

REFERENCE NO - 18/505491/FULL		
APPLICATION PROPOSAL Variation of condition 1 of application 15/507478/FULL (Variation of condition 1 of MA/12/119) to allow the mobile home to be retained at the site, as the occupier still resides there.		
ADDRESS High Winds Gallants Lane East Farleigh Maidstone Kent ME15 0LF		
RECOMMENDATION Application Permitted		
SUMMARY OF REASONS FOR RECOMMENDATION The planning history of the site is a material consideration and is considered to outweigh the visual harm arising from the stationing of the mobile home on the land sufficiently to justify its retention there for a further temporary period, in connection with the occupier's continued needs and in line with the previous temporary permissions granted.		
REASON FOR REFERRAL TO COMMITTEE The recommendation of approval is a departure from the Development Plan. (The application has accordingly been advertised as a departure.)		
WARD Coxheath And Hunton	PARISH/TOWN COUNCIL East Farleigh	APPLICANT Mrs L Pearson AGENT n/a
TARGET DECISION DATE 25/12/18		PUBLICITY EXPIRY DATE 14/12/18

Relevant Planning History

15/507478/FULL

Variation of condition 1 of MA/12/1194 to allow the stationing of a caravan on the land for a further three years due to the needs of the occupier
Approved Decision Date: 03.11.2015

MA/12/1194

An application for the variation of condition 1 of MA/07/0351 to allow the stationing of a caravan on the land for a further three years.
Approved Decision Date: 03.10.2012

MA/07/0351

Variation of condition 1 of MA/03/2080 to allow further time for mobile home to be situated on the land.
Approved Decision Date: 07.06.2007

MA/03/2080

Variation of condition two of planning permission MA/01/1534 to allow further time for the mobile home to be situated on the land.
Approved Decision Date: 10.02.2004

MA/01/1534/C01

Submission of details pursuant to condition 3 of MA/01/1534 being details of siting of the caravan.
Approved Decision Date: 14.11.2001

MA/01/1534

Temporary siting of mobile home for 5 years.

Approved Decision Date: 02.11.2001

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site is located in open countryside on the western side of Gallants Lane, in the parish of East Farleigh. It is a fairly large, rectangular-shaped residential plot, which contains, at its northern end, the left-hand one of a semi-detached pair of two-storey dwellings, together with a number of sheds and a large garage/store.
- 1.02 The garage/store is located at the southern end of the site with a hard-surfaced vehicle parking/turning area in front of it. Immediately beside it is stationed a mobile home. The main dwelling and the mobile home share the same access point onto Gallants Lane, as well as the parking area in front of the garage and the private garden area, which is located between the dwelling and the mobile home.
- 1.03 The dwelling is occupied by the applicant and her husband. The mobile home is occupied by the applicant's son and his family.

2. PROPOSAL AND RELEVANT PLANNING HISTORY

- 2.01 This application seeks permission to allow the mobile home to be retained at the site for a further period following the expiry of planning permission 15/507478/FULL on 3 November 2018. (It should be noted that the application was submitted and made valid before the existing permission expired.)
- 2.02 There have been a number of temporary permissions granted to allow the continued stationing of the mobile home in the garden, in order to enable the occupier's son and son's partner to continue to live on the site to assist with the needs of the occupier.
- 2.03 Application MA/01/1534 was reported to Planning Committee with a recommendation for refusal on the grounds that "The proposal would result in new development in open countryside detrimental to the character and appearance of the area and contrary to Policies ENV2 and ENV28 of the Maidstone Borough Wide Local Plan 2000 and policies ENV1, RS1 and RS5 of the Kent Structure Plan." Members overturned that recommendation and granted permission for a temporary period of 2 years.
- 2.04 Subsequent applications MA/03/2080 and MA/07/0351 were also reported to Planning Committee with similar recommendations for refusal and in both cases Members overturned the recommendations and granted permission for temporary periods of 3 years and 5 years respectively.
- 2.05 By the time that application MA/12/1194 was under consideration, the mobile home had been on site for 10 years and three temporary permissions had been granted for its retention, on the needs of the occupier. As such, the planning history was deemed to be a material

consideration which outweighed the visual harm arising from the stationing of the mobile home on the land sufficiently to justify its retention there for a further temporary period, in connection with needs of the occupier. Accordingly, another temporary permission was granted for a further 3 years.

- 2.06 The same stance was taken with regard to the most recent temporary permission, 15/507478/FULL, which again allowed retention of the mobile home for a period of 3 years, expiring 3 November 2018.

3. **POLICY AND OTHER CONSIDERATIONS**

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Borough Local Plan 2017 - SP17, DM1, DM3, DM30
Supplementary Planning Documents - none relevant

4. **LOCAL REPRESENTATIONS**

Local Residents:

- 4.01 No representations received from local residents.

5. **CONSULTATIONS**

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

East Farleigh Parish Council

- 5.01 Wishes to see the application approved.

6. **APPRAISAL**

Main Issues

- 6.01 The key issues for consideration relate to:
- the visual impact of the mobile home on the rural surroundings
 - the planning history and continuing needs of the occupier

Visual Impact

- 6.02 Local Plan Policy SP17, which deals with development in the countryside, states that *"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."*
- 6.03 Policy DM1 sets out general principles of good design, including that proposals should *"respond positively to, and where possible enhance, the local, natural or historic character of the area"*, whilst Policy DM30 sets out design principles in the countryside, and states that proposals which would create high-quality design and meet certain criteria will be permitted. The criterion relevant to this proposal is that *"impacts on the appearance and character of the landscape would be appropriately mitigated"*.
- 6.04 The mobile home is located in a prominent position, being clearly visible from Gallants Lane and surrounding farmland. It is obtrusive and harmful to the character and appearance of the rural surroundings. As

such, its retention does not comply with Development Plan Policy to protect the countryside.

The continuing needs of the occupier

6.05 See separate part 2 papers

Other Matters

6.06 The mobile home does not harm the residential amenities of the occupiers of neighbouring dwellings due to the separation distances involved.

6.07 Parking and access arrangements are unchanged and the amount of parking available within the property is considered sufficient to serve both the dwelling and the mobile home.

6.08 There is no impact on trees nor, given the nature, siting and scale of the proposal and the length of time that the mobile home has been on site, are any ecological mitigation measures considered to be justified in this instance.

7. CONCLUSION

7.01 The planning history of the site is a material consideration and is considered to outweigh the visual harm arising from the stationing of the mobile home on the land sufficiently to justify its retention there for a further temporary period, in connection with the needs of the occupier and in line with the previous temporary permissions granted.

8. RECOMMENDATION

The Head of Planning and Development BE DELEGATED POWERS TO GRANT planning permission subject to no new matters being raised as a result of the expiration of the newspaper advertisement advertising the application as a departure from the Development Plan and the imposition of conditions as set out below:

- 1) The mobile home hereby permitted shall be removed from the land on or before three years from the date of this permission, or when Mr Christopher Pearson no longer resides at High Winds, Gallants Lane, East Farleigh, whichever is sooner;
Reason: To safeguard the character and appearance of the rural area and to safeguard the countryside against inappropriate permanent residential development.

Case Officer: Ms Angela Welsford