

Maidstone Borough Council
Development Control Section
Maidstone House King Street
Maidstone
Kent
ME15 6JQ

Our ref: KT/2019/126031/02-L01
Your ref: 19/503532/OUT
Date: 24 September 2019

Dear Sir/Madam

OUTLINE APPLICATION WITH ACCESS MATTERS SOUGHT FOR DEMOLITION OF TWO EXISTING BUILDINGS AND ERECTION OF FOUR RESIDENTIAL DWELLINGS. (MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE ARE RESERVED FOR FUTURE CONSIDERATIONS.)

3-5 KINGS ROAD, HEADCORN, ASHFORD, KENT, TN27 9QT

Thank you for consulting us on the above application.

We have reviewed the information submitted and have the following comments to make:

In considering the supplementary evidence provided - we will remove the Objection, and propose a Condition to retain and protect the undeveloped buffer zone instead. Further advice, the photos provided describe the extent of hard engineered embankment connected to the bridge structure is potentially excessive for the reinforcement needed. The feasibility to reduce the extent of hard banking and regrade to a natural bank could be considered; this would contribute towards betterment of the river corridor condition, by taking steps to remove artificial and unnecessary materials in our rivers.

CONDITION: Undeveloped buffer zone for watercourse: scheme to be submitted

Development that encroaches on watercourses can have a potentially severe impact on their ecological value, and prevent the natural processes from taking place which support the rivers' function.

Networks of undeveloped buffer zones might also provide extra value by helping wildlife adapt to climate change and to help restore watercourses to a more natural state as required by the river basin management plan.

The proposed development will therefore be acceptable if a planning condition is included requiring a scheme to be agreed to protect an 8metre wide buffer zone around the watercourse.

Condition

No development shall take place until a scheme for the provision and management of an 8m metre wide buffer zone alongside the watercourse has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

- plans showing the extent and layout of the buffer zone.
- details of any proposed planting scheme (for example, native species of local genetic provenance and suited to the catchment character).
- details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
- details of any proposed footpaths, fencing, lighting, etc.

Reason(s)

Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

This approach is supported by paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

Please don't hesitate to contact us if you need any further information.

Yours faithfully

P.p Sara Gomes

Mr Adam Harwood
Planning advisor

Direct dial 020 8474 8283

Direct e-mail kslplanning@environment-agency.gov.uk

Environment Agency

Orchard House Endeavour Park, London Road, Addington, West Malling, Kent, ME19 5SH

Customer services line: 03708 506 506

Email: enquiries@environment-agency.gov.uk

www.gov.uk/environment-agency