

REPORT SUMMARY

REFERENCE NO - 13/1607			
APPLICATION PROPOSAL Change of use of land from agriculture (orchard and open grassland) to tourism use for camping and caravanning with associated utility block and office/store.			
ADDRESS Forstal Farm, Stockett Lane, Coxheath, Maidstone, Kent, ME15 6HA			
RECOMMENDATION Approve			
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none"> • The proposal represents development for holiday camping/caravan use which is one of the exceptions allowed for within Policy ENV28 • The proposal meets the criteria set out within Policy ED20 of the MWBLP 2000 • The highways, residential amenity, landscape, ecological and other matters have all been assessed and are considered to either be acceptable or can be made acceptable subject to conditions. 			
REASON FOR REFERRAL TO COMMITTEE As a result of the recommendation for approval, the application is 'called in' by Coxheath Parish Council who have objected to the application			
WARD Coxheath And Hunton Ward	PARISH/TOWN COUNCIL Coxheath	APPLICANT Mr R Lee AGENT The Penshurst Partnership	
DECISION DUE DATE 16/02/14	PUBLICITY EXPIRY DATE 16/02/14	OFFICER SITE VISIT DATE 11.01.2013, 04.11.2015 and 14.04.2016	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
03/1778	An application for the prior approval of the Local Planning Authority for the proposed erection of agricultural building and associated hard standing/access track, as shown on dwg nos. 958/03 and 03/1965A received on 11.09.03.	Prior Approval Given	11.09.2003
05/02279	Retrospective application for the change of use of land to the stationing of 5 no static caravans during January, February and March. (resubmission of application MA/05/0545) as shown on drawing 958/25 A received on 30/11/05.	Refused	09.03.2006
12/2134	Change of use of land from agriculture (orchard and open grassland) to farm shop (A1), apple store (B8), and caravan and tent park with associated utility block (D2).	Withdrawn	19.03.2013

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.1. The site is formed by two fields which lie on the eastern side of Stockett Lane to the north of Coxheath. The site includes an access track which passes through the orchard of the farm to reach the highway on the northern side of Forstal Lane. An orchard which forms part of the farm but is outside of the application site would remain on the corner of Forstal Lane and Stockett Lane.
- 1.2. The boundary of the site which meets Stockett Lane is formed by mature native hedging with the level of the hedge and the level of the application site being raised from the road level. The site is relatively flat apart from this level change along the roadside boundary.
- 1.3. There is an existing building on site being the agricultural building permitted under 03/1778. The nearest neighbouring properties lie on the south side of Forstal Lane, some 120m from the main application site. The land is currently used as open paddock/grazing.
- 1.4. A Gypsy and Traveller site lies to the north of the PROW (some 70+m away) and this gypsy site is allocated within the emerging Local Plan. The gypsy site is occupied and therefore will be considered in terms of the impact of the proposal on residential amenity.

2. PROPOSAL

- 2.1. Planning permission is sought for a tourist development of 16 caravan pitches with associated hardstanding and central landscaped amenity area, an area for conventional tent pitches and a play area. A timber weather boarded utility building and office are also proposed to serve both parts of the campsite. The utility building equates to 116sqm of permanent development. 16 parking spaces are proposed within the caravan portion of the site and informal parking would occur within the camping portion of the site.
- 2.2. The caravan pitches would sit on the larger field which is closest to Forstal Lane and shares its longest boundary with Stockett Lane. Pitches 4-8 would lie close to Stockett Lane, pitches 1-3 would lie on the southern edge of the field, pitches 9-11 would lie on the field boundary between the campsite and the caravan site and pitches 12-16 would lie on the eastern edge of the field parallel to Stockett Lane.
- 2.3. Landscaping is proposed between the caravan pitches and along the access road and full details would come forward through a condition should permission be forthcoming.
- 2.4. The existing farm track would be upgraded as part of the application to light brown limestone gravel, the internal roads within the caravan pitch area would be Fleximat Grass and all paving would be Yorkstone.
- 2.5. The entrance on to Forstal Lane would be upgraded to allow a car and towing caravan to wait off the highway while the gates are opened. Two passing bays are also proposed along the northern boundary of Forstal Lane to allow for traffic to give way when larger vehicles pass along the highway.

- 2.6. 20 tent pitches are also proposed on the northern portion of the site which would be accessed beneath the undercroft roof of the utility block. Parking for the tents would be informal around the relevant pitch.

3.0 PLANNING CONSTRAINTS

- 3.1 The site lies within the Southern Anti-Coalescence Belt being open countryside outside of any defined settlement. A Public Right of Way lies approximately 70m to the north of the application site with the wider PROW network linking to Loose village. A public Sewer crosses the site in a diagonal line from southwest to northeast approximately.

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF): Paragraph 28

National Planning Practice Guidance (NPPG): None

Development Plan (Maidstone Borough Wide Local Plan 2000): Policies ENV6, ENV28, ENV32, ENV49, ED20 and T13.

Draft Maidstone Borough Local Plan (Submission Version May 2016): Policies SP17, DM1, DM7, DM27, DM42, and DM37.

Supplementary Planning Documents: None

5.0 LOCAL REPRESENTATIONS

- 5.1 72 representations have been made on the application as a result of the initial and subsequent consultations and site notice. Approximately half of the comments are repeat comments from the same households following re-consultation. The comments all raise objection and are summarised below (the four underlined comments highlight the issues raised most frequently in the various representations):

- Increase in traffic and resultant impact on highway safety
- The site would be accessed via narrow lanes and poor junctions locally
- There is already a parking problem in Stockett Lane as a result of the lack of parking for existing shops, doctors, and school.
- The highway is not suitable for large movements of caravans
- In order to prevent the likely misuse of this tourist camping site by travellers either reject it or limit stays by any one tent or caravan to no more than three weeks.
- Increase in noise and pollution
- Would it be used for travellers rather than tourists?
- Harm to the rural area
- Set a precedent for more caravans in the area
- The development will totally change the character of the village and destroy its agricultural heritage
- Additional load on sewerage
- Additional load on water supplies
- If granted as tourist use there could be further application for permanent residential use
- No tourist need for the development
- Coxheath does not have good road links to tourist attractions in Kent
- There is already an established site at Hollingbourne on the A20 which is better connected.
- A high occupancy would need required in the summer months to make the site profitable. This would result in a high turnover and more disturbance.

- Concerns re: safety at other road junctions locally as a result of turning vehicles towing a caravan.
- Loss of agricultural land
- Contrary to the village plan
- The site is on elevated land which is visible from Forstal Lane and development could cause loss of privacy
- Light pollution including from car headlights
- The lane is currently used by walkers and dog walkers who could be at risk of increased traffic
- Harm to rural character
- Loss of hedgerow
- Satnavs can lead people to the site via Loose and not Heath Road resulting in further safety concerns
- There are no footpaths/pavements to the site from the village
- Minimal economic benefit to the proposal
- Contrary to MBC Policy ENV28
- The proposal description should refer to the access track upgrading
- The removal of outbuildings should be on land within the red line and not outside it
- The height of the over-croft access which forms part of the utility/office block design appears to low to allow access to today's larger cars or emergency services
- Access should be considered off Stockett Lane rather than Forstal Lane in the interests of amenity
- No scheme for refuse collection/storage has been proposed
- No signage proposals have been provided
- The proposed hours of use would give rise to harm to residential amenity, contrary to Policy ED20.
- No cycle parking is proposed
- No external lighting scheme has been provided
- Concern that the site may be used to house economic migrants employed in agriculture or horticulture.
- Use should be restricted to Easter to October
- The site should not be used for the winter storage of touring caravans
- The layout of the scheme and the access road would compromise the viability of the small holding further
- Nuisance from campfires and barbeques
- The cumulative impact of traffic from the proposal, the site at Linden Farm and the Local Plan allocated site on Forstal Lane should be considered.

6.0 CONSULTATIONS

6.1 **Coxheath Parish Council:** Lack of information submitted as part of the application. They would have expected to see an economic justification, traffic assessment, evidence of possible affiliation with the Camping and Caravan Club for example, Clarification that the intention is to facilitate touring caravans and not static caravans which would be permanently in situ. Clarification on the use of the existing "workshop" referred to on the plans. Main PC comments summarised below:

- The roads around the site are inadequate to cope with the inevitable increase in traffic. Approach routes to the site would be largely restricted to narrow country lanes or through densely populated residential streets. This would inevitably raise road safety concerns. The NPPF states that developments should be located to minimise conflict between traffic and pedestrians. Workhouse Lane, Forstal Lane and long

stretches of Stockett Lane have no footways. We contend therefore that there would be substantial conflict.

- The proposal to change the use of land to cater for tourist caravans and camping is contrary to Policy ED20. In the absence of a business plan there is no proven need to overcome policy constraints, inadequate access, an intrusive feature in the landscape not surrounded by mature woodland, a detrimental impact of residential amenity, a considerable distance from the M20 motorway and a lack of high quality facilities.
- It would harm the character and appearance of the countryside and the amenity of neighbouring properties thereby contravening Policy ENV28. There would be significant urbanisation of this section of the anti-coalescence belt in contravention of Policy ENV32 and the creation of half a kilometre ribbon of development linking the built up area to the north of the village with gypsy/traveller sites further down Stockett Lane.
- The site is not surrounded by mature woodland and is on rising land to the north of the village, thereby failing to protect and enhance the visual landscape of the Greensand Ridge. We would argue that this contravenes NPPF paragraph 109.
- The residential amenity of neighbouring properties (particularly in Forstal Lane) would be affected detrimentally. Grass verges in front of these dwellings belong to householders. We would argue that caravan traffic would cause damage, therefore, to other properties.
- Concerns over hours of operation, light and noise pollution.
- Contrary to the NPPF 5ha of Grade 2a (high quality agricultural land would be lost if this application was to proceed).
- The application is contrary to the Coxheath Neighbourhood Plan.
- Should the Council recommend approval then the PC would wish for a Legal Agreement to be provided to cover the following matters:
 - A strict limitation to holiday touring caravans and not residential or static mobile homes;
 - Site closure for at least two months of every year;
 - A rule ensuring that no touring caravans are allowed to return to the site within a month of leaving;
 - The change of use to be applied to the area specified for caravans and camping plus the utilities and access, but not to the site as a whole;
 - Comprehensive all year round landscaping to the south, east and north of the site, particularly along Forstal Lane, to ensure that it blended with the surrounding countryside;
 - Strict rules over hours of operation and control of noise and light pollution;
 - A Section 106 funding agreement for traffic calming measures to be taken in Stockett Lane en-route to the site;
 - Wording to prevent the office/store ever being converted in to residential accommodation;
 - A requirement to return the site to its former (agricultural) condition if the tourism business fails.
- The PC would also like to see the following planning conditions
 - The utility block to be completed and operational before the site was allowed to open
 - The permanent removal of all hen house, temporary buildings and other buildings/caravans without current permission
 - The replanting of orchard areas that have been cleared
 - Control of construction hours, noise and cleaning operations
 - Control of lighting in the context of the very rural nature of the site

- Correction of the current status of the agricultural barn which does not have workshop use.
 - In summary, the PC feels very strongly that this application conflicts substantially with the Coxheath (Draft at the time of writing) Neighbourhood Plan together with the current Development Plan and that other considerations are not sufficient to outweigh these conflicts. It is our strong recommendation that the application should be refused.
- 6.2 **East Farleigh Parish Council** (adjoining Parish). Recommend refusal. Grounds are the same as they were for 12/2134 i.e. urbanisation of part of the Southern anti-coalescence belt, loss of agricultural land, loss of local amenity/rural character of the area and it would be detrimental to traffic levels and road safety. Additional Comments: Council considered the modified details to this application at its meeting this evening and would like to make the following comments:
- Council supports Coxheath Parish Council totally in its request for further information.
 - Council noted that KCC has made Highways safety comments without this further information.
 - Council wishes its previous comments on application 13/1607 to stand, but wishes to reserve the right to comment further once it has more information.
 - Council would like consideration to be given to how many months of the year the site would be open.
- 6.3 **Loose PC:** (adjoining parish) The Loose Parish Council wish to oppose this application and would like to see this refused by the MBC on the following grounds:
- There is nothing to suggest in the application that there is a proven need for this type of development in the area.
 - We have had sight of the draft [at the time of writing] neighbourhood plan that Coxheath Parish is in the process of instigating, and whilst this has not yet been approved, it has had public input, and does not show any designated development for this area which is outside the village envelope.
 - It would be a loss of grade 11 agricultural land, and the proposed need for a caravanning and camping site does not justify the change of use.
 - We have an issue with large caravans and other sizable vehicles accessing the site through narrow lanes, which will have safety implications for other road users and pedestrians.
 - It is felt that this proposal will be an incremental disfiguration and erosion into the visual amenity of the area, and of the anti-coalescent belt. The Southern anti coalescent belt was put in place to prevent development extending southward, and in linking villages together with Coxheath. We would not wish to see areas of highly valued amenity, such as this, becoming larger urbanised sites.
- 6.4 **Kent Highways Services:** No objection: I refer to the amended plans for the above planning application and consider that there are no highway implications associated with the proposals. I therefore have no further comments to add on behalf of the local highway authority. Detailed comments:
- The proposed passing bays providing a road width of 6m are acceptable subject to tracking diagrams showing that the bays can accommodate the largest caravans expected to use the site.

- It has been confirmed that the maximum width of a caravan in the UK is 2.55m and the maximum length is 5m. It is therefore anticipated that the passing bays outlined on the proposed site plan are of an adequate size to allow a car towing a caravan to pull in and allow another vehicle to pass in the opposite direction.
- The proposed passing bays should be completed under a S278 agreement with Kent County Council. Please contact the Agreements team..

6.5 **MBC Landscape:** No objection. There are no protected trees on or adjacent to the site. The area lies within the LCA 27-7, Loose Greensand Orchards and Pasture, for which guideline is 'conserve and reinforce'. The relevant generic guidelines for the landscape type are as follows:

- Appropriate proposals that would enable fruit and hop production to continue should be promoted.
- The conservation of the strong pattern of existing woodlands, hedgerows and shelterbelts and remaining hop gardens and orchards is important in maintaining the traditional landscape pattern and habitat connectivity.
- Reinststate the historic hedgerow network, particularly in-between woodland areas, to improve habitat connectivity.
- Conserve the species rich hedgerow boundaries and promote enhanced species diversity within hedgerows where this has been weakened.

In terms of the proposed change of use of the site, it is well screened with no trees of individual merit that would pose a constraint to the scheme. I, therefore raise no objections on arboricultural grounds.

6.6 **KCC Ecology:** No objection. We are satisfied that sufficient information has been provided to determine the planning application and we require no additional information to be provided. Conditions are recommended in relation to dormice and biodiversity enhancements.

6.7 **Environmental Health – No objection**. There are few EH issues of concern here. Had it been a residential use, I would have recommended a contamination land condition but this is for a seasonal/temporary use. The methodology to be used for drainage and other essential services to/from the utility block would need to be submitted. Conditions recommended in relation to Foul Drainage. Informatives recommended in relation to the need for Caravan Site Licencing and Moveable Dwellings Licencing.

6.8 **Richard Lloyd-Hughes** (Agricultural Consultant) In this case I would advise that the land concerned is fairly level ground, forming part of what, at one time, was a fairly intensive fruit farm. The farm is situated within the Mid Kent Greensand Fruit Belt where the Hythe Beds generally form the base for good, deep and fertile soils. The site lies within an area indicated as Grade 2 quality on the provisional 1:250,000 Land Classification Map, and in the absence of any submitted evidence suggesting this particular site has some unusual constraint, I would suggest that it be presumed to fall within the "best and most versatile" category that warrants particular consideration in terms of the effects of potential loss to development.

7.0 BACKGROUND PAPERS AND PLANS

Site Location Plan date stamped 20 November 2015

Design and Access Statement date stamped 13 September 2013

Proposed Site Plan date stamped 14 April 2015
Existing Site Plan date stamped 13 September 2013
Floor Plans and Elevations Utility/Office/Store date stamped 18 November 2013
Entry/exit Point Tracking Diagrams date stamped 8 April 2014
Reptile and Dormouse Survey date stamped 4 June 2015
Habitat Suitability Index Assessment date stamped 14 April 2015
Extended Phase 1 Habitat Survey date stamped 13 September 2013

8.0 APPRAISAL

- 8.1 The key issues in this case are the principle of development of this nature in the countryside and anti-coalescence belt, the impact of the proposal on the rural amenities of the locality, the appropriateness of the scale, layout and detailed design of the proposal, the impact on residential amenity for neighbouring dwellings and wider traffic/transport and parking issues.

Principle of Development

- 8.2 Paragraph 28 of the NPPF relates to supporting a prosperous rural economy and states that planning policies should support the sustainable growth and expansion of all types of business and enterprise in the rural area, both through conversion of existing buildings and well-designed new buildings. Paragraph 28 goes on to promote the development and diversification of agricultural and other land based rural businesses. In addition this policy supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.
- 8.3 Policy ENV28 of the MBWLP 2000 relates to development in the countryside and states that planning permission will not be given for development which harms the character and appearance of the area or the amenities of surrounding occupiers and development will be confined to, inter alia, "such other exceptions as indicated by policies elsewhere in the plan". Policy ED20 which relates to holiday caravan and camping sites is one of the prescribed exception policies within the countryside.
- 8.4 Policy ED20 states that: the provision of sites for the stationing of holiday caravans and/or holiday tent will be permitted outside the defined urban areas and village boundaries provided that the following criteria are met:
- (1) the site is not an intrusive feature in the landscape or detrimental by its siting or appearance to the visual or other amenity of the surrounding area; and*
 - (2) the site is capable of being adequately screened and internally landscaped and it is possible to provide appropriate landscaping with indigenous species; and*
 - (3) arrangements for access, parking and servicing of the proposed development are adequate and there are no highway objections to the proposed use of the site; and*
 - (4) the presence of any similar uses in the locality and the combined effect that any such concentration would have, would be acceptable in terms of environmental impact and highway safety; and*
 - (5) there is no detrimental impact on neighbouring land uses or residential amenity.*

A holiday occupancy condition will usually be attached, preventing use of the site as a permanent encampment. The condition will limit occupation to a specified ten month period in any calendar year.

- 8.5 I shall now consider the 5 criteria of Policy ED20 in turn. The proposal represents a low scale utility/office/store building which appears to have been designed to have a rural 'stable-like' appearance with black timber weatherboarding, clay plain tiles and relatively low overall ridge height (4.3m). The remainder of the development would be Grasscrete style (green) hardstanding for parking/stationing of caravans, gravel driveways and open planting and amenity areas. Due to the siting of the development behind mature landscaping/hedging and the low nature of the permanent features of the development, I am of the view that the development would not represent an intrusive feature in the landscape or give rise to undue harm to visual amenity.
- 8.6 The applicant has also agreed to remove several structures from the site in an effort to 'offer up' the volume proposed for the utility building and, as such, the wider site would be improved through the removal of several unsightly/poor quality structures and chattels which would improve visual amenity to some degree.
- 8.7 The site is capable of being further screened by new planting and a scheme of indigenous structural landscaping and improvements to the existing hedgerows could be conditioned to be approved.
- 8.8 Access is proposed via Forstal Lane and it is intended that the hedge along the lane is relocated further back within the site to provide passing bays for larger vehicles to either wait or pass. The access is also proposed to be widened and visibility splays provided at the entrance. Tracking has also been provided for a car towing a caravan to enter and exit the site. KCC Highways have been consulted and raise no objection to the proposal on access, turning, parking or highway safety grounds. Accordingly the proposal, even in light of the many objections raised on this basis from local residents, cannot be refused on highway grounds.
- 8.9 There are no other similar tourist developments within the locality which could be argued to create a cumulative effect and thereby cause harm to the environment on cumulative visual impact or highways terms.
- 8.10 There is an established need for tourist accommodation in the form of caravan and camping facilities within the Borough as referred to within Policy ED20. In addition MBC's Marketing and Sales Officer (Culture and Leisure) has confirmed their remains a need within the Borough, especially in light of the Paramount facility which is being developed at Ebbsfleet and the need to have facilities available well in advance of the planned opening in 2021.
- 8.11 Objections have been raised on the grounds of disturbance to local residents from the proposed development on the basis of general noise from users of the campsite in the evenings and weekends (including barbeques) and comings and goings of vehicles along the local roads. I do not consider the site is close enough to nearby residents to give rise to harm to loss of amenity from general use of the main caravan/campsite as the nearest residential properties are some 70m away and such a distance, added to the existing mature landscaping would not result in an undue impact. Moreover, our environmental health colleagues have not raised an objection on these grounds, nor have they asked for a noise report. It is accepted that the proposal is on elevated land compared to the road level, however the hedge and landscaping in this location are established and even with the level change I consider there to be sufficient screening and distance between the site and nearby neighbours

to ensure a loss of privacy would not occur. It is therefore accepted that whilst the proposed use of the site may be noticeable from the nearest neighbouring dwellings, it is not anticipated to be to a detrimental degree.

- 8.12 Turning to the impact of the use of highway by caravans and additional traffic, again, environmental health have not raised concerns on these grounds and it should be noted that the LPA does not control which types of vehicles can use an adopted highway. Accordingly, it is only the use of the internal roads which can reasonably be considered in my view. The site is agricultural and there is already an access in this location which serves the smallholding. The proposal would increase vehicle movements to and from the site and along the internal track/roadway. Due to the distance of this track from the nearest neighbouring dwellings (70m), and the fact that the access road immediately runs in to the site rather than along a peripheral boundary, I am of the view that any additional noise at the access point of the site would be short and the traffic associated within the proposed use would immediately be consumed within the site and away from the boundary. I do not therefore consider an undue impact in terms of traffic noise would occur.
- 8.13 In light of the above considerations, I am of the view that the 5 criteria set out within Policy ED20, which is an exceptions policy for the purposes of Policy ENV28 have been satisfied by the proposal. In this respect, the proposed use can be considered to be acceptable in the countryside and anti-coalescence belt and the detail of the scheme meets the adopted policy for caravan/camping proposals within the Borough.

Landscaping

- 8.14 Policy ED20 requires landscaping to be appropriate and the proposal has been that a suitable scheme can be provided by way of the Planning Condition to ensure adequate screening and long term improvements to hedgerows. The relocation of the hedge along the northern side of Forstal Lane has previously been approved through a now lapsed Hedgerow Removal Notice and any planning permission would override the need for a further application under those regulations. As such, the principle of the relocation of the hedge has already been accepted and I find no reason to alter this view.

Ecology

- 8.15 The application has been accompanied by a reptile survey and a dormice survey and the findings have been assessed by KCC Ecology. The site has been found to be absent of reptiles and Great Crested Newts. Dormice have been found to be present and a scheme of precautionary removal of the hedgerow is proposed to be conditioned to allow for the safety of any dormice present. An informative is also recommended to remind the applicant of the need to ensure compliance with Wildlife Legislation.

Restrictions/Controls

- 8.16 The following matters are considered to be relevant to the application but can be adequately conditioned to either be controlled or conditioned to be forthcoming, should permission be granted; A scheme of refuse storage and collection, a scheme of external lighting, details of cycle storage/parking, restriction of occupancy both in terms of month of the year and length of stay/return to the site, limitation on amplified music, hours of arrival/departure (caravans only not general cars).

Other Matters

8.17 Various other matters have been raised through the consultation process by neighbours and the Parishes, some of which are not material planning matters being:

- Fear of possible future non-tourist uses (traveller site, permanent residential use, economic migrants or winter storage of caravans). None of these uses is being applied for here and any future application for such use would require a formal application.
- The site would set a precedent. Again, any application for a similar development locally would be assessed on its own merits and would be considered cumulatively with this site if approved.
- Likely profitability. The planning system does not, other than in certain circumstances, become involved in future business plans/profitability of a proposal. This is not one of those circumstances.
- Additional load on sewerage/water. The relevant Water Boards would control this matter and the applicant would require their agreement in each case to utilise these services for the proposal.
- Possible use of Satnav devices to access the site could take caravans through inappropriate roadways causing traffic disturbance. This is not something the Council can control however the applicant can be advised by way of an informative to consider the possible routes in by large vehicles towing caravans and provide sufficient information to users on the safest route to the site.
- The height of the undercroft roof within the structure of the utility block/office is not high enough for large domestic cars. The eaves height in this section would be sufficient for the majority of cars and this is not something for Planning to consider in detail.

8.18 The remaining matters raised by Neighbours, other than those already considered in the main body of the report shall be considered below:

- *Loss of agricultural land, harm to rural area, contrary to Policy ENV28* have all been overcome through compliance with Policy ED20 which allows for exceptions to Policy ENV28 as set out above.
- *Contrary to Neighbourhood Plan*. The emerging Coxheath Neighbourhood Plan was withdrawn (following an initial pre-submission consultation which ended on 20.12.13) on 02.10.14 and, as such, there is no draft plan to which weight could be apportioned at this time.
- *Outbuildings to be removed should be within the red line*. This is not the case, a Grampian style condition can be applied within a blue land area to ensure the removal of outbuildings is carried out.
- *Viability of the existing smallholding would be compromised by the position of the caravan site and the internal roadway*. As the land is a small holding and not a large farm, the division of the site by the roadway (which is existing in part would be extended/ upgraded) would still allow for parcels of land to be used for small scale fruit production or the keeping of poultry etc and, as such, I do not consider the proposal would result in the wider holding becoming unviable.

9.0 CONCLUSION

- 9.1 The proposal has been assessed against relevant national and local policy and there is a clear policy allowance for caravan and camping facilities for tourist use. The relevant policy in the adopted Local Plan, and the emerging policy in the Draft Maidstone Local Plan, are in favour of such development and the relevant test within those policies has been met in my view. For these reasons, the proposal is considered to not result in undue harm to the rural amenities of the countryside within which such facilities will always be sited.
- 9.2 The improvements to the access, the formation of the passing bays, the impact of additional vehicle movements and the impact to other road users has been assessed by Kent Highways and found to be acceptable in this instance.
- 9.3 The proposal, for the reason set out above, is not considered to give rise to harm to residential amenity and conditions are recommended to control external lighting and an increase in landscaping.
- 9.4 Subject to the conditions imposed I thereby recommend permission is granted.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS to include

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. All accommodation units permitted at the site shall be occupied for holiday purposes only and no caravan shall be occupied by any one individual or group of individuals for any period longer than one month with no return by an individual or group of individuals within 4 weeks of leaving occupation of the site. The operators of the caravan park shall maintain an up-to-date register of the names of all owners/occupiers of individual accommodation units on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: In order to ensure proper control of the use of the holiday units and to prevent the establishment of permanent residency, which would be contrary to National and Local Plan Policy.

3. No more than 16 holiday caravans and 20 tent pitches shall be on the site at any one time.

Reason: To ensure a satisfactory setting and external appearance to the development.

4. No caravans shall arrive or depart from the site outside of the hours of 07.00 – 20.00 Monday to Sunday.

Reason: In the interests of residential amenity.

5. No development shall take place until details of slab levels for the utility block and caravan pitches shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason: In the interests of proper planning.

6. No development shall take place until details of the means of foul and surface water drainage have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details and retained at all times thereafter.

Reason: In the interests of the environment.

7. No development shall take place until details of particulars and samples of the materials to be used on all external faces of the utility block/office building hereby permitted, including window frames and doors, have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

reason: In the interests of visual and rural amenity .

8. No development shall take place until details of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas or roads, footpaths, hard and soft have been submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.

Reason: In the interests of visual and rural amenity.

9. No development shall take place until details of all fencing/boundary treatments have been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter.

Reason: In the interests of visual and rural amenity.

10. The improvements to the access hereby approved shall be completed on site prior to first use of the development. The access and its visibility splay shall be retained at all times thereafter with no obstruction over 0.9m within the vision splay.

reason: In the interests of highway safety.

11. The approved details of the parking/turning areas shall be completed before the commencement of the use of the land hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and

re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

12. The development shall not commence until details of any lighting to be placed, erected or provided within the site has been submitted to and approved in writing by the local planning authority. Such details must demonstrate how they have had regard to biodiversity implications including upon bats. The development shall thereafter be undertaken in accordance with the subsequently approved details and no additional lighting to that approved shall be placed, erected or provided within the site at any time without the prior approval of the local planning authority.

Reason: In the interests of the character and amenity of the surrounding countryside and biodiversity and to prevent light pollution.

13. No development shall take place until full details of a landscaping and planting scheme for all internal planting (excluding boundary planting) has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development. Any plants found to be dead, diseased or dying within a five year period following completion of the planting scheme shall be replaced with plants of an identical size and species.

Reason: To ensure a satisfactory appearance to the development.

14. Prior to commencement of the development hereby permitted, details of hedgerow improvements and management along the western boundary of the site including details of supplementary native hedge planting and subsequent management along the boundaries of the site, shall be submitted to and approved by the Local Planning Authority. The development shall subsequently be carried out in accordance with the approved details and maintained thereafter.

Reason: To ensure a satisfactory appearance to the development and in the interests of biodiversity protection and enhancement.

15. Prior to commencement of the development hereby permitted, a scheme for the location and type of equipment to be provided within the proposed play area shall be submitted to and approved by the Local Planning Authority. The development shall be implemented prior to the commencement of the use and retained at all times thereafter.

Reason: To ensure sufficient facilities are provided on site.

16. There shall be no external amplified sound on the site between the hours of 2200 hours and 0700 hours;

Reason: in the interests of protecting the amenities of nearby residential property.

17. Prior to commencement of the development hereby permitted a scheme of cycle parking shall be submitted to and approved by the Local Planning Authority. The cycle parking shall be provided in accordance with the approved details and retained at all times thereafter.

Reason: In the interests of sustainable travel and to provide secure cycle storage.

18. No development shall take place until details of a scheme for refuse storage and collection facilities have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details and retained at all times thereafter.

Reason: In the interests of the environment and rural amenity.

19. Within 3 months of the date of this decision, a plan shall be submitted to the Local Planning Authority detailing the outbuildings and other structures on the site to be demolished. The approved scheme of demolition/removal shall be implemented and completed prior to completion of the utility block hereby approved.

Reason: In the interests of rural amenity openness of the countryside.

20. Two no. passing bays as shown to be provided on drawing number 1117.02 Rev C alongside the carriageway on Forstal Lane shall be completed, surfaced and drained in accordance with the approved plans. The passing bays shall be retained at all times thereafter with the neighbouring hedge being appropriately maintained to allow for the full width of the bays to be utilised.

Reason: In the interests of improving highway safety.

21. Prior to commencement of the development hereby approved, a precautionary scheme of hedge removal/relocation shall be submitted to and approved by the Local Planning Authority specifically with regard to the potential for Dormice to be in situ. The removal/relocation of the hedgerow shall be carried out in strict accordance with the approved precautionary approach.

Reason: In the interests of biodiversity.

22. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan date stamped 20 November 2015
Design and Access Statement date stamped 13 September 2013
Proposed Site Plan date stamped 14 April 2015
Existing Site Plan date stamped 13 September 2013
Floor Plans and Elevations Utility/Office/Store date stamped 18 November 2013
Entry/exit Point Tracking Diagrams date stamped 8 April 2014
Reptile and Dormouse Survey date stamped 4 June 2015
Habitat Suitability Index Assessment date stamped 14 April 2015
Extended Phase 1 Habitat Survey date stamped 13 September 2013

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

INFORMATIVES

The applicant is advised that it will be necessary to make an application for a Caravan Site and Moveable Dwellings Licence under the Caravan Sites and the Control of Development Act 1960 within 21 days of planning consent having been granted. Failure to do so could result in action by the Council under the Act as caravan sites cannot operate without a licence. The applicant is advised to contact the Environmental Health Project Manager on 01622 602145 in respect of a licence.

The applicant is reminded of the need to comply with relevant Wildlife Legislation should any protected species be found during development works. Wildlife Legislation applies irrespective of your Planning Permission and prosecution can be made if there is any breach of this law.

The applicant is reminded of the need to complete a Section 278 Agreement with Kent County Council in relation to the formation of the passing bays. Please contact the Agreements Team on 03000 418181.

The applicant is advised to put measures in place to inform users of the site, especially those towing a caravan, to avoid the use of satnav post codes to find the facility as this may lead users down narrow rural lanes on the approach to the site. The applicant is therefore advised to provide users with an alternative route to the site which relies on major and minor roads rather than rural lanes.

The applicant is reminded that the 'Workshop' referred to on the plans has been approved for agricultural use only and has no planning permission to be used as a commercial workshop or other commercial enterprise. The applicant is therefore advised to ensure the building remains for agricultural use or an application is made for any alternative use/s.

The applicant is reminded of the need to apply for Advertisement Consent for any signage installed on the site which does not have deemed consent under the Advertisement Regulations 2006.

Case Officer: Lucy Harvey

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.