

<b>REFERENCE NO:</b> 22/500192/FULL		
<b>APPLICATION PROPOSAL:</b> Change of use of land to use as a residential caravan site providing one additional gypsy pitch to accommodate one static caravan/mobile home, including laying of hardstanding and installation of package sewage treatment plant.		
<b>ADDRESS:</b> Land at Oakhurst Lodge Clapper Lane Staplehurst Kent TN12 0JS		
<b>RECOMMENDATION:</b> GRANT PLANNING PERMISSION subject to planning conditions		
<b>SUMMARY OF REASONS FOR RECOMMENDATION:</b> 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.		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> Councillor Perry and Councillor Brice have requested application is considered by Planning Committee if officers are minded to approve application. This request is made for reasons outlined in the consultation section below.		
<b>WARD:</b> Staplehurst	<b>PARISH:</b> Staplehurst	<b>APPLICANT:</b> Mr Braidford <b>AGENT:</b> Phil Brown Associates Ltd
<b>CASE OFFICER:</b> Kate Altieri	<b>VALIDATION DATE:</b> 14.02.22	<b>DECISION DATE:</b> 30.05.22
<b>ADVERTISED AS A DEPARTURE:</b> NO		

### RELEVANT PLANNING HISTORY

- 16/506711 – Submission of details for conditions: 4 (landscaping); 8 (materials); 9 (boundary treatments) and 10 (foul sewage) for MA/13/1453 - Approved
- MA/13/1453 – Change of use of land for gypsy family with 2 caravans, including 1 static mobile home and erection of utility building – Approved

#### Land east of The Paddocks

- 18/506246 - Residential caravan site for 2 gypsy families, each with 2 caravans including no more than 1 static caravan. Formation of access, hardstanding and 2 utility buildings – Refused (appeal in progress: Hearing date of 5<sup>th</sup> July 2022)

The aerial photograph below shows the context of surrounding planning history:



## **MAIN REPORT**

### **1.0 SITE DESCRIPTION**

- 1.01 Oakhurst Lodge is an existing lawful Gypsy site, with permanent residential permission for one mobile home (MA/13/1453), that is located just to the north of the junction with George Street. Located on the eastern side of Clapper Lane, the application site is well enclosed by existing boundary planting and mostly consists of well-maintained lawn that is used in association with Oakhurst Lodge.
- 1.02 The surrounding area is characterised by undeveloped land and other sporadic development, including Blue Bell Farm and The Paddocks, that are lawful Gypsy sites (as well as being allocated sites within the Local Plan – policies GT10 and GT11). For the purpose of the Local Plan the application site is within the designated countryside.

### **2.0 PROPOSAL**

- 2.01 The application is described as: *Change of use of land to use as a residential caravan site providing one additional gypsy pitch to accommodate one static caravan/mobile home, including laying of hardstanding and installation of package sewage treatment plant.*
- 2.02 This application is not retrospective. The proposal would see Oakhurst Lodge extended north-eastwards along Clapper Lane and would include associated (permeable stone) hardstanding; it would make use of the existing vehicle access from Clapper Lane; and whilst no detailed landscaping scheme has been submitted, the submission confirms existing boundary planting is to be retained with 2m high close boarded fencing erected behind (within the site). The mobile home would measure some 15m by 6.5m, and would stand some 3.9m in height.

### **3.0 POLICY AND OTHER CONSIDERATIONS**

Maidstone Local Plan (2017): SS1, SP17, DM1, DM3, DM8, DM15, DM23, DM30  
Staplehurst Neighbourhood Plan (2016-2031)  
Landscape Character Assessment (2013) & Supplement (2012)  
Landscape Capacity Study: Sensitivity Assessment (2015)  
National Planning Policy Framework (2021) & National Planning Practice Guidance  
Planning Policy for Traveller Sites (2015)  
Gypsy & Traveller and Travelling Showpeople Topic Paper (2016)  
Gypsy & Traveller & Travelling Showpeople Accommodation Assessment (2012)  
Regulation 19 Local Plan

- 3.01 Local Plan policy DM15 allows for gypsy and traveller accommodation in the countryside provided certain criteria are met.
- 3.02 Policy PW2 of the Staplehurst Neighbourhood Plan states:

*PROPOSALS FOR NEW DEVELOPMENT IN THE COUNTRYSIDE BEYOND THE EXTENDED VILLAGE ENVELOPE WILL BE ASSESSED IN TERMS OF THE POTENTIAL IMPACT OF THE DEVELOPMENT UPON THE VISUAL SETTING AND LANDSCAPE FEATURES OF THE SITE AND ITS SURROUNDINGS, THE POTENTIAL IMPACT UPON THE BIODIVERSITY OF THE AREA AND OTHER RELEVANT PLANNING CONSIDERATIONS, SUCH AS THE IMPACT OF TRAFFIC AND NOISE. PROPOSALS WHICH FAIL TO DEMONSTRATE THESE IMPACTS CAN BE SATISFACTORILY ADDRESSED WILL NOT BE SUPPORTED.*

- 3.03 The NPPF is clear that good design is a key aspect of sustainable development and that permission should be refused for development that is not well designed; and section 12 of the NPPF refers to achieving well-designed places. Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural

and local environment by recognising the intrinsic character and beauty of the countryside.

- 3.04 The Council's Regulation 19 Local Plan was submitted to the Planning Inspectorate on 31<sup>st</sup> March 2022 and whilst this document is a material planning consideration, at this time it is not apportioned much weight.

#### **4.0 LOCAL REPRESENTATIONS**

- 4.01 1 local resident has made representations relating to (in summary): Light pollution; sewage disposal; impact upon character and appearance of countryside; and the fact that the future occupants are unknown.

#### **5.0 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)

- 5.01 **Councillor Perry and Councillor Brice:** Wish to see the application reported to Planning Committee for the following reasons:

*This is an extremely important issue for residents and it should be discussed at Planning Committee level; concerns have been raised regarding possibility of further "ribbon development", which would be completely out of character for Clapper Lane; and there are wider planning implications.*

- 5.02 **Staplehurst Parish Council:** Wish to see application approved:

*Councillors noted site was not allocated in Local Plan but note it was a well maintained site that was well screened. Councillors RESOLVED to recommend APPROVAL, with a condition that there remain only one access point to and from the site.*

- 5.03 **Environmental Protection Team:** Raise no objection to application.

- 5.04 **KCC Highways:** Development does not meet criteria to warrant their involvement.

#### **6.0 APPRAISAL**

##### **Main Issues**

- 6.01 The key issues for consideration relate to: need for Gypsy sites; supply of Gypsy sites; Gypsy status/personal circumstances; location; visual impact; flood risk; and then other matters.

##### Need

- 6.02 The Maidstone Local Plan is adopted and there are policies relating to site provision for Gypsies and Travellers. Local planning authorities also have responsibility for setting their own target for the number of pitches to be provided in their areas in their Local Plans.

- 6.03 The Gypsy & Traveller and Travelling Showpeople Accommodation Assessment: Maidstone (January 2012) provides the evidence of the need for Gypsy & Traveller pitches in the borough for the Local Plan period (October 2011 to March 2031). This is the Council's most up to date assessment and it does carry weight.

- 6.04 The Assessment drew on existing information about sites in the borough (including caravan count data, information from stakeholders and council information about the planning status of sites) and used the results of face to face interviews with Gypsies & Travellers (and Travelling Showpeople) residing in the borough. To help encourage participation, the interview team included two members of the Gypsy & Traveller community. Interviews were undertaken with 37% of the estimated resident

population in the borough, considered to be sufficient as a sample of the total Traveller population across all the accommodation types.

- 6.05 The GTAA Assessment found that there is a need for a total 187 additional permanent pitches in the borough 2011-31, broken down in phases as follows:

*Oct 2011 – March 2016 - 105 pitches*

*Apr 2016 – March 2021 - 25 pitches*

*Apr 2021 – March 2026 - 27 pitches*

*Apr 2026 – March 2031 - 30 pitches*

*Total: Oct 2011 – March 2031 = 187 pitches*

- 6.06 The target of 187 additional pitches is included in policy SS1 of the Maidstone Local Plan. The Assessment was undertaken prior to the change to the definition of Gypsy & Travellers in the Planning Policy for Traveller sites (PPTS) in August 2015 to exclude those who have permanently ceased travelling. At the Local Plan Examination some representors (parish councils; residents) argued that this meant it was outdated. The Inspector specifically considered this and concluded that the changed definition would result in relatively little change to the needs figure. He confirmed that the assessment provides an adequate evidential basis for the Local Plan.

- 6.07 The adopted Local Plan (MLP) provides for the 187 pitch requirement through:

- *The permanent planning consents which have already granted*
- *Specific site allocations in policy GT1(1)-(16) for 41 pitches (some been granted permission)*
- *Application of Policy DM15 for applications on windfall sites*

- 6.08 The Local Plan Inspector was satisfied with the Plan's policy approach to meeting needs (Inspector's Report paragraphs 245-246). He drew on information in the Gypsy & Traveller Topic Paper which the Council had prepared as a background document for the Examination to explain its approach. In particular, the Topic Paper explains why the Council's partial reliance on the delivery of windfall sites to meet needs is sound (see pages 12-15 and Appendix B of the Topic Paper). The Inspector noted that the Local Plan Review will be the time to make further site allocations should windfall sites not come forward as expected.

*Local Plan review and need*

- 6.09 A new GTAA is being prepared to support the Local Plan review. Survey work on the new GTAA commenced in 2020 but has been delayed due to Covid 19. The new GTAA will outline the current and future need for gypsy, traveller and travelling showpeople provision for Maidstone Borough until 2037 and will form the evidence base for a dedicated Gypsy, Traveller and Travelling Showpeople DPD.
- 6.10 As set out earlier, the Council's Regulation 19 Local Plan was submitted to the Planning Inspectorate on 31<sup>st</sup> March 2022 and whilst this document is a material planning consideration, at this time it is not apportioned much weight. This said, please note that within this Plan it states that there is a potentially significant emerging need for Gypsy & Traveller accommodation. The Local Plan review seeks to meet the identified need to 2031; and a separate Gypsy, Traveller and Travelling Showpeople DPD will be produced to manage the emerging need for the period until 2037. This is in its early stages and a call for sites exercise ran from 1<sup>st</sup> February to 31<sup>st</sup> March 2022.

Supply

- 6.11 Accommodation for Gypsies and Travellers is a specific type of housing that councils have the duty to provide for under the Housing Act (2004). Local Plan Policy DM15 accepts that subject to certain criteria, this type of accommodation can be provided in the countryside. Since 1<sup>st</sup> October 2011, the base date of the GTAA, the following permissions for pitches have been granted (as of 30<sup>th</sup> April 2022):

*Permanent non-personal – 253*

*Permanent personal – 26*

*Temporary non-personal – 0*

*Temporary personal – 7*

- 6.12 A total of 279 pitches have been granted permanent consent since October 2011. These 279 pitches exceed the Local Plan's 187 pitch target. This illustrates that the rate at which permanent permissions have been granted in the first 10 years of the plan period is ahead of the rate of need by the GTAA. Furthermore, the sites allocated through Policy GT1 in the Local Plan, sites granted permanent permissions on suitable windfall sites (in accordance with policy DM15), and pitch turnover on the two public Gypsy & Traveller sites in the borough, will continue to increase the number of pitches in the borough.
- 6.13 The PPTS directs that the lack of a 5 year supply of Gypsy and Traveller pitches should be given weight when considering the expediency of granting consent on a temporary basis. The Council's position is that it can demonstrate 6.2yrs worth year supply of Gypsy and Traveller sites at the base date of 1<sup>st</sup> April 2021. As the Council considers itself to be in a position to demonstrate more than a 5 year supply, paragraph 27 of the PPTS would not apply in the determination of this application and the direction to positively consider the granting of a temporary consent does not apply.

Gypsy status/personal circumstances

- 6.14 The Government's PPTS (August 2015) sets the planning definition of 'gypsies & travellers', and this excludes those who have ceased to travel permanently. The current definition is as follows (Annex 1):

*'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling show-people or circus people travelling together as such.'*

- 6.15 The definition still includes those who are of a nomadic habit of life, and those who have ceased to travel temporarily because of their own, or their dependants, health or education needs, or old age.
- 6.16 The submission does not set out who will occupy the proposed mobile home and the agent is satisfied that they have provided sufficient information to determine the application. The agent considers it to be unreasonable to request further information regarding the status of the occupants and makes the argument that the Council, when granting planning permission for a farm worker's dwelling, would not require the farmer to prove that the intended occupant is a bone fide farm worker. Instead, the Council would rely on an occupancy condition to ensure that the dwelling is used for its intended purpose.
- 6.17 The agent has also submitted a 2014 appeal decision from Wiltshire (APPENDIX A), where the Planning Inspector considered that the site was in an acceptable location for a gypsy site, in accordance with local and national policies, and granted planning permission subject to an occupancy condition, despite the fact that they found that the existing site occupiers did not comply with that condition. It is evident that the

gypsy status of the appellants was not determinative of the appeal. For reference, paragraphs 7 and 25-30 of the appeal decision are of particular relevance.

- 6.18 With everything considered, no objection is raised to the application on the grounds that the future occupiers are unknown. Indeed, the local plan review states that there is a potentially significant emerging need for Gypsy & Traveller accommodation and future occupants of the site will have to fall within the Government's PPTS definition, which will be ensured by way of condition.

#### Location

- 6.19 Government guidance set out in the Planning Policy for Traveller Sites (PPTS) places emphasis on the need for increased gypsy and traveller site provision, supporting self-provision (as opposed to local authority provision). The PPTS also states that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. This said, the location of Oakhurst Lodge has already been accepted under MA/13/1453; and other permanent Gypsy sites have also recently been approved in the surrounding area. With this considered, it would now be unreasonable to object to the addition of only one mobile home on the site in terms of its location.

#### Visual impact

- 6.20 As previously set out, guidance in the PPTS states that local planning authorities should very strictly limit new traveller development in the countryside. No specific reference to landscape impact has been outlined however this is addressed in the relevant Local Plan policies and the NPPF. Specifically, policy DM15 of the Local Plan allows for Gypsy accommodation in the countryside provided certain criteria are met. This includes allowing development that does not result in significant harm to the landscape and rural character of the area. The site also falls within the Staplehurst Low Weald Landscape Character Area (Area 44) within the Council's Landscape Character Assessment; and the landscape guidelines for this area are to 'CONSERVE'.
- 6.21 Oakhurst Lodge is a lawful Gypsy site, and is currently occupied by a mobile home with garden area; there is an existing access and hardstanding; and the site is partly enclosed by fencing, set on the inside of existing boundary planting.
- 6.22 The proposal would involve the modest extension of the existing lawful Gypsy site, and the new mobile home would be sited on land adjacent to the road that is already domestic in character, in association with Oakhurst Lodge. The proposal would not see new development encroach further back from Clapper Lane, into undeveloped countryside beyond. Instead, the new mobile home and modest area of hardstanding would be well contained within the site and very much read in the context of the existing development at Oakhurst Lodge; and the new fencing would be set behind the mature boundary planting and would not appear visually dominant from Clapper Lane. Furthermore, the mobile home is of a typical style and appearance; it appears to fall within the definition of a caravan (Section 29 of the Caravan Sites and Control of Development Act 1960); and whilst the palette of external materials is not known, these details can be secured by way of appropriate condition.
- 6.23 There is other sporadic development in the area and given how well screened the application site is, it does not appear visually dominant on the landscape (even in the winter). Indeed, given the established planting along Clapper Lane and the surrounding area (including an adjacent wooded area to the north of the site that is not in the ownership of the applicant), public views of the proposal would largely be limited to those immediately through the site's access and glimpses through the roadside planting. On this basis, it is considered that the proposal would only be

visible from short range vantage points, and there is also the opportunity to plant additional (native) planting, to help supplement existing landscaping in and around the site. To further safeguard the amenity of the surrounding landscape, external lighting can be restricted by way of an appropriate condition.

- 6.24 With everything taken into account, including the retention of existing landscaping and the potential for further planting, it is considered that the proposal would cause harm to the character and appearance of the countryside hereabouts, but that in landscape terms (as outlined above) it would be in accordance with Local Plan policy DM15 as this harm to the landscape and rural character of the area is not considered to be significant.

Other matters

- 6.25 The development makes use of the existing access for Oakhurst Lodge and this access is acceptable in terms of highway safety; there is sufficient parking/turning provision on the site; and the traffic generation as a result of the additional mobile home would not have a severe impact upon the local road network.
- 6.26 Given the separation distances of the development from any dwelling, and given that a residential use is not generally a noise generating use, this development would not have an adverse impact upon the living conditions of any neighbouring resident, including in terms of general noise and disturbance. Furthermore, after assessing the potential impact on the existing residential community, the proposal is found to be acceptable, when considered on its own merits and then cumulatively with other lawful gypsy sites in the vicinity.
- 6.27 With the managed character of the land the development is unlikely to have had an adverse impact upon any protected species, and so no further details on this are required prior to the determination of this application. Notwithstanding this, one of the principles of the NPPF (para 180) is that: *Opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.* On this basis, if the application were to be approved a suitable condition could be imposed to seek biodiversity enhancement on the site.
- 6.28 The site is in flood zone 1 and surface water will run-off to existing ditches either side of the application site, and no further details are required on this matter. The Environmental Protection Team has also raised no objection to the application in terms of land contamination; radon; air quality; lighting; odour; accumulations; noise; amenity; sewage and potable water; and private water supplies. To add, the Environmental Protection Team note that the submission includes details of the sewage treatment plant used on the site and no specific objection has been raised with this. If approved, an informative will be added to remind the applicant that a discharge consent may be required from the Environment Agency. In the interests of amenity, external lighting can be controlled by way of appropriate condition. Please also note that there are no listed buildings within 180m of the application.
- 6.29 Regard should be given to the Human Rights Act 1998 and rights under Articles 3 and 8, and the Public Sector Equality Duty (PSED) under the Equality Act 2010. This protects the right of an individual to, amongst other things, a private family life and home; there is a duty to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it; and the courts have held that the best interest of the children shall be a primary consideration in planning decisions concerning children, including requiring a settled base.

- 6.30 In addition to this, race is one of the protected characteristics under the Equality Act 2010 and ethnic origin is one of the things relating to race. Romany Gypsies and Irish Travellers are protected against race discrimination because they are ethnic groups under the Equality Act. This application has been considered with regard to the protected characteristics of the applicant and his family who occupy the caravans, and it is considered that the requirements of the PSED have been met and approving this development would not undermine the objectives of the Duty. The submission is not EIA development.
- 6.31 If approved, the applicant will be reminded that it would be necessary to make an application for a Caravan Site Licence under the Caravan Sites and the Control of Development Act 1960 within 21 days of planning consent having been granted.
- 6.32 Please note that Staplehurst Parish Council wish to see the application approved; and the concerns of both Councillor Perry and Councillor Brice and the one local resident have been considered in the assessment of this application.

## **7.0 CONCLUSION**

- 7.01 There is a general policy constraint on development in the countryside but there is an exception for Gypsy accommodation. Local Plan policy DM15 allows for gypsy and traveller accommodation in the countryside provided certain criteria are met; and policies SP17 and DM30 allow for development provided it does not result in harm to the character and appearance of the area. The Council's Regulation 19 Local Plan, although not apportioned much weight at this time, states that there is a potentially significant emerging need for Gypsy & Traveller accommodation.
- 7.02 In this instance, the occupation of the one mobile home will be restricted by way of condition and there is no reasonable justification to object to this type of development on sustainability grounds in terms of location. Furthermore, the development is not considered to cause unacceptable harm to the character and appearance of the countryside; it is considered to be acceptable in flood risk terms; and there are no other planning objections raised to the development.
- 7.03 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 permanent approval is therefore made on this basis, subject to the suggested conditions.

## **8.0 RECOMMENDATION:** GRANT planning permission subject to following conditions:

- (1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan (1:1250); 'site layout plan'; 'dimensions of mobile home'; and drawing ref: PBA 4.

Reason: For the avoidance of doubt and in the interests of proper planning.

- (2) The site shall not be used as a caravan site by any persons other than Gypsies or Travellers, as defined in Annex 1 of the Planning Policy for Traveller Sites 2015 (or any subsequent definition that supersedes that document).

Reason: The site is in an area where the stationing of caravans/mobile homes is not normally permitted.

- (3) No more than 2 caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the land at any one time, of which no more than 1 shall be a static caravan or mobile home. The mobile home shall be positioned on the site as set out on the submitted drawings and the touring caravan shall only be used for the purposes ancillary to the residential use of the mobile home hereby approved.

Reason: To safeguard the character and appearance of the countryside.

- (4) If the lawful use of the site ceases, all caravans, structures, equipment and materials bought onto the land for the purposes hereby permitted including hardstandings and buildings shall be removed within two months from the date of the use ceasing.

Reason: To safeguard the character and appearance of the countryside.

- (5) No vehicles over 3.5 tonnes shall be stationed, stored or parked on the site at any time.

Reason: To safeguard the character and appearance of the countryside.

- (6) No commercial activities shall take place on the land, including the storage of materials.

Reason: To prevent inappropriate development; to safeguard the character and appearance of the countryside; and in the interests of residential amenity.

- (7) No manure or waste materials shall be burned on the land within the application site.

Reason: In the interests of residential amenity.

- (8) 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 reenacting that Order with or without modification), no temporary buildings or structures shall be stationed on the land other than those expressly authorised by this permission (as shown on the approved plans).

Reason: To prevent inappropriate development and safeguard the amenity, character and appearance of the countryside; and in the interests of residential amenity.

- (9) Prior to the first occupation of the development hereby approved, written details of the materials to be used in the external surfacing and roofing of the mobile home hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be constructed using the approved materials and maintained as such thereafter.

Reason: To safeguard the character and appearance of the countryside.

- (10) Prior to the commencement of development above damp-proof course, details of a scheme of soft landscaping, using indigenous species, together with a programme for the approved scheme's implementation, shall be submitted to and approved in writing by the local planning authority. The landscape scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment (2012) and shall include:

(i) Details of new 100% native planting (including species; sizes; locations; numbers); and

(ii) Details of existing northern, eastern and western boundary planting (including species; sizes; locations; numbers) and the retention of this existing planting.

Only non-plastic guards shall be used for the new trees and hedgerows, and no Sycamore trees shall be planted. The landscaping of the site and its management thereafter shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the countryside; and to enhance ecology and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development.

- (11) The approved landscaping scheme shall be in place at the end of the first planting and seeding season following the first occupation of the mobile home hereby approved. Any planting which, within a period of 5 years from the first occupation of the development die, are removed, or become 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: To safeguard the character and appearance of the countryside; and to enhance ecology and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development.

- (12) Prior to the first occupation of the mobile home hereby approved a scheme for the enhancement of biodiversity on the site, to include the installation of a minimum of one bat tube on the approved mobile home; the provision of gaps in the approved fencing to allow the free movements of wildlife; and the installation of ready-made bird and bat boxes to existing trees, shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details prior to the first occupation of the mobile home hereby approved and all these features shall be maintained as such thereafter.

Reason: To enhance ecology and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development.

- (13) No future external lighting, whether temporary or permanent, shall be placed or erected within the site unless details are submitted to and approved in writing by the local planning authority. Any details to be submitted shall be in accordance with the 2005 Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01 (and any subsequent revisions), and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter.

Reason: In the interest of amenity.

Informatives:

- (1) The applicant is advised that it will be necessary to make an application for a Caravan Site Licence under the Caravan Sites and the Control of Development Act 1960 within 21 days of planning consent having been granted. Failure to do so could result in action by the Council under the Act as caravan sites cannot operate without a licence. The applicant is advised to contact the Maidstone Housing & Communities Support Team in respect of a licence or apply online at:  
<https://www.gov.uk/apply-for-alicence/caravanand-camping-site-licence/maidstone/apply-1>

- (2) It is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at:

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highwayland/highwayboundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

- (3) In relation to foul sewage disposal, please contact the Environment Agency to establish whether a discharge consent is required from them. Further information on how to apply for an environmental permit and general binding rules applicable to small discharges of domestic sewage effluent is available on the gov.uk website.