

REPORT SUMMARY

REFERENCE NO: 23/500383/FULL		
APPLICATION PROPOSAL: Change of use of the land for the stationing of four static mobiles, four touring caravans for Gypsy / Traveller occupation. Associated hard and soft landscaping. (Amended version to that approved under reference MA/17/502714/FULL) (Part retrospective).		
ADDRESS: Land West of The Hawthorns Pye Corner Ulcombe Maidstone Kent ME17 1EF		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL <ul style="list-style-type: none"> The proposal has been assessed in relation to harm to the character and appearance of the countryside, cumulative impact, sustainability, highways, residential amenity, flooding and drainage and found to be acceptable. 		
REASON FOR REFERRAL TO COMMITTEE: Ulcombe Parish Council referral		
WARD: Headcorn	PARISH/TOWN COUNCIL: Ulcombe	APPLICANT: Mr. J Cook AGENT: SJM Planning Limited
CASE OFFICER: Pieter De Villiers	VALIDATION DATE 25/05/23	DECISION DUE DATE: 26/07/2021 (EoT)
ADVERTISED AS A DEPARTURE: No		

Relevant Planning History

14/504606/FULL - Change of use of land to create two additional plots for the accommodation of gypsies. Each plot to contain, one static caravan, a septic tank, parking for two vehicles and associated hardstanding. Refused

17/502714/FULL - Change of use of land to create two additional plots adjacent to an existing Gypsy site, for the accommodation of two Gypsy Traveller families. Each plot to contain one static caravan, one touring caravan, a septic tank, parking for two vehicles and associated hardstanding. Granted

MAIN REPORT

1. DESCRIPTION OF SITE

1.01 This site is in open countryside within Ulcombe Parish. This is an area characterised by grassed paddocks on level land to the south of the Greensand Ridge. The site is located within Low Weald Landscape Character Area, specifically within the Ulcombe mixed farmlands area. The site is not subject to national landscape designation.

1.02 A long access track leads south-eastwards from Pye Corner, passing the Roydon Farm gypsy site on the south side, before arriving at the site on its north side. Much of the length of the track is shared with Public Footpath KH330 (which joins Pye Corner to the north with Crumps Lane to the south). The footpath passes the

site and leads to a group of dwellings based around Kingsnoad Farmhouse further to the southeast.

- 1.03 The site is accessed from the aforementioned access track, which serves other properties including Roydon Farm and other G&T sites and extends to Kingsnoad Farm and Kingsnoad Oast some 150m to the south-east. The access track joins the public highway at Eastwood Road, an unclassified county road, 400m to the north-west.
- 1.04 The application site is located to the eastern side of the access track and is contained within a larger triangular shaped level field enclosure defined by native species hedgerows and mature vegetation along the north-eastern boundary and to the north-west of an irregularly shaped area of flat land, known as Hawthorn Farm.
- 1.05 Hawthorn Farm has been allocated as a Gypsy and Traveller site for a total of 5 pitches in accordance with Policy GT1(15) of the Maidstone Borough Local Plan (subject to certain landscaping requirements). This allocation includes the existing 3 authorised pitches at Hawthorn Farm. The allocation site is separate from the current proposal site.
- 1.06 Views from higher land to the north would be interrupted to an extent by the various intervening field boundaries with mature vegetation. The site is more exposed in views from the south and west and it is clearly visible in short distance views from the public footpath close to the site entrance. Longer distance views from the public footpath are partially screened by hedging along field boundaries to the north-east and south-east.
- 1.07 At the time of the officer site visit, the application site included two access points, 2 existing mobile homes, 4 touring caravans, 2 welfare trailers, one dayroom of timber construction and two small sheds. There is rough hardstanding, principally of rubble and roadstone, mostly access tracks and in the vicinity of the caravans. The site is enclosed by close boarded fencing including some low-level brick walls centrally located on the southern part of the site.

2. PROPOSAL

- 2.01 Planning Permission is sought retrospectively for change of use of the land for the stationing of four static mobiles, four touring caravans for Gypsy / Traveller occupation. Associated hard and soft landscaping. (Amended version to that approved under reference MA/17/502714/FULL) (Part retrospective).
- 2.02 It should be noted the current proposal will include the existing site which was granted permission in 2017 (17/502714/FULL) for two plots for the accommodation of two Gypsy Traveller families. The 2017 permission restricts the number of caravans on site to no more than 4 caravans, of which no more than 2 shall be static caravans.
- 2.03 The proposal is in effect an extension to the existing site granted permission in 2017 to allow for 2 additional static mobiles, 2 touring caravans and associated hard and soft landscaping.
- 2.04 The proposed plans show the siting of two mobile homes in a similar position to that approved in 2017 (eastern part of the site) and the extension of the site westwards to include a 2 mobile homes. The proposal would retain both entrances onto the private track, retain the existing day room and will provide a larger area of soft landscaping, areas of grassland, meadow planting, new

hedging and biodiversity areas and significant changes to the frontage to include the removal of the existing close board fencing and replace that with post/rail fencing, trees and hedging.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017:

SS1 - Spatial strategy

GT1(15) - Hawthorn Farm, Pye Corner, Ulcombe

SP17 - Countryside

DM1 - Principles of good design

DM3 - Natural environment

DM15 - Gypsy, Traveller and Travelling Showpeople accommodation

DM30 - Design principles in the countryside

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Supplementary Planning Documents:

- Maidstone Landscape Character Assessment (amended 2013),
- Planning Policy for Traveller Sites 2015 (PPTS)
- Gypsy and Traveller and Travelling Showpeople Topic Paper (2016)
- Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTAA) (2012)

Maidstone Borough Council – Local Plan Review, draft plan for submission (Regulation 22) dated October 2021. The Regulation 22 draft is a material consideration however weight is currently limited. relevant policies in the draft plan are as follows:

LPRSP10: Housing

LPRSP10(A): Housing mix

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

LPRHOU 8: Gypsy and traveller accommodation

LPRTRA2: Assessing the transport impacts of development

PRTRA4: Parking

LPRQ&D 1 Sustainable design

LPRQ&D 2: External lighting

LPRQ&D 6: Technical standards

4. LOCAL REPRESENTATIONS

Local Residents:

4.01 No response to neighbour consultation

Ulcombe Parish Council:

4.02 Ulcombe Parish Council objects to this application on the following grounds:

- Absence of evidential proof for Traveller status.
- Harm to the local landscape Low Weald Landscape of Local Value.
- The site does not fulfil the definition of "sustainability" in policy DM15.

- The effect of this proposal on protected species
- The site is not allocated within the Local Plan 2017
- Increase vehicle movements causing harm to the highway network.
- Screening to have negative impact and likely to appear out of place in an area that has an existing and established open character.

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 Public Rights of Way:

- 5.01 No objection to the proposal.

MBC Landscape Officer:

- 5.02 Drawing no. 2022-1423v1-PropBlock titled *Proposed Block Plan* supersedes the original plan featuring 17x native fruit trees incorporated into the design and is acceptable in principle.

There are insufficient landscape grounds to justify refusal of this application. If the case officer is minded approving the application, then I would suggest drawing no. 2022-1423v1-PropBlock is secured by way of condition and would also suggest other relevant landscape conditions are applied for the site.

Environmental Health:

- 5.03 No objection, subject to conditions and informatives.

6. APPRAISAL

- 6.01 The key issues for consideration relate to:

- Supply and need for sites
- Gypsy Status
- Visual and Landscape impact
- Cumulative Impact
- Highways
- Sustainability
- Residential amenity
- Flooding / Drainage

Supply and need for Gypsy sites

- 6.02 The Gypsy, Traveller and Travelling Showpeople Accommodation Assessment is the only complete assessment of need that is currently available forming part of the evidence base to the Local Plan (Total need Oct 2011 to March 2031 of 187 pitches). The GTAA when it was carried out provided a reasonable and sound assessment of future pitch needs. However, this is now over 11 years old and because of its age, little weight can be attached to this document.
- 6.03 The Local Plan Review examination in public commenced on the 6 September 2022 (Stage 2 hearing concluded mid-June 2023). Whilst this document is a material planning consideration, at this time it is not apportioned much weight. Furthermore, the Council has chosen to separate the matter of gypsy and traveller policy from the LPR and is pursuing a separate DPD on this matter. This DPD is yet to go out to first stage consultation.

- 6.04 A call for sites exercise ran from 1 February 2022 to 31 March 2022 as part of the process. The Gypsy, Traveller and Travelling Showpeople DPD is at its early stages and is not due to be adopted until 2024 at the earliest.
- 6.05 In contrast to the full assessment in the 2012 GTAA, (and whilst it is highlighted that nothing has to date been published), the work completed so far on an up to date assessment has indicated a significant emerging need for Gypsy and Traveller accommodation in the borough.
- 6.06 Importantly, in the recent Meadows appeal decision (APP/U2235/C/18/3210851 and others), dated 17 March 2023, the Inspector concluded that the 2012 GTAA does not represent a robust and accurate assessment of need within the Borough. Into the future, the Inspector found that evidence points to an existing shortfall of sites and a shortfall in the supply of 5 years' worth of deliverable sites. At the same time, the Council accepted the need for pitches over the plan period to 2037, is likely to be significant.
- 6.07 The Local Plan, with a plan period of 2011 to 2031, includes policies and allocations for traveller sites to meet the identified need. The application site is adjacent Hawthorn Farm, which has been allocated as a Gypsy and Traveller site for a total of 5 pitches in accordance with Policy GT1(15) of the Maidstone Borough Local Plan (subject to certain landscaping requirements). This allocation includes the existing 3 authorised pitches at Hawthorn Farm.

Gypsy Status:

- 6.08 A judgement dated 31 October 2022, from the Court of Appeal in Smith v. SoS for Levelling Up, Housing and Communities (CA-2021-00171, 31st October 2022) concerned a planning inspector's reliance on the definition of Gypsies and Travellers in Planning Policy for Traveller Sites. This guidance was introduced by the government in August 2015.
- 6.09 The previous definition before August 2015. had been: "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' education or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such". The new definition post 2015 deleted "or permanently".
- 6.10 The SoS accepted that this indirectly discriminated against elderly and disabled Gypsies and Travellers but argued that the discrimination was justified. The appeal court judgement sets out 66... "the nature of the discrimination before the judge was the negative impact on those Gypsies and Travellers who had permanently ceased to travel due to old age or illness, but who lived or wanted to live in a caravan. This discrimination was inextricably linked to their ethnic identity". 139 "... the effect of the relevant exclusion was – as the Secretary of State has conceded – discriminatory, and that, on the evidence before the court in these proceedings, there was no proper justification for that discrimination..."
- 6.11 Permission is sought on the basis that the site is required to satisfy an identified need for 2 Gypsy and Traveller families. The 2017 permission was granted for the use of the site by members of the family currently occupying Hawthorn Farm, who are confirmed to be of Gypsy heritage and are from the travelling community. However, the site is now occupied separately.
- 6.12 The agent has submitted that the intended occupiers of the site qualify for Gypsy and Traveller status for planning purposes. The families are related to other Gypsy and Traveller families in the south-east. It is understood the intended

occupiers often travel for economic purposes and there remains a strong need and desire to travel for cultural purposes such as attending attend local and regional Horse Fairs such as Appleby and Stow on the Wold but also to Ireland for several family gatherings. Additionally, there is an obvious need for schooling and a structured family life.

- 6.13 Based on the evidence available it can be reasonably concluded that the intended occupants are of Gypsy heritage and are from the travelling community and the site provides a settled base. A condition is recommended to ensure that the site shall not be used as a caravan site by any persons other than Gypsies or Travellers and their family and/or dependants, as defined in Annex 1 of the Planning Policy for Traveller Sites 2015.

Visual and Landscape Impact

- 6.14 Guidance in the PPTS states that local planning authorities should very strictly limit new traveller development in the countryside but also states that where sites are in rural areas they should not dominate the nearest settled community and or place undue pressure on local infrastructure. 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.
- 6.15 The Maidstone Landscape Character Assessment advises that the site lies within the Low Weald Landscape Character Area, specifically within the Ulcombe mixed farmlands area. The Low Weald Landscape of Local Value (LLV), for the purposes of the Local Plan, is a landscape that is highly sensitive to significant change and is recognised as having distinctive landscape features: mosaic like field patterns, many of medieval character, hedgerows, stands of trees, field ponds and streams and buildings of character should be conserved and enhanced where appropriate.
- 6.16 It is generally accepted that mobile homes comprise visually intrusive development that are out of character in the countryside. Where such developments are normally permitted, it is on the basis of being screened by existing permanent features such as hedgerows, tree belts, buildings or land contours, as required by policy DM15 of the adopted Local Plan. Consequently, unless well screened or hidden away in unobtrusive locations, mobiles homes are normally considered unacceptable in their visual impact.
- 6.17 There is a public right of way immediately to the south of the application site and the site is visible from this PROW with minimal screening along the southern boundary. However, from further afield the application site is generally screened from views because of its location behind other parcels of land where mature boundary vegetation exists, resulting in the application being screened on four sides. Additionally, from more distant views, such as from Mansion Farm on Knowle Hill, the overall impression looking south across the landscape is of an expanse of woodland, with Pye Corner visible and some isolated dwellings. The application site and nearby gypsy and traveller sites are not easily recognised, if at all. It is accepted that views may change in the winter, due to less leaf coverage, but it is not considered a noticeable change due to the impact of existing sporadic developments in the immediate vicinity of the application site, including other lawful gypsy and traveller sites, on the landscape.
- 6.18 Drawing no. 2022-1423v1-PropBlock drawn by SJM Planning titled Proposed Block Plan has been submitted with the application and provides details on the proposed landscaping for the site. The landscaping proposals, which also indicates slightly smaller parking and turning areas than existing on the site, includes

habitat grassland (gras and wildflower mix) and biodiversity areas, and amenity grass areas.

- 6.19 Along with the existing boundary planting to be retained in the southern corner of the site, the landscaping proposals include significant hedgerows along the boundaries, including 17 x native fruit trees and post and rail fencing instead of the existing close-boarded fencing. The additional tree planting and hedgerows around the site is in line with the MBC Landscape Character Assessment and would increase the biodiversity.
- 6.20 MBC Landscape Officer deemed the landscaping proposals to be acceptable and suggested other relevant landscape conditions are applied for the site. It was also suggested the existing boundary planting to be retention as this could be beneficial to the local ecosystem.
- 6.21 Overall, given the minor increase on the current development, the harm is only considered to be localised with no significant medium to long range impact.

Cumulative Impact

- 6.22 Policy DM15 advises that the cumulative effect on the landscape arising as a result of the development in combination with existing lawful caravans needs to be assessed and to ensure no significant harm arises to the landscape and rural character of the area.
- 6.23 The proposal is essentially an extension to the existing site granted permission in 2017 and will allow for 2 additional static mobiles, 2 touring caravans and associated hard and soft landscaping. The proposal would retain both entrances, provides a larger area of soft landscaping, areas of grassland, meadow planting, new hedging and biodiversity areas including several native fruit trees.
- 6.24 The application site is generally screened from views because of its location behind other parcels of land where mature boundary vegetation exists, resulting in the application being screened on four sides from more distant viewpoints. As mentioned above, from more distant views, such as from Mansion Farm on Knowle Hill, the overall impression looking south across the landscape is of an expanse of woodland, with Pye Corner visible and some isolated dwellings. The application site and nearby gypsy and traveller sites are not easily recognised, if at all.
- 6.25 The character of the area comprises existing sporadic developments, including other lawful gypsy and traveller sites and it was concluded above the harm caused by the extension of the existing lawful site would be minimal and not such to warrant refusal. The site layout along with the landscaping proposals are reflective of PPTS 2015 which states sites should be well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness. Overall, minimal harm would be caused by any cumulative effects because of the proposal.

Highways

- 6.26 Policy DM1 states that applications must ensure that development does not result in, amongst other things excessive activity or vehicle movements. Policy DM15 states that there must be safe site access from the highway. DM30 also continues this theme stating that proposals must not result in unacceptable traffic levels on nearby roads or unsympathetic changes to the character of rural lanes.

- 6.27 There are no highway issues as an existing access is to be used. Although the track running from the unclassified county road also benefits from footpath status, the track is also subject to vehicular rights of access. It is my opinion that the vehicle movements from the application site can easily be accommodated on the local road network.

Sustainability

- 6.28 The site is located outside of the urban settlement boundaries and the nearest village, Ulcombe, which has very little in the way of basic amenities/services. Bus services are infrequent, and, given the nature of the local road network, being unlit with no pavements, cars are the only realistic mode of transport to access local services and facilities.
- 6.29 The supporting text to policy DM15 states in relation to gypsy and traveller accommodation "It is preferable for sites to be located close to existing settlements where there are community facilities such as schools and health services. However, the rural location of the site is not untypical of Gypsy and Traveller lifestyle choices which results in a preference for sites in these locations.
- 6.30 The site would be approximately 5km from a Local Service Centre and thus not so far removed from basic services and public transport opportunities as to justify refusal on this basis. The Local Plan acknowledges that traveller sites will be in rural areas because of land availability, and this is reflected in the criteria of Policy DM 15 and the location of the allocated sites. The application site is adjacent to such a site.

Residential Amenity

- 6.31 Policy DM1 states that proposals will be permitted where they "respect the amenities of occupiers of neighbouring properties...by ensuring that development is not exposed to, excessive noise, activity, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties".
- 6.32 The application site is essentially an extension to the existing site granted permission in 2017 to allow for 2 additional static mobiles, 2 touring caravans and associated hard and soft landscaping. The proposal would retain both entrances, provides a larger area of soft landscaping, areas of grassland, meadow planting, new hedging and biodiversity areas including several native fruit trees, as such, there would be sufficient amenity space for the future occupiers.
- 6.33 The existing day room located is centrally located within the site and measures approximately 7.2m x 4.1m with a pitched roof measuring approximately 2.6m to the top of the ridge. This is typical of day rooms found on Gypsy and Traveller sites and no concerns are raised to its scale or location.
- 6.34 A group of dwellings exist to the southeast, however, the site would be reasonably distant and as such would not be readily visible to these neighbours. In addition, existing boundary vegetation are to be retained and additional landscaping would be introduced and secured by condition, which with the passage of time would provide enhanced screening and provide enhanced separation. Consequently, the impact on residential amenity is considered acceptable.

Flooding and Drainage

- 6.35 The site lies within Flood Zone 1, consequently flooding is not an issue. A planning condition will however be imposed in order to secure permeability of site hardstanding and assist in surface water drainage.

- 6.36 The application form suggest foul drainage is to be disposed of via a septic tank, however, no details have been provided regarding the type and size of septic tank(s) to be installed/used, and the submitted drawings does not indicate any labelled location or details pertaining to a septic tank. Further details of the provision of potable water and how foul sewage will be dealt are to be secured by way of condition (including the size of any septic tank or cesspool and where it will overflow to).

PUBLIC SECTOR EQUALITY DUTY

- 6.37 Article 8 of the European Convention on Human Rights, as incorporated into UK law by the Human Rights Act 1998, protects the right of an individual to, amongst other things, a private and family life and home.
- 6.38 Race is one of the protected characteristics under the Equality Act 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 the gypsies and travellers who occupy the caravans. I am satisfied that the requirements of the PSED have been met and it is considered that the application proposals would not undermine objectives of the Duty.
- 6.39 Due regard has been had to the Public Sector Equality Duty (PSED) contained in the Equality Act 2010. The ethnic origins of the applicant and his family and their traditional way of life are to be accorded weight under the PSED.

7. CONCLUSION

- 7.01 A new GTAA is being prepared to inform the Gypsy, Traveller and Travelling Showpeople Development Plan Document (the DPD). Survey work commenced in September 2019 but the publication of the GTAA has been delayed, not least by the restrictions related to the Covid pandemic. In a recent Meadows appeal decision (APP/U2235/C/18/3210851 and others), dated 17 March 2023, the Council accepted the need for pitches over the plan period to 2037, is likely to be significant.
- 7.02 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 22 Local Plan, although not apportioned much weight at this time, states that there is a potentially significant emerging need for gypsy and traveller accommodation.
- 7.03 The proposal has been assessed in relation to its visual and landscape impact, highways impact, sustainability, residential amenity and flooding / drainage and found to be acceptable. 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.
- 7.04 For the reasons set out above, it is recommended that permission be granted.

- 8. RECOMMENDATION – GRANT 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 carried out in accordance with the following approved plans:
 - Drawing no. 2022-1423v1-Location – Site Location
 - Drawing no. 2022-1423v1-ExistBlock – Pre-existing Block Plan
 - Drawing no. 2022-1423v1-Mobile – Example Mobile Home Plans

received on 23 January 2023

- Drawing no. 2022-1423v1-ExistBlg – Existing Outbuilding Plans received on 21 February 2023
- Drawing no. 2022-1423v1-PropBlock – Proposed Block Plan received on 22 May 2023
- Planning Statement received on 04 July 2023

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

- 2) The site shall not be occupied by any persons other than Gypsies and Travellers, defined as 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 or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

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

- 3) No more than eight caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, as amended (of which no more than four shall be a static caravan/mobile home) shall be stationed on the land at any time.

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 brought 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 vehicle over 3.5 tonnes shall be stationed, parked or stored on the land and no commercial or business 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.

- 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 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.

- 7) The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 6 weeks of the date of the failure to meet any one of the requirements set out in (i) to (iv) below:
- i) Within 6 weeks of the date of this decision a Site Development Scheme, hereafter referred to as the 'Scheme', shall have been submitted for the written approval of the Local Planning Authority. The Scheme shall include details of:
- a) means of enclosure,
 - b) extent of existing hardstanding and parking.
 - c) the means of foul and surface water drainage at the site, along with details regarding the provision of potable water and waste disposal. These details should include the size of individual cess pits and/or septic tanks and/or other treatment systems. Information provided should also specify exact locations on site plus any pertinent information as to where each system will discharge to, (since for example further treatment of the discharge will be required if a septic tank discharges to a ditch or watercourse as opposed to sub-soil irrigation).
 - d) existing external lighting on the boundary of and within the site.
 - e) details of existing landscaping and details of soft landscape enhancements
 - f) details of the measures to enhance biodiversity at the site; and,
 - g) a timetable for implementation of the scheme including a) to g) with all details implemented in accordance with the agreed timetable and all details retained for the lifetime of the development.
- ii) Within 11 months of the date of this decision the Scheme shall have been approved by the Local Planning Authority or, if the Local Planning Authority refuse to approve the Scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
- iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted Scheme shall have been approved by the Secretary of State.
- iv) The approved Scheme shall have been carried out and completed in accordance with the approved timetable and thereafter maintained and retained as approved.

Reason: To ensure the visual amenity, character and appearance of the open countryside location which forms part of the designated Low Weald Landscape of Local Value is safeguarded.

- 8) The landscaping required by condition 7 (i) (e) shall be designed in accordance with the principles of the Council's landscape character guidance (Maidstone Landscape Character Assessment Supplement 2012). The landscaping details shall:
- 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,
 - include a planting specification, implementation details and a [5] year landscape management plan (Only non-plastic guards shall be used for the new trees and hedgerows, and no Sycamore trees shall be planted).

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

- 9) 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.

- 10) No additional external lighting shall be installed unless full details of any such lighting have first been submitted to, and approved in writing by, the local planning authority. The approved details shall be in accordance with the Institute of Lighting Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E1. The development shall thereafter be carried out in accordance with the approved details and retained as such thereafter.

Reason: In order to protect dark skies and prevent undue light pollution, in accordance with the maintenance of the character and quality of the countryside.

- 11) The enhancement of biodiversity on the site, required by condition 7 shall include the installation of a minimum of one bat tube on the approved mobile homes and the installation of ready-made bird and bat boxes on the site. The development shall be implemented in accordance with the approved details prior to the first occupation of the mobile homes 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.

- 12) All hardstanding areas shall be of permeable construction as indicated on drawing no. 2022-1423v1-PropBlock.

Reason: In the interests of amenity.