

Directorate of Prosperity and Regeneration
Maidstone House, King Street, Maidstone, ME15 6JQ

DEVELOPMENT CONTROL

Mr M Cotterill
24, DICKENS CLOSE
LANGLEY
MAIDSTONE
KENT
ME17 1TB

My Ref: MA/09/2223
Date: 28 January 2010

TOWN AND COUNTRY PLANNING ACTS

Town and Country Planning (General Permitted Development) Order 1995
Town and Country Planning (General Development Procedure) Order 1995

TAKE NOTICE that **THE MAIDSTONE BOROUGH COUNCIL**, The Local Planning Authority under the Town and Country Planning Acts, has **GRANTED PLANNING PERMISSION** in accordance with the details set out below:

APPLICATION: MA/09/2223

DATE RECEIVED: 4 December 2009 DATE VALID: 4 December 2009

APPLICANT: Mr Robert Schroeder

PROPOSAL: Planning permission for the stationing of 1no. mobile home for a full-time site warden as shown on drawing no. TF/06/10/3 and TF/06/10/6 received on 4th December 2009.

LOCATION: THE FINCHES, CHARTWAY STREET, SUTTON VALENCE, KENT
GRID REF: 583125, 150333

This permission is **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. A mobile home shall initially only be stationed at the site and occupied when the camp site is open for use in the position shown on drawing no. TF/06/10/3 received on 4th December 2009, and thereafter shall only be occupied between 1st February and 31st October (inclusive) each calendar year when required for

Continuation of decision: MA/09/2223

a site warden in connection with the operation and management of the camp site;

Reason: In the interest of visual amenity, to meet the terms of the permission and to ensure that the mobile home is not used as permanent residential accommodation pursuant to policy ENV28 of the Maidstone Borough-wide Local Plan 2000.

This application has been considered in relation to the following policies:

Maidstone Borough-Wide Local Plan 2000: ED20, ENV28

South East Plan 2009: CC6, NRM5, C4

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

Signed



Alison Broom
Director of Prosperity & Regeneration

Date 28 January 2010

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**THIS IS NOT A BUILDING REGULATION APPROVAL**

It is the responsibility of the developer to ensure, before the development hereby approved is commenced, that approval under the Building Regulations, where required, and any other necessary approvals, have been obtained, and that the details shown on the plans hereby approved agree in every aspect with those approved under such legislation.

**TAKE NOTICE** that this decision does not confirm compliance with Section 53 of The County of Kent Act, 1981 and, therefore, it will be incumbent upon the applicant to ensure they comply with the said requirement.

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IMPORTANT:- YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

DUE THURS 28th

File ref: 09/2223

Case Officer: Richard Timms

Date: 27-Jan-2010

Delegated Report

Dec 28/01/10

THE FINCHES, CHARTWAY STREET, SUTTON VALENCE, KENT

Planning permission for the stationing of 1no. mobile home for a full-time site warden as shown on drawing no. TF/06/10/3 and TF/06/10/6 received on 4th December 2009.

Publicity Expiry Date: 13-Jan-2010

Has statutory consultation and neighbour notification been properly carried out? YES

Has the application been properly advertised? N/A

the decision would not conform to the provisions of the Development Plan was accompanied by an EIA is a major development
 would affect a public right of way is of wide public interest affects a listed building affects a conservation area

Is it necessary to consult the Sec. of State (GOSE) before determining this application? NO

T&CP (Shopping Development) (England & Wales) (No 2) Direction 1993 specified retail developments over 2,500m²
 Circular 14/97 'Planning & Historic Environment' Appendix A specified listed building consent applications
 T&CP (Development Plans & Consultation) (Departures) Direction 1999 specified major departures from Development Plan
 Circular 9/98 T&CP (Playing Fields) (England) Direction 1998 loss of specified playing fields
 Circular 8/00 T&CP (Residential Development on Greenfield Land) (Eng) Direction 2000 more than 150 dwellings or 5 hectares of housing

Do the matters considered in this report raise any unique Human Rights issues? NO

POLICIES

Maidstone Borough-Wide Local Plan 2000: ED20, ENV28

The South East Plan 2009: CC6, NRM5, C4

Government Policy: PPS1, PPS7, PPS9

HISTORY

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 – APPROVED WITH CONDITIONS.

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

SITE HISTORY CONSIDERATIONS

This application is directly connected to the approved use as a touring and caravan site.

CONSULTATIONS

Newspaper Advertisement Expiry Date: N/A

Parish Council: Broomfield & Kingswood Parish Council raise no objections to the proposals subject to a condition restricting the occupancy of the mobile home to the times the site is open.

Neighbours: No representations received.

PLEASE PRINT ON YELLOW PAPER

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Other:

Environmental Health Project Manager: No objections to a 24 hour on-site presence.

"As this is a touring and camping site it is advisable that that it is staffed during its open period which can be a very long time in the summer months. It would be better if Tourers and RV were able to enter the site at night rather than park outside. Overall a full time warden to manage the site, enforce site rules, check hooking up, ensure separation distances, control noise and take control in emergencies is a sensible option. This should ensure that the site operates with little disturbance to the surrounding community. It will also aid compliance with licence conditions."

CPRE: Have some concerns and consider the application should be refused. The application for a mobile home must not lead to any permanent occupation of the site; The application mentions that the site manager would be resident from Feb 1st to 30th Nov, longer than the camp is open, and within the closure period; The mobile home would have three bedrooms, so its occupation serves as a residence, yet one person cannot be on duty for 24 hours, and the application mentions 2 full-time employees, without indicating how the labour will be deployed; There should be a daytime and night time manager thus reducing the residential element; The mobile home should be removed for the period the site is shut.

Disabled Considerations: None specific.

Environmental Health Considerations: None specific.

Highways Considerations: None specific.

Public Safety Considerations: None specific.

CONSIDERATIONS

Site Visited: 27th January 2010

This is an application for the stationing of a mobile home for a full-time site warden at the Finches Camping Site, Chartway Street, Sutton Valence. Whilst, the site has a postal address of Sutton Valence it falls within the parish of Broomfield & Kingswood. The application site is within the countryside for Development Plan purposes but not upon land with any special landscape designation.

Site Description

The site is located on the north side of Chartway Street some 140m west of the junction with Charlton Lane. It is roughly rectangular in shape and amounts to approximately 2ha in area with a road frontage of some 240m and depth of around 80m. The site is currently being developed for use as a camping site for which permission was granted under applications MA/09/1220, MA/08/0333 and MA/05/1592 for 20 caravan and 20 camping (tent) pitches from January to October each year. The new site entrance approved under previous applications has been constructed, phased clearance of the spruce trees has begun as has the laying down of site access roads, levelling and seeding of grassed areas and the conversion of the barn to an amenity facility. The west part of the site is open, the single storey steel building is within the centre of the site and there are a number of spruce trees formerly cultivated for Christmas trees still in situ on the east part of the site. The access is within the centre of the site frontage.

Opposite the site on the south side of Chartway Street lies Blue House, a grade II* Listed Building. This is the nearest residential dwelling at 25m from the front

boundary of the site and others to the southeast are over 45m from the edge of the site.

Planning History

Planning permission was granted at Planning Committee in 2006 for a change of use of land and existing barn to a touring caravan and camping site with an amenity building and new access under application MA/05/1592. This allowed for 10 caravan and 10 camping pitches. More recently in June and November 2009, permission has been granted at Planning Committee for an increase in the number of caravan and camping pitches from 10 to 20 under applications MA/08/0333 and MA/09/1220. The site can only be open from 1st January until 31st October each year.

Proposed Development

Permission is sought for a mobile home to provide permanent accommodation for a site warden whilst the site is open. It would be located to the north and at right angles to the amenity building within the centre of the site. The height of the mobile home would not exceed 3m in height and will measure approximately 11.8m x 3.6m. The walls would be pastel coloured with smooth cladding. It is submitted that for management, safety, security and vandalism reasons, a full-time warden needs to be available on site from 1st February until 30th November.

Assessment

As the proposals do not represent permanent all year-round accommodation, I do not consider they should necessarily be subject to the tests set out at Annex A of PPS7 for temporary dwellings in the countryside. However, I do consider the proposals pass the test here where relevant.

The fact that works have begun at the site and recent planning permissions for expansion have been gained to my mind indicates a firm intention and ability to develop the camp site. I also note that under the previous application the applicant stated that there has been considerable interest in the site from preliminary advertising.

I agree with the Environmental Health Project Manager who deals with caravan site licensing that it is reasonable for a warden to be on-site throughout the day and night to manage the site, enforce site rules, check hooking up, ensure separation distances, control noise and take control in emergencies and allow vehicles to enter the site potentially at night. Such management could obviously be carried out in the daytime without living on site, however issues with customers potentially arriving at night and other safety and security issues at this time could not be reasonably provided from another residence outside the site. Clearly, such management would also help reduce potential noise and disturbance. On this basis, I consider there is a reasonable functional need for full-time, on-site presence whilst the site is open.

I do not consider the test as to whether the enterprise has been planned on a sound financial basis is entirely relevant in this case. Clearly, if the enterprise fails, the accommodation will not be required and the warden would have to seek alternative arrangements. The accommodation can be conditioned so that it is only required when the site is in operation.

Visual Impact

The visual impact of the mobile home would be limited in the context of the camp site, where there will be other touring caravans and camper vans etc. In addition, it would be sited behind the existing amenity building so largely screened from Chartway Street. As such, there would no significant harm to the landscape. With this limited visual impact and being over 80m from the Blue House, there would be no affect upon the setting of this listed building.

Residential Amenity

The mobile home would have no significant implications for local residential amenity in terms of noise and disturbance and will potentially help reduce/control this at the camp site.

Highway Matters

The provision of the mobile home and the limited increase in vehicle movements would have no significant implications for highway safety.

Other Matters

I note the CPRE mentions that the planning form refers to 2 full-time employees and considers that there should be a daytime and night time manager thus reducing the residential element. I have spoken to the agent who states that the two employees would be one at the office in the amenity building and the other would be the warden. I consider the proposals to be acceptable for the reason outlined above and do not consider it necessary to insist on a daytime and night time worker. Occupation can be restricted to the annual site opening period.

On this matter, I note the application documents seek occupation from 1st February until 30th November which overlaps the beginning of the closure period (1st November to 31st December) and the agent has verbally explained that this is in order to close down the site. I do not consider it is necessary for someone to live on site in order to close it down and consider occupation should cease on 31st October. I note that the applicant has proposed occupation not occurring again until the following 1st February, which does mean that no one can live on the site during January when the site can in theory be open. This has been put forward by the applicant so I consider 1st February until 31st October should be the period of occupation.

Conclusion

For the reasons outlined above, I consider it is reasonable for a site warden to reside on site whilst the site is open and clearly an approval of this application would not result in a permanent year-round residential use. On this basis, I recommend that permission is granted subject to an occupancy condition.

RECOMMENDATION (AC)

My recommendation is **Approved with Conditions**

DECISION**Conditions or reasons for refusal**

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. A mobile home shall initially only be stationed at the site and occupied when the camp site is open for use in the position shown on drawing no. TF/06/10/3 received on 4th December 2009, and thereafter shall only be occupied between 1st February and 31st October (inclusive) each calendar year when required for a site warden in connection with the operation and management of the camp site;

Reason: In the interest of visual amenity, to meet the terms of the permission and to ensure that the mobile home is not used as permanent residential accommodation pursuant to policy ENV28 of the Maidstone Borough-wide Local Plan 2000.


Informative**REASON FOR APPROVAL (if appropriate)**

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

This application has been considered in relation to the following policies:

Maidstone Borough-Wide Local Plan 2000: ED20, ENV28

South East Plan 2009: CC6, NRM5, C4

Agreed by PPO  Date 28/01/10