood...risk by protecting, restoring and emulating the natural ‘regulating’ function of catchments, rivers, floodplains and coasts*” (NPPF page 72).

Fig 4: Site location in relation to flood zones 2 and 3.



- 6.14 The applicant has set out that Natural Flood Management includes use of “...‘leaky dams’, new hedgerows, riverbank restoration, targeted tree planting and wetland creation to hold water temporarily on land to ‘slow the flow’, reduce and delay flood peaks and store more water away from homes and other infrastructure such as roads. ...”.
- 6.15 The current application aims to reduce potential flood risk in the Staplehurst catchments. This benefit will be achieved by diverting excess water from the Overbridge Farm Stream during peak flows and storing the water in the newly created wetland.
- 6.16 The applicant also highlights other benefits of wetland creation. These benefits include removal of fine silt from river systems, improved water clarity and restoration of natural processes, including erosion and deposition. Restoring water bodies such as streams to their natural floodplains provide flood risk reduction benefits by slowing runoff and storing flood water.
- 6.17 As shown on the map above, the application site is at ‘very low’ risk of flooding from rivers (Zone 1). The site is at medium risk (1 and 3.3%) of surface water flooding.

- 6.18 Downstream areas to the northeast of the application site are at greater risk of flooding with a mixture of medium and high risk of flooding (flood zones 2 and 3). In periods of heavy flow, the proposed wetlands will provide storage for over 2,000 m³ 3,700 cubic metres of water, with this storage regulating flows in the Overbridge Farm Stream and reducing flood risk downstream in areas to the northeast.

Biodiversity

- 6.19 LPRSP14A and adopted policy DM3 of the Maidstone Borough Local Plan state that "To enable Maidstone borough to retain a high quality of living and to be able to respond to the effects of climate change, developers will ensure that new development protects and enhances the natural environment". The required actions include:
- *"...measures to improve the ecological status of water bodies..."*.
 - *"Provide for the long-term maintenance and management of all natural assets..."*.
 - *"Mitigate for and adapt to the effects of climate change"*
- 6.20 LPRSP14A and adopted policy DM3 advise "Where appropriate, development proposals will be expected to appraise the value of the borough's natural environment through the provision of...an ecological evaluation of development sites and any additional land put forward for mitigation purposes to take full account of the biodiversity present..."
- 6.21 The application site is currently agricultural land; however, the landowners have confirmed that the land is too waterlogged to be economically farmed. Surveys submitted with the application found no evidence of water vole on the site and other than steep banks and isolated stands of reedmace the stream corridor does not support suitable foraging habitat for water vole. No evidence of otter was recorded, and the stream corridor offers negligible opportunities for sheltering and foraging.
- 6.22 A planning condition is recommended requiring submission and approval of an Ecological Mitigation and Enhancement Strategy. This submission would include further information on reptiles such as the enhancement of the proposed reptile and amphibian mitigation area to support other displaced animals (such as breeding birds) prior to the loss of habitat for wetland creation. A further condition is recommended for the submission and approval of a Landscape and Ecological Management Plan, with this document seeking appropriate long-term management to provide suitable breeding/foraging habitat.
- 6.23 The proposed wetland would provide several benefits. In addition to providing water storage in this floodplain and slowing runoff that would reduce flood risk upstream, the wetland would also provide valuable additional wetland habitat increasing biodiversity with benefits to plants and habitats for invertebrates, birds, and animals.
- 6.24 Policy DM 3 provides protection to ancient woodland. There is an area of ancient woodland in the southeast corner of the site and GIS mapping shows that a small section of ancient woodland is included within the application site boundary.
- 6.25 The submitted plans show that proposed works are outside of both the ancient woodland and the 15-metre buffer recommended by Natural England guidance. A planning condition is recommended that requires the 15-metre buffer area to be fenced off prior to the construction works commencing and retained for the duration of these works. The applicant has confirmed that no other trees will need to be managed or removed as part of the proposal.
- 6.26 The proposals introducing a new wetland that includes measures to provide habitat for different species will increase the biodiversity value of the application site. The proposal is in line with the Council's Biodiversity and Climate Change Action Plan.

In addition to Action 5.1 on adaptation to climate change, Action 6.4 requires the expansion of "...*wetland coverage across the Borough to support nutrient neutrality, flood prevention, and enhance biodiversity*". Action 6.6 states that the Council will "*Work with local farms and landowners to deliver landscape scale biodiversity initiatives Nature Recovery Strategy – including ...floodplain restoration...*"

Residential amenity

- 6.27 Policy DM1 of the adopted 2017 Local Plan and LPRSP15 state that development should "*Respect the amenities of occupiers of neighbouring properties and uses...by ensuring that development does not result in, or is exposed to, excessive noise...activity or vehicular movements, overlooking...and that the built form would not result in an unacceptable loss of privacy...enjoyed by the occupiers of nearby properties*".
- 6.28 The residential property Houndshurst Barn is located to the west of the main part of the application site. Houndshurst Barn is in the same ownership as the application site. Access to the public highway from the site runs to the south and west of Houndshurst Barn. A group of residential properties located on the opposite (north) side of Grave Lane include Newhaven Farm, Newhaven Barn, Cordena and Clarendon Barn.
- 6.29 Neighbour consultation responses and the Parish Council have raised concerns about potential sources of nuisance to nearby residential properties in relation to future visitors to the site and overlooking and loss of privacy from the proposed raised areas of land on the site.
- 6.30 The material extracted to form the new ponds will be redistributed on the application site in two areas, increasing the height of the existing bund along the Grave Lane boundary and the main fill area to the west of the wetland area. *All construction work has the potential to cause nuisance, however as this nuisance is temporary and can be minimised through planning conditions, this nuisance is not grounds to refuse planning permission. The applicant has advised that works are anticipated to be over 5 days and will involve a tipper and a 12 tonne excavator with no material removed from the site).*
- 6.31 Newhaven Barn is closest to the proposed wetlands and will be separated from the proposed higher bund by circa 17 metres. This separation distance includes existing boundary hedgerows and drainage ditches on both sides of Grave Lane. The bund is circa 7 metres from the road. The top of the bund will be 18.89 AOD in this location and the road surface is 18.20 AOD (0.69m difference).
- 6.32 The application site is currently *and will remain in private ownership with no right of way or public access proposed*. In addition, public access would be likely to cause disturbance to the wildlife that will inhabit the newly created wetland. In this context the proposal is found acceptable in relation to residential amenity.

Traffic and transport.

- 6.33 NPPF advice on assessing highway impact states "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe" (NPPF 2023 paragraph 115).
- 6.34 The application site is currently and will remain in private ownership with no right of way or public access proposed on the site.
- 6.35 All construction work has the potential to cause nuisance, however as this nuisance is temporary and can be minimised through planning conditions, this nuisance is not grounds to refuse planning permission.

6.36 The applicant has advised that works to construct the wetland are anticipated to be over 5 days and will involve a tipper and a 12 tonne excavator. There is no material to be removed from the site.

6.37 In this context the proposal is found acceptable in relation to traffic and transport.

7. PUBLIC SECTOR EQUALITY DUTY

7.01 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

8. COMMUNITY INFRASTRUCTURE LEVY

8.01 The proposed development is not liable for Community Infrastructure Levy (CIL)

9. CONCLUSION

9.01 In addition to reducing flood risk the proposal would protect and enhance biodiversity through habitat creation in accordance with the National Planning Policy Framework Planning Practice Guidance.

9.02 The proposals are in line with the Council's Biodiversity and Climate Change Action Plan. In addition to Action 5.1 on adaptation to climate change, Action 6.4 requires the expansion of "*...wetland coverage across the Borough to support nutrient neutrality, flood prevention, and enhance biodiversity*". Action 6.6 states that the Council will "*Work with local farms and landowners to deliver landscape scale biodiversity initiatives Nature Recovery Strategy – including ...floodplain restoration...*"

10. RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions

with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of the 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 development hereby permitted shall be carried out in accordance with the following approved plans:
 - Application for planning permission
 - Flood Risk Assessment (Project Centre dated April 2023)
 - Environmental Impact Assessment
 - Technical Specification
 - Topographic Survey
 - Existing Site Topography Plan
 - Design and Access Statement
 - General Arrangements BG114_4_1_001
 - Site Sections BG114_3_5_001 Rev A
 - Aerial Map Site Location Plan
 - Site Location Plan
 - Existing Site Contour MapReason: For the avoidance of doubt and in the interests of proper planning.
- 3) The development hereby approved shall not commence until tree protection is in place in accordance with the current edition of BS 5837. This tree protection shall include fencing off the 15 metre ancient woodland buffer zone. All trees to be retained must be protected by barriers and/or ground protection. No equipment, plant, machinery, or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre

commencement operations approved in writing by the local planning authority. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Reason: In the interests of landscape, visual impact

- 4) No development shall commence until, an Ecological Mitigation and Enhancement Strategy been submitted to and approved in writing by the Local Planning Authority. The wetlands shall be in accordance with the approved Ecological Mitigation and Enhancement Strategy. Reason: In the interests of biodiversity and ecology.
- 5) No development shall take place until a Construction Management Plan for the site has been submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include the following details-
 - (a) Routing of construction vehicles to / from the site.
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel.
 - (c) Timing of deliveries.
 - (d) Provision of wheel washing facilities.
 - (e) Temporary traffic management / signage.
 - (f) Hours of construction work.
 - (g) Measures to ensure that access to neighbouring properties in maintained during construction work.

The construction works shall proceed only in accordance with the approved Construction Management Plan. The document shall be produced in accordance with the Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites, the Control of Dust from Construction Sites (BRE DTi Feb 2003) and the Institute of Air Quality Management (IAQM) Guidance on the Assessment of Dust from Demolition and Construction.

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

- 6) Notwithstanding the provisions of Schedule 2 Part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no temporary buildings or structures shall be stationed on the land. Reason: To prevent inappropriate development and safeguard the amenity, character, and appearance of the countryside, and in the interests of residential amenity.
- 7) The development hereby approved shall not commence above slab level until a landscape scheme designed in accordance with the principles of the Council's Landscape Guidelines (Maidstone Landscape Character Assessment Supplement 2012) has been submitted to and approved in writing by the local planning authority. The scheme shall use predominantly native or near-native species as appropriate and show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed. It shall also provide details of replacement planting to mitigate any loss of amenity and biodiversity value, the location of any habitat piles of cut and rotting wood and include a plant specification, implementation details, a maintenance schedule and a [5] year management plan. [The landscape scheme shall specifically address the need to provide native tree planting to screen the northern boundary of the buildings garden area]. Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

- 8) All planting, seeding, and turfing specified in the approved landscape details shall be completed by the end of the first planting season (October to February) following its approval. Any seeding or turfing which fails to establish or any existing or proposed trees or plants which, within five years from planting die or become so seriously damaged or diseased that their long-term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme. Reason: In

the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- 9) No development shall commence until, a Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The management shall include a description and evaluation of the features to be managed: ecological trends and constraints on site that might influence management; aims and objectives of management; appropriate management options for achieving aims and objectives; prescriptions for management actions, together with a plan of management compartments; and the preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period. The wetlands shall be managed in accordance with the approved Landscape and Ecological Management Plan. Reason: In the interests of biodiversity and ecology.
- 10) Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The submitted details shall:
- a) be in accordance with the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2021 (and any subsequent revisions) with reference to environmental zone E1.
 - b) include a layout plan with beam orientation.
 - c) a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles).
 - d) an ISO lux plan showing light spill.
- The scheme of lighting shall be installed, maintained, and operated thereafter in accordance with the approved scheme.
Reason: To safeguard residential amenity, wildlife and to protect dark skies and prevent undue light pollution, in accordance with the maintenance of the character and quality of the countryside.
- NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.