



Appeal Decision

Hearing held on 11 June 2024

Site visit made on 11 June 2024

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 July 2024

Appeal Ref: APP/K2230/W/24/3336250

Land off Heron Hill Lane, Culverstone, Meopham, DA13 0DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr R Webb against the decision of Gravesham Borough Council.
 - The application Ref is 20220106.
 - The development proposed is Material change of use of land to Gypsy Traveller site with 3 pitches each with space for stationing of a static caravan, utility block with associated hard standing for parking, with shared septic tank and space for associated storage of touring caravans (part retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for change of use of land to Gypsy Traveller site with 3 pitches each with space for stationing of a mobile home, utility block with associated hard standing for parking, storage of touring caravans and retention of works of woodland/ scrub clearance and re-profiling and re-contouring on the site and retention of retaining structures at Land off Heron Hill Lane, Culverstone, Meopham, DA13 0DT in accordance with the terms of the application, Ref 20220106, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published in December 2023. There were no substantive changes of relevance to this appeal proposal. A revised version of the Planning Policy for Traveller Sites (PPTS) was also published on 19 December 2023. The main change of relevance to this appeal is the definition of gypsies and travellers in Annex 1 which reinstates those who have ceased to travel permanently.
3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form the description has been changed to the one that the Council used to deal with the proposal. This is more precise and I have therefore used this in my formal decision, however I have removed reference to a septic tank as this is a matter to be dealt with by condition to ensure the most appropriate means of foul water drainage.

4. The appellant submitted revised plans as part of the appeal to reduce the scale of the development from three pitches to one pitch due to some family members no longer requiring a pitch. Annex M of the Procedural Guide Appeals – England advises that the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought.
5. As I consider that this change would materially alter the nature of the application and would prejudice the interests of interested parties, I have based my decision on the scheme as submitted for three pitches. Furthermore, the appellant could partially implement the scheme by developing the site for a single pitch, leaving the rear of the site undeveloped if they wished and therefore would not be prejudiced by me considering the original development.

Main Issues

6. The parties agree that the appeal scheme would be inappropriate development in the Green Belt. This is because the appeal scheme is not any of the types of development listed as an exception in the Framework as required by Policy CS02 of the Gravesham Local Plan Core Strategy 2014 (CS), which requires development to be supported where it is compatible with national policies for protecting the Green Belt.
7. During the hearing the Council agreed that planning conditions, as suggested by Kent County Council, would be sufficient to overcome their third reason for refusal relating to biodiversity net gain and the effect on the ancient woodland,
8. As a result, the main issues in this appeal are the effect of the proposed development on:
 - the openness and purposes of the Green Belt;
 - the character and appearance of the area; and
 - whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Openness and purposes of the Green Belt

9. The appeal site is situated in the Metropolitan Green Belt. Policy CS02 of the Gravesham Local Plan Core Strategy supports development within the Green Belt where its compatible with national policies for protecting the Green Belt.
10. The introduction of three pitches requires substantial regrading of the site and the residential occupation of the site would lead to the introduction of garden furniture and other domestic paraphernalia associated with its use. This would have a visual impact and results in a loss of openness. The scale of the proposal and the fact that it would be viewed against the backdrop of the woodland belt located outside of the appeal site means that the impact is moderate but does not preserve the openness of the Green Belt.

11. The proposal results in urbanisation and encroachment with the introduction of the development, contrary to paragraph 143 of the Framework which identifies the five purposes of the Green Belt, and of which c) is to assist in safeguarding the countryside from encroachment.
12. Paragraph 16 of the PPTS confirms that traveller sites are inappropriate development in the Green Belt. When applying Paragraph 155 of the Framework, it is also apparent the proposed change of use would not preserve the openness of the Green Belt.
13. Accordingly, the proposal is inappropriate development in the Green Belt which paragraph 152 of the Framework states is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the Framework states that in considering a planning application substantial weight should be given to any harm to the Green Belt.

Character and appearance

14. The site lies in the Harvel Downs Landscape Character Area as defined by the Gravesham Landscape Character Assessment 2009 (LCA) and within Landscape Parcel CG2 - Culverstone Green of the Gravesham Landscape Sensitivity and Capacity Study 2016 (LSCS).
15. The LCA considers that the condition of the Harvel Wooded downs character area is moderate, with the area of plot land known as the Culverstone Valley Area a detracting and dominant feature forming an incoherent landscape. The LSCS explains that Culverstone Valley has a unique character, having been divided into plot lands in the 1930s for holiday chalets. It sets out that whilst some have been redeveloped, a number of wooded and undeveloped plots remain. It describes the area as haphazard, informal with the existing woodland blocks within the valley providing a valuable wooded backdrop and setting in the wider landscape.
16. The appeal site is accessed off a track leading from Heron Hill Lane and lies between two pockets of ancient woodland. The track provides access to a number of leisure plots, a number of which are generally overgrown vegetated plots, but some which contain caravans and outbuildings and a few that have been redeveloped for housing, under a previous local plan policy. The appeal site is located towards the end of the track and is one of the last plots. This part of the track is less open and landscaping is still evident on neighbouring plots which does contribute to the wooded character which is outlined within the LSCS as an important part of the setting to the settlement of Culverstone Green.
17. Along the track there are a number of plots, including the appeal site, where trees have been removed and the sites cleared leaving a stark appearance. The Council has confirmed that the trees were not protected by a tree preservation order and therefore they have no control over this clearance. However, some have also undergone engineering works, which may or may not be authorised, including regrading of the sites which steeply slope up towards the right of way which runs along the rear boundaries of these plots. These works more widely have undoubtedly changed the character of the wider area and the loss of the trees is particularly regrettable.

18. The LCA sets out that there is a high capacity for the landscape to absorb inconsistencies within its woodland, albeit I acknowledge that as trees are being removed within the wider area this capacity has been somewhat reduced.
19. The introduction of 3 pitches onto the site, with the associated engineering works required to create the terracing will undoubtedly change the appearance of the site, however views into the site from the public right of way would be limited due to the existing woodland belt which exists outside of the appeal site. Any glimpsed views would be seen in the context of the existing pitches located at the top of Heron Hill Lane and the roofscape of the dwellings Leafy Lane and Ridge Lane. Therefore, any harm arising would be limited and localised and would be absorbed into the existing patchwork of development that is evident within the locality.
20. Furthermore, some landscaping of the site, along both the frontage and boundaries of the site could be secured which over time would soften the appearance of the site when viewed from both the access track and public right of way.
21. In conclusion, the proposal would due to the existence of other scattered development, including other gypsy and traveller pitches, the screening provided by the ancient woodland, the modest size of the scheme and the scope to undertake planting on the site, would have a neutral impact on the character and appearance of the area.
22. The proposed development would therefore accord with policy CS12 and CS19 of the CS which together seek to conserve the overall landscape character, integrating with the surrounding local area and to ensure that new development includes details of appropriate hard and soft landscaping.

Other Considerations

Need for Gypsy and Traveller Sites

23. It is common ground that the Council cannot demonstrate an up to date 5 year supply of deliverable sites. Evidence has been provided in the form of an updated Five Year Gypsy and Traveller Pitch Supply April 2023-March 2028 which looks at current and future need having regard to the Gravesham Gypsy and Traveller Accommodation Assessment (GTAA) prepared in 2017 and represents the most up to date reference when assessing need.
24. The 2017 GTAA is a somewhat dated source of evidence and therefore the need figures provided must be viewed cautiously, however the Council consider that it indicates a need for between 13.8 and 25.4 pitches between April 2023 and March 2028, with no pitches having been provided since March 2021.
25. The Council anticipates that both a review of the Local Plan Core Strategy and Site Allocation and Development Management Policies Document (SADMP) will be subject to Regulation 19 consultation in 2024, with adoption no sooner than 2025. This document would provide for future needs of Gypsies and Travellers and the emerging plan does contain a criteria based policy, but the parties agree this carries limited weight.

26. It is clear that there has been a failure of policy with the timescale for the adoption of the SADMP having slipped several times, having been first anticipated in 2020. Furthermore, Inspector Child anticipated it would be adopted in 2022 when considering an earlier appeal and it is now suggested to be on course for adoption in 2025. The CS does not include a criteria-based policy for assessing windfall traveller sites, contrary to paragraph 11 of the PPTS. Policy CS17 of the CS sets out that this would be included within the now overdue SADMP and the evidence before me, from a previous appeal decision, indicates that the Council have not had a criteria based policy since at least 1994.
27. This means that unmet need can only be met through windfall sites coming forward with no possibility of securing a supply of plan led sites until at least 2025. The parties agree that 77% of the Borough lies within the Green Belt and therefore the allocation of future sites could be on land that is currently within the Green Belt.
28. Under the Public Sector Equality Duty (PSED) set out in s149 of the Equality Act 2010, I need to consider how the modest increase in the supply of sites arising from the development could positively contribute to the advancement of equality and good relations, with s149 placing an onus on public authorities to avoid discrimination and being proactive in promoting equality. The equality implications arising from the development are, as such, an important factor in favour of the proposal. As such I consider that need for Gypsy and Traveller sites carries considerable weight.
29. In accordance with the PPTS, in these circumstances, lack of supply should be a significant material consideration in relation to a planning decision when considering the grant of a temporary planning permission. However, the PPTS makes it clear that this does not apply to sites within, amongst other things, the Green Belt. It also does not say that the lack of supply is a significant material consideration when considering permanent schemes.

Personal Circumstances

30. The personal circumstances of the appellant has changed since the submission of the planning application and two family members no longer require pitches on this site, and are currently living elsewhere.
31. The appeal site would be occupied by two households:
- The appellant and his adult son.
 - The appellant's daughter, partner and two children.
32. It has been put to me that they could be accommodated on a single pitch, however as the proposal includes the provision of three pitches it would be possible for the households to occupy two pitches in the future if they wished.
33. The two households have a wish to have a settled base together in order that they can provide support to each other, the appellant's daughter provides support in caring for her father who has a number of health conditions.
34. The appellant's daughter and her family are currently housed in bricks and mortar. This is difficult for her partner, and he chooses to live in a caravan on the driveway when he is not travelling for work.

35. The nomadic habit of life of Gypsies and Travellers such as the appellant and his family is linked to their culture. However, without a settled base it is difficult for them to balance their traditional way of life with the practical realities of modern living. As a result, there are equality benefits in delivering accommodation that balances a cultural preference to live in a way that facilitates a traditional nomadic way of life with the practicality of a settled base.
36. Achieving the above balance normally involves the provision of static caravans with space for touring caravans, the latter being used when travelling. Because of this, Gypsies and Travellers often have an aversion to bricks and mortar housing and wish to continue living in a caravan when they stop travelling because this is what they are psychologically accustomed to. Moreover, living in a caravan is also often preferred after ceasing to travel because their cultural identity is reinforced by living in a caravan on a traveller site. As a result, and for planning purposes, caravans are considered culturally appropriate accommodation for Gypsies and Travellers, but bricks and mortar housing is not.
37. Whilst the appellant's daughter and family are currently housed in bricks and mortar housing, given the needs of her children I find that it is likely that any aversion to such housing would have been put to one side had the availability of Council accommodation been the only option available to her from a day to day living point of view and, importantly, the care of her children.
38. If the appeal is dismissed, then the appellant and his son would continue to live with uncertainty and have to continue to reside in temporary locations either with family or on the roadside. The appellant also has a number of health conditions that have required access to hospital at regular intervals to receive treatment and therefore the need for a settled base in order to access these services is important.
39. Article 1 of the First Protocol sets out that a person is entitled to the peaceful enjoyment of his possessions and that no one shall be deprived of his possessions except in the public interest. Article 8 of the Human Rights Act states that everyone has the right to respect for his private and family life and his home. Dismissing the appeal would represent an interference with the home and family life of the proposed occupiers, such that both Articles would be engaged. There is also a positive obligation imposed by Article 8 to facilitate the gypsy way of life.
40. The future occupants of the proposed pitches are an ethnic minority, and thus have the protected characteristic of race under s149(7) of the Equality Act 2010. The proposal would meet the needs of those persons with a relevant protected characteristic, by reason of race, and so, as required by section 149(1) of the Equality Act 2010, the public sector equality duty is applicable.
41. There is therefore a need to have due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations. Aside from the best interests of the children, I attach moderate weight to the other personal circumstances as a factor in favour of the scheme.

Best Interests of the children

42. Where Article 8 rights are those of children, as in this case, they must also be seen in the context of Article 3 of the United Nations Convention on the Rights of the Child. This requires a child's best interests to be a primary consideration. More particularly, case law identifies that, although a primary consideration, the best interests of a child are not a determinative planning issue, but no consideration must initially be regarded as more important or, in advance of the subsequent assessment of the individual circumstances, be given greater weight.
43. The Guidance advises that decision-makers need to consider whether children's best interests are relevant to any planning issue under consideration. In doing so, it similarly advises they will want to ensure the approach is proportionate. Decision-makers need to consider the case before them and need to be mindful that the best interests of a particular child will not always outweigh other considerations including those that impact negatively on the environment or the wider community.
44. The appeal site would provide a settled base for 2 children, and their best interests need to be carefully considered. I accept that the best interests of the children would, in principle, be served by a permanent and secure culturally appropriate home, whilst having regard to the fact that currently the children's educational needs are currently being met by a school outside of the local area. The appellant has set out that there would be limited disruption to the children's education if they were to move now as the youngest child is starting secondary school in September and would be able to move to their new school at the start of the school year. The eldest is at the end of her time at school and may look to attend a college locally.
45. The children are currently housed in terms of a settled base, but this is in housing that is not culturally appropriate and is having a negative impact on the family as a whole. This is a factor which goes to the heart of the best interests of the children and this is a consideration beyond just their educational needs, taking account their families cultural preference to live in a way that facilitates a traditional nomadic way of life with the practicality of a settled base.
46. The merits of the case presented are such that I afford the benefits, of this development to the best interests of the children, significant weight.

Intentional unauthorised development

47. The establishment of three pitches at the appeal site, without planning permission amounts to intentional unauthorised development, as such the 2015 ministerial statement is relevant¹. The works have resulted in the clearance of the site and extensive regrading of the site and the introduction of supporting structures to enable terraces to be created. As such some physical damage to the land has occurred and this may be difficult to remediate in the short term. By way of mitigation, the appellant had limited options in respect of accommodation and has sought to regularise the situation through a planning application.

¹ Green Belt Protection and Intentional Unauthorised Development 2015

48. Nonetheless, the works undertaken have gone beyond that which would have been necessary to establish a temporary home pending the outcome of the application. I note however that the appellant has not attempted to occupy the site and works have ceased. Overall, the undertaking of intentional unauthorised development adds modest additional weight as a material consideration against the proposal.

Green Belt Balance

49. I have identified that the scheme would be inappropriate development in the Green Belt as defined by the Framework and result in harm to the openness of the area. It would, by definition, be harmful to the Green Belt, harm which the Framework indicates should be given substantial weight. Very special circumstances will not exist unless the harm to the Green Belt is clearly outweighed by other considerations.
50. There are several points in favour of the proposal. The Council are unable to meet the accommodation needs of the appellant, who are ethnic Gypsies and Travellers or those who meet the definition within Annex 1 of the PPTS. The appeal scheme would support the traditional way of life of a family that has a protected characteristic.
51. The appeal scheme would facilitate the establishment of a settled base for the appellant and his family whilst they continued to pursue a nomadic lifestyle for economic purposes. This would allow cultural traditions to be balanced with the practicalities of modern living thereby, advancing equality of opportunity. The unmet need for pitches also indicates inequality in housing opportunities and the proposal would help to offset this in a modest way.
52. These are important points in achieving the social sustainability sought by Paragraph 13 of the PPTS. It does not automatically follow that the appeal should be permitted because the PSED is relevant. Nonetheless, the equality implications weigh notably in favour of permitting pitches at the appeal site because dismissing the appeal would perpetuate the disadvantages currently endured.
53. The accommodation needs and personal circumstances of the intended occupiers are together, significant points in favour of the proposals. Furthermore, the best interests of 2 children is a primary consideration. All would benefit considerably from a settled base, which would be culturally appropriate and enable the family as a whole to gain stability and for the children to remain in education. I have attached moderate weight to the accommodation needs and personal circumstances of the appellant, and significant weight to the best interests of the children.
54. Therefore, having taken account all the other considerations outlined above, collectively they outweigh the substantial weight which must be given to Green Belt harm and the modest harm I have attributed to the intentional unauthorised development. Consequently, I consider that there are very special circumstances necessary to justify inappropriate development in the Green Belt and the proposed development is therefore in accordance with policy CS02 of the CS.

55. Furthermore, the proposed development would not be in conflict with policy CS17 of the CS where the supporting text to the policy recognises that in the absence of a SADMP proposals for windfall sites will be considered against the provisions of the NPPF and the PPTS.
56. I have considered whether a temporary planning permission of 3 to 5 years would be appropriate as it would be time limited and lessen the interference with the appellant's human rights while protecting the public interest (in this case relating to the Green Belt). However, there is no certainty regarding the likely adoption of the emerging Local Plan and whether it would make adequate provision to meet local need and the needs of the site's occupants. Moreover, a temporary permission would not provide long term stability for the occupants. In any case, a permanent personal permission would be acceptable based on the planning balance. Thus, I have not considered a temporary permission further.

Conditions

57. As well as the standard implementation condition, which is necessary for the avoidance of doubt as the development that has taken place may not be in accordance with the submitted plans. I have also imposed a condition to ensure that the proposal is carried out in accordance with the approved plans to provide certainty.
58. The proposals are acceptable, partly due to the personal circumstances of the intended occupiers however noting the failure of the Council to provide pitches to meet its need and the ongoing delay with allocating future sites I have not found it necessary to impose a personal condition as the pitches could go towards meeting other unmet need within the district.
59. However, it is necessary to restrict occupation to Gypsies and Travellers, defined so as to not exclude those who have ceased travelling permanently.
60. As three pitches are proposed it is necessary in the interests of certainty to secure this and the total number of caravans permitted on the site. I have also restricted the commercial use of the site and the size of vehicles to be kept at the site.
61. In order to ensure suitable living conditions for the occupiers of the site, details of foul and surface water drainage and the provision of appropriately drained and surfaced parking areas are also required.
62. To limit the visual impact details of soft and hard landscaping, details to ensure that remaining trees on the site are adequately protected and the materials of the proposed utility buildings are also required to be submitted, agreed and implemented.
63. Detailed conditions are also required in order to ensure Biodiversity Net Gain is secured in order to compensate for the loss of priority habitat woodland and that the proposals secure an ancient woodland mitigation plan to avoid increased recreation impacts on the retained woodland areas.
64. Conditions are also imposed to protect biodiversity from external lighting and to ensure that precautionary mitigation measures for breeding birds and reptiles are adhered to.

65. I have not found it necessary to restrict the appellants permitted development rights for the erection of gates, walls and fences, as no exceptional circumstances were advanced by the Council as to the necessity for this condition.
66. The access will not be onto a public highway and therefore I have not found it necessary to impose a condition requiring details of visibility splays to be submitted.

Conclusion

67. The proposal adheres to the development plan and there are no other considerations which outweigh this finding. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

G Pannell

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mrs A Heine Heine Planning Consultancy
Mr R Webb
Miss T Webb
Mr R Dennard

FOR THE LOCAL PLANNING AUTHORITY:

Mrs A Webster
Mrs S Morley
Mr R Hart

DOCUMENTS/PLANS/PHOTOS

1. Letter from Dr Y Bahru (Heine Planning Consultancy)
2. Kent County Council Rights of Way Map (Gravesham Borough Council)
3. Rights of Way Plan produced by Gravesham Borough Council
4. Site photos 6 May 2020 (submitted by Gravesham Borough Council)
5. Site Plan denoting open enforcement cases (Gravesham Borough Council)
6. Updated Five Year Gypsy and Traveller Pitch Supply (Gravesham Borough Council)

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos Plan 1 – Location Plan (scale 1:1250); Plan 2 – Proposed Site Plan (scale 1:500); Plan 3 – Proposed Utility Block (scale 1:100) and Topographical Plan Drawing 16300/22 May 2022.
- 3) 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.
- 4) There shall be no more than 3 pitches on the site and on each of the 3 pitches hereby approved no more than 2 caravan(s) [as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended], shall be stationed at any time, of which only 1 caravan shall be a static caravan.
- 5) No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.
- 6) No commercial activities shall take place on the land, including the storage of materials.
- 7) No development of the utility buildings shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details
- 8) The site shall not be occupied until the area shown for the parking of vehicles on drawing no. Plan 2 Proposed Site Layout has been drained and surfaced in accordance with details that shall first have been submitted to and approved in writing by the local planning authority, and those areas shall thereafter be kept available at all times for the parking of vehicles.
- 9) No caravans shall be brought onto site until a soft landscaping scheme for the whole site, including a timetable for implementation and completion, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - A survey of the position of trees within 10 metres of the site boundary, including their spread and root protection area and details of measures for their protection, including their canopy and root systems, throughout the construction phases of the development.
 - Details of the number, density, species, heights and position of all trees, shrubs and hedges to be planted.

- 10) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 11) All tree work shall be carried out in accordance with British Standard BS 3998: Tree work: Recommendations (or an equivalent British Standard if replaced).
- 12) The details submitted in accordance with condition 9 above shall include:
 - a plan showing the position of every tree on the site and on land adjacent to the site (including street trees) that could influence or be affected by the development, indicating which trees are to be removed;
 - a schedule in relation to every tree identified listing information as specified in paragraph 4.4.2.5 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations) (or in an equivalent British Standard if replaced); and,
 - any proposed pruning, felling or other work;
 - details of any proposed alterations to existing ground levels, and of the position of any proposed excavation, including those for underground services, that might affect the root protection area; and,
 - all appropriate tree protection measures required before and during the course of development (in accordance with paragraph 5.5 of British Standard BS 5837) (or in an equivalent British Standard if replaced);
 - areas of existing landscaping to be protected from construction operations and the method of protection.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

- 13) No development shall commence until details of hard landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
 - earthworks showing existing and proposed finished levels or contours;
 - means of enclosure and retaining structures;
 - boundary treatment[s];
 - hard surfacing materials;
 - lighting, floodlighting and CCTV;
 - details of bin storage areas;
 - an implementation programme.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

- 14) No caravan shall be occupied until a means of foul and surface water drainage has been completed in accordance with details, which shall first have been submitted and approved in writing by the local planning authority and thereafter retained.
- 15) No further development shall commence until a Biodiversity Gain Plan and Biodiversity Management and Monitoring Plan have been submitted to the local planning authority for written approval, as evidence that offsite compensation for loss of priority habitat woodland will be achieved as part of the proposals. The Biodiversity Gain Plan will include an updated metric calculation which details the loss of high distinctiveness priority habitat woodland from within the site and an agreement for offsite compensation to achieve 10% net gain relative to the pre-clearance baseline.

The Biodiversity Management and Monitoring Plan shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports demonstrating how habitat management is progressing towards achieving the metric objectives. The Plan will include evidence of remedial arrangements and details of any rectifying measures as required.

The Biodiversity Management and Monitoring Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

- 16) No further development shall commence until an ancient woodland mitigation plan has been submitted to the local planning authority for written approval. The plan will include details of an arboricultural impact assessment undertaken by a suitably qualified person, and will detail measures to protect the Root Protection Area of ancient woodland trees and to avoid increased recreation impacts on the retained woodland areas. The approved Plan will be implemented and retained thereafter.
- 17) Precautionary mitigation measures for breeding birds and reptiles will be implemented throughout construction and landscaping in accordance with Section 4.4 of the Ecological Assessment, KB Ecology, October 2023. The measures will be retained for the duration of works as required.
- 18) No further development shall commence until a Landscaping Plan for Biodiversity has been submitted to the local planning authority for written approval. The Plan will include details of a native species planting scheme including the reinstatement of the woodland bank along the eastern site boundary, planting of a 3m wide strip of chalk scrub along the northern boundary, native tree planting and native hedgerows in accordance with the preliminary ecology report (R. Webb, May 2022) and planning statement (Heine, February 2022). The Plan will include a work schedule detailing management proposals for all areas of landscaping. All measures will be implemented as approved and retained thereafter.
- 19) No further development shall commence until a lighting plan for biodiversity is submitted to, and approved in writing by, the local planning authority. Lighting will be designed in accordance with the Bat Conservation Trust's 'Guidance Note 8: Bats and Artificial Lighting 08/23'.

The Plan will show the type and locations of proposed external lighting, as well as the expected light spill in lux levels on both vertical and horizontal planes, to demonstrate that areas to be lit will not adversely impact biodiversity. This will include details of any measures to reduce impacts from emitted internal lighting, such as cowls, recessed lighting or glazing treatments. All lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter. No additional lighting will be installed without prior written approval from the local planning authority.

END