

**East Malling &
Larkfield**
Larkfield North

570278 160182

08.11.2005

TM/05/03320/DR3

Proposal: Retrospective application for retention of mobile catering unit used in connection with Leybourne Lakes Country Park
Location: Land East Of A228 And North Of Leybourne Way Larkfield Aylesford Kent
Applicant: Tonbridge And Malling Borough Council

1. Description:

1.1 This is a retrospective planning application for the stationing and use of a mobile catering unit within the Leybourne Lakes Country Park. The approximate size of the mobile catering unit is 1.9m by 4.8m by 2m high. Consent is sought to station the mobile catering unit on the land adjacent to the windsurfing lake. The unit has the ability to be sited in different positions within the application site area, which includes the footpaths and picnic areas.

2. The Site:

2.1 The application site lies to the east of the northern section of Lunsford Lane and to the north of Leybourne Way and the windsurfing lake. The site extends from the gated entrance by Lunsford Lane and along the footpath up to the picnic area to the east just north of an island. The site lies within the Strategic Gap, an ALLI and within a rural area.

3. Planning History (most relevant):

3.1 TM/05/00865/FL Approved 26.04.2005
Siting of a container for the storage of equipment used in the provision of sporting events.

3.2 TM/99/00032/FL Approved 09.12.1999
Creation of country park at Leybourne Lakes inc. access roads, parking, recreation facilities, residential dev. and assoc. access from Leybourne Way on approx. 10ha of site utilising extracted fill.

4. Consultees:

4.1 PC: Object, as numerous complaints have been received about the stationing of this vehicle and litter, smells which are not commensurate with the surroundings. Refreshments should be provided from a purpose built building near to the car park. Why were the people at the windsurfing lake told to cease selling refreshments?

4.2 DHH: No observations.

4.3 KCC (Highways): No objections.

4.4 Private Reps: 18/0X/0S/0R.

4.5 A8 Site Notice: No response.

5. Determining Issues:

5.1 The main issues to be considered are whether the development harms the visual amenity of the locality and whether it harms the amenity of the Country Park.

5.2 The site forms part of the recently formed Leybourne Lakes Country Park and also lies within a rural area, a Strategic Gap and an Area of Local Landscape Importance. The policies associated with these designations are relatively restrictive with regard to new development. However, policy P8/7 of the TMBLP 1998, which deals specifically with Leybourne Lakes, allows for built development for facilities which are necessary to serve the recreation uses of the Country Park. The provision of a catering facility is considered to be necessary as part of the recreational use of the Country Park. General support for recreation, leisure or tourist uses in rural areas is also provided in policy P6/12 of the TMBLP 1998 so long as it does not involve a substantial element of built development. The catering unit is intended to serve the users of the Country Park and is managed by the Borough Council's Leisure Service. Similar facilities have been permitted at Haysden Country Park and Tonbridge Farm sports ground, which are also rural locations. I do not believe that the operation of a relatively small mobile catering unit would be inconsistent with the ethos behind the creation of the Country Park.

5.3 The mobile catering unit is being sited in a number of different locations within the application site, depending on where the demand is on any particular day. The main locations that the unit is stationed are the stopping area, close to the gates by Lunsford Lane, and by the picnic area to the east. The mobile catering unit is removed at the end of each day and given its relatively small size has limited visual impact on the locality or the local landscape, particularly as it is not to be sited in just one defined location. It should also be noted that a number of metal containers, associated with recreational needs have been permitted to the west of the application site and towards the gates to Lunsford Lane.

5.4 The siting of the mobile catering unit has not resulted in any objections or complaints from residential properties, the closest such property being 100m away across the lake. The DHH has not raised any objections and the development does not harm the residential amenity of nearby dwellings.

5.5 I note the PC's concerns regarding the smells from the mobile catering unit not being commensurate with its surroundings, however the principle of catering facilities to serve the recreational and leisure uses associated with the Country Park is considered to be acceptable. No objections have been raised by DHH regarding this matter. Whilst I acknowledge the PC's aspirations for a purpose-

built structure for catering facilities, the Local Planning Authority has to consider the current application as submitted. In terms of the matter of litter, I consider that a condition could be imposed requiring the mobile catering unit to provide a facility for the deposit of wrappers and other waste, which would be removed each night along with the mobile catering unit

- 5.6 In highway terms, KCC (Highways) has raised no objection in relation to traffic movements generated by the mobile unit coming and going to the site. The development is to serve the users of the Country Park, not the wider public. Therefore, the development does not constitute a highway hazard.
- 5.7 In light of the above considerations, I am satisfied that the development does not detract from the visual amenity of the locality and does not harm the amenity of the Country Park, therefore I support this development.

6. Recommendation:

6.1 **Grant Section 73A Approval** as detailed by memorandum dated the 2 November 2005 and by site plan dated October 2005 subject to the following conditions:

- 1 The mobile catering unit shall not be stationed or stored on site overnight.

Reason: In the interests of the amenities of the locality.

- 2 No more than one mobile catering unit shall operate from within the application site at any one time.

Reason: In the interests of the amenities of the locality.

- 3 Receptacles for the placing of litter shall be provided with the mobile catering unit and these shall be removed from the site at the end of each day.

Reason: In the interests of the visual amenity of the locality.

Contact: Aaron Hill