

REPORT SUMMARY

REFERENCE NUMBER: 23/505534/FULL		
APPLICATION PROPOSAL: Proposed engineering operations for excavation of soils and deposited materials, and regrading and restoration of land (resubmission 22/502512/FULL).		
ADDRESS: Land north east of the M20 And south east of Water Lane, Thurnham		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions and a s106 legal agreement.		
SUMMARY OF REASONS FOR RECOMMENDATION: The development is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant.		
REASON FOR REFERRAL TO COMMITTEE: Called in by Thurnham Parish Council if the officer is minded to approve. The full reasons for the call in are detailed in section 4 below. Departure from the Local Plan.		
WARD: Boxley Downs	PARISH/TOWN COUNCIL: Thurnham	APPLICANT: Mr Steve Edwards AGENT: Kent Planning Consultancy Ltd
CASE OFFICER: William Fletcher	VALIDATION DATE: 23/01/24	DECISION DUE DATE: 22/11/24
ADVERTISED AS A DEPARTURE: Yes		

Relevant Planning History

22/502512/FULL - Proposed engineering operations for excavation of soils and deposited materials, and regrading and restoration of land. Withdrawn

21/505610/LAWPRO Lawful Development Certificate for proposed engineering operations to bring the site back into arable production – Refused 14/01/2022).

- 1) The application has failed to demonstrate that the existing use of the site is lawful and therefore permitted development rights under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) do not apply.
- 2) The permitted development rights granted by Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 are only applicable after a formal application for prior approval has been submitted to, assessed and approved in writing by the Local Planning Authority (Schedule 2, Part 6, Class A, Conditions A.2 (2)(i)). In the absence of this prior approval the proposed development is not lawful and this lawful development certificate is refused.

20/500663/CHANGE–Planning Enforcement case: Dumping of waste – Closed

MA/92/1130 - Extension to spoil disposal from line of M20 improvements contract and restoration to agriculture - Approved (Decided by KCC)

MA/91/1491 - Disposal of surplus soil from the line of the M20 widening contract and restoration to agriculture – Approved (Decided by KCC)

(Officer Note): The site has been subject of recent and extensive enforcement investigation, where it is noted by MBC that the site has been unlawfully used as a waste transfer/materials processing plant. The MBC enforcement case was closed and passed over to KCC Waste Planning Enforcement Team on 27 January 2021. MBC and the KCC Waste Planning Enforcement Team have not taken enforcement action and this is a material planning consideration.

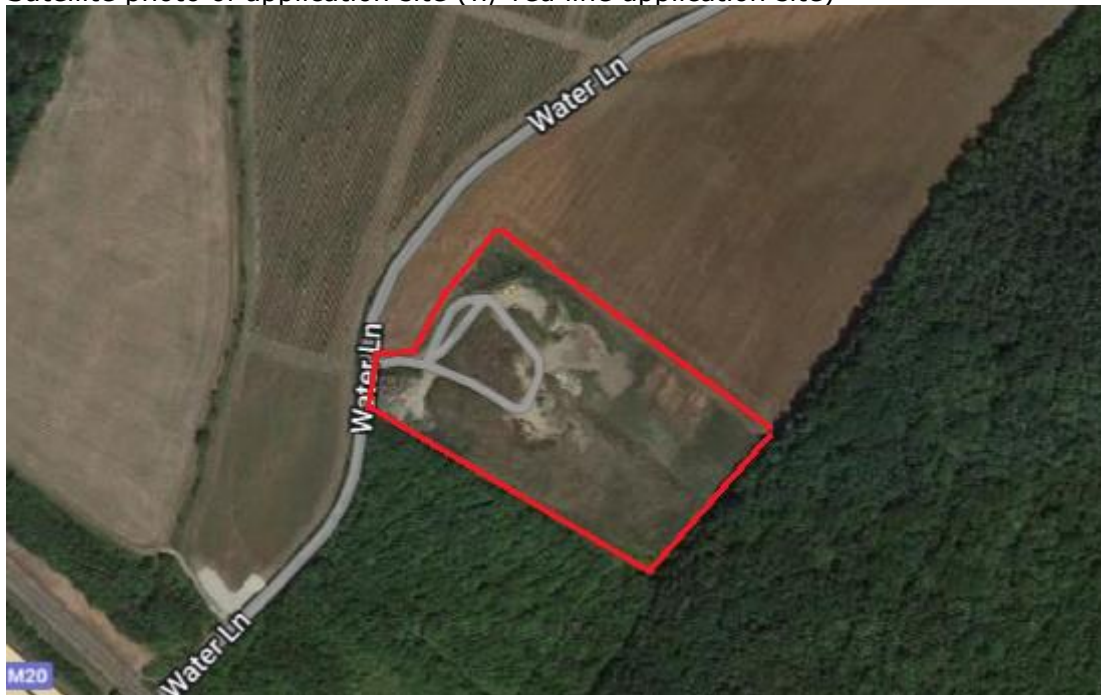
A Certificate of Lawful Development application was submitted to MBC on 05 November 2021 (Ref: 21/505610/LAWPRO) and subsequently refused on 14 January 2022. Given the lack of information provided on the type of development sought (just a covering letter) and the recent unlawful use of the land, it was concluded that the use of permitted development rights under Part 6, Class A of the General Permitted Development Order on this site did not apply.

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site is located to the east of Water Lane. The site is in the Kent Downs National Landscape. The remains (steel frame) of an agricultural barn is on the land at the western boundary.
- 1.02 The site is in the countryside and Ancient Woodland is found to the south east of the site (outside of the area of proposed works); the site does not occupy article 1(5) land; and there are no Article 4 directions in force.
- 1.03 The site comprises a small part of a larger arable field. During the construction of the M20 and Eurotunnel rail link works, the site was used for the deposit of natural materials including soils, clay and stones arising from the excavation works. This has led to the site being less productive than the rest of the arable field for agricultural purposes.

Satellite photo of application site (w/ red line application site)



- 1.04 The land generally undulates and comprises uneven and irregular ground shapes and forms, in terms of the topography including voids and mounds. The site also

comprises a water trough area, of concrete construction for lorries/vehicles to wash and clean their axles/wheels on egress of the site.

1.05 Access is taken along to the east off Water Lane.

2. PROPOSAL

2.01 The current application is for "Proposed engineering operations for excavation of soils and deposited materials, and regrading and restoration of land".

2.02 The General Permitted Development Order (GPDO) (Part 6 of Class A) enables excavation or engineering operations which are reasonably necessary for the purposes of agriculture.

2.03 Given the issues raised with the previous LDC application on the status and applicability of permitted development rights, the applicant has chosen to submit this planning application. Detailed drawings have been submitted to provide information on existing and proposed works and levelling of the site.

2.04 The GPDO has few limitations in terms of excavation works and if the reasons for refusing the LDC could be overcome the proposed works currently being considered could potentially be permitted development. In any case, a planning application has been submitted and material considerations are assessed below.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Local Plan Review 2024

LPRSS1 Maidstone borough spatial strategy

LPRSP9 Development in the countryside

LPRSP15 Principles of good design

LPRQD4 Design principles in the countryside

LPRTRA2 Assessing the transport impacts of development.

Maidstone Landscape Character Assessment 2012 (Updated 2013)

The application site is located within the Thurnham Vale Landscape Character Area. The Landscape Character Assessment notes "Thurnham Vale is situated within the Kent Downs National Landscape. The Kent Downs National Landscape is a nationally important designation which offers a high level of development constraint." The landscape is assessed as being in 'Moderate' condition and of 'Moderate' sensitivity. Guidelines are to 'Conserve and Improve'.

Kent Downs National Landscape Management Plan 2021-2026 (Third Revision)

4. LOCAL REPRESENTATIONS

Local residents

4.01 4 representations received objecting to the application and 2 neutral. All representations raise concerns regarding highways impacts from the development, and large vehicles moving through surrounding roads and villages.

Thurnham Parish Council

4.02 Objection and recommend refusal. If minded to approve following comments are made.

4.03 Removal of Existing Hazardous Waste: Prior to any new materials being brought to the site, all tyres and other hazardous waste present must be removed and disposed of properly.

- 4.04 Prohibition of Further Waste Introduction: No additional waste should be introduced onto the site through the materials used for levelling or for any other purpose whatsoever.
- 4.05 Strict Adherence to Operational Hours: The operations outlined in the application must strictly adhere to the specified days and times, without any exceptions and must include vehicular traffic to and from the site. This is particularly crucial as vehicular movements through residential areas could pose significant disruptions.
- 4.06 Designated Entry and Exit Routes: Lorries should only enter and exit the site from the south to avoid utilising Pilgrims Way, Thurnham Lane and Water Lane north of the site.
- 4.07 Defined Timeframe for Completion: A clear timeframe for the completion of the work should be established from the date of planning permission being granted.
- 4.08 Comprehensive Investigation of Existing Waste: Before commencing any work, a thorough investigation and evaluation of all existing buried waste on the site must be conducted. There is a genuine risk of hazardous materials leaking into nearby water sources over time, potentially contaminating the underground aquifer, which serves as a vital drinking water source for residents of Bearsted.
- 4.09 Should the Planning Officer be minded to approve the application, we would then request that it be called in for determination by the Planning Committee.

Councillor Val Springett

- 4.10 Support the restoration of the land to agricultural use, it is important to ensure that this is carried out in the correct way. Raise concerns related to the following:
- Land contamination
 - Site Access by vehicles (can conditions be imposed requiring access from the south).
 - Construction working hours
 - Cessation of works (condition to require applicant to notify LPA when works are complete).

Bearsted and Thurnham Society

- 4.11 No objection subject to conditions relating to vehicle routing and movements and operational issues, i.e. removal of contaminated waste, ecological issues on site.

5. CONSULTATIONS

(Please note that summaries of consultation responses are set out below. Comments are discussed in more detail in the appraisal section where considered necessary)

KCC Highways

- 5.01 No objection. This application has submitted a construction management plan and planning application, in support of the proposal. The information provided is satisfactory and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

Kent Downs National Landscape Team

- 5.02 No objection.

KCC Ecology

- 5.03 No objection subject to conditions on:
- Works carried out in accordance with submitted documents.

KCC Archaeology

- 5.04 No objection subject to conditions on:
- Archaeological works

Environment Agency

- 5.05 No objection

MBC Landscape and trees

- 5.06 No objection subject to conditions on:
- Tree protection measures

KCC Minerals and Waste

- 5.07 No objection

Environmental Health

- 5.08 No objection subject to conditions on:
- Land contamination

Forestry Commission

- 5.09 No objection

Southern Water

- 5.10 No objection

Kent Police

- 5.11 Proposal falls outside the remit of this consultee.

6. APPRAISAL

- 6.01 The key issues are:
- Spatial strategy
 - Character and appearance
 - Neighbouring amenity
 - Highways
 - Landscaping

Spatial strategy

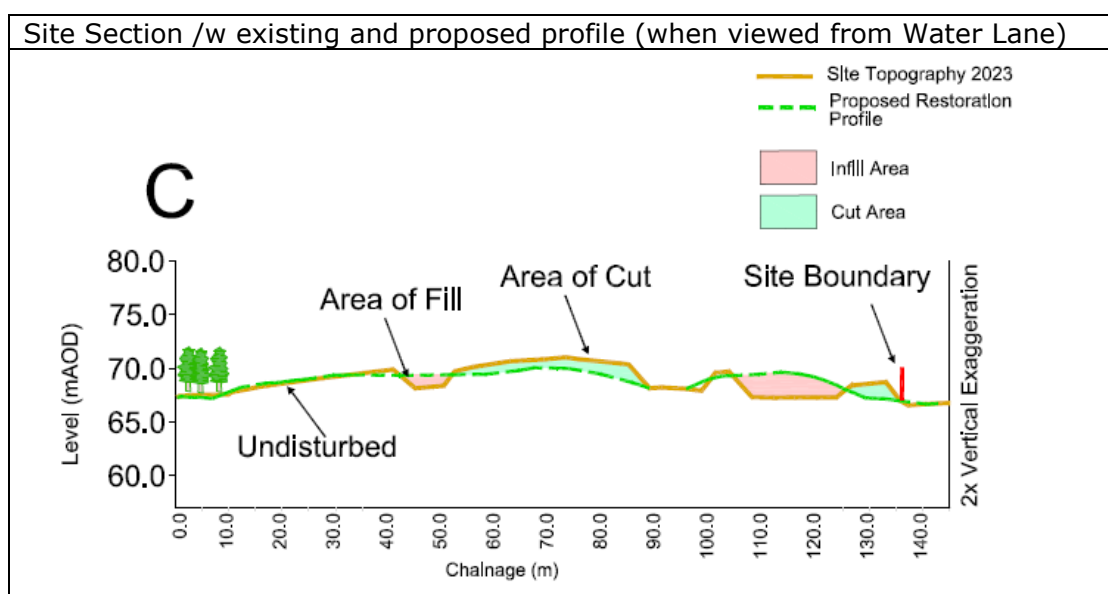
- 6.02 The application site is in the countryside and the starting point for assessment of all applications in the countryside is LPRSP9. LPRSP9 states: "Development proposals in the countryside will not be permitted unless they accord with other policies in this plan and will not result in significant harm to the rural character and appearance of the area."
- 6.03 The application relates to engineering operations for the excavation of soils and deposited materials, and regrading and restoration of land. There is no specific policy which 'covers' this type of development and as such it is assessed that the application would be a departure from the Local Plan Review.
- 6.04 In relation to LPRSP9 and considering the impact of development on the character and appearance of the countryside the relevant adopted policies LPRSP15 and LPRQD4. The impact of the development on local character and appearance is considered against policies LPRSP15 and LPRQD4 in the following section as well as the relevant criteria of LPRCD6 and LPRCD7.

Character and appearance

- 6.05 Policy LPRSP15 states that development must "Respond positively to, and where possible enhance, the local, natural, or historic character of the area. Particular

regard should be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage” LPRQD4 has similar aims and objectives.

- 6.06 The application site is located within the Kent Downs National Landscape, policy LPRSP14(a) details the need to protect areas of positive landscape. LPRSP9 states “Great weight should be given to the conservation and enhancement of the Kent Downs National Landscape.” The Levelling-up and Regeneration Act (2023) amended section 85 of the CRoW Act, to create a new duty on relevant authorities to ‘seek to further the purpose of conserving and enhancing the natural beauty of the area’ when discharging their functions in Areas of Outstanding Natural Beauty (now known as National Landscapes).
- 6.07 The new duty replaces the previous requirement for relevant authorities to ‘have regard’ to the purpose of AONBs and is intended as a more proactive and strengthened requirement. The new duty underlines the importance of avoiding harm to the statutory purposes of protected landscapes but also to seek to further the conservation and enhancement of a protected landscape. That goes beyond mitigation and like for like measures and replacement. A relevant authority must be able to demonstrate with reasoned evidence what measures can be taken to further the statutory purpose.
- 6.08 Paragraph 176 of the NPPF (2023) states “Great weight should be given to conserving and enhancing landscape and scenic beauty in...Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.... The scale and extent of development...should be limited”. Paragraph 180 of the NPPF details how planning policies and decisions must recognise the intrinsic character and beauty of the countryside.
- 6.09 The application site was previously used for the deposit of excavated, natural material (including clay, soil and oversized stones) arising from construction of the M20 and Euro tunnel rail links. The previous use of the site has resulted in 6 acres of uneven topography, voids and mounds, and land which is less productive and more prone to waterlogging than other nearby land. The original ‘siting’ of this waste was approved during the 1990s as detailed in the planning history section of this report. There has more recently been ‘unlawful’ activity on the site which has been subject to enforcement investigation.



- 6.10 To bring the site back into agricultural use as grassland for agricultural grazing, the re-grading of the site is proposed. The final profile can be achieved with the regrading of material using a standard dozer and excavator. The applicant has detailed that both the woodland area and grassland areas depicted would be created with a "lower quality" land value than arable fields, as thicker soils and higher levels of drainage would be required for ploughing and crop growing.
- 6.11 Soil forming materials on site would need to be screened to separate the soils from the coarser hardcore/ rocky materials. With a minor amount of on-site screening to produce clean soils with a limited volume of imported soils, a scheme that merges the current contours to the proposed restoration levels has been found to be feasible.
- 6.12 The submitted documents indicate a need for 8000m³ of material, 5000m³ of which will be 'produced' from existing soil on site. It is envisaged that some 3000m³ of materials would be required to be imported. This would take place over a 60-day period, with 5 incoming vehicle movements per day. Any hardcore produced from the screening operations would be used within an access road to the pond to assist with drainage. A drainage ditch would be provided to the north of the site.
- 6.13 With the removal of the voids and mounds that have resulted from the historic depositing of soil and material, the proposal would improve and regrade the land. Whilst the earthworks and engineering operations would have a visual impact, this impact will be short term and once complete, the proposed works will provide a more level and natural site profile. The proposal would represent an improvement to the land, which would preserve the character of the designated landscape and rural area.
- 6.14 There is a clear betterment here in the context of the Kent Downs National Landscape and the wider rural area and a visual enhancement. MBC landscapes officers have reviewed the application and have raised no objections to the development. No objections have been received from the Kent Downs National Landscape Team who consider the proposal would result in an enhancement of the existing baseline situation.
- 6.15 Policy LPRSP9 states that planning permission should be refused where there is 'significant' visual harm. It is concluded that the submitted proposal would improve the character of the designated landscape and the countryside.

Neighbouring amenity

- 6.16 LPRSP15 states proposals must "Respect the amenities of occupiers of neighbouring properties and uses ...by ensuring that proposals do not result in...excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking, or visual intrusion, or loss of light to occupiers".
- 6.17 Whilst there would be some disturbance during the development from vehicles, this disturbance would be short term. The level of this impact will be minimised through conditions that require the applicant to provide details of vehicle movements to facilitate the development.

Highways

- 6.18 LPRQD4 permits development that does not "...result in unacceptable traffic levels on nearby roads; unsympathetic change to the character of a rural lane which is of landscape, amenity, nature conservation, or historic or archaeological importance or the erosion of roadside verges".

- 6.19 LPRTRA2 states "Development proposals will be considered in the context of both their impacts in terms of motor vehicle movements and overall sustainability. The impacts of development on the functionality of the highways network will be considered in the context of any sustainable transport gains that are proposed to accompany them".
- 6.20 Representations raise concerns regarding vehicle movements through surrounding villages to facilitate the development. The applicant has submitted a construction management plan. It notes "Assuming an average HGV load of 10m³ per vehicle, the proposed scheme will require a total of around 300 incoming vehicle movements assuming a requirement for around 3,000m³ of imported material. This equates to around 5 incoming loads per day, which is about 60 working days or about one "working summer season" of earthwork".
- 6.21 The submitted construction management plan includes a vehicle route plan which indicates vehicles would travel east from M20 J8 Hollingbourne Interchange and then travel north via Roundwell. This is a route which would cause the least amount of disturbance.
- 6.22 KCC Highways have reviewed the applicant's submitted information, including the proposed vehicle route, and have raised no objection. As a planning condition cannot be used to control vehicle routing, it is recommended that permission is subject to a s106 legal agreement.
- 6.23 The legal agreement would include a HGV routing agreement to formalise and control HGVs routes travelling to and from the site and a requirement that existing vehicle movements are maintained at a maximum daily limit of 5 HGV movements (defined as a vehicle of 7.5 tonnes and above). It is also recommended that to monitor compliance there is a requirement for the applicant to keep a written record of all HGV movements and their routes and for this to be available to the Local Planning Authority upon request.
- 6.24 With the s106 agreement, it is concluded that the development would not result in harm to the highway network and the development is compliant with local and national planning policies in this regard.

Landscaping

- 6.25 LPRSP14 states that development must "Protect positive landscape character, including Landscapes of Local Value, areas of Ancient Woodland, veteran trees, trees with significant amenity value, ... from inappropriate development and avoid significant adverse impacts as a result of development through the provision of adequate buffers and in accordance with national guidance".
- 6.26 The site comprises large mounds of spoil, rubble and other materials with an access track and concrete hardstanding area. The colonising vegetation consists predominantly of bramble, hemlock, thistle, nettle and sward with a scattering of young elder and dog rose and a small patch of blackthorn scrub in the southwestern area. There is established hawthorn and blackthorn hedgerow bordering Water Lane adjacent to the front (west) of the site.
- 6.27 The only trees within the site are a group of semi-mature silver birch and hazel trees on the eastern boundary, in the south-eastern corner of the site (woodland edge trees).
- 6.28 There is semi-mature woodland (mixed species) bordering the east of the site and young woodland (mixed scrub trees dominated by blackthorn) bordering the south of the site. A 30 metre stretch of the south east site boundary is shared with an

area of designated Ancient Woodland and the corresponding area of the application site is located in the 15 metre buffer zone.

- 6.29 Government guidance on development in or adjacent to ancient woodland states that when making planning decisions the following needs to be considered:
- conserving and enhancing biodiversity
 - avoiding and reducing the level of impact of the proposed development on ancient woodland and ancient and veteran trees.
- 6.30 The guidance advises that direct effects of development can cause the loss or deterioration of ancient woodland or ancient and veteran trees by:
- damaging or destroying all or part of them (including their soils, ground flora or fungi)
 - damaging roots and understorey (all the vegetation under the taller trees)
 - damaging or compacting soil
 - damaging functional habitat connections, such as open habitats between the trees in wood pasture and parkland
 - increasing levels of air and light pollution, noise and vibration
 - changing the water table or drainage
 - damaging archaeological features or heritage assets
 - changing the woodland ecosystem by removing the woodland edge or thinning trees - causing greater wind damage and soil loss
- 6.31 The guidance advises that indirect effects of development can also cause the loss or deterioration of ancient woodland, ancient and veteran trees by:
- breaking up or destroying working connections between woodlands, or ancient trees or veteran trees - affecting protected species, such as bats or wood-decay insects
 - reducing the amount of semi-natural habitats next to ancient woodland that provide important dispersal and feeding habitat for woodland species
 - reducing the resilience of the woodland or trees and making them more vulnerable to change
 - increasing the amount of dust, light, water, air and soil pollution
 - increasing disturbance to wildlife, such as noise from additional people and traffic
 - increasing damage to habitat, for example trampling of plants and erosion of soil by people accessing the woodland or tree root protection areas
 - increasing damaging activities like fly-tipping and the impact of domestic pets
 - increasing the risk of damage to people and property by falling branches or trees requiring tree management that could cause habitat deterioration
 - changing the landscape character of the area
- 6.32 Whilst the application does not include built development, significant earthworks are proposed, and these works would be in the Ancient Woodland 15 metre buffer zone. As set out in this report, the application site has been deposit site for spoil from construction sites.
- 6.33 The applicant has submitted a tree protection plan. The plan shows no works carried out within the 15 metre Ancient Woodland buffer zone. Conditions are recommended seeking to ensure that the development is carried out in accordance with the submitted tree protection details, and to ensure no storage of materials or vehicle movements in the buffer zone.
- 6.34 In the context of this use and the associated previous disturbance to the ground it is concluded that the impact of the proposed works on the buffer zone would be acceptable.
- 6.35 In the context of this use, the associated previous disturbance to the ground and planning conditions, it is concluded that the impact of the proposed works on the

buffer zone would be acceptable. The MBC tree officer has raised no objections to the development.

PUBLIC SECTOR EQUALITY DUTY

- 6.36 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.

7. CONCLUSION

- 7.01 With everything considered, the development is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant. A recommendation of approval is therefore made on this basis, subject to a s106 agreement and recommended conditions.

8. RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions and a s106 legal agreement.

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

HEADS OF TERMS:

1. The completion of a HGV routing agreement between the applicant, Maidstone Borough Council and KCC Highways to formalise and control the routes used by HGVs on the local highway network travelling to and from the application site.
2. The maximum number of daily HGV (defined as a vehicle of 7.5 tonnes or above) vehicle movements shall be 5 HGV movements.
3. Applicant to maintain a written record of all HGV movements to and from the development which shall be kept and made available for inspection by the Local Planning Authority at their reasonable request.

CONDITIONS:

- 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 development shall be carried out in accordance with the following approved plans and documents:
Application for Planning Permission
Flood Risk Assessment and Drainage Strategy
WL23-1.1 Site Plan
WL23-3. 1 Cut and Fill to Restoration Surface
WL23-5.2 Proposed Restoration Concept
4018 01B Site Location Plan
Construction Management Plan
Proposed Restoration Concept and Material Volumetric
Preliminary Ecological Appraisal
Reptile Survey And Mitigation Strategy
Thurman Badger Report
Planning Statement
CCTV Report
RSPD LLFA Response
7 Day calculations
LLFA Response pt2

STA 4218 TPP Tree Protection Plan

Reason: To ensure the development is carried out to an acceptable visual standard.

- 3) No development including site clearance shall take place until tree protection is in place for all trees both within the red line application site boundary, and within the yellow 'Undisturbed Zones' as depicted within (STA 4218 TPP Tree Protection Plan dated May 2024). The tree protection shall be in accordance with BS 5837 and maintained until all equipment, machinery and any surplus materials have been removed from the site. 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. No vehicle movements will take place within the 'Undisturbed Zones'. All construction activities, tree protection, access facilitation pruning and pre-emptive root pruning shall be carried out in accordance with the approved recommendations of the submitted tree protection details contained within document (STA 4218 TPP Tree Protection Plan dated May 2024).
Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development
- 4) If during engineering works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.
Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of:
a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.
Reason: To ensure that any contamination on site is managed and addressed appropriately.
- 5) Prior to the commencement of development the applicant, or their agents or successors in title, will secure:
i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
ii) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority
iii) programme of post excavation assessment and publication.
Reason: To ensure that features of archaeological interest are properly examined, recorded, reported and disseminated.

- 6) The development shall be carried out in full accordance with details contained within the submitted Construction Management Plan (produced by RSPD dated July 2023) including the following appendices:
- i) Site Location Plan
 - ii) Routes Plan
 - iii) Development Proposals
- The applicant will inform the Local Planning Authority upon completion of the development.
- Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development
- 7) The development hereby approved shall not commence 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, and include a plant specification, implementation details, a maintenance schedule and a [5] year management plan.
- The scheme shall specifically provide full species details of proposed planting on site forming the proposed woodland and grassland areas depicted within drawing WL23-5.2 Proposed Restoration Concept dated 20/11/2023.
- Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development
- 8) All such landscaping will be carried out during the first planting season (October to February) available following its approval. Any seeding which fails to establish or any trees or plants which, within five years from planting, are removed, 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 unless the local planning authority gives written consent to any variation.
- Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.