

REPORT SUMMARY

REFERENCE NO - 15/509482/FULL		
APPLICATION PROPOSAL Extension to existing site to form additional plot, comprising of the siting of 1 static mobile home and 1 touring caravan. Re-positioning of 1 static mobile home and erection of storage/dayroom to plot 1 (Part-retrospective)		
ADDRESS Quarter Paddocks Bletchenden Road Headcorn Kent TN27 9JB		
RECOMMENDATION		
SUMMARY OF REASONS FOR RECOMMENDATION The proposed development, subject to imposition of the recommended conditions , is considered to comply with the policies of the Development Plan (Maidstone Borough Wide Local Plan 2000) and there are no overriding material planning considerations justifying a refusal of planning permission.		
REASON FOR REFERRAL TO COMMITTEE RECOMMENDATION CONTRARY TO THE VIEWS OF HEADCORN PARISH COUNCIL		
WARD Headcorn	PARISH/TOWN COUNCIL Headcorn	APPLICANT Mr Obie Harber AGENT
DECISION DUE DATE 17/02/16	PUBLICITY EXPIRY DATE 17/02/16	OFFICER SITE VISIT DATE 21/01/16

MAIN REPORT

1.0 SITE DESCRIPTION

1.1 The application site lies to the rear of an existing Gypsy and Traveller (G&T) site located about 1.5 km to the south of Headcorn with an approximate frontage onto the south side of Bletchenden Road of about 100 metres. The adjoining G&T site has a central access serving an internal road serving the mobile homes which are laid out on defined plots. The road frontage of the site is landscaped with substantial planting abutting both sides of the access track and for part of the length of the internal service road.

1.2 At the rear of the application site is a large paddock area.

2.0 PROPOSAL

2.1 Retrospective planning permission is being sought to retain a mobile home on a new plot to the south west of the existing G&T site. It is occupied by a member of the applicants extended family the remaining members of which already reside on the existing G&T site. In addition it is intended to resite an existing mobile home to the north of this mobile home approximately 8 metres further north. The former mobile home site is to be occupied by a dayroom having a pitched and tiled hipped roof with

the building having dimensions of 16x8 metres, an eaves height of 2.5 metres and a ridge height of 5.5 metres. Proposed accommodation is a day room, laundry area and boot room, study, shower room and WC with an open void area to provide cover for an antique 4 wheel trolley more than 100 years old.

2.2 Waste water will go a cess pit while surface water will go to a soakaway.

2.3 The following has been submitted in support of the application:

- The applicants son, his wife (who was expecting another child when the application was submitted) and their son of 2 years live on plot 1.
- The applicants son had a kidney transplant requiring check ups on a regular 6 month basis and he would like his son on site to ensure that he is cared for.

Response to request for clarification of gypsy status:

2.4 Revised Government guidance coming into force in August 2015 makes clear that persons claiming gypsy and traveller status must provide evidence to show they intend to carry on a nomadic /traveller lifestyle. The definition of a nomadic lifestyle requires adult occupants to move from place to place in the pursuit of work. The following has been submitted in connection with the applicant's gypsy status:

- Mr O Harber junior is a Romany gypsy his partner Mia Haffenden is a gypsy showman they both have 2 children and live at 1 Quarter Paddocks Bletchenden Road Headcorn.
- They live here most part of the year but any time from 3 to 6months of the year they travel to well known settlements and fairs. Appleby fair Westmorland (June), Epsom fair Surrey Wickham (may) Scotland King of the road Stow (May October) Kennilworth (April September)
- Attended to keep in with gypsy culture though Obie is a horse dealer trading at the above fairs throughout the year.
- In addition to trading horses trade horse all types of horse related equipment from harness to carts

3.0 RELEVANT PLANNING HISTORY

3.1 MA/03/2366: Change of use of land to residential incorporating the stationing of three mobile homes and two touring caravans for an extended gypsy family – REFUSED – 16th February 2004 – ALLOWED ON APPEAL

3.2 MA/13/1315: Continued occupation of the site as a gypsy caravan site (planning application refused under ref:MA/03/2366 but allowed on appeal) but with variation of the following conditions to allow:

Condition 2 : To enable unrestricted occupation by any gypsy/traveller family (currently restricted to applicant and dependents);

Condition 3 : To enable permanent occupation by gypsy and traveller family (currently restricted to 4 years expiring on the 31st July 2013) and ;

Condition 4: Increase in number of caravans on site (currently permitted 3 static and 2 tourers) to 4 static and 4 tourers. APPROVED 20th March 2014

4.0 POLICY AND OTHER CONSIDERATIONS

- Development Plan 2000: ENV6, ENV28, ENV34, T13
- National Planning Policy Framework
- National Planning Practice Guidance
- Draft Local Plan policies: SP17, DM16, DM34
- Planning Policy for Traveller Sites (PPTS)

5.0 LOCAL REPRESENTATIONS

5.1 9 properties notified – 1 representation received that is summarised below:

- Site will be subject to noise from the use of Headcorn Aerodrome and though do not wish to object the development concerned that granting planning permission should not act as an impediment to activities being carried on at the aerodrome.

6.0 CONSULTATIONS

6.1 Headcorn Parish Council: Objects on the following grounds:

- Regard must be made to the emerging Headcorn Neighbourhood plan (HNP) which raises no objection permit development providing it is not within the Flood Plain Zones 2 & 3 and there have been no recent flood events affecting the site that the Parish Council is aware of.
- The property is situated in a designated flood zone and to grant permission would not only be at odds with the HNP but also unacceptable in planning terms.
- The application does include a Flood Risk Assessment but it is out of date and therefore cannot be used to support this application.
- Further noted that mobile homes could possibly be considered in a location such as this given the moveable nature of the accommodation but the application also includes a very large day room which is not mobile.
- The HNP states that the choice of scale, height and form means it will fit unobtrusively with the character of the immediate local area and that it will be small scale and will not dominate the immediate surrounding area.
- Consider the amenity block is more akin to a bungalow, given its size, number and description of rooms and therefore not appropriate.

6.2 Environment Agency: Object on the following grounds:

- the site is located in flood zone 3a and according to the National Planning Policy Framework, caravans, mobile homes and park homes intended for permanent residential use are classed as "Highly vulnerable" and should not be permitted in Flood Zone 3a.
- Note the caravans are higher than the 100yr flood level and that there is a distance of over 100 metres from the caravan site along the access road where the flood depth will be 150mm. After around 100 metres, the road level rises and it is only then that dry access can be gained (heading east towards the A274).
- Concerned about emergence access and escape from a flooding event.

7.0 BACKGROUND PAPERS AND PLANS

- 7.1 The development is shown on drawings received on the 11th November and the 22nd December 2015, letter dated the 13th November 2015, Flood Risk Assessment dated the 5th November 2013 and e-mail dated the 17th June 2016 relating to the applicants gypsy status.

8.0 APPRAISAL

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise. In this case the Development Plan comprises the Maidstone Borough-Wide Local Plan 2000. As the site lies within open countryside forming of a Special Landscape Area (SLA) the application is specifically subject to policies ENV28 and ENV34 of the adopted local plan. Policy states ENV 28 states that:

“In the countryside planning permission will not be given for development which harms the character and appearance of the area or the amenities of surrounding occupiers, and development will be confined to:

- (1) that which is reasonably necessary for the purposes of agriculture and forestry; or*
- (2) the winning of minerals; or*
- (3) open air recreation and ancillary buildings providing operational uses only; or*
- (4) the provision of public or institutional uses for which a rural location is justified; or*
- (5) such other exceptions as indicated by policies elsewhere in this plan.”*

8.2 None of the exceptions to the general policy of development restraint apply to this application which therefore represents a departure from the Development Plan. In such circumstances it falls to consider whether there are any overriding material considerations justifying a decision not in accordance with the Development Plan and whether granting planning permission would result in unacceptable demonstrable harm which is incapable of being acceptably mitigated.

8.3 As a point of clarification it is considered the mobile homes fall within the definition of a caravan as set out under Section 13 of the Caravan Sites Act 1968 (as amended). In the event of Members seeing fit to grant retrospective consent for this development an appropriate condition will be imposed to secure this.

8.4 The key issues in relation to this application are therefore considered to be (a) principle (b) visual impact (c) landscape and heritage (d) sustainability (e) impact on general and residential amenity (f) highway safety (g) wildlife considerations and (h) flooding.

PRINCIPLE OF DEVELOPMENT

8.5 The site lies in open countryside and is therefore subject to policy ENV28 of the adopted local plan.

8.6 Policy ENV28 relating to development in the countryside states, amongst other things, that;

“Planning permission will not be given for development which harms the character and appearance of the area or the amenities of surrounding occupiers.”

8.7 Policy ENV28 sets out the type of development that can be permitted in the countryside but excludes G&T development.

8.8 However a key consideration in the determination of this application is Government Guidance set out in ‘Planning Policy for Traveller Sites’ (PPTS) amended in August

2015. This places an emphasis on the need to provide more gypsy sites, supporting self-provision and acknowledging sites are likely to be found in rural areas.

- 8.9 Issues of need are dealt with below but in terms of broad principles Development Plan Policy and Central Government Guidance allows for gypsy sites to be located in the countryside as an exception to the general development restraint policies.

Need for gypsy sites

- 8.10 Although the emerging local plan is well advanced, there are not yet any adopted development plan policies relating to the provision of gypsy sites. Members are reminded that Local Authorities have responsibility for setting their own target for the number of pitches to be provided in their areas in their Local Plans. Maidstone Borough Council, in partnership with Sevenoaks District Council commissioned Salford University Housing Unit to carry out a a Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTAA) dated January 2012. The GTAA concluded the following need for pitches over the remaining Local Plan period:

Oct 2011 – March 2016	-	105 pitches
April 2016 – March 2021	-	25 pitches
April 2021 – March 2026	-	27 pitches
April 2026 – March 2031	-	30 pitches

Total: Oct 2011 – March 2031 - 187 pitches

- 8.11 The GTAA was completed prior to the refinement to the definition of Gypsies and Travellers contained in the revised PPTS published in August 2015. The GTAA is the best evidence of needs at this point, forming as it does part of the evidence base to the emerging Local Plan, and it is considered to be a reasonable and sound assessment of future pitch needs, albeit that actual needs may prove to be a degree lower as a result of the definition change. The current GTAA provides the best evidence of needs available at this point of time and the decision needs to be based on evidence at the time of the decision.

The target of 187 additional pitches is included in Policy SS1 of the Maidstone Borough Local Plan which itself was agreed by Full Council on 20th January 2016 and submitted to the Secretary of State on 20th May 2016.

Supply of Gypsy sites

- 8.12 Accommodation for Gypsies and Travellers is a specific type of housing that councils have the duty to provide for under the Housing Act (2004).

Policy DM16 of the submission version of the Draft Local Plan, by implication, accepts this type of accommodation can be provided in the countryside provided certain criteria are met.

- 8.13 Since 1st October 2011, the base date of the GTAA, the following permissions for pitches have been granted (net): *(NB these figures correct at 29th June)*
- 81 Permanent (non-personal)
 - 15 Permanent (personal)
 - 3 Temporary (non-personal)
 - 33 Temporary (personal)

- 8.14 Therefore a net total of 96 permanent pitches have been granted since 1st October 2011. A further 91 permanent pitches are needed by 2031 to meet the need identified in the GTAA.
- 8.15 The PPTS states that local planning authorities should identify a future supply of specific, suitable Gypsy and Traveller sites sufficient for the 10 year period following adoption of the Local Plan. The submission Draft Local Plan does allocate specific sites and these are sufficient to provide 41 additional pitches by 2031. In addition, it can reasonably be expected that some permanent consents will be granted on suitable 'unidentified' sites in the future. There will also be turnover of pitches on the two public sites in the borough. Overall, by the means of the site allocations, the granting of consents (past and future) and public pitch turnover, the identified need for 187 pitches can be met over the timeframe of the Local Plan. The Local Plan's adoption is currently timetabled for the latter half of 2017.
- 8.16 The PPTS directs that the lack of a 5 year supply of Gypsy pitches should be given weight in the consideration of granting a temporary consent. With the submission of the Local Plan, the council's position is that it can demonstrate a 5.6 year supply of G&T sites at the base date of 1st April 2016. In these circumstances, the PPTS direction to positively consider the granting of a temporary consent does not apply.

Gypsy status

- 8.17 Since this application was submitted, the Government has revised the national planning guidance for Gypsy & Traveller development contained in 'Planning Policy for Traveller Sites' (PTS). The revised guidance came into force on 31st August 2015, with the planning definition of 'gypsies & travellers' being amended to exclude those who have ceased to travel permanently. The revised definition is as follows;

"Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such."

- 8.18 The definition still includes those who are of a nomadic habit of life who have ceased to travel temporarily because of their own, or their dependants', health or education needs or old age. To determine whether an applicant falls within the definition, the PTS advises that regard should be had to; a) whether they had previously led a nomadic habit of life; b) the reasons for ceasing their nomadic habit of life; and c) whether there is an intention of living a nomadic habit of life in the future and if so, how soon and in what circumstances.
- 8.19 The applicant have responded as follows:
- Mr O Harber junior is a Romany gypsy his partner Mia Haffenden is a gypsy showman they both have 2 children and live at 1 Quarter Paddocks Bletchenden Road Headcorn.
 - They live here most part of the year but any time from 3 to 6months of the year they travel to well known settlements and fairs. Appleby fair Westmorland (June), Epsom fair Surrey Wickham (may) Scotland King of the road Stow (May October) Kennel worth (April September)
 - Attend to keep in with gypsy culture though Obie is a horse dealer trading at the above fairs throughout the year.

- In addition to trading horses trade horse all types of horse related equipment from harness to carts
- 8.20 Regarding whether the occupants of the mobile home have lived a nomadic lifestyle and intend to continue living in such a manner, though the submitted information lacks detail it must be taken into account that gypsy and travellers by their very nature, live a more footloose and less regulated lifestyle compared to many in the settled community. However given the family circumstances of the applicant it is considered highly likely that to provide a stable base of for the children, occupation of the mobile home would be for extended periods. This would not however preclude adult members of the family continuing a nomadic lifestyle while one remained to perform family care duties in providing a stable base for the children.
- 8.21 In assessing this application it would have been useful to have times, dates and locations of all events and places of work the occupants of the mobile homes attend. However it must be reiterated that by their very nature G&T lifestyles make monitoring such activities problematic in planning terms. As such, unless the Council is in possession of clear substantiated evidence to refute the occupants claims both of an existing nomadic working lifestyle and intention to continue this lifestyle, such claims must be taken at face value. To go beyond this could be considered an overly forensic approach failing to reflect the realities of G&T lifestyles thereby making the Council vulnerable to claims of discrimination in its dealings with the G&T community.
- 8.22 As such it is considered that based on the submitted details the applicant and adult occupants of the site are gypsies and travellers that have led and will continue to lead a nomadic lifestyle and therefore fall within the revised definition set out above.

8.23 VISUAL IMPACT

- 8.24 Guidance in the PPTS states that Local Planning Authorities should strictly limit new traveller development in the countryside but also states that where sites are in rural areas they not should dominate the nearest settled community and or place undue pressure on local infrastructure. No specific reference is made to landscape impact however, this is addressed in the NPPF and policy ENV28 of the adopted local plan.
- 8.25 Policy ENV28 states that development will not be permitted in the countryside where it would harm the character and appearance of an area or amenities of surrounding occupiers. Policy ENV28 nevertheless makes clear that exceptions will be permitted if justified by other polices contained in the plan.
- 8.26 It is generally accepted that mobile homes comprise visually intrusive development out of character in the countryside. Consequently unless well screened or hidden away in unobtrusive locations they are normally considered unacceptable in their visual impact. Consequently where they are permitted this is normally on the basis of being screened by existing permanent features such as hedgerows, tree belts, buildings or land contours.
- 8.27 In this case, the site of the mobile home for which retrospective planning permission is being sought lies just outside and abutting the south east boundary of the existing lawful G&T site to the north. It is therefore extending the area devoted to G&T development in the locality.
- 8.28 Notwithstanding that the mobile home lies outside the existing lawful G&T site unless there is a clear case of demonstrable harm in visual amenity terms this alone is insufficient reason to resist the proposal.

- 8.29 In assessing the visual impact of the mobile home there is existing screening along Bletchenden Road frontage, another mobile home between it and Bletchenden Road while the distance back from the Bletchenden Road frontage is in excess of 60 metres. Taking also into account the only public views available to the existing G&T site are from Bletchenden Road it is considered the mobile home, the subject of this application, is unobtrusively sited. As such it will have no impact on the rural character of the area materially in excess the visual impact of the existing G&T site to which it will be attached. As such the mobile home does not add perceptibly to the visual impact of the existing G&T site and its impact on the character of the countryside and landscape quality of the SLA is acceptable as a consequence.
- 8.30 The remaining elements of the proposal involve resiting an existing mobile home some 8 metres closer to Bletchenden Road and the erection of a dayroom 8 metres to the rear of this. Dealing first with the resiting of the mobile home, this will still be set over 30 metres back from the road frontage and taking into account the presence of existing screening there will be no material change in the visual impact of this mobile home.
- 8.31 Regarding the day room, the Parish Council considers it comparable in size and impact to a permanent dwelling and is therefore contrary to the provisions of its neighbourhood plan. However as the neighbourhood plan is not yet adopted it can be given little weight in the determination of this application.
- 8.32 Dealing first with the size of the of the building, modern day rooms/utility blocks serving G&T development are now multi functional buildings comprising both family and service functions. The proposed building includes a day room of a size consistent with that approved in connection with other G&T development. The laundry area, boot room, shower room and WC cannot be considered unreasonable requirements while the study is intended as quiet area for the applicant's grandchildren to pursue their education. The remaining element is covered storage for the applicant's antique vehicle which could have been housed in a separate building but in order to avoid the proliferation of separate buildings has been combined with this building. In the circumstances it is considered the size of the building reflects the intended purpose of enabling the applicant to have facilities consistent with modern requirements.
- 8.33 In terms of visual impact, the submitted plans show the building sited behind the mobile home to be resited. This siting will ensure that the lower part of the building will be hidden from public view with only the sloping roof appearing above the mobile home thereby having little visual impact outside the site and no material impact on the rural character and landscape quality of the wider area contrary to the provisions of policy ENV28 and ENV34 of the adopted local plan.

8.34 SUSTAINABILITY

- 8.35 G&T sites are mainly located in the countryside and the development follows this pattern. The development lies abuts a lawful G&T site while compared to many G&T sites the site occupies a relatively sustainable location with Staplehurst just over 1.5 kilometres to the north. As such no objection is identified on sustainability grounds.

8.36 GENERAL AND RESIDENTIAL AMENITY

- 8.37 Given (a) the unobtrusive siting of the mobile home and dayroom and (b) the site is reasonably remote from any houses it is considered it would be difficult to argue any

ongoing significant detrimental impact to the residential amenity in terms of loss of light, outlook, privacy, general noise and disturbance.

8.38 HIGHWAY CONSIDERATIONS:

8.39 The existing G&T site has ample on site parking and turning with good sight lines onto Bletchenden Road. In the circumstances additional traffic generated by the development is unlikely harm to the free flow of traffic and highway safety in the locality.

8.40 WILDLIFE CONSIDERATIONS:

8.41 As this is a retrospective application with the site occupied by the mobile home with the remainder laid out as hardstanding or grassed, it clearly has little wildlife and habitat potential in its current form.

8.42 FLOODING:

8.43 The site is located within Flood Zone 3a and the Environment Agency (EA) continues to raise an objection in principle on flooding grounds to further G&T development at this site.

8.44 The EA confirms the caravans are higher than 1:100 year flood level though there is a distance of over 100 metres from the caravan site to the access road where the flood depth will be 150mm(6ins).

8.45 The EA acknowledges that after about 100 metres the road level rises before dry access is reached heading east on the A274. The key outstanding issue is that of emergency access and escape.

8.46 In connection with application approved under ref: MA/13/1315 the applicants submitted an FRA which in summary stated that while the EA updated its modelling in 2007 which extended the flood zone, when planning permission was granted on appeal in 2009 no flood related issues were raised. Though acknowledging the site is occupied by vulnerable development and vulnerable residents the site has never flooded.

8.47 The applicant set out a detailed response to the EA's objection relating to emergency access and escape which are again summarised here.

- The caravans are clear of the 1:100 year flood level. The caravans and their occupants would be free of flooding in the worst flooding event and could sit out any danger.
- That despite the extreme recent flooding event the site was not flooded neither was the road in front of the site leading to the main road to the east.
- The road is located at the edge of the flood zone such that it would be slow to flood and early drain while any flooding would be of short duration.
- The depth of flooding at 150mm would not present access problems to either vehicles or pedestrians. It is not conceivable that the site would be cut off by this level of flooding while the length of road susceptible to flooding is a short straight stretch.
- The site occupants could sign up to receive EA flood warnings such that any vulnerable persons could make suitable arrangements beforehand.

- 8.48 Public safety continues to be a material planning consideration in assessing this application. However in the absence of evidence that (a) the site has at any time been flooded and (b) apart from the area around the access road, which would only be subject to limited inundation for a relatively short duration, with adequate preparation the applicants and their families would, it appear not be exposing themselves to unacceptable risk. There does not appear to have been any material changes in circumstances to alter this view since planning permission for the adjoining G&T site was granted under ref: MA/13/1315.
- 8.49 Apart from the site access it appears to remain the case that the wider site area has never been flooded. The adjoining G&T site provides accommodation for a number of families that are now well established with links to the locality and the development seeks to further enlarge this family group. Consequently though a sequential test is normally applied in relation to flooding issues, given this family connection it is considered it would be inappropriate to seek to apply such a sequential test here.
- 8.50 As such, given that possible flooding is restricted to the site access and in the absence of evidence to the contrary, the risk to emergency services and resident's alike again looks to fall within acceptable limits. As such there is considered to be insufficient reasons to raise objection to the mobile home being retained on flooding grounds, despite the objections of the EA on emergency access and escape grounds.

OTHER MATTERS:

- 8.51 Government Guidance makes clear that G&T planning applications submitted on a retrospective basis represents a material consideration that should be taken into account in determining such applications. However guidance on how much weight this should be given is not clear while the planning system is not intended to be punitive but rather to secure compliance with legitimate planning objectives. As such when assessed against existing planning criteria though retrospective planning permission is being sought is, on its own, insufficient to weigh significantly against the development.
- 8.52 It has been stated the development is contrary to the Development Plan. Normally in such circumstances press and site notices should be posted. However given the minor impact of the development on its rural surroundings it is considered the impact is insufficient to trigger advertising the development as a departure.

9.0 CONCLUSIONS:

- 9.1 These are considered to be as follows:
- The occupants of the mobile homes fall within the definition of gypsies and travellers contained within the revised Government Guidance.
 - The development is acceptable in its visual impact and will not result in any material harm to the character of the countryside.
 - Has not resulted in any material loss of amenity to dwellings in the locality.
 - Is acceptable in sustainability and wildlife terms.
 - Is acceptable in its highway impact.
 - No objection on flooding grounds.
- 9.2 Given the shortfall of permanent pitches in meeting the provisions of the GTAA, that this site abuts an existing permanent G&T site along with the localized impact of the

mobile home and dayroom, it is considered this site is one where it is appropriate to grant permanent and unrestricted planning permission for G&T use.

9.0 RECOMMENDATION – GRANT PLANNING PERMISSION

1. The site shall only used as a caravan site for gypsies or Travellers and their family and/or dependants, as defined in Annex 1 of the Planning Policy for Traveller Sites 2015.

Reason: The site is in an area where the stationing of caravans/mobile homes is not normally permitted and an exception has been made to provide accommodation solely for gypsies who satisfy these requirements for Gypsy and Traveller Caravan Sites.

2. No more than one caravan and one tourer, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the site at any time unless otherwise agreed in writing with the Local Planning Authority;

Reason: To safeguard the character and appearance of the countryside.

3. No external lighting whatsoever shall be placed on the site without first obtaining the prior approval in writing of the Local Planning Authority. Lighting shall only be installed in accordance with the approved details and retained as such at all times thereafter.

Reason: To safeguard the night time rural environment.

4. No commercial or business activities shall take place on the land, including the storage of vehicles or materials or any livery use.

Reason: To prevent inappropriate development and safeguard the amenity, character and appearance of the countryside.

5. Within three months of the date of this decision details of the method of foul and surface water disposal, general waste disposal and potable water provision shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented within 3 months of approval retained as such at all times thereafter.

Reason: in the interests of health and safety and to prevent water pollution.

6. The dayroom hereby approved shall be constructed in the external materials specified and shall only be used in connection with the use of the site as a gypsy and traveller site and not for any trade or business purpose.

Reason: In the interests of amenity.

7. The development hereby approved shall only be carried out in accordance with the following submitted plans being drawings received on the 11th November and the 22nd December 2015

Reason: In the interests of amenity.

INFORMATIVES:

HIGHWAYS:

It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement

Foul sewage:

The submitted should include the size of individual cess pits and/or septic tanks and/or other treatment systems. Information provided should also specify exact locations on site plus any pertinent information as to where each system will discharge to, (since for example further treatment of the discharge will be required if a septic tank discharges to a ditch or watercourse as opposed to sub-soil irrigation).

If a method other than a cesspit is to be used the applicant should also contact the Environment Agency to establish whether a discharge consent is required and provide evidence of obtaining the relevant discharge consent to the local planning authority.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was acceptable as submitted.

Case Officer: Graham Parkinson

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.