

Harrietsham Parish Council

APPENDIX D

Chairman: Cllr Eddie Powell
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4 Southfields Way
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31st March 2021

Ms K Altieri
Planning Officer
Mid Kent Planning Support
Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent
ME15 6JQ

Dear Ms Altieri

**Re: 21/500786/FULL – Pilgrims Retreat, Hogbarn Lane, Harrietsham, Kent, ME17 1NZ
Retrospective application for a material change use of land for use as a caravan site including engineering works to create a ditch to the south of the site**

Harrietsham Parish Council feels that it would be inappropriate to make a recommendation with regards to the Officer's determination of this planning application and believe that any decision should be made by the Steering Group and Planning Committee. Councillors do however wish to bring the following points to your attention relating to the documents submitted as part of the planning application:

In section 6 of the application form, it states that the land is undeveloped but not currently vacant. These two answers contradict each other and the applicant should have been asked to clarify these answers when the application was being validated.

Travel Plan

4.2 Bus Service – There is no bus service in this very rural area, apart from the one 3.4 kms away, serving the A20 to Maidstone and Ashford. Even if the elderly residents would ever use a bicycle to get to the nearest bus stop, what are they to do with the bicycle once they get there?

5.5 refers to a Travel Plan Co-ordinator being employed on the site. Whilst it is stated that Kent County Council will be informed of this appointment, how will this Co-ordinator's work be monitored to see whether they are having any positive impact?

6.3 states that the Travel Plan is there to reduce the number of single occupancy car trips and that it would be reasonable to set a target of 62% for this type of journey within 5 years after first occupation of the site. It should be noted that some of the residents have probably been living on the site for this amount of time already, so this target cannot be met. It is also interesting to see that, from the last application in 2019, the target percentage has already fallen from 65%.

Transport Statement

This site is not safely accessible on foot or by cycle. Pilgrims Retreat is sited at the top of a steep hill with a gradient of 1 in 10 and the highway is mostly one track with pull ins and no lighting. Hedges on either side of the numerous bends in the road make this very unsafe for pedestrians, especially given the average age of the residents is 70.

2.8 states that there are no Personal Injury Accidents on Hogbarn Lane reported through Crashmap.co.uk in the 'most recent five-year period'. This is incorrect as there was an accident recorded between a van and car on the 25th January 2020, which took place on the lane between the application site and junction with Stede Hill on the way to the village.

Page 6 states that the traffic flow is generally low. This is not correct, since the increase in population at Pilgrims Retreat, the Parish Council has received complaints from people who have to access the Glebe Medical Centre, in Church Road, where there is no footpath. These complaints centre on the increase in car movements along the road, where older people and parents with prams are feeling increasing unsafe walking along the road.

As part of the 2019 application, it stated that "*Pilgrims Retreat is prepared to consider providing a weekly minibus so that residents undertake shipping trips sustainably. This will also assist residents who are unable to drive.*" This document (3.16) highlights that there is now a minibus, but the Parish Council is very disappointed to learn that this has had to be funded and run by the residents rather than the applicant, who does not appear to have offered any financial support for this service. This would indicate that the applicant has no interest in ensuring the site is as sustainable as possible.

Planning Statement

Having read page 14 (4.6), could the Officer confirm that Condition 8 '*The existing mobile toilet block sited within the area thatched and edged in red on the plan shall be removed within one month of this decision*' has been completed, as the table states '*No change proposed as this condition is spent*'. The wording does not confirm that this condition was met.

6.15 refers to 'new development in the countryside' referencing the MBC Local Plan Policy SP17. This clearly states "*3. Great weight should be given to the conservation and enhancement of the Kent Downs Area of Outstanding Natural Beauty. 4. Proposals should not have a significant adverse impact on the settings of the Kent Downs Area of Outstanding Natural Beauty. 6. The distinctive landscape character of the Greensand Ridge, the Medway Valley, the Len Valley, the Loose Valley and the Low Weald, will be conserved and enhanced as landscapes of local value.*" Any number of caravans above the 198 already agreed will further affect the distinctive landscape character of the Greensand Ridge, Len valley and Kent AONB. The retrospective application is in conflict with SP17 and is certainly not new development in the countryside.

MBC's Local Plan Policy DM1 (Principles of Good Design) has been largely ignored and additionally does not safely accommodate the vehicular traffic. Whilst there is mention of the possibility of installing and upgrading passing places in Hogbarn Lane and Stede Hill (Planning Statement 6.23) there is no firm confirmation that this will ever come to fruition.

FRA & Drainage Strategy

4.3 states '*It is recognised that the development site comprises a significant amount of impermeable hardstanding. As a result, there is a risk of localised flooding across parts of the site*

where there is insufficient drainage, as rain landing on the site could pond in small depressions within the access roads and parking areas. Although this is the case, if flooding were to occur, it is unlikely floodwater would reach a depth which would be significant enough to present a risk to the proposed caravans, all of which are elevated .05m above ground level.' It is not acceptable to simply indicate that, because caravans are 0.5m above ground level they will be ok, this risk should be mitigated. The Parish Council therefore remains concerned about the risk of flooding to residents.

Conclusion

Harrietsham Parish Council is concerned to read in the Travel Plan (3.4) *'the Applicant has identified the need to retain 217 caravans on site to safeguard the existing households'*. There is no rationale for this comment and it is not supported with any evidence. It appears to be included simply to try to ensure the applicant can continue to increase the number of homes above the 198-limit set by Maidstone Borough Council. These additional homes should be removed from the site, with the limit of 198 being given permanent residential status.

Homes have been moved around the site since 2019 and the Parish Council would request that the Planning Officer checks how many homes have been squeezed into the area of residential homes within the northern part of Pilgrims Retreat, to ensure that the amount of space legally required between homes is adhered to.

Due to the current size of the development, the Parish Council feels it would be appropriate to stop any future expansion of the site, with a permanent court injunction being put in place, in order to curtail the ongoing destruction to the surrounding area.

As a small section of ancient woodland has been removed to accommodate caravans in Pilgrims Corner, we would ask that further protection is put in place for this area at the front of the site, along with the parcel of ancient woodland owned by the applicant on the other side of Hogbarn Lane, which has previously had trees felled. Enhanced protection would ensure that there is no further destruction for caravans or camping paraphernalia in the future.

The Parish Council would request that Pilgrims Retreat is included in Harrietsham's housing number, when considering future development in the village, as part of the Local Plan review.

Yours sincerely

Harrietsham Parish Council

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28th July 2021

Ms K Altieri
Planning Officer
Mid Kent Planning Support
Maidstone Borough Council
Maidstone House
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ME15 6JQ

Dear Ms Altieri

**Re: 21/502369/FULL – Pilgrims Retreat, Hogbarn Lane, Harrietsham, ME17 1NZ
Retrospective change of use of land to a caravan site, including the siting of 84no.
residential caravans**

Harrietsham Parish Council's views have not changed since the last application (21/500786) was submitted. In respect of this most recent application, we wish to point out that, of the 400+pages of documentation, the following are a repeat of papers lodged in relation to the previous application, which is still awaiting determination on the planning portal:

Landscape and Visual Assessment 1 of 2
Landscape and Visual Assessment 2 of 2
Arboricultural Impact Assessment
Travel Plan
Travel Statement
Flood Risk Assessment and Drainage Strategy
Landscape Masterplan
Composite Existing Site Plan
Proposed Site Plan
Existing Site Plan
Composite Proposed Site Plan

Most of the new documents consist of multiple photographs of caravans which presumably do not have the requisite planning permissions and on which we have no comments. However, we are concerned that the caravan shown on Page 45 of the Preliminary Ecological Appraisal (photo 1), is perilously close to a ravine? Is this something that building control should be looking at?

We will therefore restrict our comments, in the main, to the following documents and request that, as the two applications appear to be running in parallel, our previous comments relating to 21/500786 are taken into account.

Flood Risk Report. 4.3

We remain concerned about the Flood Risk and Drainage Strategy. It is admitted that, "due to the significant amount of impermeable hardstanding, there is a risk of localised flooding across parts of the site where there is insufficient drainage". What measures will be put in place to prevent this? It is not acceptable to indicate that, because the caravans are 0.5m above ground level, that they will be ok. We therefore remain concerned about the risk of flooding.

Preliminary Ecological Appraisal

This seems to be a pointless exercise in as much that valuable habitat including ancient woodland has been destroyed. This area would have been classed as a Habitat of Principal Importance and most likely contained many protected species. Planting of shrubs and wildflowers do not compensate for the habitat destroyed. We would request that substantial native trees rather than whips are replanted.

3.27 If the owner has indeed removed a Habitat of Principle Importance (HoPI), without the necessary permission, shouldn't legal action be taken against him? The report states that there may have been reptiles, Roman snails and nesting birds; destroying their habitat is a criminal offence.

3.50 The statement regarding Great Crested Newts is incorrect. The record is associated with Harrietsham not Pilgrims Retreat, and numerous Great Crested Newts have been sighted in Harrietsham.

Page 37 refers to a holiday occupancy condition being attached to any permission granted. This is confusing since the Applicant has been fighting for full residential for many years. Should a 10-month licence be issued, what guarantee would there be that this would be strictly enforced? It is not sufficient to allow the applicant to police this, given past planning history.

Composite Landscape Masterplan

As we have already stated, planting with scrubs and wildflowers will in no way compensate for the destruction and loss of valuable habitat that has occurred in the past and we request substantial native trees are reinstated. This site would have been rich in wildlife had it not been wantonly destroyed and Harrietsham Parish Council would like it to be reinstated over time to its previous condition.

Vehicle Passing Strategy Plan Sheets 1 and 2

We reiterate Pilgrims Retreat is sited at the top of a hill with a gradient of 1 in 10, one track in width, no lighting and important 2-metre-high hedgerows on either side of the numerous bends. It is an extremely dangerous road for pedestrians and vehicles alike. The limited passing points do not change the nature of this rural road.

In answer to the comment 'Hedges on Stede Hill need to be kept trimmed' - these hedges are not owned by Pilgrims Retreat, so the applicant cannot guarantee this will happen. Furthermore, landowners are fully aware that these hedges are important habitat for wildlife and can only be "trimmed" at certain times of the year.

The illustrations are not what would normally be classed as passing points. These would normally be areas cut out in verges/banks to allow cars to pull off the carriageway for an oncoming vehicle to pass safely. The ones proposed are still on the main carriageway which is under Kent Highways control.

In the appendix to the Landscape and Visual Assessment, the Planning Inspectorate's decision dated 26th June 1997 has been included. Section 13 states "Access to the site from the A20 and hence the main M20/A20 tourist corridor through the county is by a narrow and winding country lane which climbs the steep scarp slope of the North Downs.... In many places de facto passing bays have been created by erosion of the verge such is the road's restricted width. A caravan site was permitted here in the 1960's, but I am in no doubt that such a proposal, were it made now, would be rejected on highway grounds. I also consider the deficiencies of the access road are so severe that a material increase in traffic generation from the appeal site would cause an unacceptable traffic hazard. However, the site can be lawfully used up to **the permitted maximum of 198 caravans.**

Planning Statement

As previously stated, 6.15 refers to 'new development in the countryside' referencing the MBC Local Plan Policy SP17. This clearly states "*3 Great weight should be given to the conservation and enhancement of the Kent Downs Area of Outstanding Natural Beauty. 4 Proposals should not have a significant adverse impact on the settings of the Kent Downs Area OF Outstanding Natural Beauty. 6 The distinctive landscape character of the Greensand Ridge, the Medway Valley, the Len Valley, the Loose Valley and the Low Weald, will be conserved and enhanced as landscapes of local value.*

It is staggering that this development was ever given permission. This development is a blight on the Kent AONB and can be seen for miles. To indicate on the application that it cannot be seen from the road is completely untrue. DM30 and SP17 refer. Any number of caravans above the 198 already agreed will further affect the distinctive landscape character of the Greensand Ridge, Len Valley and Kent AONB. The retrospective application is in conflict with SP17 and is certainly not new development in the countryside.

Affordable Homes Statement.

This statement is disingenuous to say the least. This refers to SP20 - retirement housing / extra care homes. The Applicant cannot try to put themselves in this category as they do not offer warden assistance or homes for residents requiring extra care - especially when they expect them to cycle up Stede Hill!

The homes, whilst being cheaper than a brick-built bungalow, still have to pay a ground rent as the residents do not own the land. This application alone shows how owning this type of property can come with lots of issues.

These homes are not included in the housing number for Harrietsham so, even if they did meet the criteria of Policy SP20, they are not counted towards the numbers of affordable homes needed in the Borough.

Affordable homes are ones that are shared ownership, usually with a housing association, not just lower priced homes, there are none of these on site. The Applicant is deliberately twisting the meaning of affordable homes to support the application.

The application documents still refer to 248 caravans. We are aware that not all these are occupied and are still seeking clarification of how many illegal caravans have been removed from the site and assurance they have not been simply moved around. Whatever homes are currently occupied are the only ones that should remain. The rest should be removed immediately with the land being reinstated.

Finally, the applicant states they received pre planning advice from the Steering Group. Harrietsham Parish Council finds it concerning that the Steering Group appear to have advised them to submit an application which is basically the same as the one submitted in March 2021 namely 21/500786 and which still remains in the system.

Yours sincerely

Harrietsham Parish Council