

APPLICATION: MA/11/2145 Date: 13 December 2011 Received: 14 December 2011

APPLICANT: Mr Robert Schroeder

LOCATION: THE FINCHES, CHARTWAY STREET, EAST SUTTON, KENT

PARISH: Broomfield & Kingswood

PROPOSAL: Change of use of land for the storage of 10 caravans as shown on drawing nos. TF/06/10/3F and TF/06/10/6 received on 14th December 2011.

AGENDA DATE: 28th June 2012

CASE OFFICER: Richard Timms

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

- It is contrary to views expressed by the Parish Council.

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: ENV28, ED16
- The South East Plan 2009: CC1, CC6, RE1, NRM5, C4, TSR2
- Government Policy: NPPF 2012
- Good Practice Guide on Planning for Tourism 2006

2. HISTORY

MA/10/1907 - Variation of condition 2 of planning permission MA/09/2223 to allow the site warden to be resident on site for all days when site is open (closed 9th January and 10th January in a leap year) – APPROVED WITH CONDITIONS

MA/10/1906 - Variation of condition 7 of planning permission MA/08/0333 (caravans) to allow the site to be open for business for 364 days per year (site to be closed on 9th January and 10th January in a leap year) – APPROVED WITH CONDITIONS

MA/10/1904 - Variation of condition 5 of planning permission MA/09/1220 (tents) to allow the site to be open for business for 364 days per year (site to be

closed on 9th January and 10th January in a leap year) – APPROVED WITH CONDITIONS

MA/10/1332 - Variation of condition 2 of MA/09/2223 (stationing of 1no. mobile home for a full-time site warden) to allow occupation between 14th December and 31st October – REFUSED (APPEAL WITHDRAWN)

MA/09/2223 - Planning permission for the stationing of 1no. mobile home for a full-time site warden – APPROVED WITH CONDITIONS

MA/09/1220 - Planning application to increase the number of permitted tents from 10 to 20 including associated works – APPROVED WITH CONDITIONS

MA/08/0333 - To increase the number of permitted caravan pitches from 10 to 20, involving revised access road and layout – APPROVED WITH CONDITIONS

MA/05/1592 - Change of use of land and existing barn to touring caravan and camping site with amenity building and new access (Resubmission of application MA/04/2419) – APPROVED WITH CONDITIONS

MA/04/2419 - Change of use of land and existing barn to touring caravan and camping site with amenity building – REFUSED & DISMISSED

3. CONSULTATIONS

3.1 **Broomfield & Kingswood Parish Council:** Wish to see the application REFUSED and request it is reported to Planning Committee for the following reasons:

1. The detrimental effect of overdevelopment and potential visual impact along a rural road
2. Hazard of movement - Access is via the road onto the camp site and along the side of the children's playground.
3. Further traffic hazards along Chartway Street.
4. Councillors also wished to point out their response to MBC's Core Strategy consultation, CS12 – Gypsy and Traveller Accommodation (see below) which encompasses this proposal.

"The increase in the number of Gypsy / Traveller units in this Parish is now causing a certain amount of unease, particularly in part of Chartway Street which, in addition to the ever expanding 'The Finches' touring caravan and camping site, is in danger of becoming one continuous caravan site and is leading local residents and Parish Councillors alike to say, "enough is enough"."

3.2 **Kent Highway Services:** No objections and consider that this application will not result in a significant increase in traffic movements.

3.3 **Conservation Officer:** No objections.

"The site is well screened from Chartway Street and the proposed caravan storage would have no impact on the setting of the nearby listed building."

4. REPRESENTATIONS

4.1 **East Sutton Parish Council (neighbouring parish):** Wish to see the application refused.

"The Parish Council as previously notified wish to see this application refused. The planning notification signs were removed and only when challenged were they re-posted. The Parish Council believe that the conditions currently imposed on the site with regards to length of time open are not being adhered to and that a closed sign is not sufficient when the caravans are being inhabited when the closed sign is up. If it is purely storage, why is an extra person to be employed? If the Council is of a mind to approve the parish council request that a condition is put on that the storage is for touring vans only."

4.2 **Local Residents:** 12 representations received raising the following (summarised) points:

- Will add to traffic and congestion on Chartway Street and highway safety issues.
- Existing users walk to Kingswood causing highway safety issues.
- Should not be allowed to operate 365 days a year.
- This will end in a permanent storage/industrial facility in a rural area.
- Staggered approach to development of the site.
- The applicant already has a facility to store caravans.
- Will end up as a permanent gypsy site or housing.
- Opposite Grade II listed building.
- Another step to remaining open 365 days a year.
- Intrusions into lives of local residents.
- Will add to unsightly development in the area and be an eyesore.
- It is dangerous to walk country lanes.
- The orange Maidstone Council notice was not on show at the front of the site until the 11th January.

- Alleged breaches of existing conditions at the site and permanent residential accommodation.
- Is this to be a pickup point for rental caravans.

5. CONSIDERATIONS

5.1 Site Description

5.1.1 The application relates to an existing touring caravan and tent camping holiday site of approximately 2 hectares on the north side of Chartway Street. The site is laid out as a series of camping and caravan pitches, (caravans on the west side and camping on the east) together with associated development including a detached amenity building centrally and to the north of the main parking area. A mobile home is stationed to the north of this building, which is occupied by a site warden. The access is located centrally to the site's boundary with Chartway Street, and there is substantial coniferous and deciduous hedge/tree screening to the front of the site and mature hedging to the other site boundaries.

5.1.2 The use of the land as a camping and caravanning site was permitted under application MA/05/1592 and there have since been changes to the number of touring caravan and tent pitches and occupation periods since 2008. To summarise the site has permission for 20 holiday touring caravan pitches and 20 holiday tent pitches, and can be operated for 364 days a year but with any pitches occupied for a 1 month period only by an individual or group.

5.1.3 The site is located within the open countryside with no special landscape designation and although the site has a Sutton Valence postal address it is located within the parish of Broomfield and Kingswood. To the north of the site is a woodland area, to the east an arable field, to the south Chartway Street and a golf club beyond and to the west the gypsy site 'Orchard Farm Nursery'. The Grade II* listed building, 'The Blue House', is approximately 25m from the southern boundary of the site, which along with 'Orchard Farm Nursery' are the closest residential properties.

5.2 Proposal

5.2.1 Permission is sought for a change of use of part of the site for the storage of up to 10 touring caravans. These touring caravans would not be occupied but stored as an alternative to being parked outside ones home. Owners would then pick up their caravans from the site.

5.2.2 The site proposed for storage is 30m x 10m on a grassed area in the northeast corner of the site. The agent has verbally confirmed that no hard surfacing or

lighting is proposed. This is between spruce trees to the south and a line of mature deciduous trees along the north boundary of the site. To the east is a 3-4m high deciduous hedge which marks the east boundary of the site with an arable field. This is partly on an area of the site that has been approved for tents so the proposal would result in a reduced area for tent camping and also a reduced children's play area.

5.3 Principle of Development

- 5.3.1 Policy ED16 of the Local Plan relates to caravan storage and can allow for such development in the countryside as an exception to the general theme of constraint. It states that such uses will be permitted where the site lies outside AONB's, Special Landscape Areas or Areas of Local Landscape Importance; the site is provided with comprehensive all year screening before the use commences and there is no unacceptable impact on the landscape or environment; security arrangements including lighting will not be intrusive; the proposal will not result in a concentration of sites; and the proposal is situated close to existing built development, including residential accommodation.
- 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 Overall, the principle of a caravan storage is acceptable having regard to the Local Plan, South East Plan and the NPPF and the main detailed consideration needs to be given to landscape impact, residential amenity and highway safety.

5.4 Visual Impact

- 5.4.1 The area for storage benefits from very good screening from Chartway Street to the west and south from vegetation both immediately south of the proposed area and along the site frontage. The amenity building also provides screening to

the west. From further east on Chartway Street, again the caravans would be well screened by vegetation. Overall, the site is not located within a specially designated landscape and I consider this part of the site benefits from very good landscape screening such that the storage of touring caravans would not be intrusive or harmful to the landscape. I consider a condition to retain existing landscaping is necessary to ensure the impact remains acceptable.

5.4.2 Turning to the other criteria of policy ED16, there are not a high number of caravan storage sites in the vicinity such that this small scale proposal would lead to a concentration. I note there are a number of gypsy and traveller caravan sites nearby, but as stated above, the storage of 10 touring caravans at this existing site would not cause harm to the landscape and so again I do not consider there to be a harmful concentration issue in respect of landscape impact. There is an existing warden's mobile home on site which can provide some security for the use and the proposal is close to built development being the amenity building at the site, houses opposite and buildings at Street Farm just to the southeast. For these reasons, I consider the proposals comply with policy ED16 of the Local Plan.

5.5 Residential Amenity

5.5.1 The nearest houses would be around 100m from the storage area. I do not consider the storage use would result in any significant noise or disturbance to this property and also bearing in mind the permitted use at the site.

5.6 Highways

5.6.1 The proposals are unlikely to result in any significant increase in vehicle movements at the site (I would suggest at the most 10 pick ups and 10 drop offs each week if people are using their touring caravans every week). The Kent Highways Engineer has fully considered highway safety issues and raises no objections also considering the proposal will not result in a significant increase in traffic movements.

5.7 Other Matters

5.7.1 The proposed site is on an area of mown/managed grass at the east edge of the site and I consider the biodiversity implications are low. I note under previous applications, the issue of reptiles on site was raised with a survey in 2007 (prior to development) identifying low populations of common lizard and slow worm at the west end of the site, rather than the east end where the current proposal is. Mitigation was recommended including reptile exclusion fencing, which was erected whilst the site was developed. Whilst this was at the west end of the site, I consider additional landscaping and appropriate hibernacula to the east of

the proposed site could improve biodiversity at this part of the site in line with the NPPF.

- 5.7.2 The proposed site is well screened and would have no harmful impact upon the setting of the Grade II* listed building to the south. This is view echoed by the Council's Conservation Officer.
- 5.7.3 Other matters raised and not considered above include potential future use of the site, breach of conditions and the site notice. The assessment of this application must be only on what is proposed, namely whether it is acceptable to allow caravan storage at the site, bearing in mind planning policy and considerations. No weight can be given to what may or may not happen in the future and for the above reasons I consider the application complies with planning policy. The potential breach of the closure period condition at the site was investigated in January 2012. The investigation concluded through site visits that the site was closed and not in use on 9th and 10th of January (being a leap year) and therefore no breach had occurred. The site notice was fixed to a sign at the entrance to the site on 11th January allowing 21 days for any comments. In addition letters were sent to nearby properties. As such, I am satisfied the Council has fulfilled its requirements for notification of this application.

6. CONCLUSION

- 6.1. For the reasons outlined above, the proposals would not have any unacceptable impacts upon the landscape, residential amenity, heritage assets, conditions of highway safety or ecology. Therefore I consider the application complies with policy ED16 of the Local Plan, policies within the South East Plan and the NPPF, and I recommend that permission is granted subject to the following conditions.

7. RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

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. No more than 10 touring caravans shall be stored at the site. They shall kept on the site for storage purposes only and shall not be occupied for any purpose. They shall only be stored in the position shown on approved drawing no. TF/06/10/3F received on 14th December 2011.

Reason; To accord with the terms of the application and to prevent an over-intensive use of the site in the interests of the amenity and character of the surrounding area pursuant to policies ENV28 and ED16 of the Maidstone Borough-wide Local Plan 2000.

3. No development shall take place 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 and shall retain the existing group of trees immediately south of the storage area, retain trees and hedging along the east boundary of the site, and propose new landscaping to the east of the storage area which shall pay particular attention to providing appropriate habitat for reptiles;

Reason: No such details have been submitted and to ensure a satisfactory setting to the development and in the interests of biodiversity enhancement in accordance with policies ENV28 and ED16 of the Maidstone Borough-Wide Local Plan 2000 and the NPPF 2012.

4. 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 building(s) 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 ED16 of the Maidstone Borough-Wide Local Plan 2000 and the NPPF 2012.

5. No external lighting shall be installed at the site in connection with the development hereby permitted without the written consent of the Local Planning Authority.

Reasons: To prevent harm to the character and appearance of the countryside in accordance with policies ENV28 and ED16 of the Maidstone Borough-Wide Local Plan 2000 and the NPPF 2012.

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

Drawing nos. TF/06/10/3F and TF/06/10/6 received on 14th December 2011.

Reason: To prevent harm to the character and appearance of the countryside in accordance with policies ENV28 and ED16 of the Maidstone Borough-Wide Local Plan 2000 and the NPPF 2012.

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.