

REFERENCE NO - 20/505321/FULL		
APPLICATION PROPOSAL Refurbishment of the existing concrete block wash-room facilities on each plot and overcladding in external wall insulation with a rendered finish. Renewal of the mains water and mains electrical services for direct billing and repair of the foul water drainage system. Replacing the lighting columns.		
ADDRESS Stilebridge Caravan Site Stilebridge Lane Marden TN12 9BJ		
RECOMMENDATION Application Permitted		
SUMMARY OF REASONS FOR RECOMMENDATION The works proposed are necessary upgrades to out of date and/or poor quality facilities and should be supported. The proposals are considered to accord with relevant national and local planning policies.		
REASON FOR REFERRAL TO COMMITTEE Maidstone Borough Council is the applicant.		
WARD Marden And Yalding	PARISH/TOWN COUNCIL Marden	APPLICANT Maidstone Borough Council AGENT Faithorn Farrell Timms
TARGET DECISION DATE 09/04/21		PUBLICITY EXPIRY DATE 11/02/21

Relevant Planning History

95/0592

Regulation 3 application from Kent County Council for the demolition and rebuilding of 6 No. double and 2 No. single amenity blocks. .

No Objection Decision Date: 11.05.1995

94/0285

Regulation 3 Application - replacement of existing sewage treatment works with a new sewage treatment works and associated works. .

No Objection Decision Date: 13.04.1994

86/0202

Provision of underground sewage treatment plant and associated security fence

No Objection Decision Date: 01.04.1986

76/1202

Permanent consent for gypsy caravan site

Approved Decision Date: 24.01.1977

MAIN REPORT

1. DESCRIPTION OF SITE

1.01 The application site has a site area of 1.06 ha and is set in a countryside location to the north of Marden. It is surrounded by farmland and woodland

1.02 It is set along a single width road, 350 m west from the junction with Linton Hill. It is surrounded by woodland and farmland.

- 1.03 The existing site is a Council run Gypsy and Traveller Caravan Park accommodating 16 active pitches and 1 disused.
- 1.04 There are 10 "semi-detached" wash-room facilities; each occupies a footprint of approximately 12.5 sqm. The existing amenity buildings are of a concrete blockwork construction with an exposed finished concrete floor. Each Amenity Building serves two pitches: each pitch has its own entrance door thus maintaining a private entrance per pitch.
- 1.05 The site lies in Flood Zone 2.

2. PROPOSAL

- 2.01 The 10 existing amenity blocks are considered to be in a fair structural condition. However, they need to be refurbished to bring the insulation and required ventilation to current Building Regulations compliance. Currently the heating is insufficient in colder weather, the lack of insulation and poor ventilation of the units has resulted in some of the blocks suffering from condensation issues.
- 2.02 The proposal is that they be refurbished and overclad with external wall insulation with a rendered finish which will increase the thermal efficiency and also greatly improve the aesthetical appearance of the blocks. The existing artificial slate roofs will be retained,
- 2.03 The intended works include a new mains electricity and water supply to each pitch with meters to allow direct billing with the suppliers.
- 2.04 The foul water drainage is an existing drainage treatment plant (existing system and pipework is being retained) and the work will be limited to repairs. There is no existing surface water system so existing water course and existing soakaways are in use. Any additional surface water drainage system that might be necessary will be a separate planning proposal.
- 2.05 There are 6 existing light columns on the site and it is intended to replace them with new galvanised lighting columns with LED luminaries, integrated photocells and time clocks. The height revised to 5m height (as existing). Lighting units will be residentially suited Kirium Eco Mini: they will be conditioned to have a yellow tone colour temperature of 2,200K.
- 2.06 The Flood Risk Assessment that is necessitated by the location in FZ2 concludes that no records of fluvial, tidal or surface water or artificial flooding incidents have been identified at or in the vicinity of the site; the development will not result in greater impermeable surface so will not impact on local flood risk; Flood resilient materials and construction methods to be used; will subscribe to the EA Flood Warnings Direct service; safe egress to FZ1 is within the site boundary; FFL will remain as existing.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017 SP17; DM1; DM3; DM30
Neighbourhood Plans: Marden 2020
Kent Minerals and Waste Local Plan 2016
Supplementary Planning Documents
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.01 n/a

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)

Marden PC

5.01 Support

Environment Agency

5.02 Referred to Standing Advice for issues of Flood risk, Groundwater and contaminated land, Waste, Ecology and Environmental Permitting Regulations.

KCC Minerals

5.03 No objections

Natural England

5.04 No objection

Southern Water

5.05 The Environment Agency should be consulted directly by the applicant regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation. Any SuDS should have good management to avoid flooding which may result in the inundation of the foul sewerage system.

KCC (Flood and Water Management)

5.06 Kent County Council as Lead Local Flood Authority have reviewed the Flood Risk Assessment and regard the development as low risk

5.07 Environmental Protection

- The site had previously been derelict land used by the Maidstone Rural District Council as a refuse disposal tip from 1951 until March 1962. The Minister of Housing and Local Government granted permission for the use as a permanent caravan site for gypsies and other travellers was granted in 1963.
- Two site investigations were conducted at the site in 1985 and 1991 and gas monitoring wells were installed; no elevated gases concentrations were recorded. Fill was encountered at depths of less than 2m below ground level (bgl)
- Contamination consultants SLR were employed to undertake an environmental assessment in 2008.
- Some heavy metal exceedances were recorded, in particular lead.
- Since most of the site is covered by hard standing and there is no plant uptake in terms of home grown produce, the use of the site is not a typical residential end use
- The risk of landfill gas is low in terms of there not being a vapour pathway due to the off ground nature of the caravans.
- Any future planning applications involving drainage assessment and potential excavation should include a review and update of any contamination risk assessments based on current guidance.
- I have been informed that the current foul drainage system is a package treatment plant, on which investigations will be carried out to determine whether it needs repairing or upgrading. With regards to surface water there is no existing system per se, except for existing water course and soakaways. Any

additional drainage system proposals will be in a separate planning application, since no final scheme has been devised yet.

- It should be noted that no infiltration-based sustainable drainage systems (SuDS) should be constructed on land affected by contamination, as contaminants can remobilise and cause groundwater pollution.
- No objections subject to watching brief on contamination.

6. APPRAISAL

Main Issues

- The key issues for consideration relate to:
- Countryside Location
- Design and Appearance
- Groundwater Protection
- Contamination

Countryside Location

- 6.01 The site is subject to policy SP17 which 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.
- 6.02 The works proposed in terms of visual structures is the re-cladding of the amenity buildings and replacement of lamp columns generally similar to those in situ and within an enclave of an established relatively densely developed caravan site. I therefore consider that in the context of the general like-for-like aspect of the proposals, there is no harm to the character and appearance of the area and no breach of SP17 or national policies that protect the countryside for its own sake.

Design and Appearance

- 6.03 Policies DM1 and DM30 relate to the need for high quality design. The re-cladded amenity blocks and lamp columns are appropriate in form, scale and materials to their immediate location. The replacement lamp columns being 5m tall respects the residential setting.

Groundwater Protection

- 6.04 Non-mains drainage is not ideal. Policy DM3 of the MBLP requires control of pollution to protect ground and surface waters where necessary and to mitigate against the deterioration of water bodies and adverse impacts on Groundwater Source Protection Zones.
- 6.05 The site is not located on a Source Protection Zone and this application only includes potential repair of an existing package treatment system. If it transpires that upgrade works are necessary, this would be the subject of a separate application on which the views of the Environment Agency would need to be sought.
- 6.06 Due to the history of the site, surface water drainage must not be allowed to cause contaminants to remobilise and hence result in groundwater pollution. Informatives are suggested to highlight this.

Other Matters

- 6.07 The location in Flood Zone 2 is not directly relevant to the proposal as the amenity blocks are being refurbished in situ. However, the conclusions of the FRA should be

followed and this will be the subject of a condition in order to comply with paragraph 163 of the NPPF.

- 6.08 The new lamp columns are to be on photocell timers and the LEDs will be the lowest colour temperature which suited to a rural area and is least harmful to wildlife. A condition on Biodiversity Net Gain is suggested. Local Policy DM3 or national policies on these issues are not breached.
- 6.09 The changes to allow for water and electricity metering are not considered to have any impacts in land use terms but the EP officer has carried out a detailed assessment of risk from past use of the site and a condition on encountering unforeseen contamination needs to be imposed.
- 6.10 The Minerals Safeguarding is not affected by the replacement of existing structures.
- 6.11 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

PUBLIC SECTOR EQUALITY DUTY

- 6.12 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7. CONCLUSION

- 7.01 The works proposed are necessary upgrades to poor quality facilities and should be supported. The proposals are considered to accord with relevant national and local planning policies.

8. RECOMMENDATION

- 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) The development shall be carried out in accordance with the following drawings:

6 A Light Column

T1-5254 4 Proposed Layout and Elevations

Reason: For the avoidance of doubt.

- 3) The materials to be used in the development hereby approved shall be as indicated on the approved plans unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development.

- 4) The external lighting to roadways shall be 6 no. Kirium Eco Mini lighting columns of 5m height with colour temperature of 2200K and shall be retained as such thereafter.

Reason: In the interests of rural character and biodiversity.

- 5) The development shall be carried out in accordance with the recommendations of the Flood Risk Assessment by STM Environmental dated 08.01.21 hereby approved.

Reason: In the interests of the site being resistant and resilient to flooding.

- 6) The development hereby permitted shall not commence above dpc level until details and a timetable to secure biodiversity net gain have been submitted to and approved in writing by the Local Planning Authority. The measures must be implemented as approved thereafter.

Reason: In the interests of ecological enhancement.

- 7) (i) If during construction/demolition works, evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

(ii) If remediation scheme referred to in (i) is necessary, upon completion of the building works, a closure report shall be submitted for the approval in writing by the Local Planning Authority. The closure report shall include details of;

a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: In the interests of protecting the health of operative and future occupants from any below ground pollutants.

INFORMATIVES

- 1) You are advised that any future changes to the foul drainage strategy should be discussed with the Environment Agency prior to submission of a planning application.
- 2) You are advised that any future proposed changes to the surface water drainage should be discussed both with KCC (Flood and Water Management) and the Environmental Protection section of Maidstone BC.

Case Officer: Marion Geary