

**Offham**

**31 August 2018**

**TM/18/01930/FL**

Downs And Mereworth

Proposal: Erection of a temporary marquee on the site to be used in conjunction with the existing lapa for weddings/events; the erection of 3 holiday let units (timber pods); and utilisation of existing access from Teston Road

Location: Kentfield Farm Tower Hill Offham West Malling Kent ME19 5NH

Go to: [Recommendation](#)

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## **1. Description:**

1.1 The application seeks planning permission for the following:

- Erection of a temporary marquee to be used together with the existing lapa for weddings, events and functions (a lapa is a semi-open timber framed structure with a thatched roof used as an entertaining area);
- Erection of 3 self-contained timber holiday let pods arranged around the existing wildlife lake.

1.2 The erection of the holiday let pods and marquee and use of the site for weddings and other events are proposed as part of the diversification of Kentfield Farm to assist the farm's future viability.

1.3 The temporary marquee is to measure 12m x 9m and 3.93m high and is to attach to the north side of the existing lapa that is situated on the edge of the wildlife lake. The marquee will be retained erected during the summer months and taken down in the winter months.

1.4 It is proposed to hold a maximum of 28 events/functions per year for up to 200 guests. The applicant has a Premises Licence (17/01899/PREM issued 5 February 2018) for this number of events and guests, and a Wedding Licence.

1.5 Three timber holiday let pods are proposed, including 2No. 2 person pods (7m long x 3.3m deep x 2.89m high) and 1No. 4-5 person pod (9m long x 3.5m deep x 2.89m high). They are of an arched roof design and will be finished in natural timber. The pods are to be situated in nominated locations around the wildlife lake.

1.6 Access to the site will be obtained from the main access to Ashtree Farm. It is noted that Ashtree Farm is also under the ownership of the applicant.

1.7 Parking will be provided mostly within an existing hard surfaced area along the fence line to the woodlands. Overflow parking will be provided in a specified grassed areas.

1.8 A single Statement comprising a Planning Statement, Design and Access Statement and Heritage Statement has been submitted with the application, along with an Environmental Impact Assessment (Noise) (revised) and a Farm Diversification Plan.

1.9 An amended Site Location Plan was submitted on 12 February 2019 that revised the position of the holiday let pods.

**2. Reason for reporting to Committee:**

2.1 At the request of Cllr Balfour due to local concerns, traffic and access.

**3. The Site:**

3.1 The application site is a large area of land (about 10.91ha) set within Kentfield Farm, which was formerly a dairy and soft-fruit farm. The main farm buildings are located just to the south of the end of Tower Hill. The associated dwelling of Kentfield House lies immediately to the north of the farm buildings. The residential properties of Blaise Farm and Blaise Farmhouse lie either side of the main farm buildings. The farm extends up to Teston Road and Ashtree Farm to the south. Land to the west of Blaise Farm Quarry is also leased by the applicant for cropping. The farm currently consists of a mix of land for cropping, hay production and grazing of cattle and sheep. The woods are used for game shooting.

3.2 In respect to the main application site, a man-made wildlife lake is situated to the southeast of the farm buildings located between Blaze Wood and St Leonard's Wood which are Ancient Woodland. St Leonard's Wood is also a designated Local Wildlife Site. A timber framed thatched roofed lapa is situated on the northern edge of the lake with decking extending over the lake. The lapa is fitted with barbeques and a fireplace. A shooting lodge is situated close to Blaze Wood. A farm track follows the southern edge of Blaze Wood.

3.3 Ashtree Farm to the south is effectively linked to Kentfield Farm via farm tracks and is occupied by a removals business and an off-road/trailer driver training and outdoor activities business. A dwelling, stables and equestrian areas are also in place on this adjacent site.

3.4 There are 4 existing access points from which the site can be accessed; one at the end of Tower Hill and 3 along Teston Road. The main southern access point provides access to the businesses at Ashtree Farm. The access further to the north provides access to the Ashtree Farm dwelling and stables. The access just north of the Teston Road/Offham Road junction provides traditional farm gates.

3.1 The site is located within the countryside, Green Belt and an Area of Archaeological Potential (AAP). A Scheduled Monument (Remains of the Chapel of St Blaise) is situated to the southwest of the lake. Teston Road is a Classified

Road. The site also lies upon a Principal aquifer. A Public Right of Way footpath (MR286) extends adjacent to the western boundary of the site.

**4. Planning History (relevant):**

TM/11/00533/FL      Application Withdrawn      28 May 2015

To build a wildlife pond/lake. Grid ref: TQ 66287 56567

TM/12/01146/FL      Approved      17 August 2012

Construction of a new wildlife conservation lake using site won material. Change of use from an agricultural field consisting of improved pasture grass land of low ecological value

TM/15/03052/DEN      Prior Approval Not  
Required      9 October 2015

Prior Demolition Notification: Demolition of barn

TM/15/03053/AGN      Prior Approval Not  
Required      9 October 2015

Prior Agricultural Notification: To erect a replacement barn/agricultural workshop as per attach drawings and specification

TM/15/03939/FL      Approved      2 February 2016

Building to be used for hobby purposes by family only and for non-commercial activities (RETROSPECTIVE)

TM/17/02077/FL      Application Withdrawn      2 November 2017

Section 73 application to vary planning condition 1 of TM/15/03939/FL to allow the building to be used for certain commercial uses

TM/17/02078/FL      Application Withdrawn      2 November 2017

Section 73 application to vary planning condition 10 of TM/12/01146/FL to allow the lake to be used for certain commercial uses

**5. Consultees:**

5.1 Offham PC: Objection for the following reasons:

- It is clear to the Parish Council that the lapa was originally built for commercial use without the benefit of planning permission. The applicant then applied for retrospective planning for private use only. At same time he was advertising the lapa as a commercial venue. It appears there was never any intention for the lapa to be anything other than a commercial venue.

- If at the start, the correct application was made for commercial planning permission for the lapa and the lake, on green belt land, the Parish Council would have objected.
- The applicant applied for the lapa and lake to have commercial status at the beginning of this year. The Parish Council and many residents objected, but the application was withdrawn before TMBC could make a decision. This application is to put a temporary structure (a marquee) against a permanent structure (the lapa) which does not have planning permission. If granted, this would give the applicant commercial use for the lake and the lapa, without an actual application for commercial use for them having been made or granted.
- The Parish Council does not support an application which is seeking to avoid the planning rules which would have made approval for commercial use at the outset unlikely. If an application for commercial use had been made at the start the Parish Council would have objected, and therefore on that basis the Parish Council must also object to this application which is seeking to achieve the same result by a different method retrospectively.
- From the contact that the Parish Council has had with villagers they are overwhelmingly against this application on the basis of noise, traffic and the route taken to try and achieve planning permission. The Parish Council also notes the application was originally made under the address of Ashtree Farm, although the location of the marquee, lapa and holiday let units are in Kentfield Farm.
- The applicant has a premises licence to use the lapa which is not valid without planning permission for commercial use. This application appears to be a route to get that commercial use permission, without actually being an application for commercial use of the lapa and lake.
- The applicant notified the Parish Council that he also has a weddings licence and that his intention is to use the temporary marquee for seating, dining, speeches etc and to use the lapa for music and dancing. The Parish Council reiterates that there is no planning permission for commercial use of the lapa, so this structure cannot be used for commercial weddings or events.
- The Parish Council would like to state that if there had been two separate applications, there would have been no objections to the erection of 3 holiday let units. However, as this has been included in one single application the Parish Council must object.

5.2 KCC (Flood & Water Management): The proposal for the erection of a temporary marquee and three holiday units would lead to a negligible increase in impermeable area and would not increase the risk of surface water flooding at the site. Therefore, we consider this application as low risk development.

5.3 KCC (H&T): Having considered the development proposals and the effect on the highway network, no objection is raised.

5.4 KCC (Heritage): The following comments were received:

- The site of application lies within an area of archaeological potential associated with Early Prehistoric remains. Flint scatters and Neolithic axes have been found in the vicinity.
- However, of concern is the lack of consideration for the remains of the Chapel of St Blaise which is designated as a Scheduled Monument and is located in close proximity to the proposed units and marquee. This proposed development will encourage more use of the field that St Blaise is in and there needs to be an assessment of the impact of the development on the chapel complex. I believe the chapel complex is still being severely harmed by trees and we would welcome consideration of the conservation of this monument and its setting. As this is a Scheduled Monument I recommend consultation with Historic England regarding concerns over the current condition of the remains and their ongoing conservation.
- Buried archaeological remains can be addressed through a specified condition, but I would also welcome further details from the applicant on the treatment of the chapel.

5.5 Historic England: We do not wish to get closely involved. Relevant Historic England guidance notes on the setting of heritage assets and temporary structures in historic places can be referred to.

5.6 Kent Wildlife Trust: No comments received.

5.7 Kent Fire Brigade: The means of access is considered satisfactory.

5.8 Private Reps: 39 + site + press notices/0X/38R/1S. The concerns raised by the objections are summarised below:

- Noise impact and nuisance for local residents from loud/amplified music and PA system, vibration and crowd noise, from the events held in the marquee/lapa
- Impact on residential amenity as a result of noise from the events
- The existing access from Teston Road has restricted views and is hazardous
- Substantial increase in traffic through Offham, Tower Hill and local lanes as a result of the events
- Noise impact from additional traffic
- The proposal would be a change of use and inappropriate development in the Green Belt

- The site would change use from agricultural to commercial use/activities
- Concerns about the use of the existing lodge
- The topography of the site contributes to the noise impact

5.8.1 Comments received in support are summarised below:

- The lake, lapa and site at Kentfield Farm provides a community service for the local scout group

## **6. Determining Issues:**

6.1 The main issues are whether the proposals would be inappropriate in the Green Belt and whether they would affect the character of the area, visual amenity of the rural locality, highway safety or the aural amenity of nearby residents.

6.2 It is noted that the private wildlife lake was approved and constructed under planning reference TM/12/01146/FL and the lapa was granted retrospective permission for private/non-commercial purposes under reference TM/15/03939/FL.

### *Development in the Green Belt:*

6.3 The application site is in the Green Belt where Policy CP3 of the TMBCS advises that National Green Belt policy will apply (Section 13 of the NPPF).

6.4 Paragraph 143 of the NPPF states that *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”*

6.5 Paragraph 144 follows stating that *“when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘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.”*

6.6 Paragraph 145 of the NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, but a number of exceptions are specified. The most relevant being:

*g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.*

6.7 In terms of exception (g), Annex 2: Glossary of the NPPF advises that Previously Developed Land (PDL) is “land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.”

- 6.8 The site comprises an existing private man-made wildlife lake with an open-sided lapa building and shooting lodge. The site is therefore occupied by permanent buildings that fall outside of the exceptions in the glossary and is therefore PDL. The proposal is considered to involve the partial redevelopment of PDL and therefore a judgment needs to be made as to whether the development would have a greater impact on the openness of the Green Belt than the existing development.
- 6.9 Paragraph 146 of the NPPF also advises that material changes in the use of land is a certain other form of development that is not inappropriate in the Green Belt, provided it preserves its openness and does not conflict with the purposes of including land within it.
- 6.10 LJ Lindblom in the judgment in *Samuel Smith Old Brewery (Tadcaster) Oxtou Farm v North Yorkshire County Council & Anor, Court of Appeal - Civil Division, March 16, 2018, [2018] EWCA Civ 489*, advised that:

*“whether the development would “preserve” the openness of the Green Belt – cannot mean that a proposal can only be regarded as “not inappropriate in Green Belt” if the openness of the Green Belt would be left entirely unchanged. It can only sensibly mean that the effects on openness must not be harmful. [...] There may be cases in which a proposed development in the Green Belt will have no harmful visual effects on the openness of the Green Belt. Indeed, there may be cases in which development will have no, or no additional, effect on the openness of the Green Belt, either visual or spatial.”*  
(para.39)

- 6.11 The 3 timber holiday let pods are relatively modest in size and scale and would generally appear unassuming within their setting with the lake. However, when taken together and in conjunction with the 54m<sup>2</sup> marquee and the associated parking of vehicles relating to the use of the land for events and functions, it would result in visual and spatial impacts upon openness. Although this harm would be limited, it is considered that openness would not be preserved. The structures and uses would also cause limited harm in term of encroachment into the countryside, which is one of purposes of the Green Belt. The proposal is therefore inappropriate development in the Green Belt and a case of very special circumstances needs to be shown to exist.
- 6.12 Paragraph 80 of the NPPF states that *“significant weight should be placed on the need to support economic growth and productivity taking into account local business needs and wider opportunities for development.”*
- 6.13 Also, in terms of the rural economy, paragraph 83 of the NPPF advises that decisions should enable the sustainable growth and expansion of all types of business in rural areas; the development and diversification of agricultural and other land-based rural businesses; and sustainable rural tourism and leisure developments which respect the character of the countryside.

- 6.14 A Farm Diversification Plan has been submitted. This confirms that rare breed sheep Sussex cattle, Kune Kune pigs, pheasants, ducks, chickens and guinea fowl are produced low intensively on the farm. The wild game is supplied to local restaurants and other produce will be used to support the weddings and functions and for hampers for guests of the holiday accommodation. The holiday let accommodation is aimed at visitors who wish to use the other facilities on Kentfield Farm/Ashtree Farm, including game shooting, clay pigeon shooting, spring lambing, horse-riding, quad-biking 4 x 4 training and cycling, as well as providing accommodation for visitors who wish to explore the local rural villages and tourist attractions in the area.
- 6.15 The Plan also outlines the costs associated with the day-to-day running of the farm and future investment required over the next 12 months. It also provides an overview of the proposed diversified income streams for the farm. This includes the following in addition to the income streams from agricultural production as specified earlier: corporate days using the lake for raft building and kayaking and in conjunction with outdoor activities by Ian Wright Event (tenant of Ashtree Farm); Country Weddings, Equestrian facilities and Holiday let pods. The Plan advises that the proposed diversification of the farm would make the farm viable again after the first year.
- 6.16 I consider that the benefits to local businesses and to the local rural economy from the proposed diversification of the farm and attracting of visitors to the local area should be given significant weight, as should the benefits to securing the viability of the farm. It is therefore concluded that these benefits would clearly outweigh the harm caused by the developments inappropriateness and the limited harm to openness and encroachment into the countryside.

*Development in the Countryside:*

- 6.17 Policy CP14 of the TMBCS restricts development in the countryside to specific development listed in the policy. Development that secures the viability of a farm is listed provided it forms part of a comprehensive farm diversification scheme supported by a business case. The principle of the proposed development is consistent with this policy.
- 6.18 Policy DC3 of the MDE DPD states that proposals will be permitted which form part of a farm diversification scheme where they are directly related to supporting a working farm. Policy DC5 of the MDE DPD is also supportive of new tourism and leisure facilities in rural areas.
- 6.19 In addressing the provisions of these policies, the proposals are considered to be proportionate in terms of the amount of development for the intended uses and scale to the surroundings, would not affect the viability of the farm holding or result in a loss of high quality agricultural land, will support the local economy and the biodiversity of the site, and the farm has been significantly enhanced by the introduction of the wildlife lake. The impacts of the proposals on character,

highway safety and neighbouring amenities will be discussed in the relevant sections of this report below.

*Character and Visual Amenity:*

- 6.20 Policy CP24 of the TMBCS requires development to be of a high quality and be well designed to respect the site and its surroundings in terms of its scale, layout, siting, character and appearance. Policy SQ1 of the MDE DPD advises that new development should protect, conserve and, where possible, enhance the character and local distinctiveness of the area including its setting in relation to the pattern of the settlement, roads and surrounding landscape.
- 6.21 Paragraph 127 of the NPPF also seeks to ensure that development will function well, be sympathetic to local character, establish a strong sense of place and create attractive, safe places in which to live, work and visit.
- 6.22 A moderate diversification of the farm is proposed. The new timber pods to be erected are small in number, are of a very modest size and scale and are of a design and natural timber finish that would make them blend in unassumingly with the lake setting and surrounding farm and woodlands. As a result, they would integrate effectively within the surrounding rural area and therefore any impact on the character of area would not be significant, in my view.
- 6.23 The marquee would be a temporary building/feature only and can be removed at any time. The parking of cars will be primarily contained within existing hard surfaced areas with overflow parking being provided on grassed areas during events when needed. Any visual impact on the site would therefore be limited.
- 6.24 In respect to lighting, a condition can be added requiring any external lighting to be approved prior to installation so that impact on the landscape from any such lighting can be minimised.
- 6.25 The proposed development would therefore not harm the character of the area or visual amenity of rural locality and would satisfy Policies CP1 and CP24 of the TMBCS and SQ1 of the MDE DPD, as well as DC3 and DC5 as they relate to character.

*Setting with Scheduled Monument / Archaeology:*

- 6.26 The Scheduled Monument of the remains of the Chapel of St Blaise lies about 40m to the southwest of the lake. The original proposal showed one of the holiday let pods positioned between the lake and the Scheduled Monument, only 25-30m from the Monument. This pod has now been repositioned and is now located 50m to the north of the Scheduled Monument.
- 6.27 KCC (Heritage) has advised that development provides buildings and a marquee close to the Chapel complex and will encourage more use of the field that it is

located in and as a result an assessment of the impact of the development on the chapel complex is needed. Also it has been suggested that the chapel complex is still being severely harmed by trees and that they would welcome consideration of the conservation of the monument and its setting.

- 6.28 Measures to protect the Scheduled Monument during construction have been outlined in the Design and Access Statement. These include fencing to be erected around the monument set 5m back from it; keep out signage is to be placed on the fencing and construction staff to be briefed on the protected area. It has been advised that groundworks will be limited to the laying of a base for the pods.
- 6.29 The holiday pods are low impact structures that would not require significant alteration of the land and visually they would be sympathetic to the setting of the Scheduled Monument, in my view. The closest holiday pod is also now located some 50m away from the Scheduled Monument. The marquee would be a temporary fixture that is to be located a substantial distance away from the Scheduled Monument and would be taken down for the winter months. However, to ensure that adequate protection of the Scheduled Monument is afforded in terms of construction works and the increase in people using the site, I consider that a Management Plan is required. The applicant has also advised that they will work with Historic England to manage tree and vegetation growth within the area of the Chapel complex. This would better reveal the Monument which would provide a contribution to its historic significance. This can be secured by condition.
- 6.30 In terms of archaeology, the site also lies within an area of archaeological potential associated with Early Prehistoric remains, as flint scatters and Neolithic axes have been found in the area. KCC (Heritage) has advised that archaeological matters can be adequately addressed through a specified condition.
- 6.31 Accordingly, I am satisfied that the development would not harm the significance of the Scheduled Monument on the site and would therefore not conflict with paragraphs 189, 190, 192 and 197 of the NPPF.

Traffic and Highway safety:

- 6.32 Paragraph 84 of the NPPF advises that developments such as those relating to farm diversification may need to be located outside of settlements that are not well served by public transport but such development should be sensitive to its surroundings and should ensure that it does not have an unacceptable impact on local roads.
- 6.33 The main existing access to Ashtree Farm is to be used for guests and vehicles relating to the operation of the events. This is necessary to minimise movements down the narrow lane of Tower Hill. The principle of this is acceptable and I note that KCC H&T have no objection to the scheme on highway grounds.

- 6.34 One of the main concerns though from local residents was how vehicles will be prevented from being directed down Tower Hill, in particular taxis and delivery/commercial vehicles. In order to minimise the potential vehicle movements within Tower Hill, I consider that a condition can be imposed requiring a management plan to be put in place that provides appropriate measures to reduce the likelihood of vehicles using Tower Hill.
- 6.35 I am satisfied that the development would not result in an unacceptable impact on highway safety or residual cumulative impacts on the road network that would be severe. It would therefore not conflict with Policy SQ8 of the MDE DPD or paragraphs 84 or 109 of the NPPF, or Policy DC5 of the MDE DPD as it relates to road safety.

Noise Impact:

- 6.36 One of the key concerns of local residents was noise impact from the operation of the events/function as a result of amplified music, amplified speech, vibration and crowd noise. This has come about as a result of a prior event held by the applicant. Local residents in their representations have advised loud music, bass and vibration could be clearly heard even given the distance and the woods intervening. Other factors such as wind and the slope of the land have also been mentioned as additional factors of the emanating noise impact.
- 6.37 Although a separate regime, a Premised Licence has since been granted for the same arrangement as is proposed here for the holding of events within the lapa/marquee. It is my understanding that the Environmental Impact Assessment (Noise) submitted with this application, prepared by SPL track Limited (updated 17 January 2019) reflects that submitted for the Premises Licence. The conditions on the Premises Licence in respect to the control of noise are considered to be consistent with the mitigation and management recommendations outlined in the noise assessment submitted with this application. These are discussed below.
- 6.38 The report assesses the potential effects from traffic movements to and from the site, event activities and any other noise generating activity. In terms of mitigation and management, the report advises that if loudspeakers are positioned only in the lapa and pointed towards the south it is unlikely that there will be any noise impact upon the community. Although it suggests that no additional measures would be required to achieve this, further assurance could be obtained by installing two solid partitions behind the loudspeaker locations in the lapa to act as baffles.
- 6.39 The report also advises that noise levels within the lapa should be controlled using a suitable noise limiting device and checks should be made using a portable noise meter to ensure that levels within the space do not exceed 98dB LAeq(15) as recommended by the Code of Practice.

6.40 I consider that the operation of the events in accordance with the mitigation and management measures outlined the noise report, including the additional baffles mentioned, would not lead to adverse impact on the aural amenity of nearby residents. A condition can added to secure these requirements. This would also be consistent with the Premises Licence. The proposal therefore accords with paragraph 180 of the NPPF and Policies DC3 and DC5, as they relate to impact on residential amenities.

Other Matters:

6.41 The site lies upon a Principal aquifer but the development involves low key structures that would not raise concerns in terms of impact on groundwater or surface water drainage. The applicant is proposing a cesspit to deal with foul water drainage. Notwithstanding this, a scheme for the disposal of foul water from the development is required, which can be secured by condition.

Conclusion:

6.42 The proposals are inappropriate development in the Green Belt but the benefits that they would bring to local businesses, the local rural economy and in securing viability of the farm would clearly outweigh the harm they would cause and therefore very special circumstances exist.

6.43 The proposals are also sited and are of a scale and appearance such that they would not harm the character or visual amenity of the area or the setting of the Schedule Monument (Chapel of St Blaise). The use of the main Ashtree Farm access would minimise impact on the highway network and adequate mitigate measures and management proposals for the events/functions would be in place to minimise impact on the amenities of nearby residents.

6.44 Accordingly, the proposed development is considered to satisfy the relevant provisions of the Development Plan and NPPF and therefore it is recommended that planning permission be granted.

**7. Recommendation:**

7.1 **Grant Planning Permission** in accordance with the following submitted details:

Proposed Plans and Elevations Holiday Pod 1 received 14.08.2018, Proposed Plans and Elevations Holiday Pod 2 received 14.08.2018, Plan Marquee/Lapa received 31.08.2018, Details Marquee received 14.08.2018, Letter Support received 16.10.2018, Photographs received 16.10.2018, Design and Access Statement received 14.11.2018, Plan Farm Diversification received 14.11.2018, Plan Uses of Farm received 14.11.2018, Email received 22.01.2019, Noise Assessment V1.2 received 22.01.2019, Email received 12.02.2019, Location Plan 18003-S-01-G received 12.02.2019, subject to the following conditions:

**Conditions:**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

- 2 Prior to commencement of the development, a Management Plan in relation to construction and operation of the development to secure protection of the Scheduled Monument and a scheme to enhance its value shall be submitted to and approved by the Local Planning Authority. The development shall be carried out and operated in strict accordance with the approved scheme.

Reason: To preserve the historic importance of the Scheduled Monument on the site.

- 3 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

- 4 The development shall not be brought into use until a detailed Management Plan for the operation of the events/functions has been submitted to and approved by the Local Planning Authority. This should include, amongst other matters, management procedures relating to the use of the holiday lets and existing lodge building in conjunction with events, how noise nuisance outside of the lapa/marquee is to be managed and how vehicle movements along Tower Hill from the uses will be minimised.

Reason: To minimise noise and other nuisance from the operation of the development.

- 5 Prior to the erection of the holiday let pods and use of the marquee and lapa for events/functions, a scheme of foul water disposed for the development shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To prevent pollution of groundwater.

- 6 All materials used externally shall accord with the plans and application details hereby approved.

Reason: To ensure that the development does not harm the character of the site or visual amenity of the locality.

- 7 The events/functions shall be restricted to no more than 28 in any calendar year and the number of guests/customers for any given event shall not exceed 200.

Reason: To adequately protect the amenities of residents in the local area.

- 8 The events/functions shall not be operational outside of the hours of 11am to midnight.

Reason: To adequately protect the amenities of residents in the local area.

- 9 The events/functions shall be conducted in strict accordance with Section 14 'Mitigation and Management' of the submitted Environmental Impact Assessment (Noise) Report (Prepared by SPL track Limited Updated 17 January 2019), including the recommended installation of two solid partitions behind the loudspeaker locations in the lapa to act as baffles.

Reason: To adequately protect the aural amenity of residents in the local area.

- 10 Notwithstanding Classes C2 and C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, the self-contained timber holiday let pods hereby approved shall be used to provide holiday accommodation only and they shall not be used as permanent unrestricted accommodation or as a primary place of residence.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation.

- 11 All vehicle traffic relating to the operation of the development hereby approved, including any delivery vehicles and taxis, shall access the site via the main southern access to Ashtree Farm located on Teston Road only.

Reason: To minimise traffic impact on Tower Hill and in the interests of highway safety

- 12 The operator(s) of the holiday let accommodation hereby approved shall maintain a register of customers'/occupants' main place of residence, which shall be made available for inspection.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation.

- 13 The events/functions and holiday let accommodation hereby approved shall only be operated by the owners/occupiers of the farm known as Kentfield Farm, Tower Hill Offham West Malling Kent ME19 5NH.

Reason: The events/functions and holiday let accommodation forms part of the diversification of the farm and their operation independent of the farm may harm the openness of the Green Belt and character and visual amenity of the area.

- 14 Within 3 months of the date that the events/functions or holiday let accommodation uses cease, a scheme for the removal of all structures, materials and equipment brought on to, or erected on the land, or works undertaken to it in connection with that use, and the restoration of the land to its condition before the development took place shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in full within 3 months of approval of the scheme relating to this condition.

Reason: To preserve the openness of the Green Belt and ensure that the character and visual amenity of the rural locality is not significantly harmed.

- 15 No external lighting shall be installed on the site, except in accordance with a scheme of external lighting that has been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason: To protect the visual amenity of the rural locality.

### **Informatives**

- 1 This permission does not purport to convey any legal right to undertake works or development on land outside the ownership of the applicant without the consent of the relevant landowners.
- 2 During the demolition and construction phase, the hours of working (including deliveries) shall be restricted to Monday to Friday 07:30 hours - 18:30 hours. On Saturday 08:00 to 13:00 hours, with no work on Sundays or Public or Bank Holidays.
- 3 If non-mains drainage is to be pursued, full details will be required in respect to Condition 5 of this permission, including size, location and maintenance regimes. Due consideration should be given to the National Planning Policy Guidance, Paragraph: 020 Reference ID: 34-020-20140306 in respect of Non-Mains Sewerage and Building Regulations Approved Document H - Drainage and Waste Disposal.
- 4 You are advised that, in undertaking the works hereby approved, due regard should be had to the provisions of the Wildlife and Countryside Act 1981 relating to the protection of species and habitats. It is recommended that the applicant seek further advice from Natural England, The Countryside Management Centre, Coldharbour Farm, Wye, Ashford, Kent, TN25 5DB.

Contact: Mark Fewster