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<b>East Peckham</b> East Peckham And Golden Green	<b>567484 148219</b>	<b>12.04.2005</b>	<b>TM/05/01139/FL</b>
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Proposal:	Stationing of snack wagon on existing private car park
Location:	Branbridges Industrial Estate Branbridges Road East Peckham Tonbridge Kent TN12 5HF
Applicant:	A Bailey + Sons Limited

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## **1. Description:**

- 1.1 The application is retrospective and seeks to regularise the use of a private car park for the parking of vehicles and the stationing of a snack van with associated temporary sitting area of plastic chairs and tables.
- 1.2 The snack van is one that has been operated within the Branbridges Industrial Estate for some time on the estate road. The owner of the van has purchased the nature conservation area and its car park next to the Industrial Estate. He has recently changed the daily siting of the van to this land.
- 1.3 The application form states that the van is sited on the car park from 0700 to 1500 hours on weekdays only.
- 1.4 The car park measures 15m by 45m. There is no formal marking of parking spaces. The snack van is sited in the SW corner of the car park. It takes up several parking spaces but other spaces within the car park still remain.
- 1.5 Waste is stated to be disposed of in a bin to the Maidstone Invicta Waste Collection.

## **2. The Site:**

- 2.1 The site is just outside the settlement of East Peckham and is in the MGB. It is in a flood plain. It is close to an area subject to designation as an SNCI.
- 2.2 The application site is a rough surfaced car park adjacent to and accessed via the Branbridges Industrial Estate. It was granted planning permission in 1994 to serve the leisure area adjacent.
- 2.3 To the north and west of the car park is a nature conservation area that was provided as part of the original planning consent for the Industrial Estate. The other sides of the car park area abut industrial units.

**3. Planning History (selected):**

- 3.1 TM/94/00437/FL Approved 10.11.1994  
Conversion of car park for existing industrial estate and formation of car park for leisure area - as planning consent TM/89/1151.
- 3.2 TM/89/1151 Approved 27.02.1990  
Conversion of car park for existing industrial estate and formation of car park for leisure area.
- 3.3 TM/80/1507 Approved 15.10.1981  
Erection of 16 light industrial units with ancillary parking/servicing and construction of access to Branbridges Road, and use of land to rear for recreational purposes.

**4. Consultees:**

- 4.1 KCC (Highways): The car park seems to be overflow parking for the industrial estate and used by visitors to the public footpaths and river facilities nearby. I have no records of traffic problems associated with the use of the facility. On balance, no objections.
- 4.2 EA: No objection but the structure must be securely tied down to avoid it being a moving danger in a flood.
- 4.3 PC: Agreed provided no advertising signs are placed on the public highway verges.
- 4.4 Private Reps + Art 8 Site notice (5/0X/0R/0S). No responses received.

**5. Determining Issues:**

- 5.1 The main issues in this application relate to the acceptability of the change of use in the MGB, the effect in relation to nature conservation interests and the highway implications with regard to loss of parking.
- 5.2 As the site is immediately adjacent to an industrial estate and abuts it on two sides, the car park tends to be viewed in the context of built up development. In my opinion, it is not visually associated with the nature conservation area it serves.
- 5.3 In terms of the MGB, I therefore consider that the change of use of the land is acceptable in principle as, on the individual merits of this case, there is no detrimental impact on the openness of the area or the purposes of including land in the MGB. The siting of the van is relatively minor in scale. It is transient in that it is only on the car park for a proportion of the week. It is small in scale and in terms of visual impact, it displaces what could otherwise be a parked vehicle within a lawful car park. The van meets a local need for such facilities.

- 5.4 The siting of a snack van on MGB land will not always be acceptable and may well have adverse impact on the functioning of the MGB. However, the individual merits of this case persuade me that this particular application is acceptable in the MGB.
- 5.5 In terms of the effect on the nature conservation area, there is no boundary enclosure between the car park and the leisure area. The main harm to the leisure area is likely to be a visual impact from litter. An inspection of the car park after the van had been taken away for the day indicated that it had been left in a tidy state. However, a condition to require more detail on refuse collection and disposal is suggested if Members are minded to approve the application, because of the particular setting adjoining an area of nature conservation importance.
- 5.6 KCC(Highways) has no objection to the application. Site inspections reveal that there is not a shortage of parking on the Industrial Estate and I do not envisage that parking problems on the public highway would arise due to the loss of a few parking spaces due to the snack bar.
- 5.7 The weekend use of the car park for leisure visitors is not affected as the van is stated to be moved off the site at weekends.
- 5.8 Members will be aware that the snack bar has been operating on the Estate for some time and no complaints have been made to either the highways or planning enforcement teams.
- 5.9 The comments of the EA are noted. However, this application relates to a transient siting of a vehicle that would be easily moveable during periods of flood warnings. I therefore consider that an informative regarding the EA's recommendation to secure the snack van is more appropriate than a condition.
- 5.10 I consider the application is worthy of support.

**6. Recommendation:**

- 6.1 **Grant Planning Permission** as detailed by site location plan and application form 2 date stamped 12.04.2005 and subject to the following conditions:
- 1 The snack van and any associated paraphernalia shall not be positioned on the site outside the hours of 0645 to 1515 Mondays to Fridays and not at all on Saturdays, Sundays or Public and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with the terms of the application and to minimise the impact on the Green Belt.

- 2 Within one month of this decision, details of a scheme for the storage, screening and daily off-site disposal of refuse shall be submitted for the approval of the Local Planning Authority. The approved scheme shall be implemented within one month of approval. (R004\*)

Reason: To facilitate the collection of refuse and preserve visual amenity.

Informative:

- 1 You are advised to contact the Environmental Agency with regard to their suggestion that the snack van be securely tied to avoid it becoming a moving danger in the event of flood.

Contact: Marion Geary