



Shepherd Neame Ltd
C/O Milliken & Co. Chartered Surveyors
FAO Mr Simon Milliken
1A The Pantiles
London Road
Tunbridge Wells
TN2 5TD

4 December 2025

PLANNING DECISION NOTICE

APPLICANT:	Shepherd Neame Ltd
DEVELOPMENT TYPE:	Minor Dwellings
APPLICATION REFERENCE:	22/504036/FULL
PROPOSAL:	Erection of new barn development for 6no. dwellings, parking barns, cycle/bin storage, waste water pumping station, new vehicular and pedestrian access, reuse of Victorian outbuilding for storage, new permissive footpath link, hard and soft landscaping works, communal and community open space.
ADDRESS:	Queen Court Barns , Water Lane, Ospringe, Kent, ME13 8UA

The Council hereby **GRANTS** permission for the proposal referred to above subject to the following Condition(s):

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

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

MKPS – Working in Partnership with: Swale Borough Council

Please Note: All planning related correspondence for SBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: planningsupport@midkent.gov.uk

Access planning services online at: www.swale.gov.uk or submit an application via
www.planningportal.co.uk

- (2) The development hereby approved shall not be carried out otherwise than in complete compliance with the following approved drawings:

Site Location Plan	0001 - P05	
Victorian Outbuilding Plans and Elevations - Existing and Proposed		0208-P01
Proposed (Ground Floor) Site Plan	1010 - P1	
Proposed (First Floor) Site Plan	1011 - P2	
Proposed (Second Floor) Site Plan	1012 - P2	
Proposed (Roof) Block Plan	1013 - P2	
Proposed Ground Floor Plan	1020 - P3	
Proposed First Floor Plan	1021 - P2	
Proposed Second Floor Plan	1022 - P2	
Proposed Roof Plan	1023 - P1	
Proposed Elevations (1)	1031 - P7	
Proposed Elevations (2)	1032 - P6	
Proposed Elevations (3)	1033 - P6	
Proposed Elevations (4)	1034 - P5	
Proposed Sectional Elevation	1040 - P5	
Eaves Detail	5000 P1	
Proposed Access Arrangement and Visibility Splay	2020/5629/001 P9	
Landscape Proposals Courtyard	Figure 06 Rev A	
Landscape Proposals	Figure_05 Rev A	

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

- (3) The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in (3). This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: To ensure that contaminated land is adequately dealt with.

- (4) The development hereby permitted shall not be commenced until a Construction and Environmental Management Plan (CEMP) detailing how the development will protect wildlife during the demolition of the current buildings and the construction of the new building has been submitted to and approved in writing by the Local Planning Authority. The precautionary measures for reptiles in paragraph 5.3.21 of the Ecological Assessment (Ecology Solutions, March 2016) and following mitigation for individual badgers and hedgehogs must be included and implemented during construction works to avoid harm to protected/notable species:

- Any holes and excavations will be covered over each night to prevent animals from being trapped or injured.
- If this is not possible, a structure/plank will be placed into the hole to enable animals to escape.

Reason: In the interests of the protection of wildlife and protected species.

- (5) The development hereby permitted shall not be commenced until an invasive non-native species removal plan has been submitted to and approved in writing by the local planning authority, detailing the containment, control, and removal of Japanese Knotweed on site. Any required and approved measures shall be carried out strictly in accordance with the approved scheme prior to the first occupation of any of the dwellings hereby approved.

Reason: To ensure that invasive non-native species are adequately dealt with.

- (6) The development hereby permitted shall not be commenced until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The document shall include the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

Subsequently, the development shall only be undertaken in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety and convenience.

- (7) The development hereby permitted shall not be commenced until a drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the submitted Flood Risk Assessment (including its addendums)) and the Flood Risk Assessment and Drainage Strategy - Addendum 2 (November 2022) prepared by Odyssey and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details prior to the occupation of any of the dwellings hereby approved.

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

- (8) No building that is part of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

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

- (9) No development beyond the construction of foundations shall take place until details of facing bricks, roof tiles (including ridge and hip tiles) and weatherboarding have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with these approved details.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

- (10) All redundant modern agricultural buildings on site outlined on the plans for removal shall be removed and all resultant waste materials shall be removed from the site within three months of the commencement of the development hereby approved unless an alternative timetable for undertaking these works has first been submitted to and approved in writing by the Local Planning Authority. In that case, the buildings and waste materials shall be removed in accordance with the approved timetable.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

- (11) No development beyond the construction of foundations shall take place until construction detail drawings showing a 1:1 or 1:2 vertical section of the eaves and verge details and a 1:1 or 1:2 vertical section of the brickwork/weatherboard cladding junction details have been submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall only be implemented in accordance with these approved details.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

- (12) No development beyond the construction of foundations shall take place until joinery details have been submitted to and approved in writing by the Local Planning Authority. These details shall include 1:10 elevation detail and 1:1 or 1:2 vertical and/or plan section for each door and window type. The drawings shall include glazing, glazing bars and depth of external reveal along with head and cill detailing. Subsequently, the development shall only be implemented in accordance with these approved details.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

- (13) Prior to the installation of any lighting, a lighting plan which has been designed to minimise impacts on biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The plan will show how and where external lighting will be installed and provide commentary regarding how the Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23: Bats and Artificial Lighting at Night' has been considered in the lighting design. It will be clearly demonstrated that areas to be lit will not impact protected species. Subsequently, no external lighting shall be installed at the site other than in accordance with the specifications and locations set out in the plan and it shall therefore be maintained in accordance with the approved details.

Reason: In the interests of ecology and biodiversity.

- (14) Prior to the occupation of any dwelling hereby approved details of a scheme of heritage interpretation measures to be provided shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, type and size of signage and text and images to be used. The heritage interpretation measures shall then be fully provided in accordance with these approved details and prior to the occupation of any dwelling hereby approved.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

- (15) Prior to the commencement of the development hereby approved, a scheme of biodiversity net gains demonstrating a minimum biodiversity net gain of 20%, an updated Landscape and Ecological Management Plan (LEMP) reflecting any measures required to achieve this net gain and a timetable for all works and subsequent management and monitoring shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, all approved measures shall be implemented, monitored and managed in accordance with the approved details and the approved timetable.

Reason: In the interests of ecology and biodiversity.

- (16) Prior to first use of the access hereby approved, the visibility splays as shown on drawing 2020/5629/001 shall be provided free of any obstruction over 0.9 metres above carriageway level. They shall subsequently be maintained in this condition at all times.

Reason: In the interests of highway safety and convenience.

- (17) Prior to the occupation of any dwelling hereby approved, all car parking, cycle storage and refuse/bin storage facilities that are shown on the plans hereby approved shall be provided. They shall subsequently be retained at all times.

Reason: In the interests of ensuring adequate cycle parking, refuse storage and car parking.

- (18) Prior to the occupation of any dwelling hereby approved, a scheme of details indicating the inclusion of measures to generate renewable energy and/or improve energy efficiency shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, all approved measures intended to serve a dwelling shall be installed prior to the occupation of that dwelling.

Reason: To increase energy efficiency and reduce the carbon footprint of development.

- (19) Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is first submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

- (20) Prior to occupation the air quality mitigation measures detailed in the Air Quality Assessment dated October 2021 document ref 807548-WOOD-XX-XX-RP-OA-0002_A_C01.1 shall be installed in full.

Reason: In the interests of air quality management and residential amenity.

- (21) All external joinery including window and door framing shall be stained black and retained as such thereafter.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

- (22) Notwithstanding any details approved in writing by the Local Planning Authority associated with the conditions of this approval, upon completion, no further development, whether permitted by Classes A, AA, B, C, D, E, F, G and H of Part 1 of Schedule 2, Class A of Part 2, Schedule 2 and/or Classes A, B, C, D, E, F, G, H and I of Part 14 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out at any time.

Reason: In the interests of the amenities of the area and the surrounding heritage assets.

- (23) The first 5metres of the access road hereby approved shall be finished using a bound surface.

Reason: In the interests of highway safety and convenience.

- (24) The 'Victorian Building' shall only be used for storage purposes where that storage use is ancillary or incidental to the use of other land within the application site. The building shall not be used for an independent use or a commercial storage use whether that falls within Use Class B8 (as defined by the Town and Country Planning (Uses Classes) Order 1987) or otherwise.

Reason: To clarify the terms of the permission, to protect the amenity of the area and to ensure that unexpected levels of vehicle movements are not generated.

- (25) Prior to the occupation of any dwellings at the site, a timetable for undertaking the works shown to the 'Victorian Building' shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, all works shall be undertaken in accordance with that approved timetable.

Reason: To ensure the long-term protection of the building through it being put into a condition that can enable its use.

- (26) The areas shown on the approved plans as car parking and cycle parking space shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown (other than the erection of a private garage or garages) or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the dwelling(s) hereby permitted.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users.

- (27) The development shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and the dwellings shall not be occupied unless the notice for that dwelling of the potential consumption of water per person per day required by the Building Regulations 2015 (As amended) has been given to the Building Control Inspector (internal or external).

Reason: In the interests of water conservation and sustainability.

Informative(s):

- (1) Please note that listed building consent appears to be required for works to the 'Victorian Building.' Such consent should be sought prior to undertaking any works to that building.

Biodiversity Net Gain

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the “biodiversity gain condition” which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan,

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at :

<https://www.legislation.gov.uk/ukxi/2024/47/contents/made>

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan is Swale Borough Council.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. More information can be found here -

<https://www.gov.uk/guidance/irreplaceable-habitats>

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

If this permission which has been granted has the effect of requiring or permitting the development to proceed in phases, then Biodiversity gain plans would be required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

Further information on the application of BNG to both Section 73 applications and phased developments can be found here - <https://www.gov.uk/guidance/biodiversity-net-gain>.

Advice about how to prepare a Biodiversity Gain Plan and a template can be found at [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](#)

The Biodiversity Gain Plan should be submitted as an ‘application for approval of details reserved by condition following grant of planning permission’ via the Planning Portal and separate to any discharge application for any other conditions set out above.

The Council’s approach to this application:

In accordance with paragraph 39 of the National Planning Policy Framework (2024), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance: The applicant/agent was advised of changes required to the application and these were agreed.

If your decision includes conditions that need to be discharged, please be advised that there is a separate application process to discharge them which includes a fee. For more information on this please visit https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12 and to submit an application for approval of details (discharge conditions) please use this link <https://www.planningportal.co.uk/applications>



Emma Wiggins
Director of Regeneration & Neighbourhoods

Please be advised that irrespective of whether your proposal requires planning permission or not, it may still require Building Regulation Approval. For more information on this please visit our website
<https://www.swale.gov.uk/building-control>

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of service of the enforcement notice, or within **6 months [12 weeks** in the case of a **householder** or **minor commercial** application decision] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA's decision, or any of the conditions imposed, then you must do so within **12 weeks** of the date of this notice.
- In all other cases, you will need to submit your appeal against the LPA's decision, or any of the conditions imposed, within **6 months** of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority (planningappeals@midkent.gov.uk) and Planning Inspectorate (enquiries@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted planning permission for the proposed development or could not have granted it without

the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.