

SUMMARY REPORT

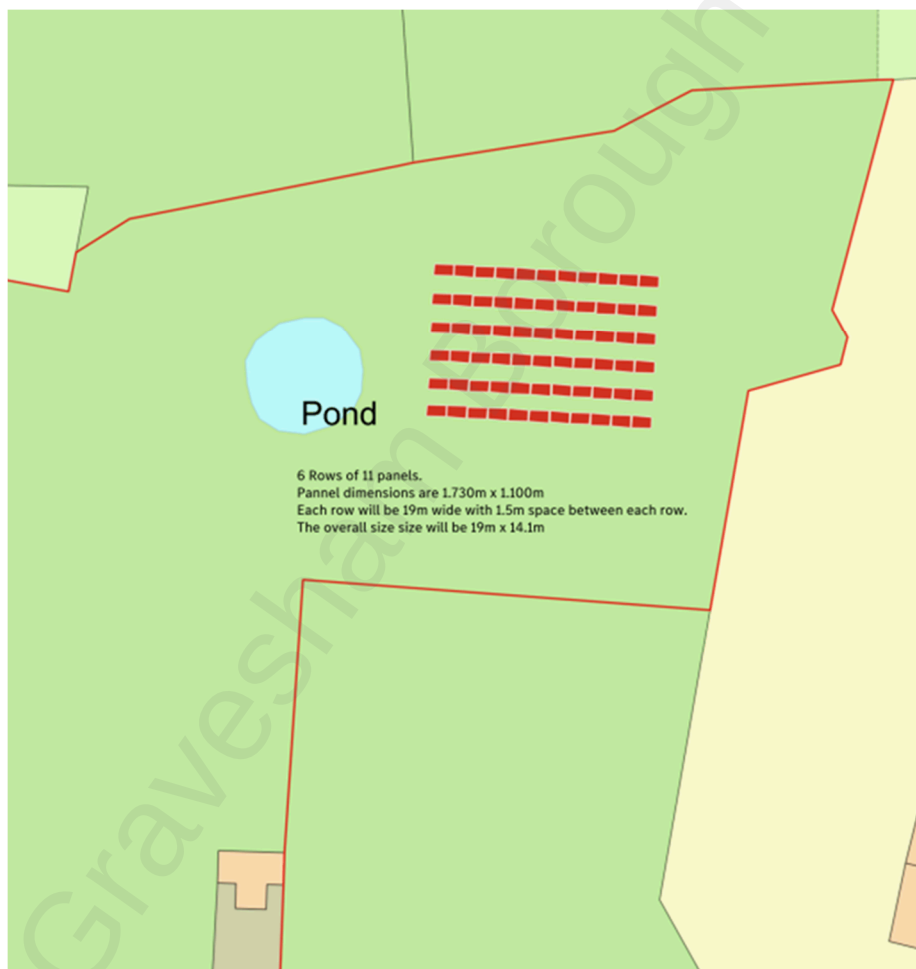
Application Ref:	20211286
Site Address:	The Old Dairy, Bocoda Hill Farm, Wrotham Road, South Street, Meopham, Gravesend, Kent, DA13 0QG
Application Description:	Application for installation of solar panels.
Applicant:	Mr Nigel Payne
Agent:	~
Ward:	Meopham South
Parish:	Meopham
Decision due date:	11 April 2022
Publicity expiry date:	3 December 2021
Decision Level:	Planning Committee – Wednesday 6 April 2022
Reason for referral:	Councillor Call-In
Recommendation:	DELEGATED to the Service Manager (Planning) in consultation with the Chair of the Planning Committee to grant conditional PERMISSION subject to referral to the Secretary of State.

Summary of Reasons for Recommendations

The proposal would be inappropriate development in the Green Belt, which, by definition, is harmful. Para. 144 of the NPPF sets out that any harm to the Green Belt should be given substantial weight, Para 147 of the NPPF goes on to state that very special circumstances need to be demonstrated if renewable energy projects are to proceed in the Green Belt and that this may include the environmental benefits associated with increased production of energy from renewable sources. The environmental benefits and the acceptability of the impact of the proposal on the character and appearance of the area are sufficient to outweigh the harm to the Green Belt in this instance. This is considered to amount to the very special circumstances required to justify the proposal. On this basis, the application is acceptable and is compliant with national and local planning policy.

1. Proposal

- 1.1. This application seeks permission for the installation of solar panels.
- 1.2. The proposed solar panels would be positioned in an area to the northern boundary of Bocoda Hill Farm Cottage, which lies to the east of the application property. The Old Dairy is within an L-shape plot that extends across the back of Bocoda Hill Farm Cottage. The location of the panels would appear to be outside the residential curtilage of The Old Dairy.
- 1.3. There are 66 solar panels proposed, laid out in 6 rows of 11 panels. Each panel is 1.73m by 1.1m and will be no higher than 0.5m off the ground. Each row of panels will be 19m wide, with 1.5m spaces between each row to allow for the retention and maintenance of the lawn. The overall dimensions of the area covered by the panels will be 19m by 14.1m, an area 268m².
- 1.4. The location of the solar panels is shown below.



- 1.5. A trench measuring approximately 90m long will be required for a cable, to connect the solar panels to an inverter. An inverter is a device that converts the electricity generated by solar panels from direct current (DC) into usable alternating current (AC). The inverter itself will be positioned inside the garage at the property, near the existing electricity metre.

- 1.6. The applicant has provided a photograph of floor-mounted panels, indicative of those proposed:



2. Relevant Planning History

<u>Application no.</u>	<u>Description</u>	<u>Status</u>	<u>Decision Date</u>
20180343	Erection of a single storey rear extension to form garden room.	Refused	01.06.2018
20171237	Application for a Lawful Development Certificate in respect of the proposed erection of an attached single storey non-habitable room forming a garden room.	Refused	22.01.2018
20160145	**AMENDED PLANS** Loft conversion to create larger roof space to existing first floor landing area, study and two bedrooms, with single storey rear extension to form garden room.	Refused	16.08.2017
20150456	Retrospective planning application for a loft conversion forming landing, study and two bedrooms incorporating six rooflights in the western roof slope and a window in the front elevation.	Permitted	24.07.2015
20070312	Conversion of the existing stables	Permitted	29.06.2007

into a gym/games room and shower room/wc.

19960452	Conversion of farm buildings into three no. residential units with garaging and parking spaces, external alterations and use of land for residential gardens, formation of new vehicular access.	Permitted	09.08.1996
19950595	Conversion of farm building's into four residential units with garaging & parking spaces external alterations & use of land for residential gardens, formation of a new vehicular access.	Permitted	24.05.1996
19870882	Conversion of farm buildings into 6 residential units incorporating extensions to buildings to form garages external alterations associated landscaping and use of land to form residential gardens	Refused Appeal Allowed	03.05.1988 23.01.1989

3. Planning Policy, Development Plan and other Material Considerations

Development Plan

3.1. The Development Plan for Gravesham currently comprises:

- Gravesham Local Plan Core Strategy and Policies Map, September 2014;
- Saved policies in the Gravesham Local Plan First Review, November 1994;
- The Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016, revised 2020)

3.2. The relevant policies for this proposal are as follows:

Gravesham Local Plan Core Strategy 2014

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Design and Development Principles

Saved Policies in the Gravesham Local Plan First Review 1994

- T1 – Impact of Development on the Highway Network

3.3. Paragraph 33 of the NPPF 2021 sets out that those policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

- 3.4. The Council undertook such a review in September 2019 and the review found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted, and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan First Review 1994 generally conform with the NPPF 2021, the Council will also seek to replace these saved policies via the emerging Local Plan.

Other Material Considerations

National Planning Policy Framework 2021

- Section 2 – Achieving sustainable development
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance (SPG)

- Gravesham Landscape Character Assessment (2009)
- KCC Solar Policy Position Statement (August 2014)
- Planning Practice Guidance Green Belt (2019)SPG2 – Residential Layout Guidelines (2020)

4. Consultations, Publicity and Representations

- 4.1. The application has been advertised by individual neighbour letters to 8 properties, and on site. The consultation periods expired on 23 November and 3 December 2021 respectively.
- 4.2. There have been 2 representations in total, objecting on the following grounds:
- Obstructing and harming views
 - Potential for the panels to be located elsewhere
 - The number of panels is excessive for a domestic property
 - Effect on natural beauty and Green Belt nature of area
 - Effect on quality of life and property value.
- 4.3. Local Ward Councillors were also consulted. Cllr Tiran stated 'it would appear that the application wishes to have a very large number of solar panels inserted, which may in fact contravene general planning requirements.'
- 4.4. KCC Heritage and Meopham Parish Council were also consulted and their comments are below.

KCC Heritage

No comments.

Meopham Parish Council

The Council feels unable to comment on this application and refers it back to the Planning Officer to assess, as they do not feel they have sufficient expertise in the regulations on

solar panels to make a judgement.

5. Site Description and Surroundings

- 5.1. The application site is defined on the Gravesham Local Plan Core Strategy 2014 Policies Map as lying within the rural area and Green Belt. It also falls within the Meopham Downs Landscape Character Area.
- 5.2. The Old Dairy forms part of a previous farm complex, consisting of the original farmhouse and the ancillary farm buildings, including the granary and the dairy, which have been converted to dwellings. The development focuses around a central courtyard, which was the original farmyard. The converted dwellings sit within very generous plots.
- 5.3. The site for the proposed solar panels is located to the north-east of The Old Dairy at the furthest extent of the property, and to the north of the post and rail rear boundary fence of Bocoda Hill Farm Cottage, which lies to the east of The Old Dairy.

6. Service Manager (Planning) Comments

- 6.1. The main issues for consideration in the determination of this application are as follows:
 - the principle of development in the Green Belt, including appropriateness and the effect on openness;
 - the design of the proposed solar panels and the impact on the character and appearance of the area;
 - the effect of the proposal on the amenities of existing neighbouring properties;
 - parking and highways; and
 - other material considerations – very special circumstances.

Principle of Development in the Green Belt

- 6.2. The application site is located in the Green Belt. Policy CS02 of the Core Strategy 2014 prioritises development in the urban area as a sustainable location for development. In the rural area, it states that development will be supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the Core Strategy 2014.
- 6.3. Green Belts are of great importance. The fundamental aim of Green Belt policy is to prevent urban sprawl by preserving the open and permanent characteristics of Green Belts (paragraph 137 of the NPPF 2021). Paragraph 147 of the NPPF 2021 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 6.4. With regards to renewable energy projects in the Green Belt, paragraph 151 of the NPPF 2021 is most relevant. This states that elements of many renewable energy projects will comprise inappropriate development, and this is the starting point for considering the application proposal. In such cases, developers will need to

demonstrate very special circumstances if projects are to proceed, which may include wider environmental benefits.

- 6.5. As the proposal comprises an inappropriate development in the Green Belt, the effect of the proposal on the openness of, and purposes of including the land within, the Green Belt must be considered.

Openness and Purposes

- 6.6. As stated above, paragraph 137 of the NPPF 2021 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also states that the essential characteristics of Green Belts are their openness and permanence. Paragraph 001 of the Planning Practice Guidance 2019 on Green Belts looks to assess the impact of a proposal on the openness of the Green Belt by taking the following into account:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.

- 6.7. In this case, the application site would appear to be outside the residential curtilage, but within the ownership, of The Old Dairy. The panels would be located within an area of grassland beyond the immediate fenced rear garden areas of both The Old Dairy and Bocoda Hill Farm Cottage. The site is devoid of any buildings or structures. The boundaries to the north, east and south of the proposed solar panels consist of established trees, shrubs and vegetation. The installation of 66 solar panels over an area of 268m² will undoubtedly reduce the current openness of the site. Moreover, the introduction of such structures into what is currently an open field would represent an encroachment of development into the countryside, which is contrary to one of the purposes that the Green Belt serves (paragraph 138 of the NPPF 2021).

- 6.8. On this basis, not only is there harm from the fact that the development is considered inappropriate, but there is further harm from a loss of openness and from the proposal being contrary to one of the purposes that the Green Belt serves. However, it is important to consider the detailed impacts on openness, including how it affects the character and appearance of the area.

Character and Appearance of Surrounding Area

- 6.9. The Old Dairy forms part of a previous farm complex, consisting of the original farmhouse and the ancillary farm buildings, including the granary and the dairy, which have been converted to dwellings. The development focuses around a central courtyard, which was the original farmyard. The converted dwellings sit within very generous plots. The following aerial photograph shows the location of solar panels in relation to the existing dwelling.
- 6.10. The site falls within the Meopham Downs Landscape Character Area, of which a key characteristic is its gently undulating topography with a mixture of arable and pasture farmland. The area surrounding the application site reflects this character, consisting of open fields and wooded and hedgerow edges. With regard to the impact on the landscape, Policy CS12 of the Gravesham Core Strategy 2014 is relevant to this application, relating to green infrastructure. This policy states that the overall landscape

character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment (LCA) 2009 will be taken into account in determining applications.

- 6.11. Paragraph 130 of the NPPF 2021 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.
- 6.12. The site for the proposed solar panels is in a grassed area located to the north-east of The Old Dairy at the furthest extent of the property, and to the north of the post and rail rear boundary fence of Bocoda Hill Farm Cottage, which lies to the east of The Old Dairy. The proposed solar array would consist of 6 rows of 11 panels, covering an area of some 268m². The panels would be mounted on the ground and would be no more than 0.5m high.
- 6.13. The man-made shape and layout of the proposed panels would appear out of place within the rural landscape. However, the proposal is for the panels to be erected low to the ground with space provided between them for grass to grow. The position of the proposed panels is well enclosed by the existing established and vegetated boundaries around the application property. The site is well away from the nearest main roads, South Street to the east and Ifield Road to the west, and visibility of the site from a public vantage point would be negligible given the existence of the site boundaries as they are. The most open views of the panels would be from the rear gardens of Bocoda Hill Farm Cottage and to a lesser extent, the application property itself. There may also be views of the panels from the first floor of the properties. However, this could be overcome with the conditioning of additional planting along the current open boundaries to help screen them from the view of the neighbour, as well as full details of their mounting and height to ensure their lower impact.
- 6.14. There are no other such installations in the wider area, and therefore no cumulative impact would result from the proposal.
- 6.15. Overall, whilst the proposed solar panels would appear out of place within the wider landscape, the visual impact of the proposal would be limited and localised. Retaining the grass around the panels would go some way to conserving the character of the site, and on this basis, whilst there is some conflict with the conservation requirements of Policy CS12 of the Local Plan, it is not considered that this is significant enough to justify a refusal on the basis of the harm to the character and appearance of the area.
- 6.16. Whilst the proposal would result in additional built development on the site, it would not represent a significant change in the character and appearance of the site, and would not therefore result in any significant adverse visual impact on landscape character. It must also be considered that solar panels are not permanent (indeed, they have a warranty of 25 years), and could be removed, and the property could revert back to the usual electricity supply from the National Grid. There are no significant activity levels related to the presence of solar panels.
- 6.17. These factors together limit the impact on the landscape and indeed, on openness. Provided planting and landscaping details are conditioned, the proposal is considered acceptable, and would comply with the overall aims of Policies CS12 and CS19 of the Core Strategy 2014, and paragraphs 130 and 174 of the NPPF 2021.

Residential Amenity

- 6.18. The NPPF 2021 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land.

Future Occupiers

- 6.19. There is no conflict with Policy CS19 of the Core Strategy 2014 in respect of the living conditions for future occupants of the dwelling.

Neighbouring Properties

- 6.20. Leylands lies to the east of the proposed solar panels location, over 50m away and beyond tall and well-established vegetated boundaries. It is not considered that there would be any impact on this property.
- 6.21. The proposed solar panels would be located directly to the rear of Bocoda Hill Farm Cottage. There is over 50m between the rear elevation of Bocoda Hill Farm Cottage and its rear boundary; the solar panels would lie a further 15m beyond this.
- 6.22. The panels would be likely to be visible from Bocoda Hill Farm Cottage due to the current open post and rail style fencing across its rear boundary. However, there is a large distance between the proposed panels and the neighbouring property, and the panels will be low to the ground at no more than 0.5m high. This would mean that whilst there may be a change in the view, the proposed panels would not have an overbearing or unacceptable impact on the outlook of this property. Nevertheless, in order to help screen any view of the panels from the neighbouring garden, additional planting could be conditioned to be included along the dividing boundary.
- 6.23. Overall, the proposal would comply with Policy CS19 of the Core Strategy 2014.

Parking and Highways

- 6.24. The parking requirements for the property would be unaffected as a result of the proposal. There would therefore be no conflict with Saved Policy T1 of the Local Plan 1994 and Policies CS11 and CS19 of the Core Strategy 2014.

Other Material Planning Considerations

- 6.25. The applicant has submitted details on the renewable energy benefits of the proposal. The existing situation at the property is that their electricity demand is much higher than that of a normal domestic supply. At present they are using 24 000 kWph per year, which is four times that of a typical domestic property. This is partly due to the presence of a pumping station that feeds off their supply, which is powered constantly. This pumping station collects sewage from three properties (the applicant's and two neighbouring properties). The sewage is then pumped up the hill and into the main sewage system a few times per day.
- 6.26. The applicant has confirmed the circumstances of their property bearing the full costs of the pump: When the site was originally converted some 26 years ago, the three owners had to have the system put in. The owner of application property had three phase

electricity installed, which was used to power the pumping station. All of the electrical equipment was installed in the garage of the property. At that stage, the three properties were responsible for the maintenance and cost of running the pumping station.

- 6.27. Water companies had to take over the responsibilities for private pumping stations a few years ago, before the applicant purchased The Old Dairy, as such the pumping station is now the responsibility of Southern Water. At that time, the previous owner of the property did not set up any arrangements with the neighbours to contribute towards the electricity bills, as it is understood it would have involved installing three separate meters, one for each property, to accurately monitor usage and charge accordingly. At present the pumping station is not monitored separately so it is not known what it costs to run.
- 6.28. Whilst the number of solar panels proposed is larger than what would be expected for a normal domestic supply, this is due to the high demand for electricity from the application property, and it would not constitute a solar farm as such, being for a single residential property.
- 6.29. Once installed, the property would no longer be responsible for creating carbon emissions to provide electricity to it. The panels will benefit the application property, and will also benefit the Southern Water Pumping Station and thus the two properties the pumping station serves.
- 6.30. The submitted details from the Renewable Energy Specialist company that is proposed to install the panels provides information on the projections for the proposed system. The system is expected to generate 27646 kWh per year initially, with a gradual reduction over time (the product has a 25 year warranty). It is anticipated that 60 per cent of the generated power will be consumed in the property, and the remaining forty per cent exported back into the grid. It would save 6.55t of CO2 emissions per annum, which is equivalent to planting 301 trees.
- 6.31. The provision of renewable and low carbon energy is central to the economic, social and environmental dimensions of sustainable development set out in the NPPF 2021. There is strong national policy support for the development of renewable energy sources, including solar power, to ensure the country has a secure energy supply, and to reduce greenhouse gas emissions. Although the scheme is modest in size, paragraph 158(a) of the Framework confirms that even 'small-scale projects provide a valuable contribution to cutting greenhouse gas emissions'. Moreover, it is not necessary for the appellant to demonstrate the overall need for the proposal.
- 6.32. Paragraph 158(b) of the NPPF 2021 states that when determining applications for such development, local planning authorities should approve the application if its impacts are (or can be) made acceptable.
- 6.33. Policy CS18 of the Core Strategy 2014 also seeks to reduce the overall carbon footprint of the Borough, and supports stand-alone renewable energy development where it is compatible with national policies for protecting the Green Belt and policies in the Core Strategy.
- 6.34. KCC also produced a Solar Policy Position Statement in 2014 in relation to large-scale solar arrays. In summary, it is supportive in principle of the installation of renewable and low carbon energy generation technologies. In Section 3 (Green Belt), it states that very special circumstances will need to be demonstrated before such proposals can be supported, and arguments in favour will need to be weighed against the harm to the Green Belt.

- 6.35. In June 2019, this Council declared a climate emergency which commits the Council to taking a lead in achieving Carbon Neutral status. As acknowledged by the Council and its Climate Change strategy, Climate Change is a reality and over the course of the Over the course of the last 250 years, the actions of humanity have increased carbon dioxide emissions by more than 30%, resulting in higher temperatures and changing the world we live in. Without taking action now, the impact will be devastating.
- 6.36. Given the above policy support, the renewable energy benefits of the proposal should be given substantial weight.

Other Matters

- 6.37. A similar proposal for 67 solar panels in 5 rows, covering an area of 300m² and having a height of 1.2m, was allowed at appeal in February 2020 (see Appendix 1). The proposal was similar to the application proposal in many respects. The appeal site was located to the rear of the gardens of a large detached house set in a substantial plot at 94 Harmer Green Lane, Digswell, Welwyn Hertfordshire, which is in the Green Belt and the Tewin, Dawley and Lockley Estate Farmland Landscape Character Area. The Inspector concluded that the proposal would be inappropriate development in Green Belt, with moderate harm from the loss of openness. In addition, it was concluded that the slight harm to the character and appearance of the area would be outweighed by other material considerations, including that such development can be temporary and reversible. Moreover, it was considered that the wider environmental benefits from the proposal amounted to very special circumstances, and that the location of the panels where the impacts could be made acceptable, sufficiently outweighed the harm to the Green Belt.
- 6.38. This decision is considered a relevant material consideration in this case.

7. Conclusion and Overall Balancing Exercise

- 7.1. The proposed development would be inappropriate development in the Green Belt, which is by definition, harmful. There would also be a loss of openness arising from the proposal, and an encroachment into the countryside. In line with paragraph 148 of the NPPF 2021, substantial weight is given to such harm.
- 7.2. However, the harm to the character and appearance of the area from the proposal is considered to be limited and localised, and given the nature of the proposal and the remediable aspects of it, such harm is not considered to be substantial enough to warrant a refusal on this basis.
- 7.3. Furthermore, as set out in paragraph 151 of the NPPF 2021, very special circumstances must be demonstrated if renewable energy projects in the Green Belt are to proceed. These include the wider environmental benefits associated with increased production of energy from renewable sources. Although modest in scale, the proposed solar panels would make a valuable contribution to cutting greenhouse gas emissions, and this should be afforded significant weight.
- 7.4. Paragraph 158 of the NPPF 2021 goes on to state that renewable energy applications should be approved if their impacts are, or can be, made acceptable. With the submission of further details relating to planting and landscaping, it is considered that the location of the panels can be acceptable. Furthermore, a condition to require their removal as and when they are no longer needed can be used to ensure the condition of the land would be restored to its former state.

- 7.5. Therefore, the environmental benefits of the proposal and the acceptability of the impact on the character and appearance of the area, are sufficient to outweigh the harm to the Green Belt in this instance. This is considered to amount to the very special circumstances required to justify the proposal in line with the requirements of paragraph 148 of the NPPF 2021 and Policy CS02 of the Core Strategy 2014, and the proposal is accordingly recommended for approval.
- 7.6. If the Planning Committee agree with the recommendation and consider that the development would have a significant impact on the openness of the Green Belt, the Secretary of State would need to be notified before a permission can be issued.
- 7.7. As this recommendation is as a result of very special circumstances being demonstrated relating to the installation of solar panels, not structures, it is important to make clear that this cannot be used to justify the development of any future buildings on the site. An informative to this effect will be included on the decision notice.
-

Recommendation

DELEGATED to the Service Manager (Planning) in consultation with the Chair of the Planning Committee to grant conditional PERMISSION subject to referral to the Secretary of State.

Conditions

Time Limit

1. The development hereby approved shall be begun not later than 3 years following the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

2. The development hereby permitted shall be carried out in precise accordance with the following approved plans and particulars:

SolarEdge three phase inverter datasheet received 13 October 2021;
Drawing (The Old Dairy Position of Inverter) received 14 October 2021;
Application form received 21 October 2021;
Drawing (The Old Dairy Solar Panels) received 25 October 2021;
Drawing (The Old Dairy Solar Panels – Location Plan) received 25 October 2021; and
SolarEdge Designer Report received 14 December 2021.

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

Details of Solar Panels

3. The solar panels hereby permitted shall not be erected until full details of the solar panel array, including details of their height, mounting and distance from the ground, 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 and retained as such thereafter.

Reason: In order to protect and enhance the character and appearance of the site and locality, and in the interests of residential amenity, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

Soft Landscaping Scheme

4. The solar panels hereby permitted shall not be erected until full details of a soft landscaping scheme associated with the development, including boundary screening and grass seeding or turfing, have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include planting plans, including specifications or species, sizes, planting centres, number and percentage mix, and details of seeding or turfing.

The approved landscaping scheme shall thereafter be implemented and maintained in accordance with the approved details. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following the completion of the development. Any trees, plants or grass which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In order to protect and enhance the character and appearance of the site and locality in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

Expiry Date

5. This permission shall expire within 25 years from the date when electricity is first exported (the 'First Export Date') from the solar panels to the host dwelling (The Old Dairy). Written notification of the First Export Date shall be provided to the Local Planning Authority no later than 14 days after this event.

Reason: To enable the Local Planning Authority to control the development in the interests of the openness of the Green Belt, and in accordance with Policies CS02, CS12 and CS19 of the Local Plan Core Strategy 2014.

Removal of Solar Panels

6. Within three months of the solar panels hereby permitted ceasing to be used for the generation of electricity, or the end of this permission, whichever is the earliest, or in the event that the solar panels are no longer required to power the Southern Water pump associated with the host dwelling, the solar panels and associated infrastructure shall be permanently removed from the land, and the site restored to its former condition, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to these works being carried out.

Reason: In order to protect and enhance the long-term character and appearance of the site and locality in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

- 1 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.

ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.

iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.

iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

2 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

3 BUILDING REGULATIONS CONSENT

The granting of planning permission is independent from the granting of Building Regulations consent (which may, or may not, be required). In the event of a change to the scheme granted planning permission being required to satisfy the Building Regulations, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

4 FUTURE DEVELOPMENT

You should be aware that the development hereby approved does not constitute any form of structure and cannot be used to justify the development of a future building(s) on the site. You should contact the Local Planning Authority about any such proposals in the first instance.

5 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.