

**APPENDIX A: schedule of issues and responses for Policy GT1**

Policy Number GT1	General comments/objections to Policy GT1		
Summary of issues	Officer Response	Proposed change	
Support the policy (agent; resident; Medway Council)	Support welcomed	No change	
Should look at other sites with temporary consents given the difficulty in finding sites. (agent)	In the course of preparing the Regulation 18 draft Local Plan, all Gypsy sites with temporary consent were reviewed for their suitability for allocation.	No change	
Object to an increase in the number of sites for Gypsies & Travellers (residents); There is no current control over the number of sites (resident); Unauthorised sites should be dealt with before additional sites are proposed (resident)	<p>Just like for conventional housing, there is a need to provide additional lawful pitches to help meet the identified need for additional Gypsy and Traveller accommodation evidenced through the Gypsy &amp; Traveller and Travelling Showpeople Accommodation Assessment. The Government is clear through its guidance in 'Planning for Traveller Sites' that it expects local authorities to identify appropriate sites to achieve a forward supply of sites and thereby give more certainty to both the settled and travelling community.</p> <p>By having an adopted Local Plan in place which successfully does this, the Council's</p>	No change	

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	position will be significantly strengthened in trying to resist development on unsuitable sites.		
The need for additional pitches has been overstated. (resident; parish council; ward councillor). The borough has a disproportionate number of Gypsies; other local authorities should address this need (resident)	<p>The need for additional pitches is evidenced through the Gypsy &amp; Traveller Accommodation Assessment for Maidstone (2012). The same methodology has been followed for all the assessments undertaken by Kent authorities. The GTTSAA tested for the extent to which resident Gypsies met the 'planning' definition of Gypsies and Travellers (with respect to their nomadic habit of life) and discounted for those who did not meet that definition.</p> <p>A factor in Maidstone's higher numbers of Gypsies compared with authorities to the west is that it does not have significant amount of Green Belt in which national policy governing Gypsy development is more restrictive.</p>	No change.	

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	If the identified need is not able to be met in the borough, following thorough assessment of reasonable options, the Council will need to have 'Duty to Co-operate' discussions with nearby authorities about them potentially accommodating some of Maidstone's need. It is the case, however, that other authorities are not under any 'in principle' obligation to accommodate any of the need which arises in Maidstone borough.		
The policy caters for future generations of Gypsies and Travellers whereas the settled population cannot automatically find homes in the village they grew up in. (resident)	National planning policy for Gypsies and Travellers does allow for sites to be located in countryside locations.	No change	
Find an alternative permanent site for Gypsies and Travellers away from Headcorn (resident) . Headcorn has a disproportionate share of Gypsy sites (resident) . Sites should be more evenly distributed across the borough (parish council, Joint Parishes Group). The Local Plan should include planned gypsy and traveller pitches in the housing allocations to help spread the number around the Borough (parish council)	It is the case that existing Gypsy sites are not distributed evenly across the borough. To an extent this reflects historic patterns when Gypsy families were involved in local agriculture but also it reflects that the distribution of key planning constraints such as Green Belt and AONB which themselves are not	No change	

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	<p>equally distributed across the borough. National planning policy in Planning for Traveller Sites does refer to councils ensuring 'sites in rural areas respect the scale of, and do not dominate, the nearest settled community' . Whilst some local residents strongly believe that the threshold of 'domination' has already been met in some parts of the borough, in practice Inspectors frequently test this against the capacity of local infrastructure (schools, medical facilities, for example) and are not supporting it as an argument at appeal, particularly when they must also give weight to the overall shortfall in the supply of Gypsy sites.</p> <p>The achievement of some alternative distribution of Gypsy sites is crucially dependant on there being alternative suitable sites which are demonstrably available for Traveller accommodation. Despite concerted efforts, a choice of such sites has not come forward.</p>		

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	<p>Allocating Gypsy sites within housing allocations was previously publicly dismissed by the then Leader of the Council and in the meantime a significant proportion of the allocated housing sites have gained planning permission without such provision. When recently raised as an option with representatives of the Maidstone housebuilding industry, they claimed that such a policy would adversely affect the marketability of sites and would significantly deter investment. There is therefore some risk that such a policy would constrain the deliverability of the wider housing policies of the Local Plan.</p>		
<p>Concern that allocated sites will be sold on at an enhanced value (ward Councillor)</p>	<p>The site allocations in Policy GT1 are linked to suitability of the site in planning terms and are not an assessment of the specific personal requirements of the occupiers. As these sites are suitable for permanent occupation, there would be no objection in planning terms if they were to be sold to another Gypsy family.</p>	<p>No change</p>	

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	In real terms this is no different to what happens in the conventional housing market.		
Propose additional criteria to a) ensure necessary wastewater infrastructure is provided in parallel with development and b) development is adequately separated from existing wastewater facilities. (Southern Water)	<p>a) this is a detailed matter which would be appropriately dealt with by way of a planning condition.</p> <p>b) this is not a specific issue for the sites which are allocated in Policy GT1</p>	No change	
<p>Landscaping:</p> <ul style="list-style-type: none"> <li>Each site should have a landscape scheme, developed in line with the Landscape Character Assessment, which will restore/create landscape features which contribute to landscape character.</li> <li>Features must be appropriately managed</li> <li>Screening should respect existing landscape character and be in an appropriate location(KCC)</li> <li>Large areas of hardstanding should be resisted (KCC)</li> </ul>	<p>Each site allocation policy specifies the landscaping requirements for the site. Maintenance of landscaping is a specific requirement of the allocation policies and measures to secure this will be a matter to be determined at the planning application stage.</p> <p>Policy SP5 – Countryside specifies that development in the countryside should take account of Landscape Character Guidelines supplementary planning document.</p> <p>The appropriate extent of hardstanding</p>	No change.	

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Summary of issues		Officer Response	Proposed change
		on any particular site is a detailed matter to be addressed at planning application stage.	

Policy Number GT1(2)	Site Name: Little Boarden, Boarden Lane, Headcorn		
Summary of issues		Officer Response	Proposed change
Object (Joint Parishes Group). Appeal Inspector did not consider the site was suitable for permanent permission pending the identification of alternative sites (residents; ward councillor). Alternative sites to this one should be found (resident). Wishes of wider population are being ignored (resident)		<p>In the face of a significant need for Gypsy pitches, it is necessary that existing sites with temporary consent were reviewed for their suitability to be made permanent.</p> <p>One of the mobile homes on this site has permanent, personal consent (05/1681). Temporary consent was granted at appeal for a further 2 mobile homes (07/2248; U2235/A/08/2075195) on 24/10/08. The Inspector found that development would cause significant harm and that the impact could not be mitigated. Also that the site is not well</p>	<p>Amend criterion 2(i) to read:</p> <p>The retention and future maintenance of the existing landscaping along the <del>north-west boundary</del>, <b>frontage to Boarden Lane</b> as an effective screen to the development.</p>

<b>Policy Number GT1(2)</b>	<b>Site Name: Little Boarden, Boarden Lane, Headcorn</b>		
<b>Summary of issues</b>		<b>Officer Response</b>	<b>Proposed change</b>
		<p>related to services and facilities. In the absence of alternative sites, the Inspector decided to grant a temporary permission. A subsequent application to vary conditions to make the permission permanent was submitted (12/1908). It was considered that whilst some of the vegetation had grown since the Inspector's decision, the mobile homes are still visible from some points on Boarden Lane, more so in the winter. It was determined that development would have unacceptable harm to the countryside . In the absence of alternative sites, temporary consent was granted.</p> <p>Sites with temporary consent reviewed as part of the preparation process for the Regulation 18 Local Plan. With the maturing of the landscaping in the intervening years, it is now considered that the landscape impact and harm to the wider street scene is now low but this is based on retention of the frontage</p>	



<b>Policy Number GT1(2)</b>	<b>Site Name: Little Boarden, Boarden Lane, Headcorn</b>		
<b>Summary of issues</b>		<b>Officer Response</b>	<b>Proposed change</b>
		<p>hedgerow at a good height though there are clear views into the site through the access. The site is remote from services but its retention could be suitable.</p> <p>On review, the policy criteria should be revised to clarify that it is the screening to Boarden Lane which should be retained and maintained as part of the landscaping scheme which would be prepared in connection with an application for the site.</p> <p>On a point of note, Headcorn Parish Council has indicated support for this allocation in its emerging neighbourhood plan.</p>	
Support (parish council; resident)		Support welcomed	No change

<b>Policy Number GT1(3)</b>	<b>Site Name: The Chances, Lughorse Lane, Hunton</b>		
<b>Summary of issues</b>		<b>Officer Response</b>	<b>Proposed change</b>

<b>Policy Number GT1(3)</b>	<b>Site Name: The Chances, Lughorse Lane, Hunton</b>		
<b>Summary of issues</b>		<b>Officer Response</b>	<b>Proposed change</b>
Object. Refusals upheld at appeal are being reversed (ward councillor)		<p>This site was subject to an enforcement appeal in 2007. The Inspector found that the development (1 mobile and 1 tourer) would result in significant harm to the character and appearance of the rural landscape. In absence of alternative sites, the Inspector resolved to grant temporary consent.</p> <p>The consent was renewed by 10/1336 for temporary period.</p> <p>Through application 11/1900, it was determined that the site was still visually intrusive and out of keeping with the surrounding countryside generally. However, the additional visual harm of a second mobile would be limited to the life of the temporary permission so on balance it was found to be acceptable. The site consequently has temporary permission for 2 mobiles (plus 1 tourer) under 11/1900 for one family unit (i.e. 1 pitch).</p>	No change

<b>Policy Number GT1(3)</b>	<b>Site Name: The Chances, Lughorse Lane, Hunton</b>		
<b>Summary of issues</b>		<b>Officer Response</b>	<b>Proposed change</b>
		<p>Faced with the scale of need has been necessary to look at all reasonable options to allocate sites, including existing sites such as this one with temporary consent.</p> <p>The landscape screening appears to have matured in recent years such that this site is not now prominent. It is set back from Lughorse Lane which helps reduce its impact and this gives opportunities for enhanced natural screening. There are no significant long range views such that on balance the site is considered to be sufficiently well screened to accommodate a small caravan site.</p> <p>The site is not to be confused with the adjoining site, north of the allocated site within the larger field to the north (known as plot 5 Lughorse Lane). An application for change of use to provide 2 plots for Gypsies on this neighbouring land (10/1542) was refused and the</p>	

<b>Policy Number GT1(3)</b>	<b>Site Name: The Chances, Lughorse Lane, Hunton</b>		
<b>Summary of issues</b>		<b>Officer Response</b>	<b>Proposed change</b>
		appeal dismissed.	
Site is adjacent to Ancient Woodland which is not mentioned in the description (KCC)		<p>To comply with the emerging format for site allocation policies (housing, employment, mixed use, Gypsy &amp; Travellers) , introductory text will precede each of the site allocation policies in the Regulation 19 version of the Local Plan to provide a brief description of the site.</p> <p>Nine Acre Shaw is a block of ancient woodland lying to the south west of the allocated site, south of the access track. It is recommended that a criteria be added to the policy to ensure that the siting of development not within 15m of the ancient woodland to secure a sufficient buffer.</p>	<p>Additional Criterion under design and layout section' of Policy GT1(3) to state</p> <p>" the siting of development should ensure a 15m buffer between development and Nine Acre Shaw (ancient woodland) to the south west.</p>

<b>Policy Number GT1(4)</b>	<b>Site Name: Hawthorn Farm, Ulcombe</b>		
<b>Summary of issues</b>	<b>Officer Response</b>	<b>Proposed change</b>	
Object (parish council; Joint Parishes Group). Refusals upheld at appeal are being reversed (ward councillor)	<p>The site was put forward for additional pitches through the Call for Sites in 2013. The planning history of the site is as follows:</p> <p>Planning permission was granted by the Council under 09/0208 in August 2010 for use of this site as an unrestricted permanent gypsy site. (2 mobiles and 2 tourers). The site is therefore an existing lawful Gypsy site.</p> <p>Prior to that, a high court injunction was obtained in March 2005 aimed at preventing the use of the site as a caravan site. Despite this the site was occupied and enforcement notices were served in June 2006 to secure the cessation of use as a caravan site and the removal of hardstandings and an earth bund. However, no appeals were lodged and eventually the residential use of the site ceased.</p> <p>The assessment of the site prior to its</p>	No change	

<b>Policy Number GT1(4)</b>	<b>Site Name: Hawthorn Farm, Ulcombe</b>		
<b>Summary of issues</b>		<b>Officer Response</b>	<b>Proposed change</b>
		<p>inclusion in the Regulation 18 Plan concluded that views from higher land to the north would be interrupted to an extent by the various intervening field boundaries. The site is more exposed in views from the south and west and it is clearly visible in short distance views from the public footpath close to the site entrance. Longer distance views from the public footpath are partially screened by hedging along the north side of the footpath. The existing approved 2 + 2 development does therefore cause limited harm to the character of the countryside. Whilst 3 additional pitches is potentially a significant increase on the current development, the impact would only be localised with no significant medium to long range impact.</p>	

<b>Policy Number GT1(5); GT1(6); GT1(7)</b>	<b>Site Name: GT1(5) – Cherry Tree Farm, Stockbury; GT1(6) – Flips Hole, Stockbury; GT1(7) – The Ash, Stockbury</b>		
<b>Summary of issues</b>		<b>Officer Response</b>	<b>Proposed change</b>
Object to additional allocations in Stockbury. 50% of the allocations are in Stockbury. The village has a substantial number of sites in proportion with the rest of the county. Access is along narrow lanes and existing problems will be exacerbated (residents association; resident; parish council)		<p>Unauthorised sites and sites with temporary consent were assessed for their suitability for allocation as part of the preparation of the Regulation 18 Local Plan. These sites are considered suitable in terms of their limited landscape impact and in the absence of a choice of alternative available and suitable sites elsewhere, and taking account of the scale of the need for additional pitches, it is considered that they should go forward into the Regulation 19 version of the Local Plan.</p> <p>KCC Highways did not raise any objections to these site allocations.</p>	No change
Object. These are unauthorised sites in the AONB. Acceptability of the sites should be based on the presumption that they are new sites and the land restored to its former condition. The allocations would not preserve or enhance the AONB. The individual site policies do not mention that the site is within the AONB. The landscaping proposed will not mitigate the impact of the 3 allocations. (Kent		These are existing sites which have been assessed for their impact on the AONB and other relevant planning considerations including the identified need for additional pitches. The new policy layout for sites in the Reg 19 version of the Local Plan will include text	Amend site allocation plan for GT1(7) The Ash to allocate the southern part of the site only.

Policy Number GT1(5); GT1(6); GT1(7)	Site Name: GT1(5) – Cherry Tree Farm, Stockbury; GT1(6) – Flips Hole, Stockbury; GT1(7) – The Ash, Stockbury		
Summary of issues		Officer Response	Proposed change
Downs AONB unit)		<p>introducing each site allocation policy which will confirm these sites location within the AONB.</p> <p>GT1(5): Visual impact is relatively low due to presence of established hedges that would remain and be strengthened under the terms of the policy. Here is a large G&amp;T site adjacent so no significant change in terms of cumulative impact.</p> <p>GT1(6) - The site benefits from good established roadside screening and is between existing development. The landscape impact on the AONB is therefore relatively low. Refusals date for 30+ years ago.</p> <p>GT1(7) – Developed part of site is roughly rectangular on the east side of Yelsted Road around 1.3km west of Stockbury village. SHLAA site includes a further 1ha of undeveloped land to the north. The site sits in a valley with the land rising to</p>	



Policy Number GT1(5); GT1(6); GT1(7)	Site Name: GT1(5) – Cherry Tree Farm, Stockbury; GT1(6) – Flips Hole, Stockbury; GT1(7) – The Ash, Stockbury		
Summary of issues		Officer Response	Proposed change
		<p>the west and east and the site slopes upwards to the east. The site has good landscape screening along the south boundary and with the road. Access is near the south boundary.</p> <p>The developed site benefits from good established roadside screening and screening along the south boundary such that it is not intrusive. The landscape impact is therefore relatively low. Use of the undeveloped site would have a significant impact as it is more exposed and would not be acceptable.</p> <p>The site allocation plan in the Regulation 18 version of the Local Plan includes the undeveloped northern part of the site in error. This should be amended to exclude this northern part. The site capacity ( 5 pitches) is unchanged.</p>	
Challenge the methodology of the Sustainability Appraisal where site in the AONB cannot score 'red'. (Kent Downs AONB unit)		The AONB categorisation in the SA is either amber or green, reflecting the	No change

Policy Number GT1(5); GT1(6); GT1(7)	Site Name: GT1(5) – Cherry Tree Farm, Stockbury; GT1(6) – Flips Hole, Stockbury; GT1(7) – The Ash, Stockbury		
Summary of issues		Officer Response	Proposed change
		<p>potential for negative effects in the AONB (or not). An amber categorisation equates to the prediction of a 'potentially significant constraint', and a green categorisation equates to the prediction of 'no constraint'. Due to the high number of sites assessed, the scores were established objectively by measuring the proximity to the AONB. This does not really allow for the significance of constraints to be determined accurately for landscape character, and so a red categorisation (significant constraint) was not included as a score for the AONB criteria.</p> <p>However, the AONB criteria was determined in the knowledge that 'landscape character' would be assessed in more detail through a separate criteria. The 'Landscape Character' criteria is scored either 'red', 'amber', or 'green', which has been informed by landscape character assessments and / or</p>	

<b>Policy Number GT1(5); GT1(6); GT1(7)</b>	<b>Site Name: GT1(5) – Cherry Tree Farm, Stockbury; GT1(6) – Flips Hole, Stockbury; GT1(7) – The Ash, Stockbury</b>		
<b>Summary of issues</b>		<b>Officer Response</b>	<b>Proposed change</b>
		professional opinion. These assessments take account of the setting and importance of the AONB, and identify those sites that fall within the AONB that could be more likely to lead to a significant effect (red score). Therefore it is considered that the SA Framework appropriately addresses the importance of the AONB and allows for its high level of protection to be recognised.	
Landscape schemes for the sites within the AONB should adhere to the Kent Downs AONB Management Plan. (KCC)		Policy SP5 – Countryside specifies that account will be taken of the Kent Downs AONB Management Plan.	

<b>Policy Number GT1</b>	<b>Omissions from Policy GT1</b>		
<b>Summary of issues</b>		<b>Officer Response</b>	<b>Proposed change</b>
Three specific sites with temporary permission should be reviewed: (agent) <ul style="list-style-type: none"> <li>Land r/o Catchment Cottages, Yalding</li> </ul>		Land r/o Catchment Cottages. This is assumed to be the site now called Ash Tree Place. This existing site was assessed	

Policy Number GT1	Omissions from Policy GT1		
Summary of issues	Officer Response	Proposed change	
<ul style="list-style-type: none"> <li>Plots off Symonds Lane, Yalding which did not flood in 2013/14</li> <li>The Stables/Greenacres, Wagon Lane, Paddock Wood</li> </ul>	<p>for its suitability for allocation in the Regulation 18 version of the Local Plan and was assessed as unsuitable as it is in the Green Belt and the openness of the countryside would be compromised. There are also significant flooding issues.</p> <p>Symonds Lane: Pear Paddock and Pear View were granted personal temporary consent at appeal (09/0732 &amp; 09/0731). Subsequent applications (13/0103 &amp; 13/0104) were submitted seeking permanent consents for 2 mobiles &amp; 2 tourers on each site. The assessment of these applications concluded that the development would be harmful to the character and appearance of the countryside and that mitigation has not been achieved and is unlikely to be so. On this recent analysis, these sites are considered unsuitable for allocation in the Local Plan.</p> <p>The Stables: This existing site was assessed for its suitability for allocation in</p>		

Policy Number GT1	Omissions from Policy GT1		
Summary of issues	Officer Response	Proposed change	
	<p>the Regulation 18 version of the Local Plan and was assessed as unsuitable due to significant adverse impacts on the character of the countryside and significant flooding issues.</p> <p>Greenacres: This existing site was assessed for its suitability for allocation in the Regulation 18 version of the Local Plan and was assessed as unsuitable due to landscape impact and risk to life from flooding. Application 12/1855 was dismissed at appeal in 2014.</p>		