

APPLICATION: MA/11/0009 Date: 4 January 2011 Received: 2 April 2012

APPLICANT: Mr K Still

LOCATION: INTERNATIONAL GRASSTRACK CIRCUIT, LONGEND LANE, MARDEN, KENT

PARISH: Collier Street

PROPOSAL: Change of use to caravan park for 30 tourist pitches with ancillary shower block and refuse store as shown on drawing no. 3766-103 received on 5/1/11; drawing no. 3766-104A received on 11/3/11; and land survey drawing and drawing no. 3766-105 received on 21/6/11.

AGENDA DATE: 28th June 2012

CASE OFFICER: Geoff Brown

The recommendation for this application is being reported to Committee for decision because:

- it is contrary to views expressed by Collier Street Parish Council

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV26, ENV28, ENV49, ED20, T13, T21, T23
- South East Plan 2009: CC1, CC6, C4, NRM4, NRM5, TSR2, TSR5
- Village Design Statement: N/A
- Government Policy: NPPF (2012), Good Practice Guide on Planning for Tourism

2. HISTORY

The only element of planning history that I consider relevant to this application is:

MA/09/0048 - Construction of an Eco Home on land used for grass track motorcycle racing – Refused and appeal dismissed

3. CONSULTATIONS

COLLIER STREET PARISH COUNCIL objects. On the original plans the comments are:

“Against a background of strong opposition and lobbying by our residents the Parish Council considered this application. Many residents were also present at this meeting. The Parish Council objects in the strongest possible terms to this application on the following basis:-

Question 12 on the Application. The Parish Council would refute the statement that the development is not in a location prone to flooding.

Question on the Application. Soak away. The Water Table is too high and serious problems are envisaged with the run off of surface water. The surfaces being impermeable would significantly increase the risk of flooding as a result of this proposal.

The site would be significantly vulnerable and increase the demands on the emergency services.

There are concerns that the site is located on a narrow road (Designated as a ‘Quiet Lane’) and would not be able to accommodate the envisaged size and increase in vehicular movements. There is currently a width restriction of 6’6”

The Countryside location would normally restrict and development of this nature.

Contrary to the opinion stated in the application there is no evidence to support a demand for this type of development.

Question 11: A septic tank is totally impractical with so many residents.

We are also concerned with both light and noise pollution.

In view of the site being used as a grass track we would wish to see a full ecological and water course survey.

We are concerned that a new authorised access has been created on the eastern boundary of the site.

It is not clear from the drawings that the existing usage as a grass track will be discontinued. If not it would present a huge health and safety risk.”

On amended details (principally the submission of an ecology report) the comments are:

“These additional details do not alter the Parish Councils objection to this planning application. We are most concerned that an unauthorised access has

been created on the eastern boundary of the site, which we have previously reported. We note the comments contained within the flood risk assessment concerning the proposed siting of the pitches but the **site itself** floods causing additional strain on the emergency services. The design of the ablution block is inappropriate and will cause an unacceptable visual intrusion into the countryside."

On the recently submitted Transport Statement the comments are:

"Notwithstanding the measures set out in the revised transport statement, we remain concerned about this scheme on highway safety grounds. We do not agree with the claim set out at para 5.3 that Longend Lane is not used as a shortcut route. Since there are only 3 houses served by this road, it is clear that the over-whelming amount of traffic uses it as a shortcut to or from Marden, avoiding the junction with Green Lane. This has always been the case, but since the road surface was recently 'improved', the amount of traffic has greatly increased as has the speed of vehicles. This is supposed to be a 'quiet lane', much used by cyclists and walkers and the additional traffic that is likely to be generated by this application is regarded as a safety hazard.

They also comment that there are verges in Longends well that is not the case in most of it and passing could be a problem. There is also one very sharp bend in the Lane that is a potential risk to large vehicles. The point about extra traffic in the lane at present is important. There is continual movement. A councillor confirms that when he takes his dog out there is a steady flow of vans and cars.

We would also remind the Council that the second access that has recently been formed to this site off Longend Lane is unauthorised and that enforcement action is awaited Ref: ENF12249.

For the purposes of clarification, our previous objections and comments regarding other aspects of this application remain in place."

KENT HIGHWAY SERVICES states:

"I refer to the revised Transport Statement submitted in respect of the above named site which addresses the highway related concerns raised in my previous consultation responses; these being:-

1. Visibility at the junction of Longend Lane with Collier Street.
2. Visibility at the junction of the site access with Longend Lane.
3. The suitability of Longend Lane in terms of width to accommodate the traffic generated by this development proposal.

1. Visibility at the junction of Longend Lane and Collier Street B2162

A site meeting was held in January 2012. The applicant demonstrated that the vision splay at this junction was satisfactory by arranging for a caravan to be towed entering and leaving the junction in order that the vision splay could be measured. The applicant has agreed to improve safety at this junction, the visibility splay on the northern side of the junction will be improved by cutting back overgrown vegetation, the speed limit will be extended on the southern side of the junction, a gateway treatment provided and amendments made to the signing and lining. The proposed modifications to this junction are shown in principle on Drawing Number 614214/SK03B.

2. Visibility at the junction of the site access and Longend Lane

The applicant indicates that improvements can be made to the vision splay from the site access by the trimming back/removal of vegetation. The applicant has also agreed to provide measures within the site access to discourage traffic from entering and leaving from/to the east. These proposals are shown in principle on Drawing Number 614214/SK08.

3. Carriageway Width

In order to address the concerns raised regarding the suitability of Longend Lane in terms of width and alignment the applicant has agreed to implement a routing strategy as shown on Drawing Number 614214/SK06. The intention is to direct caravans away from the narrowest section of Longend Lane between the site access and Green Lane. The section of Longend Lane to the west of the site access, leading to Collier Street, benefits from good forward visibility and improved width. The applicant has agreed to provide 2 additional passing places along this section in order to allow sufficient space for 2 caravans to pass. The tourist signs proposed are subject to approval and an appropriate condition should be added to any planning consent. All works within the highway should be provided as part of a Section 278 Agreement.

Subject to the above I can confirm that I do not wish to raise objection to this application."

THE KENT COUNTY COUNCIL PUBLIC RIGHTS OF WAY OFFICER objects to the scheme on the basis that Public Footpath KM246 is currently blocked by the site entrance gates, whilst the application pays scant regard to the line of the footpath and there is no mention of how the footpath would be incorporated into the entrance design.

THE ENVIRONMENT AGENCY has no objection to the principle of the development. The site is within a Flood Zone 2, an area considered to have a medium probability of flooding. Sites used for holiday or short let caravans are deemed appropriate on the basis that they are subject to a specific warning and evacuation plan. Whilst the occupants would be able to seek refuge at the site during a flood, surrounding areas are low-lying and there may be problems with safe access and egress.

THE KENT COUNTY COUNCIL BIODIVERSITY PROJECTS OFFICER has examined the Preliminary Ecological Appraisal that was submitted with the application. She comments that if the strict method statement outlined in the report is followed then there would be no detrimental impact on the ecology of the area. If this were not to be followed then there would be a need for further great crested newt survey work. Aside from this, as recommended by the report, biodiversity enhancements should be considered and included where possible.

UK POWER NETWORKS has no objection.

4. REPRESENTATIONS

PROTECT KENT AND EIGHT LOCAL HOUSEHOLDS object to the development and the following points are raised:

- a) This would be inappropriate development in the countryside.
- b) The scheme would adversely affect the countryside in terms of its appearance.
- c) There would be noise and light pollution harmful to the character of the area and to the amenities of local residents.
- d) There would be damage to the ecology of the area.
- e) This land is part of the flood plain and is not appropriate for a caravan site. The surface water drainage of the site would exacerbate matters.
- f) There are no amenities in the area for the occupants to use.
- g) Longend Lane is narrow and not suitable for the traffic that would be generated by the scheme. It has a width restriction. Its junctions with Collier Street (B2162) and Green Lane are dangerous and not suitable due to excessive speeds and poor visibility. The findings of the submitted Transport Statement are not accepted.
- h) Refuse storage and disposal provision are inadequate.
- i) Valuable horses would be disturbed.
- j) If permitted, this may turn into a permanent residential caravan park which would be wholly inappropriate in such an area.
- k) There is no need for this development: the area is already adequately served by tourist holiday parks.

ONE LOCAL HOUSEHOLD has no objection to a touring caravan site provide the motorcycle racing use ceases.

5. CONSIDERATIONS

5.1 Site Description

- 5.1.1 The application site is located in open countryside south west of the small settlement of Collier Street. This is land that is not the subject of any particular landscape designation.
- 5.1.2 The site is bordered by Longend Lane to the south (with the Paddock Wood to Ashford Railway immediately to the south of that lane), with open land in agricultural/equestrian use to the north, east and west of the site. This is flat, open countryside characterised by large grassed fields, bordered and interspersed by established hedging and shaws of trees. There is sporadic residential development in the area, most notably to the south west of the site off Longend Lane and to the west with housing accessed from Collier Street (B2162).
- 5.1.3 Access from Longend Lane involves a large gated opening that leads to a hardcore access track running off northwards towards the site. Public Footpath KM246 shares the access point before diverting away north and west from the line of the track.
- 5.1.4 The track crosses grassland with hedging and trees to its west before arriving at a large oval racing track of grass/compacted earth. This motorcycle racing use has operated on this site for many years under the normal permitted development rights that apply to open land. It has a low fence around it and there are various caravans, lorry bodies and cabins scattered around the track's margins. Motorcycle racing events attract a large number of visitors and the planning statement indicates that approx. 4000 visitors attended events in 2008.

5.2 Proposal

- 5.2.1 This application proposes the change of use of the site to use as a caravan park for 30 tourist pitches with ancillary shower block and refuse store. The application states that the motorcycle racing use would cease and the track would be removed. The tourist pitch caravans would be touring caravans, whilst a static caravan is proposed for an on-site warden.
- 5.2.2 The access track would be retained to serve the caravan site but would be widened to 5m. The caravans would be located in the triangular area of land in the north west corner of the land holding. The caravans would be arranged

around a central amenity area that would accommodate an amenity block and a play area. The warden's static caravan would be sited at the southern end of the group with refuse collection facilities to the north of that.

- 5.2.3 The amenity block would provide male and female w.c. and shower facilities and would have a floorspace of approx. 94 sqm. It would have a low pitched roof with an eaves height of approx. 2.7m and a ridge height of approx. 4.2m. It would be constructed of cedar weatherboarding under an olive green metal sheeting roof. The plans indicate that this triangle would be fenced off with 1.2m high fencing accompanied by hedgerow planting and specimen trees to all three sides.
- 5.2.4 As well as these on-site works, various works are proposed to the access to the lane, to Longend Lane itself and to the surrounding road network. These works emerged from a transport report that was submitted in order to address initial concerns raised by Kent Highway Services. These works are discussed below in the 'Highways' section.

5.3 Principle of Development

- 5.3.1 'Saved' Policy ED20 of the Local Plan relates to holiday caravan and camping sites and can allow for such development in the countryside as an exception to the general theme of constraint. The preamble to that policy states that such facilities should be located outside the Area of Outstanding Natural Beauty and the Special Landscape Areas: the land the subject of this application is not the subject of any designation. ED20 states that such uses will be permitted provided the site is not an intrusive feature in the landscape and is capable of being adequately screened and landscaped, there are appropriate access and parking arrangements, there is no detrimental impact on neighbouring land uses or residential amenity, and that the presence of similar uses in the locality would not lead to unacceptable environmental or highway impacts. As such, the principle of the development is acceptable and detailed consideration must be given to these issues.
- 5.3.2 The South East Plan promotes sustainable development which respects the environment and Policy TSR2 (Rural Tourism) provides encouragement for tourism and recreation-based rural diversification of a scale and type appropriate to their location.
- 5.3.3 The NPPF outlines that planning should achieve sustainable development through economic, social and environmental roles with one of the core principles to recognise the intrinsic character and beauty of the countryside and support thriving communities within it. Section 3 relates to the rural economy and outlines that planning policies should support sustainable growth and expansion

of all types of businesses and enterprises; promote the development and diversification of agricultural and other land-based rural businesses; and support sustainable rural tourism and leisure development that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

- 5.3.4 Paragraph 118 relates to biodiversity where decisions should aim to conserve and enhance biodiversity, designated sites and irreplaceable habitats should only be affected in exceptional cases and significant harm resulting from development must be mitigated, or as a last resort, compensated for.
- 5.3.5 Overall, the principle of a new holiday caravan site is acceptable having regard to the Local Plan, South East Plan and the NPPF but clearly the detail must be acceptable.

5.4 Landscape Impact

- 5.4.1 The explanatory text to Policy ED20 recommends that sites "should be sited in well screened, un-intrusive locations, and sites surrounded by mature woodland or taking good advantage of concealing natural land forms". The main impact of the proposals would be from the concentration of caravans, the amenity block, etc. in the aforementioned triangular area in the north west corner of the overall site. In my view that area is well chosen to avoid significant harm. It is a significant distance away from Longend Lane to the south (approx. 330m) and from the same lane to the east (approx. 300m): this is flat land and any distant and medium range views from that lane and from Collier Street would be interrupted by established hedgerows and shaws of trees. It must be remembered that caravans and the amenity block are low features (compared, for example, to housing) and established landscaping would be very effective in screening the triangle of caravans in a flat landscape. Public Footpath KM246 is close to the south eastern part of the site but diverts west well to the south of the triangle and it seems to me that views would be brief and interrupted by existing and proposed field boundary vegetation. The changes to the access (discussed below) and the widening of the access track would not have a significant impact, whilst I regard the amenity block to be of an acceptable design and materials.
- 5.4.2 It is also proposed to put in place new landscaping around the boundaries of the triangle and this would clearly further help to screen or soften the impact of the scheme. In my considerations I also give some weight to the removal of the existing fenced track which, in a visual sense, has attained a degree of permanence and its attendant cabins, etc. albeit that this existing situation would be replaced by the caravan site development.

5.4.3 In terms of external lighting, low level bollard lighting is indicated. During hours of darkness, the development would introduce lighting at the site into an area which is currently unlit. However, again its effect would be broken by vegetation and the concentration of the caravans would be such that its impact would be restricted. If permission were to be granted then details of lighting would need to be controlled by condition.

5.4.4 I conclude that, subject to the appropriate conditions, the development would not be an overly intrusive feature in the landscape.

5.5 Impact Upon Trees

5.5.1 The application does not involve the removal of trees. All of the works could be achieved without significant impact on vegetation. The works to the access include the trimming back of the existing hedge on either side of the access to Longend Lane in order to improve visibility but I do not regard this as significant, particularly bearing in mind the poor quality of the hedge in that location.

5.6 Biodiversity Impacts

5.6.1 The NPPF requires conservation and enhancement of biodiversity, as does Policy NRM5 of The South East Plan 2009. The site does not fall within an area with a local or national designation, nor is it ancient woodland. However, the ecological appraisal submitted with the application reveals that the small ponds and their environs around the boundaries of the site are potentially significant habitats for great crested newts and other amphibians (particularly the ponds around the south western and western boundaries). The report states that either further great crested newt survey work be carried out before any permission is granted or that a strict method statement for construction be followed, the principle features of which are the avoidance of any works in potentially high quality habitat and the use of a grid mesh system for the access track extension and at the location of the caravans (to retain grassland). The report concludes that the site may also be of value in terms of habitat for reptiles, birds, the hazel dormouse, badgers and bats: however, due to the nature of the works proposed, no further survey work is required with regard to those species, although clearly measures need to be taken to ensure that fauna and flora are not significantly affected during construction work.

5.6.2 The Biodiversity Projects Officer has examined the ecological appraisal and has no objection provided the strict method statement outlined above is followed. She also points out that biodiversity enhancements should be incorporated and the appraisal echoes this, suggesting a range of such measures, including new hibernacula, log piles, rock piles and new planting.

5.6.3 Against this background, I have no objection to the application on the issue of ecology but the detail of the means of construction (including details of new hardstandings), the methodology for protecting species and their habitat and proposed biodiversity enhancement works need to be controlled by condition.

5.7 Residential Amenity

5.7.1 The access, the access track and the proposed triangle of caravans are all well divorced from the nearest house which is Chequer Tree Farm approx. 150m to the west of the triangle. I do not consider the scale of the use would result in any unacceptable levels of noise, disturbance or nuisance to any property, either from use of the site itself or vehicle movements on local roads. Due to the distance there would be no loss of light, privacy or outlook to any nearby houses. I do not regard the potential disturbance to nearby equestrian uses to be a justifiable reason for refusal in this case.

5.8 Highways

5.8.1 Longend Lane is a rural lane that is the subject of a 2m width restriction. In response to initial concerns expressed by Kent Highway Services and following subsequent negotiations, the applicant has submitted a Transport Statement. The statement classifies Longend Lane as a low speed rural access road, of variable width, which connects with Collier Street (B2162) approx. 450m to the west and an eastern link to Maidstone Road (B2079) and Staplehurst Road (A229) to the east. The statement points out that the site has been used for motorcycle racing with, in general, around 5 meetings a year: a small event generates 2000-3000 visitors, whilst a large event generates 7000-8000 visitors. A survey was carried out at the event on 9th October 2011 where 437 cars, 27 caravans, 15 motor homes, 1 coach, 60 motorbikes and 70 large race vans were recorded: this is compared with a predicted trip rate for the caravan site of 30 vehicles arriving and 31 departing in a 24 hour period. The report concludes that there should be no highway objections to the scheme given that the traffic generated by the proposed use is de minimise when compared to the 'fall-back position' of the motorcycle racing use; and the proposed highway improvement works.

5.8.2 The works proposed include works to the access so that roadside vegetation is trimmed back to improve visibility; the gateway is moved back 5.5m from the carriageway; and the access road is modified so that it is angled to promote access to the west, with a small openable gate to deter access to/from the east. These works seek to improve the access and to deter visitors from arriving from, or departing towards, the east where Longend Lane is less suitable than the western stretch towards Collier Street. The width of Longend Lane varies and it is proposed to carry out some minor widening (approx. 300mm) in two areas

between the site access and the Collier Street junction so as to avoid difficulties in vehicles passing. At the Longend Lane/Collier Street junction it is proposed to replace and improve the existing signage and road markings, including the movement of the speed restriction sign and Collier Street nameplate 10m further south (along with the creation of a gateway feature). At both this junction, and the easterly junction with Green Lane, it is proposed to replace the existing width restriction signage with up to date replacements. Further afield, new tourist information signage would be installed on Green Lane and at the Green Lane/Collier Street junction to deter vehicles from using the Green Lane approach in favour of the Collier Street approach.

- 5.8.3 Kent Highway Services now has no objection to the proposals subject to the works outlined above being implemented as a part of the overall development. Conditions are recommended. This application has been the subject of lengthy negotiation between the applicant and the highways officer, culminating in the withdrawal of the initial objection. Whilst I note the concerns of the Parish Council and local residents, I conclude that there are no justifiable reasons to refuse this application on highway safety grounds.
- 5.8.4 Concern has been expressed as to the location of the proposed development in relation to local services. However, it seems to me inevitable that tourist caravan sites will be located in the countryside where shops, pubs, etc will not necessarily be immediately on-hand. The site can not be said to be remote, the village of Marden being approx. 2km to the east 'as the crow flies', and I do not consider there to be good grounds to refuse this application on this accessibility issue.
- 5.8.5 On the issue of Public Footpath KM246 the line of the footpath is impeded by the entrance gates (which were put there to deter illegal occupation by travellers). This matter needs to be resolved both on site and in terms of how the new access arrangements would accommodate the line of the footway. I do not consider it appropriate to withhold permission on the basis that gates block a public right of way and I consider the proportionate response would be to impose a condition requiring details as to how the public footpath line could be satisfactorily preserved. Members will be aware that the Public Rights of Way Officer has separate legislation to resolve blockages and interference to public rights of way.

5.9 Flood-Related Issues

- 5.9.1 The site is within Flood Zone 2, an area considered to have a medium probability of flooding, although a small area including the point of access to Longend Lane and the adjacent pond, is within Flood Zone 3 and theoretically more prone to flooding. A Flood Risk Assessment has been submitted with the application which

points out that, notwithstanding the Zone 2 designation, the main part of the site occupies higher land that is unlikely to be affected by the 1 in 100 year flood event. The Environment Agency has not raised objection to this application but points out that surrounding areas are low-lying and the flooding of such areas may cause access problems in times of flood. In the absence of an objection from the Environment Agency, this application should not be refused on flood-related issues but, given the concerns expressed on access, I recommend the inclusion of an informative with any permission to the effect that the applicant should develop a warning and evacuation plan and link the site to the Environment Agency's flood warning service.

5.9.2 Concern has been expressed as to the proposed methods of surface water and foul water drainage disposal: this is stated to be via soakaways and a septic tank respectively. I note the Environment Agency has not objected and further detail can be secured by condition. I see no justifiable reason to refuse this application on drainage issues.

5.10 Other Matters

5.10.1 Policy ED20 at its end states that,

"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."

5.10.2 The applicant has agreed to such a limitation being imposed on any permission. I am aware that, in other cases, a less onerous restriction has been imposed to reflect modern practice but I consider that the applicant's agreement changes the balance here in favour of following the requirements of policy.

5.10.3 The issue of the need for the development and there being other caravan parks in the area is raised in representations. Each application must be judged on its own merits. There is not considered to be any unacceptable cumulative harm caused by the development and there is no requirement in policy to demonstrate a specific need for such uses.

6. CONCLUSION

6.1 Local, regional and national policy can allow for holiday caravan and camping sites at rural locations and for the above reasons it is considered that the proposal would not cause any unacceptable harm to the area. The development is therefore considered to comply with the Development Plan and subject to conditions, I recommend that planning permission be granted.

7. RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions and informatives:

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 hereby permitted shall be carried out in accordance with the following approved plans:

Drawing no. 3766-103 received on 5/1/11; drawing no. 3766-104A received on 11/3/11; and land survey drawing and drawing no. 3766-105 received on 21/6/11;

Reason: To ensure the quality of the development is maintained in accordance with Policies ENV28 and ED20 of The Maidstone Borough-Wide Local Plan 2000.

3. Before the use hereby approved commences, the use of the site for motorcycle racing including trials of speed, and practising for these activities (whether permitted by The Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) or not) shall permanently cease and shall not recommence without the prior written consent of the Local Planning Authority;

Reason: In the interests of the character of the countryside and in the interests of highway safety. This condition imposed in accordance with Policies ENV28 and ED20 of The Maidstone Borough-Wide Local Plan 2000.

4. Only one static caravan (for the site warden) and no more than 30 touring caravans shall be stationed on the site at any one time. The stationing of the caravans shall be restricted to the locations shown on approved drawing 3766-104A and caravans shall not be stationed in any other location;

Reason: In order to protect the character of the countryside, in the interests of ecology and in order to ensure that caravans are not sited in areas that are particularly vulnerable to flooding. This condition imposed in accordance with Policies ENV28 and ED20 of The Maidstone Borough-Wide Local Plan 2000 and Policies NRM5 and NRM4 of The South East Plan 2009.

5. With the exception of the site warden's caravan, all caravans permitted at the site shall be occupied for holiday purposes only. No such accommodation shall be occupied as a person's sole or main place of residence;

Reason: In order to ensure proper control of the use of the holiday units and to prevent the establishment of unjustified permanent residency, which would be contrary to National and Local Plan Policy discouraging the proliferation of new dwellings in the countryside. This condition imposed in accordance with Policies ENV28 and ED20 of the Maidstone Borough-Wide Local Plan 2000.

6. With the exception of the site warden's caravan, no caravan shall be occupied by any one individual or group of individuals for any period longer than one month and there shall be no return by an individual or group of individuals within 4 weeks of leaving occupation of the site. With the exception of the site warden's caravan, none of the caravans on site shall be occupied between the period of 10th January to 10th March in any calendar year;

Reason: To ensure that the site is not used for unjustified permanent residential accommodation. A gap in occupation is necessary to ensure that a permanent encampment is not established. This condition imposed pursuant to Policies ENV28 and ED20 of the Maidstone Borough-Wide Local Plan 2000.

7. The site warden's caravan shall be occupied only by a person or persons directly involved in the supervision and management of the caravan park hereby approved (and the dependents of such persons);

Reason: Permission has been granted for the stationing of a site warden's caravan only in recognition of the security and management needs of the caravan park. This condition imposed in accordance with Policies ENV28 and ED20 of The Maidstone Borough-Wide Local Plan 2000.

8. The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines. It shall include full details of measures involved in the removal of the motorcycle racing track and associated fencing, cabins and caravans and subsequent restoration of the land and full details of all proposed fencing and boundary treatments;

Reason: No such details have been submitted. This in accordance with Policies ENV28 and ED20 of The Maidstone Borough-Wide Local Plan 2000.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the caravans or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development in accordance with Policies ENV28 and ED20 of the Maidstone Borough Wide Local Plan 2000.

10. The development shall not commence until full details of the following measures have been submitted to and approved by the Local Planning Authority:
 - a) Full details of the extent, construction and means of surfacing of proposed extended roadways and hardstandings;
 - b) Full details of a method statement for construction works including the means by which valuable habitat areas are to be protected during the construction phase and the timing of construction works;
 - c) Full details of measures to improve biodiversity based on the recommendations in the Preliminary Ecological Appraisal dated 11/5/11.

The approved details shall be fully implemented as a part of the development;

Reason: In the interests of biodiversity. This condition imposed in accordance with Policy NRM5 of The South East Plan 2009.

11. 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 of the surrounding countryside and biodiversity. This in accordance with Policies ENV28 and ED20 of The Maidstone Borough-Wide Local Plan 2000 and Policy NRM5 of The South East Plan 2009.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development within Schedule 2, Part 2 and Part 5, Class B to that Order shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character of the countryside and in the interests of ecology. This in accordance with Policies ENV28 and ED20 of The Maidstone Borough-Wide Local Plan 2000 and Policy NRM5 of The South East Plan 2009.

13. 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 1995 (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. This condition imposed in accordance with Policy T13 of the Maidstone Borough-Wide Local Plan 2000.

14. The development shall not commence until full details of the proposed means of foul and surface water drainage have been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details;

Reason: In the interest of proper land drainage. This condition imposed in accordance with Policy NRM4 of The South East Plan 2009.

15. The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of the ablution block and the refuse collection area hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development. This condition imposed in accordance with Policies ENV28 and ED20 of The Maidstone Borough-Wide Local Plan 2000.

16. The development shall not commence until full details of the means by which the access is to be arranged to ensure that Public Footpath KM246 will be continually available for use have been submitted to and approved by the Local Planning

Authority. The development shall thereafter be undertaken in accordance with the approved details;

Reason: In order to ensure that the public footpath is maintained. This condition imposed in accordance with Policy ENV26 of The Maidstone Borough-Wide Local Plan 2000.

17. Unless the Local Planning Authority gives consent to any variation, the use hereby permitted shall not commence until all of the alterations to the highway and the site access detailed in Appendices 7, 8, 9, 10 and 11 of the submitted MLM Transport Statement dated 2/4/12 have been fully implemented;

Reason: Such measures have been deemed necessary in the interests of highway safety. This condition imposed in accordance with Policy ED20 of The Maidstone Borough-Wide Local Plan 2000.

18. The development shall not commence until full details of the proposed visibility splays at the point of access have been submitted to and approved by the Local Planning Authority. The details shall include the extent to which roadside hedging needs to be trimmed back to achieve the splays. The approved splays shall be created before the use hereby approved is implemented and thereafter maintained in a condition whereby there would be no obstruction to visibility above a height of 900mm above carriageway level;

Reason: In the interests of highway safety, the character of the countryside and ecology. This condition imposed in accordance with Policies ENV28 and ED20 of The Maidstone Borough-Wide Local Plan 2000 and Policy NRM5 of The South East Plan 2009.

Informatives set out below

The applicant is advised that it will be necessary to make an application for a Caravan Site 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 advised that he should draw up a flood warning and evacuation plan and link the site to the Environment Agency's flood warning scheme.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000

and the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.