

SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents – the deposited documents, views and representations received as referred to in the reports and included in the development proposal dossier for each case and also as might be additionally indicated.

Item D1

Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122.

A report by Head of Planning Applications Group to Planning Applications Committee on 26 May 2009.

Application by Stelling Minnis C.E. Primary School for a change of use from part area of playing field to car park at Stelling Minnis C.E Primary School, Bossingham Road, Stelling Minnis, (Ref: SH/09/122)

Recommendation: permission be approved

Local Member : Miss Susan Carey

Classification: Unrestricted

Site

1. Stelling Minnis C.E. Primary School is located in Bossingham Road, to the north of the village of Stelling Minnis. It is situated near to the B2068 Stone Street, which connects Lympe and Canterbury. The school is located nearly a mile away from the centre of Stelling Minnis and there is no continuous footway between the village and the school. The area around the school is mainly rural with scattered development between the village and the school. Immediately to the north of the school is the village of Bossingham.
2. The school is located within the Kent Downs Area of Outstanding Natural Beauty. The application site is immediately to the south of the school, on land that currently forms part of the cricket ground. However this site is currently unused and is viewed as 'waste' land that is not used by the Cricket Club for playing purposes. Furthermore this area is not used for parking either as it is too rough and uneven and is left as scrub land. A gated vehicular access off Bossingham Road already exists which the Cricket Club use. The Cricket Club currently park their cars next to the cricket pavilion on match and practice days. This application site and cricket playing field belong to the Diocese and the School have permission and agreement to use this land. In the corner of the proposed car park are a group of 3 mature trees. These include an Oak and 2 Maples. These trees are not affected by the proposal, although there is a proposal to locate a 1m wide footpath between one of the Maples and the existing school boundary.

Proposal

3. The planning application is to create an area for parking 23 cars, which would be used by the staff and parents of the proposed relocated pre-school (the subject of a planning application that has not yet been submitted) and parents and visitors to the primary school, particularly at the beginning and end of the school day. It is argued that this would result in dramatically reducing the parking on Bossingham Road and in turn make the road a safer place to cross. It would also mean that children could be

Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122

dropped off safely away from the public highway and walk along the proposed new footpath to gain access to the school. The proposed car park would cover an area of 864sqm.

4. It is proposed to use the existing gated access to the cricket ground as an entrance and exit. The surface of the car park would be a bodpave grass pavers material, which would give the appearance of a grazed area but would be strong enough to support the cars. As mentioned previously, 23 car parking spaces would be provided which would measure 2.4m in width and 4.8m in length. There would be a 6m aisle width to allow vehicles to manoeuvre into and out of the parking spaces safely. Two of the parking spaces would be designated for disabled car drivers. Landscaping would consist of sympathetic trimming of hedges to allow for adequate visibility splays at the entrance/exit and inside the hedge adjacent to the car parking area. Sympathetic grading of the top soil and reseeding in areas affected by the proposal would also take place.
5. It is also planned to provide a new footpath between the car park and the school. This would run parallel to the school boundary to a point behind the school, where it is proposed to relocate the pre-school. This footpath would also connect into Bossingham Road, so that the proposed pre-school would have a totally independent footpath connection from the school. It is proposed that the footpath is 2m wide, apart from where it runs parallel to the group of mature trees, where it is proposed that the footpath would narrow down to 1m in width. This is due to the proximity of the trees to the school boundary fence, the thickness of one of the tree's girths, and the limited space between the two.
6. Furthermore it is proposed that the Cricket Club would have use of the car parking outside of school hours, which would reduce the Cricket Club parking on the roads at weekends and make it safer for all road users at that time as well.

Planning Policy

7. The Development Plan Policies summarised below are relevant to the consideration of the application:
 - (i) **The Kent & Medway Structure Plan 2006:**

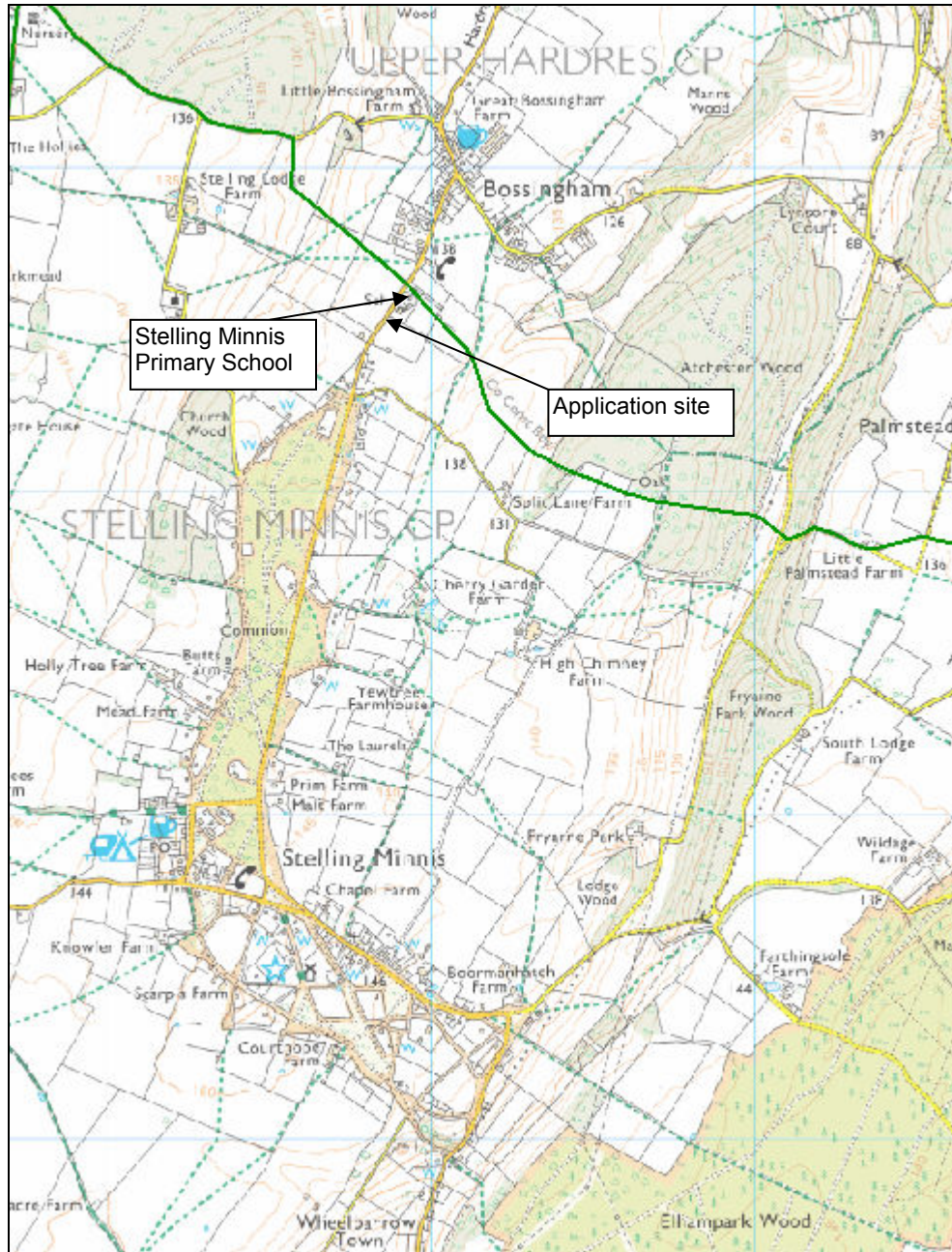
Policy SP1 Seeks to conserve and enhance Kent's environment and to ensure a sustainable pattern of development.

Policy SS6 Seeks to improve the built and natural environment, functioning and appearance of the suburbs, including the provision of services and facilities that serve local needs.

Policy QL1 Seeks to ensure that all development is well designed and of high quality that responds positively to the local character. Development, which could be detrimental to the built environment, amenity, function or character of the area, will not be permitted.

Item D1

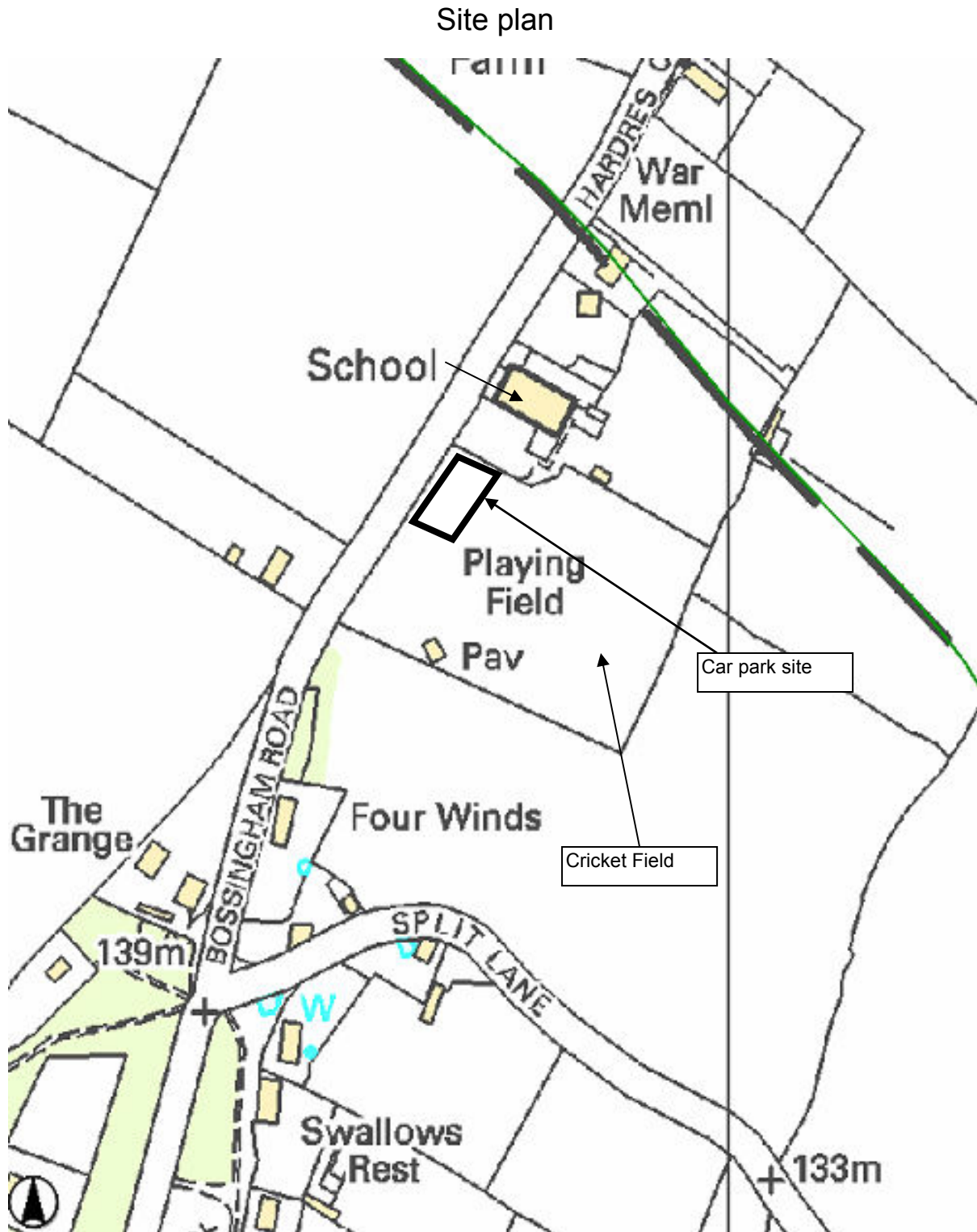
Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122



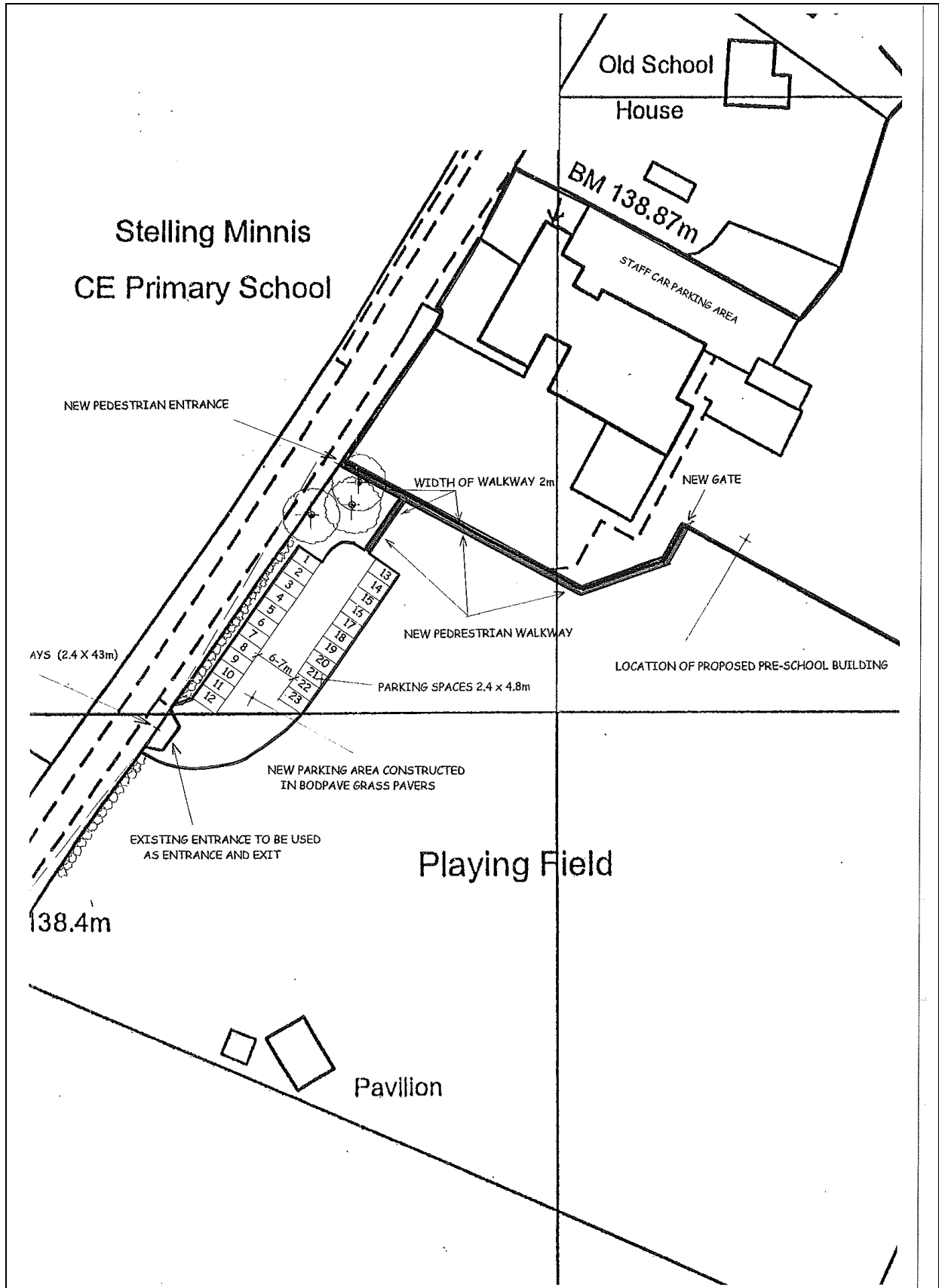
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Item D1

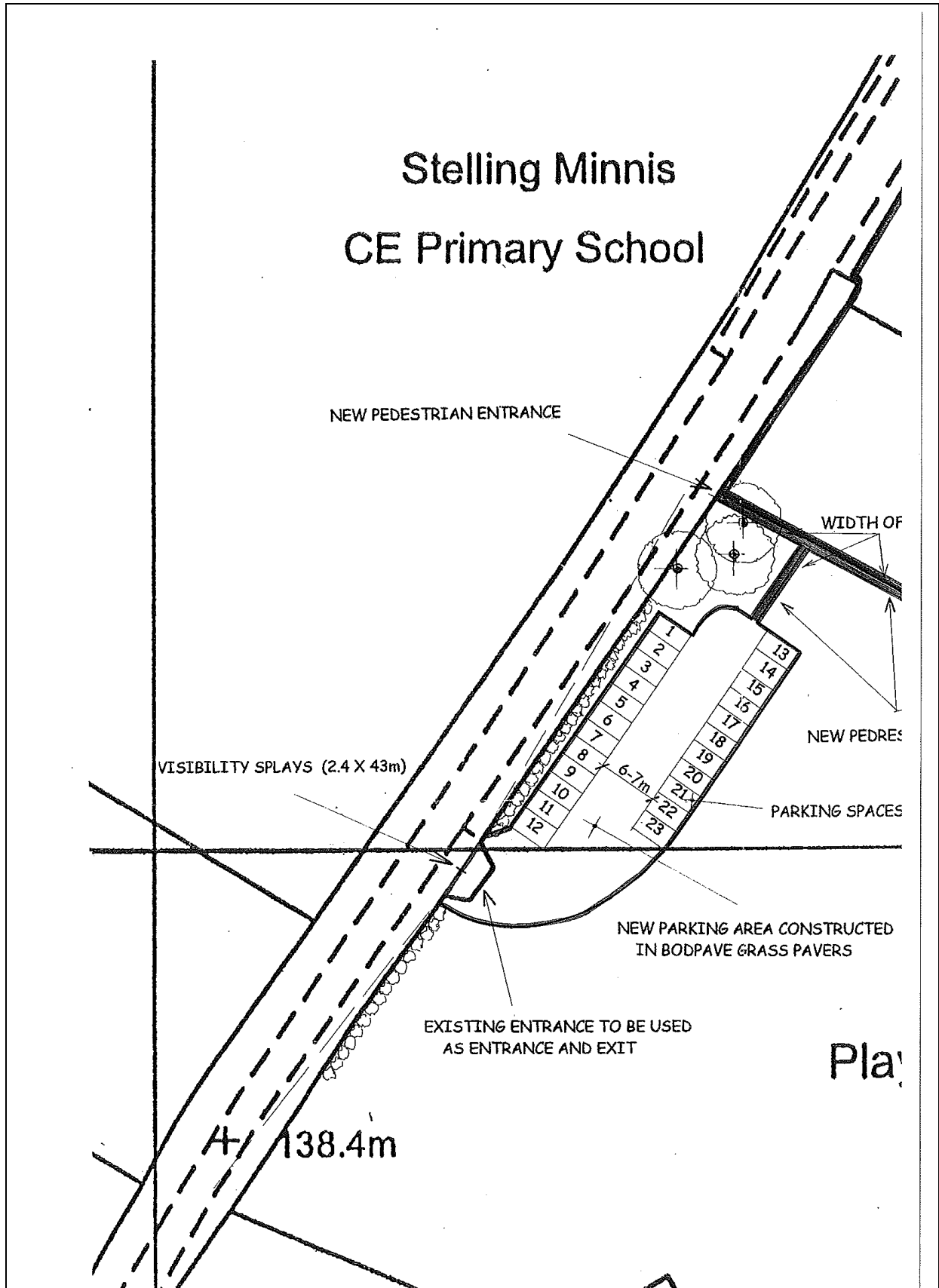
Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122



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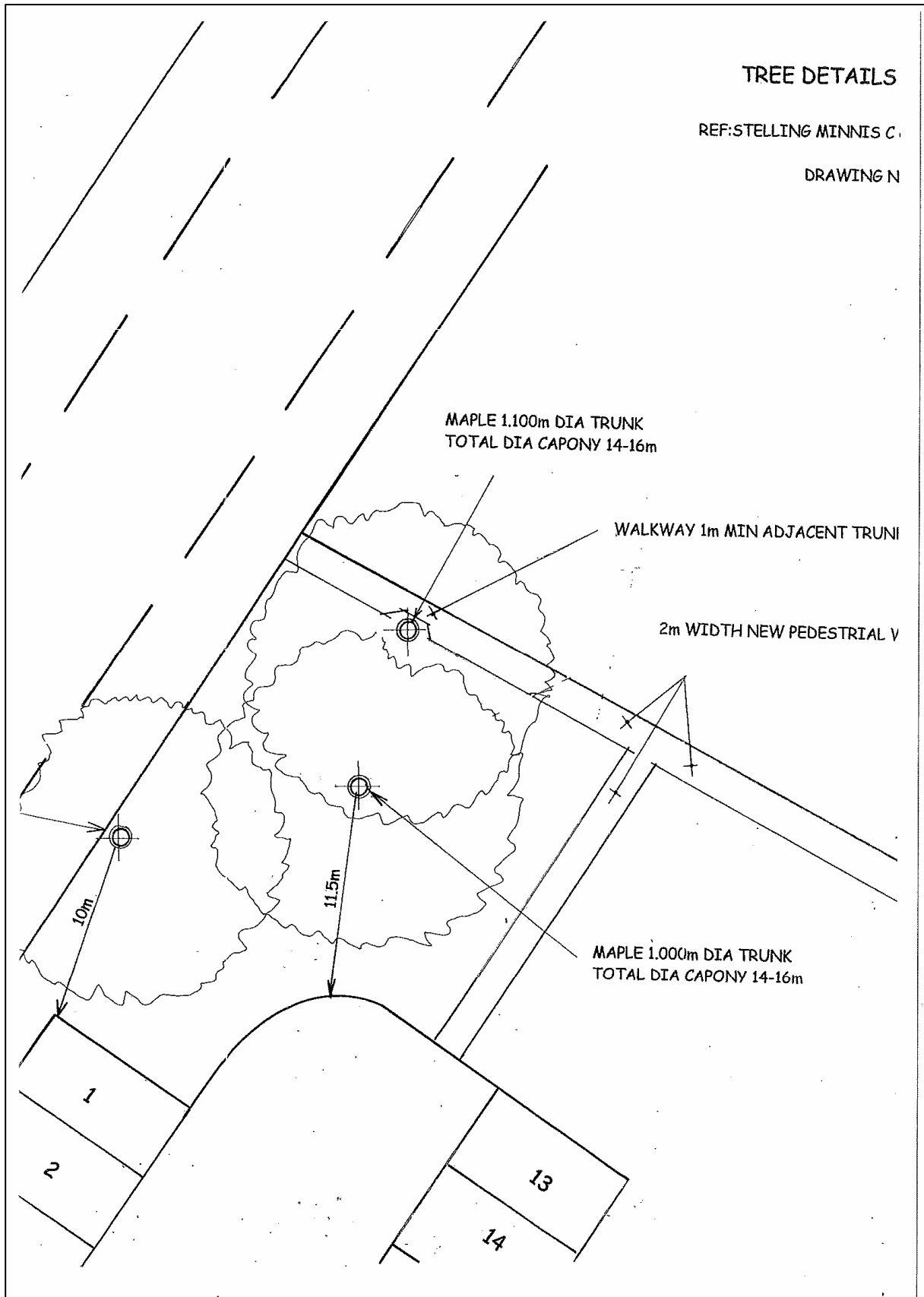


Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122



Item D1

Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122



Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122

- Policy QL12** Provision will be made to accommodate additional requirements for local community services in response to growth in demand from the community as a whole. The services will be located where they are accessible by walking, cycling and by public transport.
- Policy EN1** States that Kent's countryside will be protected, conserved and enhanced for its own sake. This is important for the social, economic and environmental well-being of Kent. Development in the countryside should seek to maintain or enhance it. Development which will adversely affect the countryside will not be permitted unless there is an overriding need for it which outweighs the requirement to protect the countryside. Development so permitted should include appropriate mitigation and/or compensation.
- Policy EN4** Protection will be given to the nationally-important landscapes of:
- the Kent Downs and High Weald Areas of Outstanding Natural Beauty; and
 - Kent's Heritage Coast between Kingsdown and Dover and between Dover and Folkestone.
- The primary objective in these areas will be to protect, conserve and enhance landscape character and natural beauty.
- Major commercial, mineral or transport infrastructure developments will not be permitted unless it can be demonstrated that:
- (a) there is a proven national interest
 - (b) there are no alternative sites available or the need cannot be met in any other way; and
 - (c) appropriate provision can be made to minimise harm to the environment.
- Other development which would be detrimental to the natural beauty, quality and character of the landscape and quiet enjoyment of the area will not be permitted. Development that is essential to meet local social or economic needs should be permitted provided that it is consistent with the purpose of Areas of Outstanding Natural Beauty and Heritage Coast.
- Policy EN9** Tree cover and the hedgerow network should be maintained. Additionally they should be enhanced where this would improve the landscape, biodiversity, or link existing woodland habitats.
- Policy TP3** States that the local planning authority should ensure that development sites are well served by public transport, walking and cycling.
- Policy TP19** States that development proposals should comply with vehicle parking policies and maximum standards adopted by the County Council.

Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122

(ii) South East Plan 2009

- Policy CC1** Sustainable development
- Policy CC4** Sustainable design and construction
- Policy CC6** Sustainable communities and character of the environment
- Policy C3** Areas of Outstanding Natural Beauty

High priority will be given to conservation and enhancement of natural beauty in the region's Areas of Outstanding Natural Beauty (AONBs) and planning decisions should have regard to their setting. Proposals for development should be considered in that context. Positive land management policies should be developed to sustain the areas' landscape quality. In drafting local development documents, local planning authorities should have regard to statutory AONB Management Plans.

In considering proposals for development, the emphasis should be on small-scale proposals that are sustainably located and designed. Proposals which support the economies and social well being of the AONBs and their communities, including affordable housing schemes, will be encouraged provided that they do not conflict with the aim of conserving and enhancing natural beauty.

- Policy S3** Education and skills

(iii) Shepway District Council Local Plan 2002

- Policy CO1** The District Planning Authority will protect the countryside for its own sake. Subject to other Plan policies, development in the countryside will be permitted where proposals:
- maintain or enhance features of landscape, wildlife, historic, geological and agricultural importance, and the particular quality and character of the countryside;
 - demonstrate that they cannot be practicably located within an existing settlement and essentially require a countryside location;
 - are of a high standard of design and, sympathetic in scale and appearance to their setting;
 - are acceptable in highway and infrastructure terms and;
 - preserve or enhance the amenity, character and functioning of rural towns and villages.
- Development proposals that would significantly conflict with one or more of criteria a) – e) above will only be permitted where it can be shown that:
- there is an overriding social or economic need;
 - negative impacts are minimised as far as possible and;

Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122

iii) adequate measures will be taken to compensate for any the adverse environmental effect. Compensatory measures should, as a minimum, ensure that no net environmental loss occurs.

Note: For the purposes of Policy CO1, the Countryside is defined as the area outside of the settlement boundaries identified on the proposals map. Where land in the countryside is allocated on the proposals map for a specific development purpose, the associated policy will take precedence over Policy CO1.

Policy CO4 Special Landscape Areas are defined as follows and illustrated on the proposals map:

North Downs (including the scarp and crest)
Old Romney Shoreline
Dungeness

Proposals should protect or enhance the natural beauty of the Special Landscape Area. The District Planning Authority will not permit development proposals that are inconsistent with this objective unless the need to secure economic and social wellbeing outweighs the need to protect the SLAs countywide landscape significance.

Consultations

8. **Shepway District Council** – Raises objection as the site is located outside any defined settlement boundary and within the open countryside and the wider Kent Downs AONB and Special Landscape Area. The school and surrounding area displays what is considered to be a traditional, Kentish rural character, sited within a rural lane and open playing fields bordering this site. Therefore special consideration and priority should be given to the protection of the essential characteristics of this area.

It is the opinion of Shepway District Council that the development of a car park in this location would adversely impact upon the wider rural setting and as such a formal objection is therefore raised. It is considered that the development would, owing to the scale and its physical detachment from the school, result in the encroachment of development and the school curtilage into the countryside, together with the unsightly proliferation of parked cars. The development may also result in long term need for further additional highway signage and paraphernalia, all to the detriment of the rural area. Such development would be contrary to government advice set out in Planning Policy Statement 7 and the requirements of policy EN4 of the Kent and Medway Structure Plan regarding its impact on the designated AONB, as well as being contrary to policies CO1 and CO4 of the Shepway District Local Plan Review regarding protecting the countryside for its own sake and its impact on the Special Landscape Area, respectively.

Whilst it is recognised that the use of planting and the continuation of the hedgerow around the car park would help to reduce its visual prominence, this would not provide immediate screening and take some time to become established. It is recommended

Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122

that further consideration be given to alternative sites such as the expansion of the staff car park area.

The District Council acknowledges the need for the growth of the school and the community facility for the adjacent Cricket Club. However it does not consider this to be compelling reason to justify this development and override local plan policy and government guidance in light of the wider countryside status and its unique quality. If Kent County Council sees fit to grant planning permission, then Shepway District Council recommends the introduction of hedgerow planting for the purposes of screening and tree protection measures, together with an appropriate surface treatment.

Stelling Minnis Parish Council – The Parish Council has considered the application and 6 councillors approve the application and 1 has no objection. The following comments were also made. The proposal would ease congestion along the road outside the school, which at times makes it impossible for large vehicles to pass. Are 23 spaces actually sufficient at 3.00-3.30pm when all parents arrive at the same time to collect their offspring? Is the shape of the car park such that cars turn around as they drop off at 9.00am? If insufficient spaces are provided then parents will continue to park along the road and this will lead to a visibility problem. Effective highway signs will need to be provided as there will be a visibility problem especially for traffic approaching from the direction of Stelling Minnis.

Upper Hardres Parish Council – Has commented that there is a car park 100 yards away from the school at Bossingham Village Hall, which has been put at the disposal of parents. Very few use it as they have complained that the sight line is not good on exit. The hedge has been cut down and that is no longer an issue.

The exit from the proposed car park comes at a narrow part of the small country lane with sight lines compromised with a bend in the road. This car park will be used for two short periods each day leaving another empty car park for most of the time. The cricket never causes a problem; they park within their ground. Parking on the road outside the school does cause a problem because the parents do not park considerately and the School do not succeed in managing this problem. We should not lose more green space. It was noticed that the car park was needed for the pre- school but we have seen no plans as yet for this facility.

Divisional Transportation Manager – raises no objection subject to sight lines and internal layout being provided in accordance with the submitted drawings. It is recommended that wheel washing facilities are provided on site during construction to prevent the deposit of mud on the highway.

Jacobs Landscaping – advises that the proposed car parking area would not cause a significant adverse landscape or visual impact, although parked vehicles would detract slightly from the rural setting of the playing field/cricket ground. In order to filter views of parked vehicles, Jacobs suggest that the applicant considers proposing a native hedgerow around the periphery of the new parking area, which would join up with the existing hedgerow along Bossingham Road and enclose the parking area. It is also recommended that the edge of the car park is a minimum distance of 1m from the inner boundary of the existing hedgerow along Bossingham Road to ensure no damage to its roots.

Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122

Furthermore Jacobs suggest using a 2m wide strip of the existing tarmac surfaced playground where the proposed new pedestrian walkway runs adjacent to the existing maple tree, to avoid root damage. The location of the pedestrian walkway could then divert back to the line of the currently proposed walkway outside of the tree protection area of the tree.

Kent Downs AONB Unit – has similar concerns to those expressed by Shepway District Council about this proposal and consider that this scheme needs to demonstrate how the Kent Downs AONB designation has been sympathetically taken into consideration and landscape character would be conserved and enhanced.

Within the Kent Downs there is continual pressure for small-scale development and change. Incremental change can result in cumulative impacts which are seemingly insignificant individually but over time can bring about a considerable change in character from developments such as telecommunication masts, infrastructure for utilities and services, small scale changes to the housing stock and small developments, change of use away from agriculture, leisure development, farm and business developments. The cumulative effect of small scale development or change, be it in buildings or roads, needs to avoid unnecessary 'urbanisation' and reduce the amount of roadside clutter. It is noted that the plans also show the location of a proposed pre school building (a school travel plan may be useful in this context) and there may also be pressure in the future for the proposed new footpaths and car park to be illuminated.

It is essential that the new development proposals demonstrate how a positive contribution to the AONB would be made as well as mitigating any harmful impacts for example through appropriate landscaping schemes and boundary treatments.

The following Management Plan policies are of particular relevance in this context

SDT2 The local character and distinctiveness of the Kent Downs AONB and high environmental sustainability will be reflected and required in the design, scale, setting and materials of new development and will be pursued through landscape and buildings design guidance.

SDT3 New development or changes to the use of land will be resisted where it disregards or challenges the primary purpose of the Kent Downs AONB or weakens its fundamental components of natural beauty and landscape character.

SDT4 The greater involvement of local people and communities in influencing and informing development planning will be supported, particularly through the development and use of Parish Design Statements and other community planning initiatives.

VC4 The retention and development of local services, facilities and employment opportunities in order to conserve and enhance the natural beauty of the Kent Downs AONB or reduce the need to travel by car and maintain viable rural communities will be supported where they do not conflict with AONB policies.

However if the decision is made by Kent County Council to approve this development, the Kent Downs AONB Unit would want to be consulted on the landscaping scheme and request in advance that such a scheme accords with the Kent Downs AONB

Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122

Landscape Character Assessment and Kent Downs AONB Landscape Design Handbook. The schemes should use indigenous species, encourage biodiversity, indications of all existing trees and hedgerows on the land. As an aside it may be worth checking that the “Bodpave Grass Pavers” are suitable for the proposed level of use including the possible new pre-school.

Sport England – raises no objection as the proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing areas of any playing pitch or the loss of any other sporting/ancillary facilities on the site.

Local Member(s)

9. The local County Member, Miss Carey was notified of the application on 10 February 2009.

Publicity

10. The application was advertised by the posting of a site notice and the notification of 5 neighbouring properties.

Representations

11. Ten letters of representation were received in response to the proposal, which included letters from the Chair and Vice Chair of School Governors. The main planning reasons **for support** can be summarised as follows:

- It would enhance safety for the parents and children attending the school.
- Improve the traffic for local residents at the beginning and end of the school day
- Car park application is important for the future development of the school
- The road outside the school becomes a single track road due to all the parked cars
- Area selected for car park is a piece of overgrown land on the corner of the cricket field
- Car park would enhance a small area of disused field which is currently an eyesore with refuse, scrub, etc
- Car park is essential if the pre-school relocates and it is not an option to add to the vehicle congestion outside the school
- Due to the location of the school, many parents have no other option but to drive to it
- Crossing the road is dangerous as traffic does not stick to the 30mph speed limit
- Footpaths on both side of the road are barely wide enough for one person to walk, let alone pass anyone in the opposite direction
- Traffic is regularly diverted onto Bossingham Road when the B2068 Stone Street is flooded or there has been an accident
- The car park would allow children to get to school safely as fewer would have to walk along the narrow footpaths

Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122

- The car park is required on safety grounds as there are large volumes of heavy farm traffic that frequently come through the village and passed the school
- Removing the parked cars from the road would give better visibility to parents having to walk from their vehicles.

No representations have been received raising objection to the application.

Discussion

Introduction

12. The application is required to be determined in accordance with the relevant Development Plan Policies, unless other material considerations are of overriding importance. In particular, I consider the key determining considerations to be impact on the designated Area of Outstanding Natural Beauty and special landscape character, including the impact on existing trees, balanced against the need for improvements in community facilities.
13. This planning application for the proposed car park has been submitted in advance of a planning application to relocate the Bossingham pre-school to a site directly behind the school. No details of the proposed size, design or siting of the building have been provided and no other details are known at this stage to the County Planning Authority. A statement has been provided with the current car park application that says it is intended to create a purpose-built building that would enable the pre-school to extend their hours and provision and would strengthen links between the school and pre-school. There are many advantages to this for the children, the school, the pre-school and the local area. There would be an additional footpath to the pre-school from the road, giving the pre-school their own entrance and exit. This footpath would also link into the proposed new car park. That would help maintain the security of the site for both the school and the pre-school.

Area of Outstanding Natural Beauty

14. The objective of the Area of Outstanding Natural Beauty (AONB) policies, set out in the South East Plan 2009 (C3), Kent and Medway Structure Plan (EN4) and Shepway District Local Plan (CO1 and CO4), is to conserve and enhance the natural beauty of such areas, including the landscape, wildlife and geological features. Further development within the AONB should be kept to a minimum and, where acceptable, should be designed and constructed so that the visual impact on the landscape is minimised and it makes a positive contribution to the attractiveness of the area. Policy EN4 requires extra justification for major development in an AONB but this proposal does not relate to major development. These and other policies state clearly that the local, social or economic needs of the locality need to be taken into account, provided that they are consistent with the purposes of the AONB.
15. The proposed development is essentially a two dimensional feature, but it has the potential to introduce more unsightly (three dimensional) vehicles into the wider landscape of the AONB. The alternative to providing a car park is to continue to have the same vehicles parked along the country lane, which aside from road safety hazards and inconvenience to other road users, is equally harmful to the visual quality of the AONB and arguably more conspicuous. The advantage of the proposed parking area

Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122

would be that it could be better screened by existing and additional (indigenous) landscape planting, but the car park would be present on a permanent basis compared to the shorter duration of the roadside parking associated with the school. Nevertheless, the proposed car park would be immediately adjacent to the lane, so the repositioning of parked vehicles as a result of the development could only have a marginal impact on the wider setting of the AONB. Clearly, the permanent (two dimensional) impact of the car park surfacing, kerbing and access would need to sensitively handled to avoid any undue urbanising features, and I agree that careful consideration of materials would be essential if the development were to proceed.

16. The proposed entrance and exit to the car park is via an existing gated access which is used by vehicular traffic on an occasional basis by the Cricket Club. Therefore the existing appearance of the roadside hedgerow from the road would not be altered by the formalising of the existing parking area. To try to shield this car park as much as possible from the road, and from within the cricket field, it has been recommended that an additional native hedgerow is provided along the peripheral edge of the car park. Furthermore, the area of the proposed car park is currently regarded as scrub land and is not used as part of the cricket field, nor does it contribute positively to the wider landscape character of the AONB. Notwithstanding the genuine concerns about piecemeal urbanisation of the countryside being especially harmful to the AONB, I do consider in this particular case that the potential harmful effects to the landscape character have been overstated.
17. As regards local needs, the applicant states that the new car park is essential for the future of the school, as it would enable the parents to park off the public highway thus making it safer for children going to and from the school by not having to walk and cross Bossingham Road, and it would enable the potential relocation of the Bossingham pre-school to a site behind the school (subject to planning permission being obtained), to strengthen links between the two. Under the circumstances, I consider that local and social needs would be well served by the proposed development, since it would cater for the needs of the School, the Cricket Club, the proposed pre-school and any other social gatherings on an occasional basis, whilst simultaneously improving local road safety. It is also notable that no local representations have been received regarding the proposed car park, or about it using an area of underused scrub land.
18. In summary, I consider that the proposal with careful landscape screening would preserve the special character and overall appearance of the wider AONB, and would also enhance the social provision in the locality. However, it not possible to conclude that the proposed development fully accords with AONB policies, because the development arguably does not also enhance the character of the AONB in terms of making a positive contribution, other than removing parked vehicles from one of its country lanes and reducing the damage to the verges that such parking creates. Therefore in my view, the development would be largely in accordance with the Development Plan policies.

Trees

19. As mentioned in Paragraph 5, there is a group of 3 mature trees within the application site, which is not affected by the proposed car park. These trees include an Oak and 2 Maples. One of the Maples is located only 1.2m away from the existing school boundary and the application proposes to construct a 2m wide footpath, which would

Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122

narrow down to 1m around the girth of this tree. However concern has been raised about the potential damage that could be caused to the roots of this tree by having a footpath located so close to the tree and the constant movement of pedestrians.

20. It has been advised by the County Councils' Landscape Adviser that a 2m wide strip of the existing tarmac surfaced playground be used as part of the new footpath, thus 'diverting' the footpath for the first 20m from Bossingham Road onto the school site. I support this advice and recommend further that the existing weldmesh fence remains in situ and a new weldmesh fence is erected to create a boundary between the edge of the 2m footpath and the new boundary of the school playing field.

Highway Considerations

21. The planning application is to create an area for parking 23 cars, which would be used by the parents and visitors to the primary school, particularly at the beginning and the end of the school day. This would reduce the need for parents to park in Bossingham Road and in turn make it safer place to cross the road. The general road safety of the school children would be improved as they would be dropped off away from the public highway and walk along the proposed new footpath to gain access to the school. By removing cars off the public highway, this will also improve the forward visibility for drivers emerging from the new car park and for all road users travelling along Bossingham Road.
22. The Divisional Transportation Manager is supportive of this application as it removes parked vehicles off the public highway. Parents of the school are also very supportive of this application as it enables them to drop their children off safely and away from the public highway. The proposal would have safety and highway benefits and is in accordance with Development Plan policies.

Conclusion

23. This proposal has to be considered against the relevant planning policies, principally the AONB designation and amenity of the locality. On balance, I am satisfied that the proposed siting and the proposed additional hedgerow screening of the car park would be appropriate and sufficiently unobtrusive within this otherwise protected landscape as to meet the AONB policy and Development Plan requirements. In particular, the proposed development would have only a very marginal visual impact on the wider landscape setting and the rest of the AONB and any urbanising impact could be minimised by the sensitive use of materials and landscape screening. With regard to the amenity considerations, the development would provide off road parking for school parents and improve the road safety of the school children as they would not have to cross the road outside the school. Overall the school would benefit from the new car park and it would also be used by parents of the pre-school, and on the understanding that that development was to proceed, I therefore consider that the proposed development would be in general accordance with the aims and objectives of the relevant Development Plan policies.

Change of use from part area of playing field to car park, Stelling Minnis C.E. Primary School – SH/09/122

Recommendation

24.1 RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO the following conditions:

- Standard time condition for it to be implemented;
- The introduction of native hedgerow planting around the periphery of the new parking area, which would join up with the existing hedgerow along Bossingham Road, for the purpose of screening the car park, to accord with the Kent Downs AONB Landscape Character Assessment and Kent Downs AONB Landscape Design Handbook;
- The edge of the car park to be a minimum distance of 1m from the inner boundary of the existing hedgerow to ensure no damage to its roots;
- The proposed footpath to be diverted for the first 20m from Bossingham Road to avoid root damage to the existing maple tree and then to divert back to the line of the proposed footway.
- Wheel washing facilities are provided on site during construction to prevent the deposit of mud on the highway.

Case officer – Lidia Cook

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Background documents - See section heading
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