

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 proposals dossier for each case; and other documents as might be additionally indicated.

Item D1

Retrospective planning application for an ‘accessible to all’ path around Teston Bridge Country Park, including resurfacing and widening of an existing path linking the river path to the carpark and play area, and installation of a new path parallel to the carpark edge linking it to the bridge at Teston Bridge Country Park, Teston Lane, Maidstone, Kent, ME18 5BX - MA/23/502687 (KCC/MA/0090/2023)

A report by Head of Planning Applications Group to Planning Applications Committee on 27 September 2023.

Application by Kent County Council Country Parks for retrospective planning approval for an ‘accessible to all’ path, including resurfacing and widening of an existing path, and installation of new path, at Teston Bridge Country Park, Teston Lane, Maidstone, Kent, ME18 5BX - MA/23/502687 (KCC/MA/0090/2023).

Recommendation: Permission be granted.

Local Member: Mr Simon Webb

Classification: Unrestricted

Site

1. Teston Bridge Country Park is one of Kent County Council’s Country Parks and is located in the village of Teston in the west of the Maidstone Borough. The country park is situated to the south of the A26 Tonbridge Road between the rail line to the northwest, and the River Medway to the southeast, and is accessed just south of the rail line crossing via the B2163 Teston Lane to the north.
2. The site covers an area of approximately 32 acres which is comprised of three meadows; Bridge Meadow to the north-east which is used as a picnic area, and Tutsham Meadow and Coombe Hill to the southwest which are used for cattle grazing. The entirety of the site falls within the ‘Medway Valley Landscape of Local Value’ (as identified in the Maidstone Borough Local Plan) and is designated as a Local Wildlife Site. The site is also within Flood Zone 3 (an area with a high probability of flooding). The site falls outside of the urban settlement boundary within the Maidstone Borough Local Plan 2017 and can therefore be considered as being in the countryside. Teston Lock sits to the east of the site and the historic Teston Bridge spans the river Medway in the north-east corner which is a Scheduled Ancient Monument and a Grade I Listed Building. The site has several walking routes throughout, including the Medway Valley Walk Footpath which runs along the River Medway surrounding the east and south of the site which is a Public Right of Way.

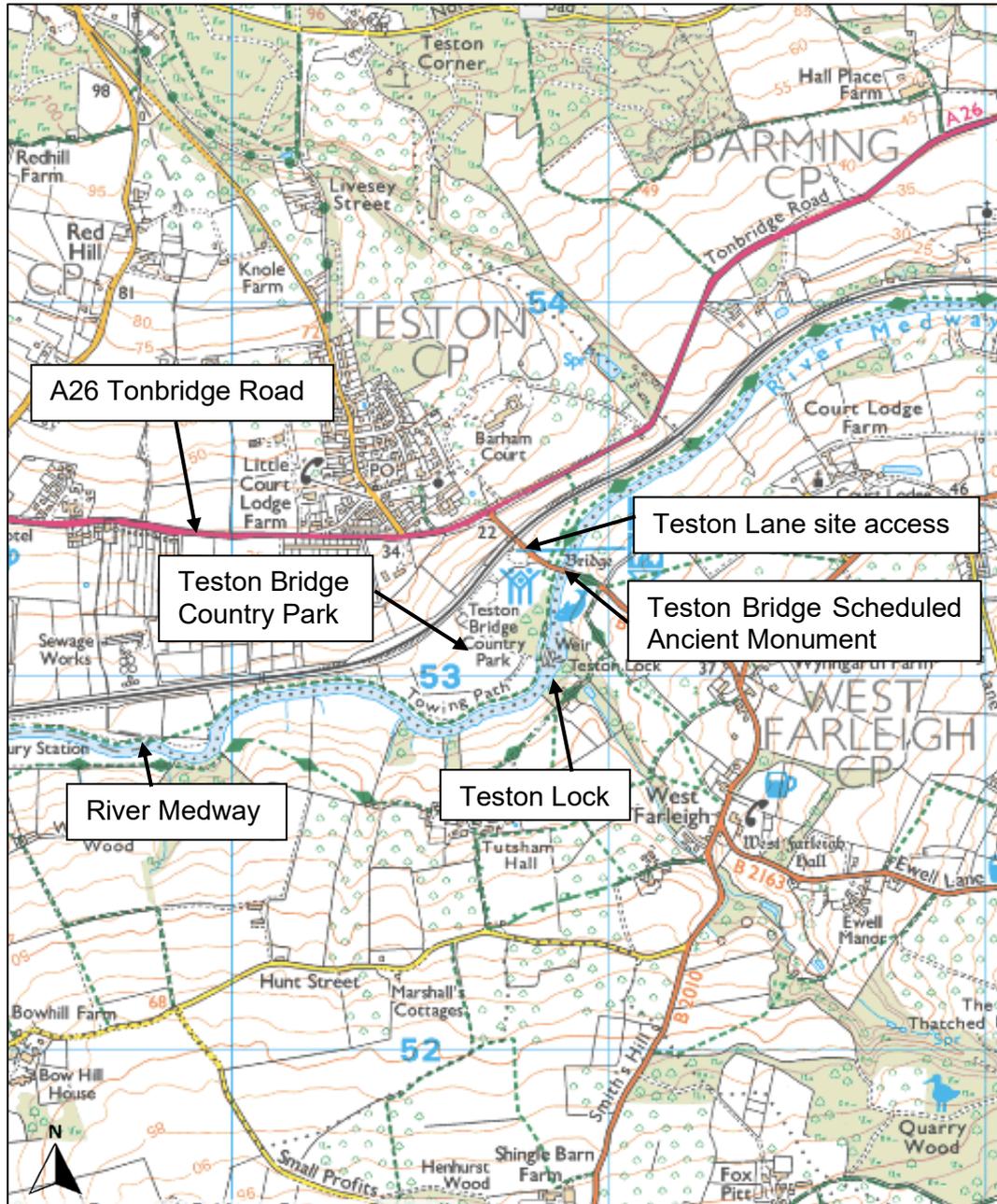
Item D1

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3. The country park comprises an existing main carpark, overflow carpark, play area and amenity block to the north of the site, which provides visitor facilities including public toilets along with a mobile catering unit which provides food and drink facilities. The country park is used by members of the public for out-door activities including dog walking, fishing and picnicking.
4. A site location plan is attached.

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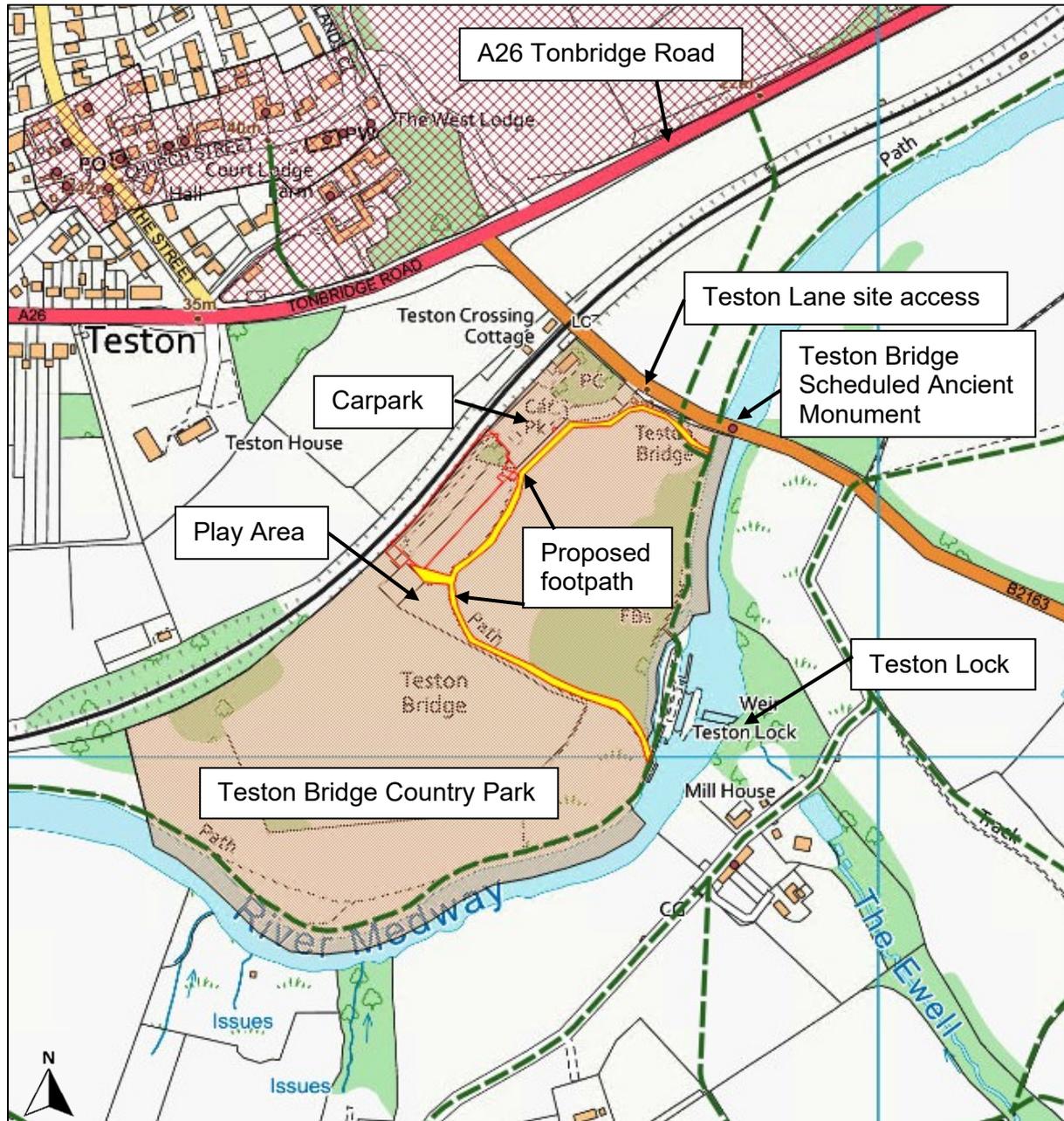
General Location Plan



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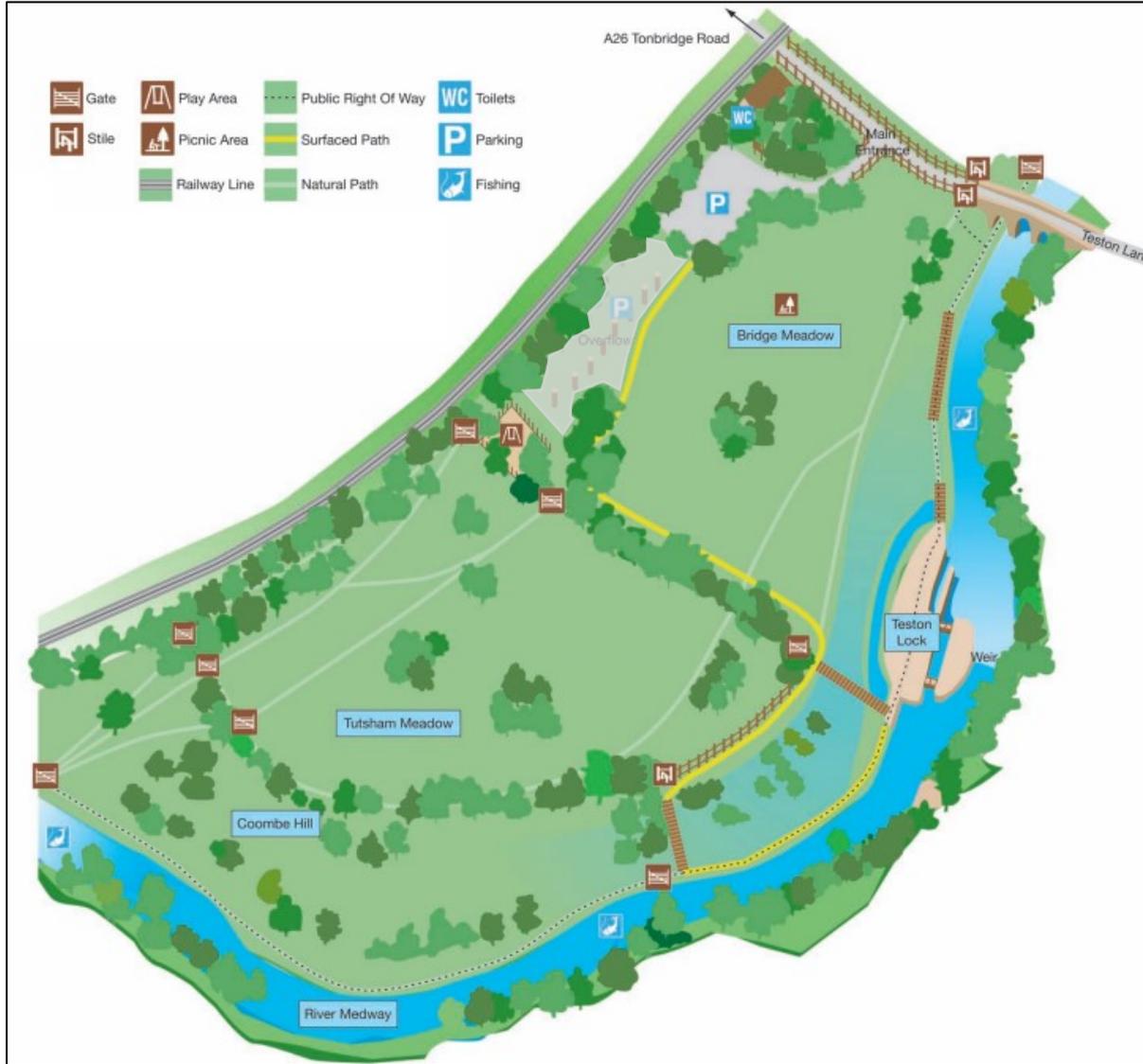
Site Location Plan



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Country Park Layout Plan - KCC Kent Country Parks

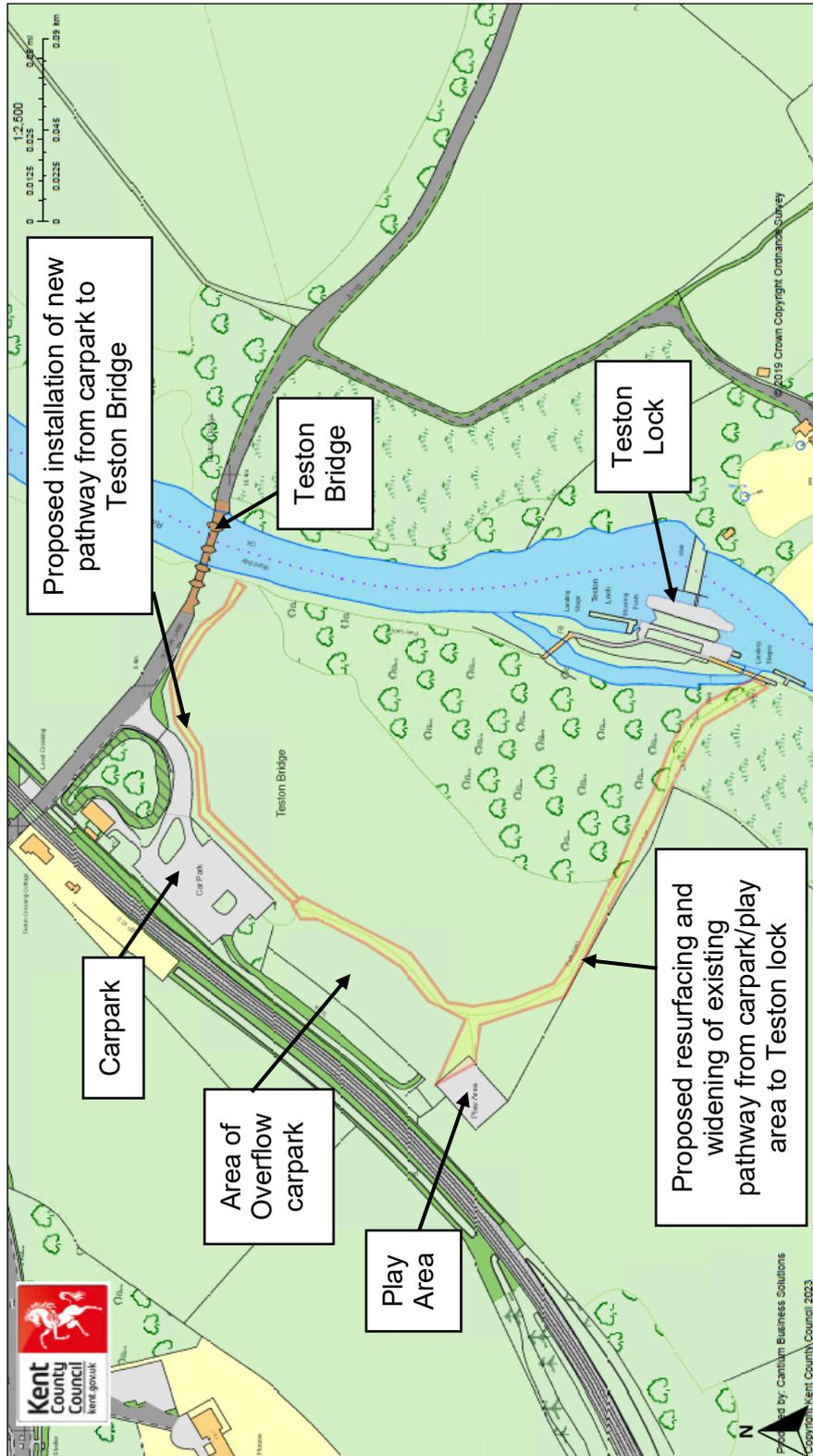


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11. This application seeks retrospective approval for the resurfacing and widening of a 332 metre long and 1.4 metre wide existing pathway that connects the carpark at the north of the site to the play area to the northwest and leading to Teston Lock on the River Medway in the west. The pathway runs from the main carpark, adjacent to the overflow carpark, to the play area, before following the natural tree boundary line of the main amenity meadow (Bridge Meadow) in a southeastern direction towards the River Medway. This pathway provides a direct link from the carpark and play area to Teston Lock on the River Medway and joining with the Public Right of Way. This section of pathway was previously 1.4 metres wide and consisted of the same materials as now proposed, along with a small section of boardwalk to the southeastern edge of the meadow leading to Teston Lock. This application seeks the retrospective approval of the resurfacing and widening of the pathway to 2 metres wide to meet accessibility requirements, including the removal of the boardwalk and replacement with a pathway over a culvert allowing continued waterflow.
12. This application also seeks retrospective approval for the installation of a 140 metre long and 2 metre wide new pathway from the carpark to Teston Bridge along the northern boundary of the country park. This follows the natural desire line from the main carpark to Teston Bridge along the northern boundary of the main amenity meadow (Bridge Meadow) and connecting with the Public Right of Way that runs along the River Medway in the northeastern corner of the site. This route was previously amenity grassland and frequently used by visitors of the country park to access the Public Right of Way adjacent to Teston Bridge. However, the previously unsurfaced path did not provide an accessible surfaced pathway for year-round access.
13. The resurfacing and widening of the existing pathway, along with the installation of the new pathway, provides a direct link from the facilities in the north of the site around the main amenity meadow with both the northern end of the Public Right of Way, adjacent to Teston Bridge, as well as the southern end of the Public Right of Way adjacent to Teston Lock. Therefore, creating a surfaced and accessible circular walk around Teston Bridge Country Park all year round. The works did not involve the removal of any trees, shrubs or vegetation, and only impacted upon frequently mown amenity grassland around the edges of the main amenity meadow (Bridge Meadow).
14. The accessible to all pathway is surfaced with granite type 1 subbase topped with 6mm to dust granite finings, and a geotextile membrane between the soil and stone. The pathways are edged with pressure treated timber, with a width of 2 metres from the inside edging boards, along with a slight camber to enable drainage. The excavated soil was spread in the adjacent wooded area on site.
15. The pathways are 2 metres wide in order to meet the requirements of the Equalities Act 2010, with the 2-metre width of the pathway enabling a wheelchair to turn 180 degrees and enabling a pedestrian to pass a wheelchair safely. The works would facilitate access to the countryside for all.

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Proposed Pathway



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Aerial Photo

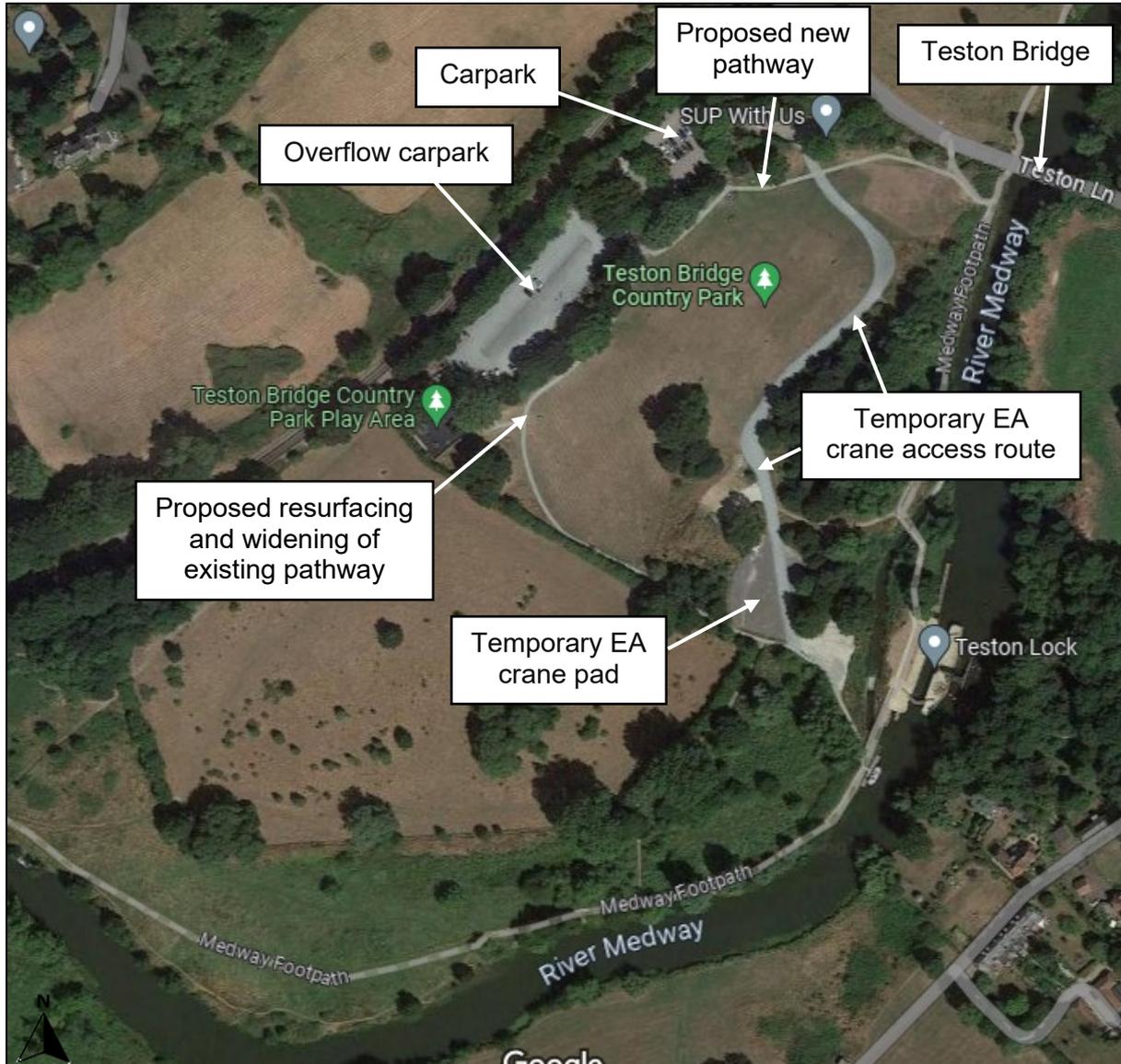


* Resurfacing the subject of separate planning application - see D2

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Aerial Photo with Temporary EA crane pad and access route



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Resurfacing and widening of existing pathway from carpark/play area to Teston Lock

Photo from play area at the west of Teston Bridge Country Park looking east towards the River Medway and Teston Lock



Photo from play area at the west of Teston Bridge Country Park looking southeast towards the River Medway and Teston Lock



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New pathway from carpark to Teston Bridge

Photo from carpark at the north of Teston Bridge Country Park looking east towards Teston Bridge



Photo from Teston Bridge looking west towards carpark



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Planning Policy

16. The most relevant Government Guidance and Development Plan Policies in respect of this application are summarised below:

- (i) **The National Planning Policy Framework (NPPF) September 2023** and **The National Planning Policy Guidance** (March 2014), sets out the Government’s planning policy guidance for England, at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning applications but does not change the statutory status of the development plan which remains the starting point for decision making. However, the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to policies in the NPPF, the greater weight that they may be given).

In determining applications, the NPPF states that local planning authorities should approach decisions in a positive and creative way, and decision takers at every level should seek to approve applications for sustainable development where possible.

In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are of particular relevance:

- Providing accessible services and open spaces that reflect current and future needs and support communities health, social and cultural well-being (paragraph 8);
- Achieving healthy, inclusive and safe places which are safe and accessible and encourage active and continual use of public areas and enable and support healthy lifestyles (paragraph 92);
- Provide social, recreational and cultural facilities the community needs (paragraph 93);
- Provide access to a network of high-quality open spaces and opportunities for sport and physical activity for the health and well-being of communities (paragraph 98);
- Achieving the requirement for high quality design, creating places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users (paragraph 130);
- Contributing to and enhancing the natural and local environment by protecting and enhancing sites of biodiversity (paragraph 174); and
- Consideration of the impact of a proposed development on a designated heritage asset, giving great weight to the asset’s conservation (paragraph 199).

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(ii) **Maidstone Borough Local Plan (adopted October 2017)**

Policy SS1 Maidstone Borough Spatial Strategy - Open spaces, rivers and watercourses and landscapes of local value will be conserved and enhanced.

Policy SP17 The Countryside - Development proposals within landscapes of local value should, through their siting, scale, mass, materials and design, seek to contribute positively to the conservation and enhancement of the protected landscape. Development proposals in the countryside will not be permitted unless they accord with other policies in this plan and they will not result in harm to the character and appearance of the area.

Policy SP18 The Historic Environment - The characteristics, distinctiveness, diversity and quality of heritage assets will be protected and, where possible, enhanced through encouraging and supporting measures that secure the sensitive enjoyment, conservation and/or enhancement of heritage assets.

Policy DM1 Principles of Good Design - Proposals would be permitted where they create designs and layouts that are accessible to all, respond positively to, and where possible enhance, the local, natural or historic character of the area, create high quality public realm, provide a high quality design which responds to areas of landscape value, protect and enhance biodiversity features, avoid inappropriate new development within areas at risk from flooding and provide adequate vehicular parking.

Policy DM3 Natural Environment - Proposals should protect positive landscape character and avoid damage to locally designated sites of importance for biodiversity. For locally designated sites (including draft published sites), development likely to have an adverse effect will be permitted only where the damage can be avoided or adequately mitigated or when its need outweighs the biodiversity interest of the site.

Policy DM4 Development affecting designated and non-designated heritage assets - New development affecting a heritage asset must incorporate measures to conserve, and where possible enhance, the significance of the heritage asset and, where appropriate, its setting.

Policy DM19 Open Space and Recreation - Open spaces should where appropriate, provide interest and activities for a wide range of users in particular meeting the needs of elderly and less able users as well as children, young people and families. Importance of high quality, publicly accessible open space can bring about opportunities for promoting social interaction and inclusion in communities.

Policy DM20 Community Facilities - Seeks to provide adequate provision of community facilities in order to build well functioning, sustainable communities and emphasises the importance of creating healthy and inclusive communities with appropriate facilities.

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Policy DM30 Design principles in the countryside - Proposals which would create high quality design, satisfy the requirements of other policies in this plan and meet the following criteria will be permitted where the type, siting, materials and design, mass and scale of development and the level of activity would maintain, or where possible, enhance local distinctiveness including landscape features and impacts on the appearance and character of the landscape would be appropriately mitigated.

Maidstone Borough Council Local Plan Review - Regulation 19 Draft Plan for Submission Document - October 2021

This is a review of the 2017 Local Plan. It is not yet adopted but was submitted to the Planning Inspector for examination in March 2022. The policies within the review of the Local Plan should be given greater weight the closer it gets to adoption, and it is noted that the Inspector’s Report is awaited. The relevant policies are:

Policy LPRSS1 Maidstone Borough Spatial Strategy 2022-2037 - Open spaces, rivers and watercourses and landscapes of local value will be conserved and enhanced.

Policy LPRSP8: Smaller Villages - Local community facilities shall be retained and supported, and the scale of development should be proportionate to the size, type and level of local services available.

Policy LPRSP9 Development within the Countryside - Development proposals in the countryside will not be permitted unless they accord with other policies in this plan and they will not result in harm to the rural character and appearance of the area.

Policy LPRSP14(A) Natural Environment - Proposals should protect positive landscape character and avoid damage to locally designated sites of importance for biodiversity. For locally designated sites (including draft published sites), development likely to have an adverse effect will be permitted only where the damage can be avoided or adequately mitigated or when its need outweighs the biodiversity interest of the site.

Policy LPRSP14(B) The Historic Environment - New development affecting a heritage asset must incorporate measures to conserve, and where possible enhance, the significance of the heritage asset and, where appropriate, its setting.

Policy LPRSP15 Principles of Good Design - Proposals would be permitted where they create designs and layouts that are accessible to all, respond positively to, and where possible enhance, the local, natural or historic character of the area, create high quality public realm, provide a high-quality design which responds to areas of landscape value, protect and enhance biodiversity features, and provide adequate vehicular parking.

Policy LPRINF1 Publicly Accessible Open Space and Recreation - Open spaces should be designed to encourage physical activity to improve mental wellbeing and

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health inequalities, and where appropriate provide interest and activities for a wide range of users in particular meeting the needs of elderly and less able users as well as children, young people and families, and connect with local routes.

Policy LPRINF2 Community Facilities - Seeks to ensure adequate accessibility to community facilities, including social, educational and other facilities to assist in building well-functioning sustainable communities.

Policy LPRQ&D 4 Design Principles in the Countryside - The type, siting, materials and design, mass and scale of development and the level of activity would maintain, or where possible, enhance local distinctiveness including landscape features.

Consultations

17. **Maidstone Borough Council** raise no objection to the proposal and request that the comments from Teston Parish Council are taken into account prior to the determination.

Teston Parish Council object to the proposal due to over urbanisation and cumulative effect of substantial development at the country park causing visual impact to the detriment of the surrounding landscape features and the setting of Teston Bridge. 140m of new path and 332m of widened path will replace just under 500sq.metres of grass; that is, approaching another 0.5% of total land area. They request that development intrusions are brought under control and should the KCC Planning Applications Committee be minded to approve this retrospective application, request that it minutes a formal censure of the Country Parks Team with a clear statement that no more changes will be permitted to the Country Park facilities without formal consultation with Teston Parish Council before any such changes are committed, funded or initiated.

Environment Agency have no comments to make on the application.

KCC Highways and Transportation raise no objection.

KCC Biodiversity raise no objection and advise that they would have been unlikely to request ecological information to be submitted as part of the application as it appears that the path was largely established within short regularly mown area of grassland. They advise that they would have recommended that any long grass/scrub was cleared using a precautionary approach to ensure protected/notable species were not impacted. The Officer sets out that the site is a country park and areas are managed to provide habitats which benefit biodiversity and therefore are satisfied that no enhancement measures are required.

KCC Conservation Officer raise no objection to the application.

KCC Sustainable Drainage initially requested additional information due to no water drainage strategy being provided as part of the application. Following receipt of further information no objection is raised as the proposal is regarded as low risk.

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KCC Public Rights of Way raise no objection and that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority.

Historic England state they have no comments to make, they defer to the advice of KCC Conservation officers. See above.

Upper Medway Internal Drainage Board raise no objection.

Local Member

18. The local County Member for Maidstone Rural West, Mr Simon Webb, was notified of the application on 6 June 2023. No comments have been received to date.

Publicity

19. The application was publicised by the posting of a 4 site notices throughout the Country Park, including at the main vehicular access from the public highway at the Country Park entrance, next to the Country Park notice board, near to the play area and on the Public Right of Way post. A press notice was also published in the local newspaper on 15 June 2023.

Representations

20. No representations were received on the application from members of the public.

Discussion

21. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph 16 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore, the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In my opinion, the key material planning considerations in this particular case relate to the need and justification for the development, and the associated impacts arising from the works in terms of the siting, scale and design, visual impact and impact on the landscape character, flood risk, heritage and biodiversity.
22. The planning application has attracted one letter of objection (from Teston Parish Council) and referral to the Planning Applications Committee for determination is therefore necessary. However even if no letters of objection were received, the application would be required to be reported to the Planning Applications Committee as a result of governance requirements arising from the applicant, Kent Country Parks, and the Planning Applications Group both falling within the previous management arrangement of the Growth and Communities Division of the Growth, Environment and Transport Directorate at the time of submission. In these circumstances legislation

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requires that the decision is taken by the Planning Applications Committee even if there were no letters of objection received. Kent Country Parks now falls within the Environment and Circular Economy directorate.

23. The application is retrospective. The applicant was under the impression prior to the works taking place that the development benefited from permitted development rights and that a planning application was not necessary. Once the applicant was aware that planning permission was required, it submitted this application to test the planning merits of the proposal.

Scale, Design and Justification for the Development

24. This application seeks retrospective planning permission for an 'accessible to all' path around Teston Bridge Country Park which would provide a circular route around the park for year-round access. The accessible pathway links the carpark and play area with both Teston Bridge and Teston Lock, and linking with the Public Right of Way that is surfaced along the riverbank to create a circular pathway route around the park.
25. The pathway resurfacing and widening works were to an existing pathway that connects the carpark and play area at the north of the site with Teston Lock on the River Medway to the southeast. This pathway was previously 332 metres long and 1.4 metres wide, consisting of a granite type 1 subbase and part boardwalk in the southeast, and is situated along part of the northwest of the site, and following the boundary line of the main amenity meadow (Bridge Meadow) to the southeast. The application seeks retrospective permission for the resurfacing and widening of that existing pathway to 2 metres wide, and replacement of the boardwalk with the surfaced pathway over a culvert to allow for continued waterflow. The pathway has remained in the same location along the western boundary of the Bridge Meadow, turning south-eastwards and continuing along the meadow edge to meet the Public Right of Way along the River Medway in the southeast. The applicant states that the resurfacing and widening of this pathway provides a safer and more inclusive accessible access from the main country park amenities to Teston Lock. This application also seeks retrospective approval for the installation of a new 140 metre long 2 metre wide pathway to connect the carpark with Teston Bridge on the River Medway to the northeast. This follows a natural desire line from the country park access and carpark to Teston Bridge which is one of the main focal points of the country park, and formalises a route that was frequently used by visitors along the northern boundary. The applicant states that by surfacing this pathway, it enables year-round access, preventing the route from becoming muddy and unusable. Together the accessible to all pathways provide a circular surfaced route around the park, linking the main amenity areas of the country park with the Public Right of Way that follows the riverbank of the River Medway. The pathways being located around the edge of the amenity meadow are not considered to impact upon the amenity of the meadow and would enable continued use of the meadow for picnicking and informal recreation, whilst facilitating additional access around this area. In considering the location of the pathways around the edge of the main amenity meadow, and following the natural desire lines to two of the main country park elements, I am satisfied that the location of the pathway works are considered appropriate in this instance.

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26. The works have created approximately 480 square metres of additional surfacing within the country park. The resurfacing works have taken place in an area of land that was previously mown amenity grassland around the outskirts of the main amenity meadow (Bridge Meadow). There has not been any loss of the central area of the meadow which is maintained for recreational use within the country park, and the installed pathways are frequently used routes that follow a natural desire line leading to the River Medway and adjacent Public Right of Way. The pathway route follows a natural logical circular route that ensures visual continuity from the main country park entrance and carpark, leading to the main visitor attractions within the country park. In considering that the application seeks retrospective approval for the widening of an existing pathway, along with the installation of a shorter pathway, I am satisfied that the proposed scale of the works are appropriate in this instance.
27. The resurfacing materials that have been used match those existing on site and include a permeable granite type 1 subbase topped with 6mm to dust granite finings, and a geotextile membrane between the soil and stone, with a slight camber to enable drainage. The works involved the excavation of the pathways, with excavated soil being spread in the adjacent wooden area on site. Due to the application being retrospective, the works have already taken place on site and, as shown in the photographs earlier in the report, the resurfacing provides a grey coloured finish. I am satisfied that the proposed materials are appropriate given the location within the country park and would be in keeping with the surrounding area. The proposal would accord with the NPPF objectives on design, Maidstone Borough Local Plan (October 2017) Policy DM1 Principles of Good Design and DM30 Design Principles in the Countryside, as well as the emerging Maidstone Borough Council Local Plan Review Regulation 19 Draft Plan (October 2021) Policies LPRSP15 Principles of Good Design and LPRQ&D 4 Design Principles in the Countryside.
28. Teston Bridge Country Park has approximately 115,000 visitors each year (based on carpark counter data) and the application documents set out that the easy access path works were funded as part of the nationwide Covid-19 recovery programme, with this fund aiming to improve accessibility to the countryside for all in the post pandemic period. The application sets out that accessibility for all to Kent County Council Country Parks is a key priority and the development meets the aims and objectives of several KCC Strategies. This includes the KCC Country Park Strategy 2023-2028 which sets out a strategic aim to 'sustain and manage visitor numbers to our Country Parks by always providing a quality customer experience alongside a comprehensive environmental education service, facilities, events and activities that encourage increased or repeat visits, especially amongst under-represented groups', as well as an objective to 'increase the accessibility of the countryside through the deployment of landscape management techniques, effective outward looking partnership working and improved facilities that seek to provide equity of access to quality greenspace to all Kent residents and visitors'. These aims and objectives link to the wider outcomes within KCC Framing Kent's Future 2022-2023 strategic framework which includes a priority to 'improve access for our residents to green and natural spaces especially in urban and deprived areas and through our Public Rights of Way network to improve health and wellbeing outcomes'. The KCC Health and Well Being Strategy also sets out that 'the quality of life for people with long term conditions is enhanced and they have access to

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good quality care and support’, coupled with the outcome within the Kent Environmental Strategy to ‘strengthen our understanding of the health, social and economic value of our natural and historical assets’.

29. By providing a surfaced pathway link from the carpark to the play area and River Medway via both Teston Bridge and Teston Lock, a circular and surfaced walk around the country park can be enjoyed by all visitors at all times of the year. The pathways with a width of 2 metres ensure that the requirements of the Equalities Act 2010 are met, along with the width enabling a wheelchair to turn 180 degrees, as well as enough space for a pedestrian to pass a wheelchair safely. The pathways provide an important function as accessible access for all, all year round. Changes and improvements to access are required to meet the changing needs of current and potential visitors, as well as adapting to ensure the country park is fit for purpose for its visitors. Local Authorities are required to make reasonable adjustments to ensure that pathways are as accessible as possible, and also provide all visitors with access to the natural environment. This is also supported by Policies DM19 Open Space and Recreation and DM20 Community Facilities of the Maidstone Borough Local Plan 2017 as well as Policies LPRINF1 Publicly Accessible Open Space and Recreation and LPRINF2 Community Facilities of the emerging Maidstone Borough Council Local Plan Review (Regulation 19 Draft Plan for Submission Document 2021).
30. The resurfacing and installation of the new pathway has not resulted in any changes to the access or Public Right of Way (PROW). There is no objection from KCC Highways and Transportation or KCC PROW and Access Service to this application.
31. In my opinion, I consider that the installation and resurfacing of the pathways provide valuable accessible access for all to the countryside, whilst maintaining the continuity of the existing pathway route, as well as the openness and use of the main amenity meadow which can continue to be used for informal recreation. The proposal is considered to be in accordance with Policy DM1 (and emerging policy LPRSP15) of the Maidstone Local Plan which requires developments to safely accommodate pedestrian movements as well as other local planning policy and the NPPF which require open spaces to be accessible. The planning application seeks to retain the existing vehicular and pedestrian access points and routes into and out of the country park and I consider that these access routes would be enhanced as a result of the pathway works.

Landscape and Visual Impact

32. The development falls within the Medway Valley Landscape of Local Value, characterised by the River Medway crossed by distinctive ragstone bridges and surrounded by steep valley sides.
33. Teston Parish Council raise objection to the application due to overurbanisation of the previous agricultural land which was permitted as use of land for picnicking and other informal recreation activities in 1975. The Parish Council consider the cumulative effects of previous development at Teston Bridge Country Park have urbanised the original intended use and have led to the original field being substantially developed to the detriment of surrounding landscape features and the setting of Teston Bridge. They

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consider that continued overdevelopment of the country park is being increasingly exploited and urbanised and provide calculations of the percentage of land area that they consider has been previously developed, with an estimation of just over 11% of the total land area now having artificial structures upon it. The Parish Council sets out that the Country Park is one of Maidstone Borough Council’s Areas of Local Landscape Value as well as Teston being classified as a Smaller Village in Maidstone Borough Council’s emerging policy. The Parish Council considers that the application does not meet the policy requirements in relation to impacts on the appearance and character of the landscape, and cannot be appropriately mitigated. Maidstone Borough Council raise no objection the application but request that the comments from Teston Parish Council are taken into account prior to determination.

34. Since the Park’s inception, there has been some limited urbanisation to provide ancillary facilities to enable accessibility and use of the park, including car parking, pathways, a toilet block and mobile catering facilities. Currently on site, it should also be noted that, (as set out in paragraph 8), the Environment Agency (EA) have installed a temporary crane pad to the east of the country park as well as a crane access route directly across the main amenity meadow from the carpark to the crane pad. This is to enable temporary works to be undertaken in relation to the lock and sluice and are temporary for the access of machinery and siting of the crane in order to implement the works. Whilst temporarily adding to the urbanisation of the site, it is understood that both the crane pad and crane access route will be removed from the country park and the amenity grassland reinstated once the EA works are complete. As the EA was the applicant for these works, Maidstone Borough Council is the appropriate planning authority as opposed to the County Planning Authority. It is also of note that the acceptability of the proposed resurfacing of the overflow carpark is separate from this planning application and details of this application are set out in Item D2 of the Planning Applications Committee papers.

35. It is recognised that where areas within open field or grassland are resurfaced with hardstanding there is an impact upon the natural landscape of an area. In this case, greater consideration is given to this point due to the site being subject to a landscape designation and the proximity to the Listed Building and Scheduled Ancient Monument. However, in this instance part of the application seeks approval for the resurfacing and widening of an existing pathway which is situated along the western and southern edge of the main amenity meadow (Bridge Meadow). This pathway was 1.4m wide and follows the natural meadow boundary along the existing tree line. The pathway remains in the same location along the boundary and has been widened by 60cm. In relation to the installation of the new pathway to the north of the main amenity meadow (Bridge Meadow), this follows the natural northern boundary of the meadow, adjacent to the existing tree line, and follows a natural desire line that was often used by visitors of the country park to access both Teston Bridge and the Public Right of Way. Both pathways are around the edges of the Bridge Meadow and adjacent to the other land uses such as the carpark and play area, and whilst partially visible, they follow the natural boundary lines around the outside of the meadow, with only the northern pathway being a new element. The pathways do not impact upon the usability of the main amenity meadow (Bridge Meadow), which is able to continue to be used for picnicking and informal recreation. Therefore, the impact is considered to be minimal when viewed in

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the wider context of the country park and surrounding area. Photos taken of the pathways demonstrate that they follow the boundary line of the meadow and do not, in my view, adversely impact the natural landscape setting. On balance the landscape and visual impact is minor and the creation of accessible pathways for all users of the country park outweighs the limited loss of grassland.

36. The country park also benefits from significant natural screening on site, with the pathways following landscaped boundary lines, and it is not considered that there is any adverse impact when considered alone or in conjunction with other projects on site. Therefore, I consider that the application does not conflict with the purpose of the landscape designation or local and national planning policy which intends to preserve the natural landscape.

Flood Risk

37. The application site is within Flood Zone 3 which is designated by the Environment Agency as an area with a high probability of flooding.
38. The Environment Agency were consulted on the application and stated that they have no comments to make. KCC Flood Risk Officers were also consulted as the Lead Local Flood Authority and initially requested additional information on the basis that no water drainage strategy had been provided as part of the application. The Applicant provided further information in which it was set out that the pathways were constructed using a permeable material at ground level and a slight camber to ensure that the pathways drain naturally into the existing amenity grass meadow. The boardwalk leading from the southeastern end of Bridge Meadow to Teston Lock was removed and replaced with a pathway over a culvert to allow continued waterflow. This has created a better solution from a long term maintenance perspective, without impacting on the existing drainage measures. It is therefore considered that any surface water would drain naturally into the floodplain as it does currently. The Applicant states that the pathways are not likely to create any new flood risk on the existing floodplain on the meadow and the retrospective works were carried out under an Environment Agency granted permit which acknowledged there was no impact on the flood risk from both the methodology for construction and finished path construction. The permit sets out that the works can be carried out and would not increase flood risk or harm land drainage or the environment. Following receipt of this information KCC Flood Risk Officers confirmed that they regard the proposals as low risk and raise no objection.
39. With this in mind, and due to a permeable material being used for the resurfacing and not impacting on the existing floodplain, this application is not considered to represent inappropriate development within an area at risk of flooding which planning policies state should be avoided. Therefore, it is my view that the application is acceptable in terms of flood risk.

Heritage Conservation

40. Part of the application site is located adjacent to Teston Bridge, which is a Grade 1 Listed Building and a Scheduled Ancient Monument. The bridge can be considered a

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focal point of the Country Park and represents the type of ragstone bridge which the landscape of the Medway Valley is noted for. Therefore, careful consideration must be given to ensure that any development conserves, and where possible enhances, the significance of the heritage asset and, where appropriate, its setting.

41. Historic England were consulted on the planning application and advised that they had no comments to make, deferring the matter to our own conservation advisers. KCC Heritage Conservation were consulted on the application and advised that they raise no objection.
42. The pathway located to the south of the Bridge Meadow which has been resurfaced and widened is partially visible from Teston Bridge. However, this was an existing 1.4m wide pathway that has been widened by 60cm for accessibility purposes. The pathway follows the natural west and southern boundary of the Bridge Meadow along the existing tree boundary line and benefits from adjacent vegetation, including trees and hedgerows, which is considered to soften the view from the bridge. The widening of this pathway is not considered to create a significant impact on the views from the bridge.
43. The application also seeks retrospective approval for the installation of a new pathway from the carpark and following the natural desire line along the northern boundary of the country park to Teston Bridge. This pathway meets with the Public Right of Way that runs along the riverbank and is situated in part adjacent to Teston Bridge. This pathway however follows the natural northern boundary line of the country park, in line with the carpark, access road, and Teston Lane. The pathway is also adjacent to existing boundary vegetation which provides a high level of natural screening. It is also of note that the Public Right of Way, which covers a section of the Medway Valley Walk, is surfaced and runs both north and south of Teston Bridge, as well as directly underneath. The accessible to all pathway is situated around the boundary of the main amenity meadow (Bridge Meadow) and is not considered to adversely impact the setting of this designation and conserves the significance of the heritage asset. The application is therefore considered acceptable in regard to development plan policy.

Biodiversity

44. The application site is designated as a Local Wildlife Site and consists of a mixture of amenity grassland, grazed wildflower meadows, woodland plantings, wetland habitat, riverside habitats and hedgerows. The pathways are situated around the north, west and southern boundary edges of the main amenity meadow (Bridge Meadow) within the country park. No trees, shrubs, hedgerows or vegetation were required to be removed to facilitate the development, and the pathways only impacted upon frequently mown amenity grassland. As such, it is not considered that the development would have had an adverse impact on features of ecological importance.
45. KCC Biodiversity were consulted on the application and advise that, whilst the application is retrospective and the works have already been carried out, it is unlikely that ecological information would have been requested to be submitted as part of the application. The Biodiversity Officer outlined that it appears that the path was largely established within short regularly mown areas of grassland, the aerial photos indicate

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that there was some scrub and long areas of grassland along the edge of the path, and if they had commented prior to the work commencing they would have recommended that any long grass/scrub was cleared using precautionary approach to ensure protected/notable species were not impacted. It is stated that the site is a country park and areas are managed to provide habitats which benefit biodiversity, therefore the Officer is satisfied that no enhancement measures associated with this application are required.

46. The Applicant has confirmed that there was no tree, hedge or vegetation removal or clearance required to facilitate the works and the development would not impact on tree root areas. The area of development has been managed as amenity grassland since the park opened in 1978. I am therefore satisfied that the development would not have a significant adverse impact on the Local Wildlife Site or other ecological interests and is therefore in accordance with development plan policy.

Other Matters

47. Teston Parish Council set out concerns in relation to submitting complaints to KCC, and the importance of the liaison group that the Parish Council has with the Kent Country Park Team. The Applicant has confirmed that should any complaints wish to be raised there is an appropriate complaints procedure within KCC, and the Country Park Team have not received any complaints in relation to the works on site and no objections have been raised in the Liaison Group meetings. Positive comments have been received by the on-site wardens, particularly around accessibility and the availability of access from the path improvements. Continued dialogue between the Parish Council and Country Park team is encouraged. In respect of the Parish Council's request that no more changes will be permitted to the Country Park facilities without formal consultation with Teston Parish Council, I can confirm that the Parish Council is a consultee on planning applications.
48. It is noted that the application is retrospective and that the development has already taken place on the basis that the applicant considered that planning permission was not required for the development. Discussions have taken place with the Country Parks Team to ensure that development proposals in the future are discussed with the Planning Authority in advance of any development taking place. Whilst the arrangements are in now in place, I have included an informative in the recommendation below to remind the applicant of these arrangements.

Conclusion

49. This proposal seeks retrospective planning permission for an 'accessible to all' path around Teston Bridge Country Park including the resurfacing and widening of an existing pathway from the carpark and play area to Teston Lock, and the installation of a new pathway from the carpark to Teston Bridge. The development seeks to link the country park facilities to the existing Public Right of Way which runs along the River Medway, providing a circular surfaced year-round accessible pathway around the main amenity meadow. The country park is located within Flood Zone 3, the Medway Valley Landscape of Local Value and is designated as a Local Wildlife Site. Teston Lock sits to

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the east of the site and the historic Teston Bridge spans the river Medway in the north-east corner which is a Scheduled Ancient Monument and a Grade I Listed Building. The site has several walking routes throughout, including the Medway Valley Walk Footpath which runs along the River Medway surrounding the east and south of the site which is a Public Right of Way. In my view, the siting, scale and design of the pathways are acceptable and would not present any unacceptable adverse impact in terms of flood risk or biodiversity. I am also satisfied that the development would not have an adverse impact upon the adjacent Teston Bridge or the visual amenity of the local landscape. In my view, the impact of the development is minor and the creation of accessible pathways for all users of the country park outweighs the limited loss of grassland and minor impact.

50. The development is in accordance with the general aims and objectives of the relevant Development Plan Policies and the principles of the National Planning Policy Framework and therefore the recommendation is that planning permission be granted.

Recommendation

51. I RECOMMEND that PERMISSION BE GRANTED.

52. I FURTHER RECOMMEND THAT THE FOLLOWING INFORMATIVE BE ADDED:

(i) The applicant be advised that it discusses with the Planning Authority any future development proposals in advance of development taking place, so as to be informed on the need for planning permission and to avoid the need for retrospective planning applications.

Case Officer: Mrs Chloe Miles

Tel. no: 03000 415718

Background Documents: see section heading
