

MONK LAKES, STAPLEHURST ROAD, MARDEN TN12 9BS

APPEAL REFERENCE - APP/U2235/W/20/3259300

CORE DOCUMENTS LIST

1. PLANNING APPLICATION DOCUMENTS

Environmental Statements

- CD1.1 Environmental Statement (February 2019)
- CD1.2 Environmental Statement Addendum (October 2019)
- CD1.3 Environmental Statement Addendum (February 2022)

Plans

- CD1.4 Site Location Plan (PDA-MON-101)
- CD1.5 Finished Floor Level and Flood Compensation Plan (2375/MBCR2/05)
- CD1.6 Existing Ground/Proposed Cross Sections (3 plans)
- CD1.7 Proposed Site Layout Plan (0183-04/02 RevH)
- CD1.8 Proposed Landscaping Plan (0183-04/03 RevD)
- CD1.9 Proposed Clubhouse and Car Park Layout Plan (0183-04/04 RevB)
- CD1.10 Flood Compensation Storage Plan (0183-04/07)
- CD1.11 Vehicular Access Point (0183-04/06 RevA)

Other Documents

- CD1.12 Water Resource Management Strategy (September 2022)
- CD1.13 Jim Tarzey Email – Hydrogeological Site Model (7th October 2022)
- CD1.14 Jim Tarzey Final Response Comments Email (13th October 2022)

2. PLANS SUBMITTED UNDER THE APPEAL

- CD2.1 Proposed Landscaping Plan (P20-0831_02 RevA)
- CD2.2 Indicative Landscape Site Sections A-A (P20-0831_01 Sheet 1)
- CD2.3 Indicative Landscape Site Sections B-B (P20-0831_01 Sheet 2)
- CD2.4 Indicative Landscape Site Sections F-F (P20-0831_01 Sheet 3)
- CD2.5 Indicative Landscape Site Sections A-A Inset (P20-0831_01 Sheet 4)

3. APPLICATION CONSULTEE RESPONSES & OTHER DETERMINATION

DOCUMENTS/PLANS

- CD3.1 Natural England Final Response
- CD3.2 Environment Agency Final Response
- CD3.3 KCC Lead Local Flood Authority Final Response
- CD3.4 KCC Ecology Final Response
- CD3.5 KCC Highways Final Response
- CD3.6 KCC Minerals Final Response
- CD3.7 MBC Environmental Health Final Response
- CD3.8 Conservation Officer Response (22nd December 2016)
- CD3.9 Conservation Officer Response (21st November 2019)
- CD3.10 Conservation Officer Response (20th December 2019)

- CD3.11 Reservoir Engineers Email/Agent Email (7th January 2020)

- CD3.12 Mott MacDonald Groundwater Assessment Advice to the LPA (November 2016)
- CD3.13 Mott MacDonald Hydrogeological Advice to the LPA (July 2019)

- CD3.14 LPA Commissioned Topographical Survey (5881 Sheet 1)
- CD3.15 LPA Commissioned Topographical Survey (5881 Sheet 2)
- CD3.16 LPA Commissioned Topographical Survey (5881 Sheet 3)
- CD3.17 LPA Commissioned Sections Plan (5881 Sheet 4)
- CD3.18 LPA Commissioned Sections Plan (5881 Sheet 5)

- CD3.19 Decision Notice (12th March 2020)

4. PLANNING POLICY DOCUMENTS

CD4.1 Maidstone Local Plan Review 2021-2038

CD4.2 Kent Mineral and Waste Local Plan as amended by Early Partial Review 2020

CD4.3 Marden Neighbourhood Plan 2017-2031

5. HIGH COURT DOCUMENTS RELATING TO THIS APPLICATION/APPEAL

- CD5.1 R v Maidstone Borough Council (2014 High Court Decision)
- CD5.2 R v Maidstone Borough Council Bundle
- CD5.3 Taytime Ltd v SSLHC (2024 High Court Decision)
- CD5.4 Taytime Ltd v SSLHC Bundle
- CD5.6 High Court Witness Statement – Emily Harrison (10th May 2023)
- CD5.7 High Court 3rd Witness Statement of Emily Harrison (8th February 2024)

6. SUBMISSIONS RELATING TO VALIDITY

- CD6.1 Liquidator's Original Letter (22nd September 2021)
- CD6.2 Agency Agreement (9th January 2025)
- CD6.3 Liquidator's Letter - High Court (30th January 2024)
- CD6.4 Liquidator's Response (12th July 2024)
- CD6.5 Letter to PINs from MLL Director Guy Harrison (4th September 2024)
- CD6.6 Statutory Declaration MLL Director G Harrison (28th November 2024)
- CD6.7 Liquidator's Agency Letter (12th December 2024)
- CD6.8 Appellant email to Rule 6 Ben Fulbrook with timeline & details of new arrangements
(17th December 2024)
- CD6.9 Appellant letter to PINS re Rule 6 conduct (13th January 2025)
- CD6.10 Claimants Supplemental Note (15th February 2024)

7. OTHER RELEVANT CASE LAW

- CD7.1 Lock v Stanley [2022] EWCA Civ 626; [2022] BCC 940 - agency
- CD7.2 Ardagh Glass Ltd v Chester City Council [2010] EWCA Civ 172 – exceptional circumstances EIA development
- CD7.3 R (Baker) v Bath and North East Somerset [2013] EWHC 946 (Admin) – Enforcement and EIA development

8. APPEAL DOCUMENTS

- CD8.1 LPA Appeal Statement (March 2021)
- CD8.2 Appellant Statement of Case (September 2020)
- CD8.3 Appellant Addendum to Statement of Case (December 2024)
- CD8.4 Rule 6 Statement of Case (December 2024)
- CD8.5 LPA & Appellant Statement of Common Ground (December 2024)
- CD8.6 Rule 6 Comments on Statement of Common Ground (January 2025)

- CD8.7 Susan King Proof of Evidence (Planning)
- CD8.8 Janice Gooch Proof of Evidence (Heritage)
- CD8.9 Steven Doel Proof of Evidence (Planning)
- CD8.10 Andrew Smith Proof of Evidence (Landscape)
- CD8.11 Christopher Griffiths Proof of Evidence (Heritage)
- CD8.12 Dr Paul Ellis Proof of Evidence (Hydrogeology & Flooding)
- CD8.13 Emily Harrison Proof of Evidence
- CD8.14 Emily Harrison Proof Evidence (Exceptional Circumstances)

- CD8.15 Section 106 Agreement (April 2021)

9. OTHER DOCUMENTS

- CD9.1 LPA Committee Report (June 2012)
- CD9.2 LPA Committee Report (January 2020)
- CD9.3 LPA Committee Report (March 2020)
- CD9.4 Quashed Appeal Decision (November 2022)
- CD9.5 Committee Meeting Minutes (23rd January 2020)

- CD9.6 Appellants 'Enforcement Notice Compliance Assessment' (January 2025)
- CD9.7 Site LiDAR 2002 2m Model
- CD9.8 EGL-OGL Volume
- CD9.9 2019 Combined Surveys 3D
- CD9.10 KTF Cut and Fill Volume Results 2002-2019 Sections

- CD9.11 Jim Tarzey Email - Hydrogeological Site Model (7th October 2022)
- CD9.12 Jim Tarzey Final Response Comments Email (13th October 2022)

- CD9.13 Appellant's Reservoirs Act Preliminary Certificate (June 2018)
- CD9.14 Appellant's Reservoirs Act Annex to Preliminary Certificate (June 2018)
- CD9.15 Appellant's Reservoirs Act Flood Plan (May 2022)
- CD9.16 Appellant's Reservoirs Act Registration Information
- CD9.17 Appellant's Reservoirs Act Construction Engineers Report (August 2024)
- CD9.18 Appellant's Reservoirs Act Final Certificate (September 2024)
- CD9.19 Appellant's Reservoirs Act Construction Certificate (September 2024)

- CD9.20 Post Previous Hearing Document - Email from Emily Harrison to Jamie Hamilton at the EA introducing themselves as the new owners of the site (29th Feb 2008)
- CD9.21 Post Previous Hearing Submission – Monk Lakes email to MBC (1st March 2008)
- CD9.22 Post Previous Hearing Submission – Monk Lakes email to MBC & EA (31st March 2008)
- CD9.23 Post Previous Hearing Submission - Monk Lakes letter to MBC (18th April 2008)
- CD9.24 Post Previous Hearing Submission – Monk Lakes letter to MBC (13th May 2008)
- CD9.25 Post Previous Hearing Document - Monks Lakes letter to MBC (17th June 2008)

- CD9.26 LPA Decision Notice (6th September 2012)

- CD9.27 Appeal Hearing Agenda (2022)

- CD9.28 Historic England - National Farm Building Types (published in October 2014)
- CD9.29 Adapting Traditional Farm Buildings – Best Practice Guidelines for Adaptive Reuse - Historic England (September 2017). Heritage Appeal Statement paras. 2.25–2.32
- CD9.30 Farmstead Assessment Framework – Informing sustainable development and the conservation of traditional farmsteads. Historic England (2015). Heritage Statement paras. 2.33–2.34
- CD9.31 South East Farmsteads Character Statement - Historic England (2014). Heritage Appeal Statement paras 2.35–2.37
- CD9.32 Historic Farmsteads Preliminary Character Statement: South East Region (2014)
- CD9.33 The Setting of Heritage Assets: Historic England Good Practice Advice in Planning Note 3 (2nd Edition) December 2017.

- CD9.34 Guidelines for Landscape and Visual Impact Assessment, Third Edition, by the Landscape Institute and Institute of Environmental Management and Assessment (2013).
- CD9.35 Landscape Character Assessment Guidance for England and Scotland by the Countryside Agency and Scottish Natural Heritage (2002)
- CD9.36 Maidstone Landscape Character Assessment March 2012, Amended July 2013
- CD9.37 Maidstone Landscape Capacity Study: Sensitivity Assessment, January 2015
- CD9.38 National Landscape Character Area 121 – Low Weald
- CD9.39 The Landscape Assessment of Kent 2004
- CD9.40 Fabrik Written Representations March 2021
- CD9.41 Report prepared for Planning Hearing: ESI, 2015. Report of Paul Ellis dated 30th March 2015. The potential for groundwater flooding resulting from the unauthorised development at the neighbouring property known as Monk Lakes. Report reference RL1-63346R2
- CD9.42 Statement prepared for Planning Appeal: Geosmart, 2021. Statement of Paul Ellis dated 22nd March 2021. The potential for groundwater flooding resulting from the unauthorised development at the neighbouring property known as Monk Lakes. Report reference: 70276R3vn2
- CD9.43 Report prepared for Planning Appeal: Geosmart, 2022. Report of Paul Ellis dated 13th April 2022. Note in Response to Applicant ES Addendum (February 2022) – Matters relating to the Water Environment Report reference: 70276R4
- CD9.44 Peter Brett Associates, 2015. Drainage Strategy Report, Monk Lakes, Marden, Kent, July 2015.