

REPORT SUMMARY

REFERENCE NO's - 17/506612/FULL and 17/506613/FULL		
APPLICATION PROPOSAL Erection of agricultural barn (Plot 7) – 17/506612/FULL Erection of agricultural barn (Plot 8) – 17/506613/FULL		
ADDRESS Gipps Oast Pilgrims Way Lenham ME17 2EL		
RECOMMENDATION – Grant Permission with conditions for Plot 7 (17/506612/FULL) and Plot 8 (17/506613/FULL)		
SUMMARY OF REASONS FOR RECOMMENDATION Although the granting of planning permission would result in some landscape harm to the countryside, the proposals are necessary for the purposes of agriculture and would result in economic and social benefits in supporting an existing agricultural business.		
REASON FOR REFERRAL TO COMMITTEE The applications have been called in by Lenham Parish Council on the grounds that the proposals would result in a large number of vehicle movements and harm to the AONB from large buildings on the scarp of the AONB which is inappropriate development in the countryside.		
WARD Harrietsham And Lenham	PARISH/TOWN Lenham	COUNCIL APPLICANT Mr M Wildish AGENT Architectural Designs
DECISION DUE DATE 05/04/18	PUBLICITY EXPIRY DATE 09/02/18	OFFICER SITE VISIT DATE 09/01/18
RELEVANT PLANNING HISTORY (inc. appeals and relevant history on adjoining sites):		
<p>Erection of agricultural barn (Plot 1) – 17/506606/FULL - Refused Erection of agricultural barn (Plot 2) – 17/506607/FULL - Refused Erection of agricultural barn (Plot 3) – 17/506608/FULL - Refused Erection of agricultural barn (Plot 4) – 17/506609/FULL - Refused Erection of agricultural barn (Plot 5) – 17/506610/FULL - Refused Erection of agricultural barn (Plot 6) – 17/506611/FULL – Refused</p> <p>Following two applications relate to land adjacent to the main farm buildings on the site and to the north of Marley Court.</p> <p><i>Prior notification for the erection of an open fronted agricultural barn for storage of hay and agricultural equipment 08/0059 approved</i></p> <p><i>Extension to an agricultural building for the storage of agricultural equipment and machinery 09/1841. Approved</i></p>		

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site relates to agricultural land located to the north of Pilgrims Way, situated to the west of Flint Lane, to the east of Marley Court and to the north of the Marley Works site. The site is located on the south facing slope of the Kent Downs Area of Outstanding Natural Beauty (AONB) with the topography sloping steadily northwards from the southerly part of the site.
- 1.02 Public Right of Way KH287 is located to the north of the site and runs from east to west, KH385 is to the north west of the site and runs from south to north and KH394 is located to the south west of the site and runs from north to south through part of the Marley Works site.

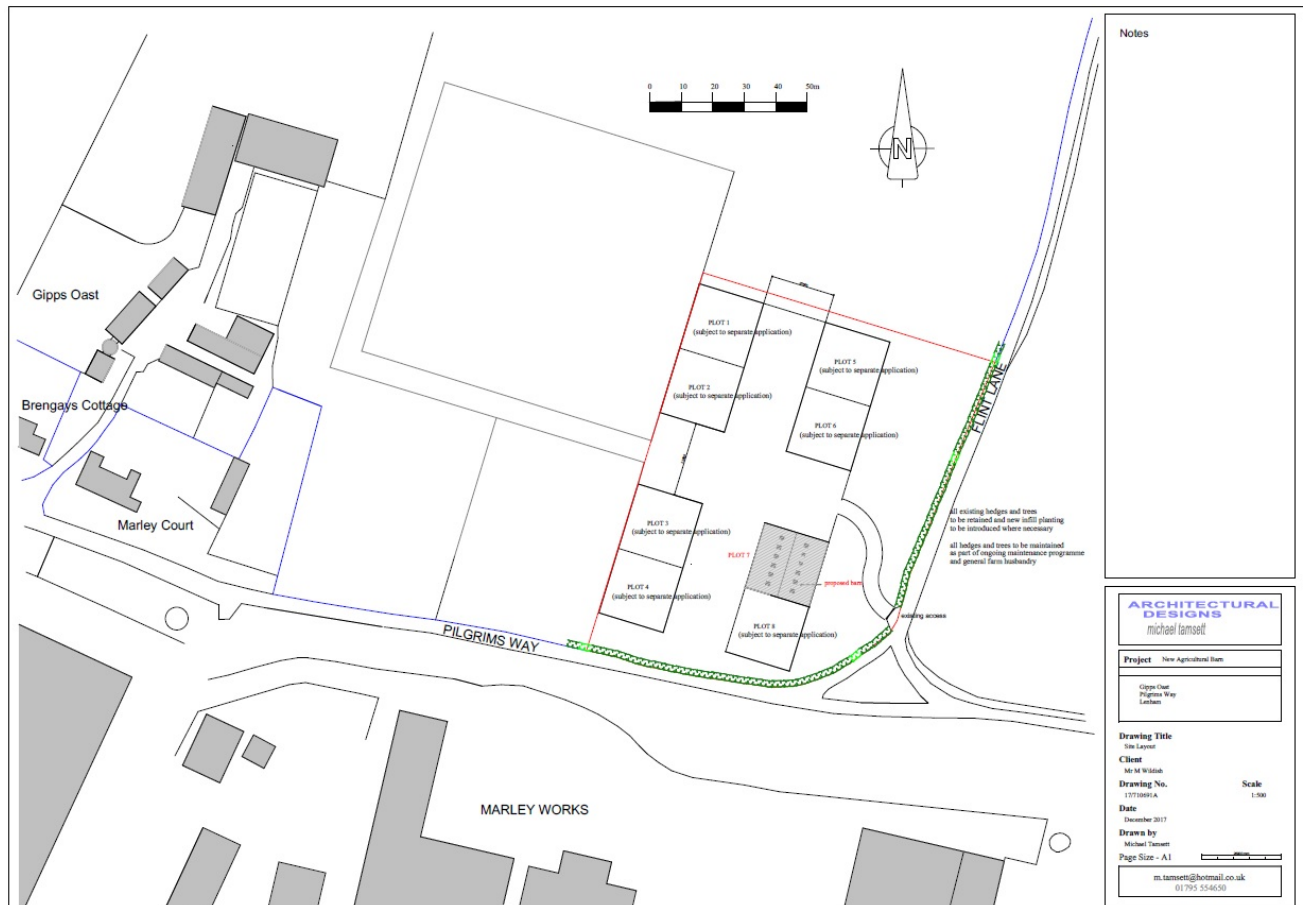
- 1.03 The site is within the countryside as defined in the Local Plan 2017 and the Kent Downs Area of Outstanding Natural Beauty.
- 1.04 To the north, east and west of the site are agricultural fields with a small collection of residential properties, including the Grade II listed Marley Court, to the west. The Marley Works site is immediately to the south of the application site on the opposite side of Pilgrims Way.
- 1.05 An access point is located on the south eastern corner of the site on the junction of Pilgrims Way and Flint Lane.

2.0 PROPOSAL

- 2.01 The two applications seek planning permission for the erection of 2 agricultural barns split across 2 plots for the storage of hay and machinery. Each barn would measure 21.15m in length and 21.4m in width. In terms of height they would each measure 5.5m to the eaves with a maximum ridge height of 8.8m. The applicant states that each would be capable of storing 770 x 5ft of round bales.
- 2.02 In terms of finish, the elevations would be finished in profiled metal cladding with sliding access doors and roofed in cement fibre sheeting. The barns would be adjoining to one another on the northern elevation of plot 8 and the southern elevation of plot 7. The applicant wishes for the barns to be fully enclosed so as to reduce fire risk with the hay.
- 2.03 The two applications that are being considered in this report were submitted along with 6 other separate planning applications for 6 additional barns at the same location. These applications were refused planning permission due to the cumulative effect of 8 barns at this location that would cause visual harm to the countryside and the Kent Downs AONB (Appendix 1). It was not considered reasonably necessary for all 8 barns to be located in this one location to serve the applicants agricultural holdings at other locations and the applicant was advised to explore the erection of the additional barns at each of these respective locations.
- 2.04 The proposed site plan is shown on the following page.

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: SP17, SP18, DM1, DM3, DM4, DM8, DM30, DM36
Supplementary Planning Documents: Kent Area of Outstanding Natural Beauty
Management Plan



4.0 LOCAL REPRESENTATIONS

- 4.01 Lenham Parish Council: Object - Gipps Oast is an agricultural farm but if the application is granted it would become a commercial business. Approximately 800 commercial lorry movements a year, plus the machinery movements will have to navigate a totally unsuitable single trackway. The trackway itself is part of the long distance Pilgrims Way trackway running along the AONB scarp slope boundary. The character of the AONB will be damaged by large buildings on the scarp, which will not be screened, this is inappropriate development in the countryside, and the agricultural exemption should not be applied.
- 4.02 CPRE – Objects to the application. Contrary to policy, visual harm, traffic impact and potential surface water flooding.
- 4.03 Kent Downs AONB Unit – Objects to the application. Applications would fail to conserve and enhance the Kent Downs AONB, contrary to policy.
- 4.04 Adjoining neighbours were notified of the application as originally submitted. 8 site notices, one for each application, were also displayed at the proposed entrance to the site on the corner of Pilgrims Way and Flint Lane. 2 objections have been received in response to the consultation which are summarised as follows:
- Illogical to submit 8 separate applications and not one single application;
 - Do not consider it to be demonstrated for the need of 8 barns when the site at Gipps Oast is 86 acres;
 - More logical for the owner to build the other barns at the other locations where barns have been lost;

- Expensive and time consuming to transport hay to one site at the proposed location;
- Applications do not have any supporting agricultural statement or justification;
- Increased traffic and highways impact along a narrow lane which does not have suitable passing places;
- Impact on the AONB;
- Impacts on amenity;

4.05 1 representation with the following comments (no objection in principle)

- Request a planning condition that vehicles leaving the barns turn left on to Pilgrims Way and avoid the residential property at Marley Court;
- Feel that the proposal could be enhanced by some additional planting along the north and west boundary to soften the visual impacts of the barns on the AONB;
- Would support the proposal if it led to the reduction in disturbance to use of the barn adjacent to their property.

4.06 Ramblers Association – Object:

- Impact on local Public Rights of Way;
- Impact on the Kent Downs AONB;
- Concern that in future the barns would be sold on to others and not retained for farming.

5.0 CONSULTATIONS

5.01 Rural Planning Advisor – Having regard to all the above, whilst much of the related agricultural activity takes place on various parcels of rented land elsewhere, I consider there is a justifiable agricultural requirement for the proposed additional barn storage, so that Gipps Oast can function efficiently as the applicant's operational farming and contracting base.

5.02 KCC Highways – No objection, subject to conditions.

5.03 KCC Archaeology – Recommend a condition in regards to the implementation of a watching brief.

5.04 KCC Drainage – Note that the drainage strategy places soakaways outside of the redline boundary of the site. The ground conditions in the area are generally suitable for infiltration. Provided that the LPA is satisfied that a drainage strategy can be delivered in planning terms, we would not object to the development, subject to conditions.

5.05 MBC Landscape - The proposal to erect standard agricultural barns and extensive associated hardstanding in a field would appear out of character with the surrounding landscape and the location is not directly associated with existing farm buildings. Whilst the proposed site layout does indicate some infill of existing hedgerows, it does not accord with the landscape guidelines/recommended actions. Additionally, the applicant has not submitted a landscape and visual appraisal assessing the full effects of the proposed development in landscape terms.

6.0 APPRAISAL

6.01 The key issues for consideration relation to:

- Principle of development
- Agricultural need
- Sustainability
- Residential amenity
- Highways
- Ecology and tree matters
- Drainage
- Impact on the setting of listed building

Principle of Development

6.02 Policy SP17 of the Local Plan (2017) is relevant and supports agricultural proposals which facilitate the efficient use of the borough's significant agricultural land and soil resource providing any adverse impact on the appearance of the character of the landscape can be appropriately mitigated. Policy DM36 allows for new agricultural buildings and structures providing criteria relating to need, residential amenity and visual impact.

6.03 In terms of land use in this location, it is necessary to balance the needs of agriculture against the impact of the proposals.

Agricultural Need

6.04 When considering the need for development, Rural Planning Ltd, provided the following statement:

'From the submitted plan, the available owned land here appears to extend to some 29ha (71 acres). Two existing barns at the site (30m x 10m x 5.5m to eaves, and 30m x 15m x 5.5m to eaves) for storage of hay/equine bedding and agricultural machinery were approved under MA/08/0059 and MA/09/1841. These are near to the applicant's residential premises, where there is also an older range of stables for private use, with an enclosed workshop on the other side of the stable yard: there is also a covered horse-transporter storage shed, and a domestic outbuilding.

In addition to the owned land, the applicant advises that he currently rents, on various arrangements, which appear to have ongoing potential:

- 200 acres new grass leys at Horsmonden/Goudhurst
- 30 acres at Hollingbourne
- 20 acres at Lenham
- 50 acres at Woodchurch
- 40 acres at Biddenden
- 10 acres at Benenden
- 100 acres at Pembury (not cropped 2017 due to lack of storage)

This makes a total of some 450 acres (182 ha) of off-lying rented land. Mr Wildish also refers to having had offers to rent a significant additional area of land. He would also like to bale and store straw from various arable fields at harvest time.

Gipps Oast is also the base for the applicants' agricultural and equestrian contracting business, MW Agri, which utilises a large range of machinery, as listed in the submissions.

I gather a lot of the applicant's hay and machinery currently has to be stored outside, which is wasteful and unsatisfactory.

Having regard to all the above, whilst much of the related agricultural activity takes place on various parcels of rented land elsewhere, I consider there is a justifiable agricultural requirement for the proposed additional barn storage, so that Gipps Oast can function efficiently as the applicant's operational farming and contracting base.'

- 6.05 It is considered there is a reasonable need for the development and the proposal is reasonably necessary for agriculture in line with Policy DM36 of the Local Plan. Therefore the overarching question is whether the harm to the appearance of the countryside is so great to outweigh the agricultural need for this development and this will be assessed in this report.

Sustainability

Economic and Social role

- 6.06 Paragraph 28 of the NPPF supports economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong economy support should be given to the sustainable growth and expansion of all types of businesses and enterprises in rural areas and promotion of development and diversification of agricultural and other land-based rural businesses.
- 6.07 Furthermore, the pre-amble to Policy DM36 of local plan (2017) sets out that the NPPF lends strong support to the rural economy and seeks to promote agricultural and land based rural businesses.
- 6.08 It is stated by the agent that the proposed barns will allow the applicant to continue farming the existing 500 acres of grass following the loss of the ability to hire the three barns that had previously been used. The agent further states that the barns would allow the applicant to take on an additional 120 acres of land that has been offered and to protect and store the existing machinery that is currently left outside.

Environmental (including visual impact and landscaping)

- 6.09 Policy SP17 of the Local Plan (2017) seeks to conserve and enhance the AONB and its natural beauty, distinctive character, biodiversity and the setting of the AONB.
- 6.10 The site lies within the Kent Downs AONB and landscape character area 10, Thurnham, Lenham and Harrietsham scarp, as designated in the Maidstone Landscape Character Assessment (amended July 2013). This document states that the area's landscape condition is considered to be good with high sensitivity, leading to a landscape guideline of 'conserve'. The landscape description outlines:
- 'The top edge of the scarp in this part is marked by narrow belts of woodlands, while the field boundaries which mark the extent of the pasture often are marked by gappy and scrubby hedgerows with mature hawthorn and field maple standards in combination with post and wire fencing'.*
- 6.11 The Landscape Officer has commented that this area's landscape condition is considered to be good with high sensitivity, leading to a landscape guideline of conserve. The relevant summary of actions are outlined below:

- Consider the generic guidelines for Chalk Scarp Landscapes:

- Conserve and strengthen the vegetation belt along the Pilgrim's Way near the foot of the Scarp
- Conserve and enhance the species rich hedgerow boundaries and promote enhanced species diversity within hedgerows where this has been weakened
- Avoid the use of single species hedgerows and shelterbelts within this landscape, where species rich hedgerows are so prevalent
- Where possible, woodland habitats should be increased and the historic hedgerow network should be reinstated. Woodlands should be linked through replacing post and wire fences with species rich hedgerows
- Consider views towards any proposals on the exposed and elevated scarp from the landscape to the south
- Thurnham Scarp is situated within the Kent Downs AONB. The Kent Downs AONB is a nationally important designation which offers a high level of development constraint
- Land management policies for the conservation, management and enhancement of this landscape are set out within the Kent Downs AONB Management Plan 2009 – 2014. Also refer to guidance documents referenced in Appendix A
- Mark, protect and allow to grow on new standard native trees within hedgerows, and plant new native standard specimens where appropriate
- Conserve the largely unsettled landscape of the scarp
- Conserve the spectacular, open and rural views from the North Downs Way National Trail/Long Distance Route
- Conserve the few traditional buildings within the area

6.12 Policy DM36 sets out that new agricultural buildings in use for agricultural trade will be permitted:

- Where the proposal is reasonably necessary for the purposes of agriculture;
- The proposal would not have an adverse impact on the amenity of existing residents; and
- The building or structure would be located within or adjacent to an existing group of buildings, in order to mitigate against the visual impact of development, unless it can be demonstrated that a more isolated location is essential to meet the needs of the holding. Where an isolated location is essential the site should be chosen to minimise the visual impact of the building or structure on the character and appearance of the countryside.

6.13 The proposed agricultural buildings would be located on the southern slope to the north of Pilgrims way. At some 8.8m in height to the ridge and some 21.15m by 21.4m each, the barns would undoubtedly be large structures; however, an assessment needs to be made with regards to the visual impacts of the proposed buildings and justification for the amount of them, for their size and height.

6.14 The applicant outlines that the necessity for these barns has been brought about as they have recently been informed that the two barns in Linton and one barn in Pembury will no longer be available. Further to this, the applicant has been offered an additional 120 acres of new lay grass which he would like to take on in addition to the 500 acres already being farmed. The applicant also states that he has previously had to turn down several previous offers of standing grass to harvest due to lack of storage facilities. In anticipation of being able to farm the additional 120 acres, the applicant states that he has already taken on one additional full time member of staff and in future will need a further 2 seasonal workers for harvesting.

6.15 Due to the location of the plots on the south eastern corner of the site, the buildings would already have some level of screening from the hedgerows along Pilgrims Way

and Flint Lane. This screening would be retained and proposed new planting along these boundaries would infill where there are existing gaps. Further screening would also be conditioned along the north and western boundaries to limit the visual impact from the wider area. The proposed materials would be characteristic of typical agricultural barns, located in close proximity to the large buildings at Marley Works. This said the barns would be located to the south of two PROWs which join to the North West of the site and from the Pilgrims Way to the south of the site. As such even with screening there would undoubtedly be public vantage points where the buildings would be visible. These views would be more prominent in the short range, with some longer range views also possible from the brow of the Downs and public footpaths and lanes to the north, but these long range views would be partially obscured by existing hedgerows and landscape planting.

- 6.16 Whilst there are benefits to the applicant of having all of the barns located in one location, these benefits to the applicant do not outweigh the harm that would be caused to the AONB from all of the buildings being located here and plots 1-6 were refused planning permission under delegated powers. However, it is considered reasonable to allow two of the plots (plots 7 and 8) to be built which would allow the applicant to take on the additional 120 acres and for the storing of machinery inside. In regards to the storage from the other sites the applicant is encouraged to investigate the potential for the erection of barns at each of these sites.
- 6.17 Criterion 3 sets out that agricultural buildings should be located within or adjacent to an existing group of buildings, in order to mitigate against the visual impact of the development. Whilst it is noted that the applicant has two existing barns to the north of Gipps Oast, any further construction of barns to the north of the existing barns would be in a more prominent location higher up the slope of the downs and would also require further hardstanding causing harm to the countryside. In contrast the proposed location in the south east corner close to an existing access, at the bottom of the slope would minimise views and harm from the surrounding countryside.

Overall

- 6.18 It is acknowledged that the proposed development would have an impact on the countryside, and the AONB but the applicant has demonstrated a need for the agricultural barns. Whilst officers consider that not all 8 plots can be supported in this location, two of the plots, to enable the applicant to develop his rural business and farm the additional acreage and store his machinery inside are supported.
- 6.19 Additional landscaping and screening through infilling of the hedge is proposed along the east and south and further landscaping could be secured to the north and west. A landscaping condition would ensure that the type and mix of planting would be acceptable in this location.
- 6.20 The visual harm has to be balanced against the benefits and the aims of sustainable development to secure a long-term future for rural communities and agricultural businesses. The visual harm of two of the plots is considered to be outweighed by the agricultural and economic benefits that the scheme would give rise to.

Residential Amenity

- 6.21 It is considered that the proposed development would be of a sufficient distance from residential properties to not cause harm to outlook. The barns would not result in any overshadowing to the living spaces of the properties in the nearest closest dwellings.
- 6.22 The use of the land may result in some associated noise disturbance, but it is not considered that it would be of such a scale that would justify the refusal of these applications. In addition, by having the barns located to the east of Gipps Oast and the existing barns this reduces the impact on the amenity of the adjacent neighbours by the coming and goings of vehicles and farm workers.

Highways

- 6.23 The proposals would utilise an existing access on the corner of Pilgrims Way and Flint Lane. It is acknowledged that the access is on the bend which has vegetation that provides the screening to the site but reduces the visibility at the access. However, it is considered that the arrangements are adequate for the scale and use of the proposed barns and the road provides direct access to the A20. KCC Highways has also been consulted and they have no objection to the proposal.
- 6.24 Pilgrims Way is a country road that is restricted in width in certain places and will likely be the main routes for traffic generated as a result of the development. It is accepted that the development will generate an increase in traffic on the local road network; however the extent of increase is not considered severe.
- 6.25 It is not considered that the cumulative impacts of the development on highways matters are likely to be severe.

Trees and Ecology

- 6.26 There are no protected trees on, or immediately adjacent to the site. However, there are significant hedgerows on the southern and eastern boundaries. The hedgerow would be retained in order to provide screening. Overall it is not considered that the proposed development would cause undue harm to hedgerows that could not be controlled or mitigated by conditions.
- 6.27 The site is currently farmland and it is not considered that the proposal would result in any harm to local wildlife and protected species.

Drainage

- 6.28 The application is accompanied by a Drainage Strategy that identifies that the site is within Flood Zone 1 which represents areas at lowest risk of flooding.
- 6.29 The Lead Flood Authority (KCC) has commented on the application and raises no objection to the principle of the proposals subject to conditions. KCC Flood Risk has commented that the strategy does rely on soakaways outside of the redline boundary of the site. However, these soakaways are located within the blue line boundary of land that the applicant owns. It is not considered that there is reason to depart from this conclusion and the impact of surface water run off could be sufficiently managed.

Impact on setting of Listed Buildings

- 6.30 The Grade II listed Marley Court lies approximately 150m to the west of the site. Some views of the proposals would be possible from the listed building, however the potential harm is not considered significant on the setting of the Listed Building. Any harm would be considered to amount to 'less than substantial harm' in terms of the NPPF. This means that the harm should be weighed against the public benefits of the proposal. It is not considered that the erection of two barns would be unacceptable in terms of conservation of the setting of the Listed Building.

Other Matters

- 6.31 There are a number of PROW'S that are adjacent, or in close proximity to the site; however it is not considered that these would be adversely affected by the proposals.

7.0 CONCLUSION

- 7.01 It is considered that the development of two of the proposed barns would provide economic benefits by enabling that the applicant to acquire the additional 120 acres and to store his machinery inside. These benefits would outweigh the potential landscape harm and support the rural economy.
- 7.02 The development would result in less than substantial harm to the setting of the Listed Buildings, such that the extent of harm would not compromise the importance of these settings.
- 7.03 Landscaping, ecological, drainage and tree impacts are all considered on balance acceptable and could be mitigated by appropriate planning conditions.

8.0 RECOMMENDATION

GRANT planning permission for Plot 7 application reference: 17/506612/FULL and Plot 8 application reference: 17/506613/FULL subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

17/0690	Location Plan 1-8
17/70695	Plot 7 Plans 7 Elevations
17/710691A	Plot 7 Site Layout
17/80695	Plot 8 Plans & Elevations
17/810691A	Plot 8 Site Layout

Reason: To clarify which plans have been approved.

- (3) The development hereby approved shall not commence until a landscape scheme designed in accordance with the principles of the Maidstone Landscape Character Assessment Supplement 2012 has been submitted to and approved in writing by the

local planning authority. The scheme shall specifically address the need for a landscape scheme of at a least 10m deep strip of planting along the northern and western boundary to include an appropriate mixed species hedgerows interspersed with individual hedgerow trees and shaws. The species mix shall include a small proportion of native evergreens and species. The landscape scheme shall also 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 and include a planting specification, a programme of implementation and maintenance and a 5 year management plan.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development. Details are required prior to commencement as a satisfactory landscaping scheme is of importance to the visual amenity of the development in this sensitive location in the AONB.

- (4) The use of the development hereby permitted shall not commence until all planting specified in the approved landscape details has been completed. All such landscaping shall be carried out during the planting season (October to February). Any trees or plants which, within five years from the first use of the land, 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

- (5) Information shall be submitted to (and approved in writing) by the Local Planning Authority that demonstrates that off-site surface water drainage works are appropriately secured and protected and subsequently implemented prior to the first use of the buildings hereby approved.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water.

- (6) Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters. The approved sustainable surface water drainage scheme shall be in place prior to first occupation and maintained thereafter.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- (7) No building hereby permitted shall be occupied until an operation and maintenance manual for the proposed sustainable drainage scheme is submitted to (and approved in writing) by the local planning authority. The manual at a minimum shall include the following details:

- A description of the drainage system and its key components
- An as-built general arrangement plan with the location of drainage measures and critical features clearly marked
- An approximate timetable for the implementation of the drainage system
- Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities
- Details of who will undertake inspections and maintenance activities, including the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime

The drainage scheme as approved shall subsequently be maintained in accordance with these details.

Reason: To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 103 of the NPPF and its associated Non-Statutory Technical Standards.

- (8) No building (or within an agreed implementation schedule) hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the National Planning Policy Framework.

- (9) The access to the site shall be surfaced in porous hard bound materials, or otherwise bound as measured 5m from the edge of the public carriageway, and shall be constructed and completed before the development is brought into use and retained at all times thereafter.

Reason: In the interests of highway safety.

- (10) No external lighting shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity

INFORMATIVES

It is the responsibility of the applicant to ensure, before the development hereby approved 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/highway-land/highway-boundary-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.

Case officer: Adam Reynolds

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.