
Appeal Decision

Hearing Held on 31 January 2023

Site visit made on 1 February 2023

by Malcolm Rivett BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 February 2023

Appeal Ref: APP/J2210/W/22/3308172

Alberta Caravan Park, Faversham Road, Seasalter, CT5 4BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Park Holidays UK Limited against the decision of Canterbury City Council.
 - The application Ref CA//19/00707, dated 12 April 2019, was refused by notice dated 21 April 2022.
 - The development proposed is use of land to accommodate 91 static holiday caravans.
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Decision

1. I allow the appeal and grant planning permission for use of land to accommodate 91 static holiday caravans at Alberta Caravan Park, Faversham Road, Seasalter, CT5 4BJ in accordance with the application ref CA//19/00707, dated 12 April 2019, subject to the conditions set out in the Schedule of Conditions.

Applications for costs

2. Applications for costs have been made by Park Holidays UK Limited against Canterbury City Council and by Canterbury City Council against Park Holiday UK Limited. These applications are the subject of separate Decisions.

Procedural Matter

3. The original planning application was for "proposed extension to Alberta Holiday Park to accommodate 143 static holiday caravans". However, during the determination of the application the appellant revised the scheme to accommodate 91 caravans, as detailed above. Consultation was undertaken, and the Council determined the application, on the basis of the revised scheme.
4. The Proposed Layout Plan on which the Council made its decision and which was submitted alongside the appeal, contains minor errors in terms of a missing section of stock-proof fencing and a statement that the plan is indicative. The appellant has submitted a revised plan (drawing no SHF.201.048.L.D.001 I) and I am satisfied that nobody would be materially prejudiced by determination of the appeal on the basis of this revised plan.

Main Issues

5. The main issues of the appeal are:

- (a) whether or not the proposal complies with local and national policy in respect of flooding, having particular regard to the sequential and exception tests; and
- (b) the effect of the proposal on biodiversity, in particular the integrity of the Swale and Thanet Coast and Sandwich Bay SPAs and RAMSAR sites and the Tankerton Slopes and Swalecliffe SAC.

Reasons

Flooding - Sequential Test

6. Key to the sequential test in this case is whether or not the proposal would constitute an extension to the existing Alberta Caravan Park; the Council argues that it would not. The scheme would comprise 91 caravans, which is less than a third of the 332 units at the existing park, and little more than a quarter of the 400 caravans which are permitted on this site. I therefore conclude that the proposal to be of comparatively small in size relative to the existing Alberta Caravan Park.
7. Other than the recreation area, which it is proposed would also be available for use by residents of the existing caravan park, no communal facilities are proposed as part of the scheme. Residents of the proposal would therefore need to use the existing caravan park for most recreation facilities (ie its bar, clubhouse, swimming pool and indoor recreation area) as well to contact in person a member of staff. Office and maintenance staff/facilities for the proposal would also be located at the existing site.
8. Although the sites do not immediately adjoin, are not intervisible and are separated by a railway line, their entrances would be only a short distance from each other – less than 200m – a matter of a couple of minutes' walk. The road between the two is lit and has a footpath on one side and a condition has been proposed which would require improvements to the footway. Moreover, the distances are such that some of the proposed caravans would be as near the existing park's recreational facilities as are some caravans on the existing site. Given this, I envisage that residents of the proposal would be as likely to routinely use the facilities of the existing caravan park as they would if these facilities were to be on the proposed site itself.
9. For these reasons I conclude that the development would constitute an extension of the existing park and, appropriately conditioned, this could be ensured permanently.
10. *Planning Practice Guidance* (PPG) states that in terms of the sequential test a pragmatic approach needs to be taken where (such as in this case) proposals involve comparatively small extensions to existing premises, where it may be impractical to accommodate the additional space in an alternative location. Consequently, that a site of a similar size to the appeal proposal which could operate as a stand-alone caravan park may exist outside flood zone 3 is not of relevance in this case: national policy, as guided through the PPG, does not prevent comparatively small extensions to premises (relative to their existing size) on the basis that sequentially-preferable sites might exist for a free-standing development.
11. The appropriate area of search for sequentially-preferable sites for the appeal proposal is therefore within a short walking distance of the existing Alberta

Caravan Park. That is to say a site which, like the appeal proposal, could feasibly operate as an extension to, and in conjunction with, the existing park. It is common ground amongst the parties and clear from the *Flood Risk Assessment* that all the land within approximately a mile of the existing park is either already developed or in flood zone 3.

12. Consequently, I conclude that there are no available sequentially preferable sites to the appeal site and therefore the sequential test is passed.

Flooding - Exception Test

13. The submitted *Flood Risk Assessment* identifies that the appeal site is in flood zone 3 but is in an area benefitting from defences. In summary (paragraphs 4.6.28 and 4.6.29) the assessment concludes that, whilst the appeal site is at a 'high' risk of tidal flooding, with these defences in place in their current condition, the site is effectively at 'low' risk of flooding prior to the full effects of climate change predicted in 2115.
14. However, the Environment Agency (letter of 18 November 2022) identifies that the *Shoreline Management Plan* for the relevant area is "hold the line", meaning that the defences will be maintained until 2055. At that point there is to be a transition to "managed realignment", although details of the realignment and funding to support that are currently unknown. Although the appellant states that the existing defences have an anticipated lifespan extending beyond 2055, if they were to be damaged post-2055 it is therefore possible that they would not be repaired/replaced. Consequently, together with the proposed "managed realignment", there is no certainty that the appeal site would not be at a significantly greater risk of flooding post-2055 than it will be in the period up until then.
15. It is the case that, appropriately conditioned, the proposal would benefit from various flood mitigation measures, including a 600mm caravan height above ground level, tethering of the caravans (to prevent them floating away in the event of a flood) and a flood warning/evacuation system. However, at this stage, the possibility cannot be ruled out that post-2055 the site would be no longer properly defended from tidal flooding and could, therefore, be subject to frequent flooding. Whilst in my view these mitigation measures, to promote the safety of caravan occupants in the event of a flood, would make the development acceptable during the period of a 'low' risk of flooding to 2055 (ie when there is greater certainty that the defensive will remain in their current condition) they would not make it acceptable post-2055 when the risk of tidal flooding is currently unknown and, thus, potentially significantly higher than now.
16. From the discussion at the hearing and the written evidence submitted before and after it, it is unclear to me whether or not the Environment Agency initiated the suggestion of a time-restricted permission and whether or not it suggested a specific time period. Moreover, the Environment Agency was not present at the hearing and I was therefore unable to ask it to clarify precisely what it meant by, and the relevant time period it had in mind, in its comments about a "time-restricted permission" in its letter of 18 November 2022 and about permission on a "time-limited basis" in its subsequent email of 21 November 2022. Consequently, I am not convinced that it is the clear and unequivocal view of the Environment Agency that a temporary permission to 2097 (as suggested by the appellant) would be appropriate.

17. Given this, I consider it appropriate to adopt a precautionary approach bearing in mind that there is the possibility of a significantly higher risk of flooding of the appeal scheme after 2055 and the proposed transition to managed realignment, should the existing defences not remain in their current condition.
18. At the hearing the appellant indicated that a temporary permission to 2055, secured by condition, would not fundamentally undermine the feasibility or implementation of the scheme. On the basis of such a condition, I conclude that the development would be safe for its lifetime, and having regard to the *Flood Risk Assessment*, it would not increase flood risk elsewhere. An application to vary the temporary permission condition at any point, to extend the life of the development, would be considered in the light of the evidence regarding future flood risk at that time.
19. It is common ground that the scheme would have wider sustainability benefits to the community in terms of direct job creation and other economic benefits arising from tourism accommodation - extensions to caravan parks being something which policy TV4 of the *Canterbury District Local Plan* (2017) in principle supports. I conclude that these wider sustainability benefits outweigh flood risk if the proposal is conditioned for a temporary period to 2055. On this basis the exception test is met.

Conclusion on Flooding

20. In the light of the above the proposal, conditioned for a temporary period to 2055, complies with national and local policy in respect of flooding as set out in the *National Planning Policy Framework* and policies CC4, CC5 and TV4 of the Local Plan. These policies state that new development will only be permitted if they incorporate mitigation measures identified as necessary as part of a flood risk assessment and satisfy the requirements of the sequential and exception tests.

Biodiversity

21. The site abuts, but is not within, the Swale SPA, SSSI and RAMSAR site. Surveys undertaken in connection with the proposal have identified that, in addition to other species present in smaller comparative numbers, a relatively small number of curlews have foraged on the site on several occasions. However, on one occasion, this amounted to 1.1% of the SPA's population of these birds. Whilst it is always the case that more survey work could be undertaken, I am satisfied that the two surveys a month carried out during the winter period is sufficient in this case and that, in the light of the appellant's explanation of curlews' foraging habits at the hearing, night-time surveys were not necessary. However, given the observed level of use of the site by curlews, and noting the current "Amber Alert" for the SPA's waterbird assemblage, I cannot be assured that, without mitigation, the appeal scheme would not have a likely significant effect on the integrity of the Swale designations.
22. The submitted *Shadow Habitats Regulation Assessment* also identifies that, in the absence of mitigation, the Swale SPA and RAMSAR site, the Thanet Coast and Sandwich Bay SPA and RAMSAR site and the Tankerton Slopes and Swalecliffe SAC could be the subject of recreational pressure from occupants of the proposed caravans, likely to cause a significant adverse effect.

23. In terms of curlews, more than a third of the appeal scheme site would be ecological mitigation area, from which users of the caravan park and their dogs would be excluded. This would include an area designed and maintained especially for curlew foraging. I am not persuaded that the presence of people nearby would be likely to significantly undermine use of this mitigation area by curlews, bearing in mind that the peak season for these birds is in winter when occupation of the caravans is likely to be at its least. Furthermore, at the hearing it was stated that foraging curlews have been spotted very close to occupied caravans at the existing Alberta Caravan Park. Moreover, whilst the caravans and recreation area would limit the area of the site likely to be used by curlews, I envisage it unlikely the site's resulting width or depth would be such that the birds would be prevented from using it. This is particularly so given that bushes already restrict the width and depth of land for approach/take off by birds on the site.
24. Ongoing work to restore the Swale SPA may well attract more curlews to it, although this is likely to be as a result of the SPA itself becoming more attractive for curlew foraging. As such, more curlews at the SPA would be unlikely to lead to a greater reliance on, or use of, the appeal site by these birds. Moreover, the same would apply to any other species which might be attracted to the SPA as a result of measures to restore it.
25. In terms of recreational pressure the *North Kent Strategic Access Management and Monitoring Strategy* (SAMMS) delivers mitigation necessary to avoid significant adverse effects on protected sites through a tariff applied to new dwellings, including caravans, within a 6km zone of influence. The appellant has executed a Unilateral Undertaking which provides for payment of a tariff to fund measures to mitigate such recreational pressure, its level being commensurate with the nature and scale of the appeal scheme and in accordance with the SAMMS.

Appropriate Assessment and Conclusion on Biodiversity

26. Overall, having regard to (i) the Unilateral Undertaking, (ii) the ecological mitigation area which forms part of the scheme and can be secured by condition (iii) appropriate mitigation during construction works (which can also be secured by condition) and (iv) the analysis and conclusions of the *Shadow Habitats Regulations Assessment* (and Natural England's comments on it) I conclude that no significant adverse effect is likely to arise from the proposal on the integrity of the Swale and Thanet Coast and Sandwich Bay SPAs and RAMSAR sites or on the Tankerton Slopes and Swalecliffe SAC.
27. As such the scheme would not have an adverse effect on biodiversity and has no conflict with policies LB5, LB6, LB7, LB9, TV4 and SP6 of the Local Plan. These policies require that development avoids a net loss of biodiversity and that it does not have an adverse effect on the integrity of sites of international conservation importance or on other sites of nature conservation importance. Whilst not specifically relevant to the appeal proposal, there is also no conflict with policy LB12 of the Local Plan which states that the Council strongly supports projects to restore, enhance and extend the ecological value of the Seasalter marshes; the policy does not state that schemes which do not do this will be refused or not supported.
28. Reference has also been made to Local Plan policy LB8. Overall, having regard to the likely beneficial impact of the scheme's ecological mitigation area, I

conclude the proposal would be consistent with the policy's aims to avoid fragmentation of existing habitats, to retain, protect and enhance habitats of local importance for protected species and to protect opportunities for improving connectivity of habitats.

29. I note the recommendation that a review by Natural England of the boundary of the SPA is carried out. However, bearing in mind that Natural England have not objected to the proposal in this, or any other, respect, it would not be appropriate to determine the appeal on the assumption that the site will in future form part of the Swale SPA or other designations.

Other Matters

30. The appeal site is within the North Kent Marshes Area of High Landscape Value (AHLV), known for its wide expanse of undeveloped, low-lying coastal marshland. However, the part of the AHLV in which the appeal site is located (ie along its Faversham Road boundary) is characterised by several existing caravan parks to both the east and west. Moreover, high vegetation along the boundary of the site largely obscures views into the wider AHLV from Faversham Road. In this context and subject to landscaping which could be secured by condition, I consider the appeal proposal would not be intrusive, would be in keeping with its immediate surroundings and would support and be sympathetic to the landscape's character. As such there would be no conflict with policies DBE3, LB2, LB4 or TV4 of the Local Plan which seek to promote the distinctive character of the district and require development to support and be sympathetic to the area's landscape character.
31. It has been argued that the forecast 12 morning peak hour vehicle movements to/from the site is an underestimate and I note the cited incidents at the narrow section of Church Lane. However, there is no evidence of any significant existing safety or traffic flow problems on this road or Faversham Road. Given this, and the number of existing dwellings and caravans already served by these roads, I conclude that, even if the appeal proposal were to generate substantially more than 12 peak hour movements, this would be unlikely to give rise to any significant highway problems. Two car parking spaces per caravan are proposed as part of the scheme and, on this basis, it is highly unlikely that the development would give rise to any significant demand for car parking outside the site itself. Consequently, there would be no conflict with policy DBE3 of the Local Plan which requires that development does not have a detrimental effect on the highway network in terms of congestion or road safety.
32. Whilst I note the reported sewerage difficulties in the area, having regard to the analysis of the issue in the *Flood Risk Assessment* I conclude that the proposal would be unlikely to cause significant harm in this respect. Furthermore, given the amount of existing caravans and other development in the locale, the scheme would not be likely to appreciably add to noise in the area.

Overall Conclusion, Unilateral Undertaking and Conditions

33. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be allowed.

34. As mentioned above the appellant has executed a Unilateral Undertaking which provides for payment of a contribution towards mitigation necessary to avoid significant adverse effects on the integrity of the Swale and Thanet Coast and Sandwich Bay SPAs and RAMSAR sites and on the Tankerton Slopes and Swalecliffe SAC, as a result of recreational pressure by occupants of the proposal. The contribution has been calculated on a formula basis set out in the SAMMS and the shadow HRA assumes its payment in reaching the conclusion that the appeal proposal would not have adverse effects on the integrity of these sites. The undertaking also provides for payment of a monitoring fee in accordance with *Planning Practice Guidance*, which is consistent with published requirements set out on the Council's website and I conclude is reasonable in scale.
35. On this basis I am satisfied that the undertaking is necessary to the acceptability of the appeal proposal in planning terms and that it is directly related to, and is fairly and reasonably related in scale and kind to, the development.
36. I have amended/added to the conditions suggested by the Council to make them precise and enforceable and also in the light of the comments on them at and following the hearing. Pre-commencement conditions 1-5 (as set out in the Schedule of Conditions and as agreed in writing by the appellant) are necessary in the interests of biodiversity, the prevention of flooding/pollution and archaeological examination/recording. Pre-commencement conditions are necessary because the matters relate to construction work and/or because they concern the detailed design of the development and may influence how the scheme is constructed. Given the nature and scale of the development and the specific requirements of condition 2 concerning surface water drainage, the suggested requirement for a surface water drainage verification report is not necessary.
37. Condition 6 is necessary as the standard implementation time limit and no. 7 is required for the avoidance of doubt. Conditions 8, 14 and 15 are necessary in order to protect the character and appearance of the area.
38. Condition 9 is required because, in terms of flood risk, the development is demonstrated to only comply with the sequential test on the basis that it operates as an extension to the existing Alberta Caravan Park. Bearing in mind that the acceptability of the proposal as permanent residential accommodation has not been considered, conditions 10-12 are necessary to ensure that the development is only used as holiday accommodation.
39. Conditions 13 and 22 are required to ensure that the development is safe for its lifetime, having regard to flood risk. Should permission for the development expire in the absence of a varied or new permission, it is necessary for the site to be returned to its former condition in the interests of the character and appearance of the area. Conditions 16-19 are required in the interests of highway safety and to promote use of electric vehicles and cycling and walking. However, there is no indication that drawing no. K5036PD-001 Rev C (Proposed Layout and Internal Servicing) is only indicative and the appellant has not objected to its inclusion as an approved plan of full planning permission in accordance with which the development should be carried out. Consequently, it would not be appropriate to alter conditions 16 and 19 to

allow for the details to be the subject of future agreement by the Local Planning Authority.

40. Condition 20 is necessary to prevent adverse effects on the integrity of the neighbouring Swale SPA, SSSI and RAMSAR site, whilst condition 21 is needed to ensure that appropriate recreation facilities are in place to support the expanded Alberta Caravan Park.

Malcolm Rivett

INSPECTOR

ANNEX: SCHEDULE OF CONDITIONS

1. No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include the following details:
 - construction phase ecological mitigation as set out in paragraphs 5.14-5.16 of the BSG Ecology Shadow Habitats Regulations Assessment (HRA) Report (issued 08/04/2019)
 - routing of construction and delivery vehicles to/from the site
 - parking and turning areas for construction and delivery vehicles and site personnel
 - timing of deliveries
 - details of site access point(s) for construction
 - dust control measures
 - site operation times between 0730 - 1800 Monday to Friday, 0800 - 1300 Saturday and at no time on a Sunday or bank holidays, unless in association with an emergency
 - demolition and construction waste
 - storage and removal
 - temporary traffic management/signage
 - details of wheel washing facilities prior to commencement of spoil removal on site and for the duration of spoil removal
 - details of where fuel and oil will be stored including the response in the event a spillage occurs

The development shall be carried out in accordance with the approved details and the construction phase ecological mitigation shall be in place before any other development hereby permitted takes place and shall be retained and implemented throughout the period of construction.

2. No development shall take place until a detailed sustainable surface water drainage scheme for the site has been submitted to, and approved in writing by, the Local Planning Authority. The drainage scheme 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 discharged at no more than 7l/s and disposed of 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.

3. No development shall take place until a programme and specification of archaeological observation and recording has been submitted to, and approved in writing by, the Local Planning Authority. The development shall

be carried out in accordance with the approved programme and specification.

4. No development shall take place until a Lighting Design Strategy for Biodiversity for the site has been submitted to and approved in writing by the Local Planning Authority. The Lighting Strategy shall:
- identify those areas/features on site that are particularly sensitive for wildlife
 - show how and where external lighting will be installed in accordance with the recommendations in sections 5.7 and 5.8 of the BSG Ecology Ecological Appraisal (08/04/2019)
 - provide for the construction phase and operational phase of development.

All external lighting shall be installed in accordance with the approved Strategy for Biodiversity prior to first occupation of the caravans hereby approved and shall be retained thereafter in accordance with this strategy. No external lighting other than that included in the approved strategy shall be erected or operated on the site.

5. No development shall take place until an Ecological Design and Management Plan (EDMP) has been submitted to and approved in writing by the Local Planning Authority. The EDMP will address the creation, restoration and enhancement of semi-natural habitats on the site and their long-term management. The EDMP will include the ecological enhancement measures outlined in section 6 of the BSG Ecology Ecological Appraisal (08/04/2019). The content of the EDMP will also include the following:
- description and evaluation of features to be managed
 - ecological trends and constraints on site that might influence management
 - aims and objectives of management of the site and surrounds
 - appropriate management options for achieving the aims and objectives
 - prescriptions for management actions, including reference to protected species mitigation requirements
 - preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
 - details of the body or organisation responsible for implementation of the plan
 - ongoing monitoring and contingencies/remedial measures, including details of how these will be agreed with the Local Planning Authority
 - timetable for long-term management plan review

Prior to first occupation of the caravans hereby approved the EDMP shall be implemented in accordance with the approved details and its ongoing implementation shall continue for the operational life of the development.

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

7. The development hereby permitted shall be carried out in accordance with the following drawings and the caravans shall be stationed as shown on drawing SHF.201.048.L.D.001 I (Proposed Layout Plan):
 - Location Plan 1:2500 at A3
 - SHF.201.048.L.D.001 I (Proposed Layout Plan)
 - K5036PD-001 Rev C (Proposed Layout and Internal Servicing)
8. The caravans stationed on the site shall accord with details of their design and external appearance previously submitted to, and approved in writing by, the Local Planning Authority.
9. The development hereby permitted shall only be operated in conjunction with the Alberta Caravan Park situated further west along Faversham Road and shall not operate as an independent caravan park.
10. The caravans hereby permitted shall not be used or occupied for any purposes other than as holiday accommodation by persons whose only, or principal, home is situated elsewhere.
11. Occupation of the caravans hereby permitted shall not take place other than between 1st March and 15th January the following year.
12. An up to date register shall be kept of all current occupants of the caravans hereby permitted and of any other occupants of the caravans in the preceding 12 months. The register shall contain the name and principal home address of the occupants of each caravan. The register shall be made available for inspection on demand at any reasonable hour by the Local Planning Authority.
13. The development hereby permitted shall be carried out and operated in accordance with the submitted Enzygo NPPF Flood Risk Assessment (March 2019), and the following mitigation measures it details, including:
 - all caravans must have a freeboard of +600mm above ground levels
 - the continuous use of a flood warning and evacuation plan in accordance with details previously submitted to, and approved in writing by, the Local Planning Authority
 - tethering of the caravans

The mitigation measures shall be fully implemented prior to first occupation and permanently retained, maintained and operated as such.
14. Prior to the landscaping of the site, full details of both hard and soft landscape works, including: species, size and location of trees to be replanted as a result of the loss from the development; shrubs, hedges and grassed areas to be planted; the treatment proposed for all hard surfaced areas beyond the limits of the highway; and, walls, fences and other means of enclosure proposed shall be submitted to, and approved in writing by, the Local Planning Authority.
15. All hard and soft landscape works shall be carried out in accordance with the details approved in respect of condition no. 14. The works shall be carried out prior to first occupation of the caravans hereby permitted, or in accordance with a programme of works approved in writing by the Local

Planning Authority. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

16. Prior to first occupation of the caravans hereby permitted the area shown on drawing no. K5036PD-001 Rev C (Proposed Layout and Internal Servicing) as access to the site and for the parking, turning and manoeuvring of vehicles and vehicle loading/unloading shall be operational. This area, which shall incorporate a bound surface material for the first five metres of the access from the edge of the highway, shall thereafter be retained for access to the site and the parking, turning, manoeuvring and loading/unloading of vehicles.
17. Prior to first occupation of the caravans hereby permitted, secure cycle parking and electric vehicle charging facilities shall be provided in accordance with details and a specification of the facilities which shall have been previously submitted to, and approved in writing by, the Local Planning Authority. The approved facilities shall thereafter be retained for the operational life of the development.
18. Prior to first occupation of the caravans hereby permitted, Parking Management Plan (SDD Technical Note, K5036PD, Alberta Caravan Park, Seasalter, February 2021) shall be implemented. Thereafter it shall be adhered to throughout the operational life of the development.
19. Prior to first occupation of the caravans hereby permitted the proposed works within the highway, including the access, footway and crossing, shall be installed in accordance with the details shown on drawing no. K5036PD-001 Rev C (Proposed Layout and Internal Servicing).
20. Prior to first occupation of the caravans hereby permitted the Operational Phase Mitigation shall be in place and implemented, in accordance with paragraph 5.19 of BSG Ecology Shadow Habitats Regulations Assessment (HRA) Report (issued 08/04/2019). The mitigation measures shall remain in place and implemented for the operational life of the development.
21. Prior to first occupation of the caravans hereby permitted the recreation area shown on drawing no SHF.201.048.L.D.001.I shall be operational and available for use.
22. The development hereby approved shall cease on 01.01.2055 and the land shall be reinstated to its former condition.

APPEARANCES:

For the Park Holidays UK Limited:

- Ian Albutt, Counsel for the Appellant
- David Middleton BSc (Hons) MRICS (Savills)
- Matthew Travis BSc (Hons) MSc, MCIWEM C.WEM C.Env C.Sci (Enzygo)
- Scott Dawson BSc (Hons) MSc, MCIWEM (Enzygo)
- Dr Peter Shepherd BSc PhD MCIEEM (BSG Ecology)
- Anna Meer BA (Hons) CMILT (DLP)
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- John Baker BSc (Hons) MSc CEcol MCIEEM (BSG Ecology)
- Matt Purdom (Park Holidays UK Limited)

For Canterbury City Council:

- Jessica Harrison, Principal Planning Officer

Other interested parties:

- Councillor Colin Spooner, on behalf of Councillor Ashley Clark