

Aylesford
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573220 157682 30 July 2009

TM/09/01900/CR3

Proposal: Resiting and expansion of Coldharbour permanent caravan site
Location: Land At Coldharbour Lane South Of London Road Aylesford
Kent
Applicant: KCC Gypsy + Traveller Unit

1. Description:

- 1.1 This report relates to a consultation received from Kent County Council on their application for planning permission for the creation of a new Gypsy and Traveller site to provide 18 pitches adjacent to the existing Coldharbour Lane Gypsy site. As part of the application it is proposed to restore, remodel and landscape the existing site. The total site area for the application is 2.68 hectares (incorporating the existing Coldharbour Lane Gypsy site). The development is proposed to be funded through a grant from the Gypsy and Traveller Sites Grant Programme; an application for funding was submitted to HCA by KCC on 30 June 2009.
- 1.2 As noted above, the scheme provides accommodation for 18 pitches, each of which provides, at a minimum, space for a static caravan/trailer (3.7m x 12.8m), space for a touring caravan (2.3m x 7m) and a utility block which contains within it a kitchen/dining area (containing washing machine / dryer etc), bathroom/shower and utility facilities. Each pitch is also provided with one standard and one enlarged parking space allowing for it to be used either for a van or as a disabled parking bay (one per plot allowing for aging residents).
- 1.3 The pitches will be distributed around the perimeter of the site and each would be accessed off a one-way system circulating around a central landscaped island.
- 1.4 A 3m high acoustic barrier will be provided along the northern edge of the site to deflect road noise from the A20; the barrier will also extend 50m along the south west and east sides of the site within the site boundary. The barrier will also restrict views of the site from the A 20 and provide screening for the future occupants.
- 1.5 Access to the site will be via Old London Road to the east of the site (and south of the Police Traffic Headquarters), with the access road running along the northern edge of the existing Coldharbour site until it joins the public highway at the existing roundabout.
- 1.6 As part of this application, it is proposed that the existing travellers' site (in the south east of the overall application site) will be appropriately treated, capped, bunded and subsequently planted with a mixture of native trees to restore this area back into a green-field condition, assist the screening of the new site and protect the area from any unauthorised uses or incursions. The restoration

scheme for this part of the site will be implemented immediately following the relocation of the existing occupants of the site.

- 1.7 The application submission is supported by a planning statement, noise assessment, tree survey, flood risk assessment, habitat and bat survey, transport assessment, site investigation report, contamination report, air quality modelling report and an alternative sites assessment.
- 1.8 As mentioned in paragraph 1.1 above, the application for grant funding from HCA is being considered concurrently with this planning application. It is possible that the detail of the proposal may be amended as a result of consideration of the funding application. If any such changes are known by the time of the Committee meeting, I will advise Members in a Supplementary Report.

2. Reason for reporting to Committee:

- 2.1 This application is reported to Committee due to the nature and significance of the proposal. The application is also a Departure from the Development Plan insofar as land allocation is concerned although the scheme is compliant with policy CP20 of the LDF Core Strategy.

3. The Site:

- 3.1 The site is located to the west of the Old Coldharbour Lane and south of the A20 London Road. The application site encompasses the existing Gypsy and Traveller site which will be remodelled and returned to open land as part of the proposals. The remainder of the site is roughly triangular in shape and comprises an area of grassland and scrub with hedgerows and trees to the boundaries.
- 3.2 The site slopes gently towards the north east and is lower than the adjoining A20 to the north and the Police Traffic Headquarters to the east. The northern boundary comprises an embankment rising up to the A20 which is heavily treed, although the tree belt contains gaps within it, particularly towards the main roundabout connecting the A20 with junction 5 of the M20 (north east corner of the site). The south west boundary comprises an earth embankment with supporting wall and immediately to the south of the site lies the former route of the stopped up highway which extends along the southern edge of the site. Part of the stopped up highway is occupied by the existing Coldharbour Lane Gypsy and Traveller site and lies within the application site. The eastern edge of the site contains mature trees and vegetation, which provide a dense barrier between the site and the adjoining Police headquarters. The trees broadly follow the former line of the Old Coldharbour Lane, which forms much of the eastern boundary of the site.

4. Planning History:

- 4.1 None relevant to the application site.

5. Consultees:

By KCC

- 5.1 PC: Comments awaited.
- 5.2 Neighbours: Comments awaited.

By TMBC

- 5.3 DHH: This scheme is the result of a Project Board consisting of staff from the Borough Council and KCC, and as such is supported. The submitted reports adequately address concerns about noise and air quality and I would recommend that the noise mitigation measures be the subject of a planning condition.

6. Determining Issues:

- 6.1 This application arises following efforts by the County Council working in partnership with the Borough Council to address the needs and provision for Gypsy and Travellers accommodation in the Borough.
- 6.2 The application has its background in the Gypsy and Traveller Accommodation Assessment for West Kent which was submitted to the South East England Regional Assembly in October 2007. This study indicated that there was a Borough-wide need in the order of 10 additional pitches over the next five years. This study was prepared to inform the recently published consultation version of the partial review of South East Plan. That consultation puts forward a preferred option of 18 net additional Gypsy and Traveller pitches in Tonbridge and Malling Borough to 2016. However, the precise number of pitches required by the South East Plan has not yet been finalised, and will not be known until the partial review of the South East Plan has been completed in 2010. Clearly the accommodation proposed for the application site would significantly address the level of provision that the Borough is likely to need to identify and this would assist the Council in resisting other unauthorised or alternative proposals that may be deemed inappropriate on other grounds.
- 6.3 Policy CP20 of the Tonbridge and Malling Borough Core Strategy 2007 relates specifically to the provision of sites for gypsies, travellers and travelling showpeople. Policy CP20 states that provision will be made (either through the LDF process or through specific planning permissions) for the number of plots specified in the South East Plan on sites that meet certain criteria, as set out in the policy. One of these requirements is that there is an identified need that cannot reasonably be met on an existing or planned site. Another requirement is that residential or rural amenity should not be prejudiced as a result of visual intrusion or other factors. The other requirements relate to site specific issues such as accessibility to the site, and the site's being accessible to local shops, schools and

other community facilities. Importantly, in addressing how such provision should be made, first consideration is to be given to expanding existing gypsy sites.

- 6.4 Given the identified need for additional pitches the main considerations with this consultation are the principle of the development in this location, potential alternative sites, the design and layout of the development, operational and environmental issues arising from the development.
- 6.5 The site is within the countryside and also the Strategic Gap as defined in Policy CP5 of the Tonbridge and Malling Borough Core Strategy 2007. This Policy states that unless justified by special circumstances development will not be permitted that would harm the function of the mid-Kent Strategic Gap as a physical break maintaining the separation and separate identities of the built up areas of Maidstone, Medway Towns and the Medway gap.
- 6.6 Extensive studies have been carried out into 21 potential alternative sites across the Borough but it has been concluded that this site was the most appropriate solution for future residents and for the local residents. Although the proposal is a Departure from the Development Plan as the land is within the Strategic Gap it is considered that when assessing the site against the criteria set out in Policy CP20 the circumstances of the development justify the development in this location as long as the design and impact of the proposal can be appropriately managed and minimised..
- 6.7 The layout of the site has been designed to provide for the 18 pitches to be arranged in a triangular pattern around a central access road. Each plot would have a kitchen, bathroom and storage building adjacent. These have been designed to be residential in character and appearance but do not provide any habitable accommodation. The layout of the site featuring a one-way road system provides for adequate manoeuvring space and also appropriate parking provision for each pitch.
- 6.8 Additional landscaping is proposed to the site boundary to reduce the impact of the development on the surrounding countryside. A 3 metre high acoustic fence is proposed to the north and the northern end of the east and west site boundary to shield the development from road traffic noise from the A20 to the north of the site. To soften the impact of this fence it is proposed to plant climbing plants on it to minimise the impact on the surrounding countryside. The acoustic fence also assists in improving the potential air quality of the site by acting as a barrier to traffic pollution.
- 6.9 The site is well located to take advantage of nearby services and facilities and the Gypsy and Traveller Unit have confirmed that the site is within accessible travel distances to local schools and community facilities. The application states that KCC will ensure adequate school provision in the area including any demands created by expanding the Coldharbour site.

- 6.10 The proposed accommodation will be important in planning terms to address the locally identified need. Consequently, as part of any planning permission a condition should be imposed to ensure the submission and agreement of an allocations scheme in order to secure and govern the occupation of the proposed units in accordance with those future identified local needs. This is not a conventional use of a planning condition in general terms but due to the specific circumstances of meeting identified local demand that underpins this proposals it is deemed an appropriate and reasonable approach on this occasion.
- 6.11 The removal of the existing Coldharbour Gypsy site and its restoration to a green field site would be a significant benefit to the surrounding landscape and provide a somewhat compensatory effect in terms of the impact on the Strategic Gap.
- 6.12 In conclusion, although the site is within the Strategic Gap and the countryside it is considered that it is a sustainable location. The scale of the development, access to services, utilities and the potential for acoustic and visual containment all weigh in favour of development in this location. There is a pressing need to provide additional accommodation of this nature if the Borough Council is to be better placed to resist ad hoc proposals elsewhere. Studies have not revealed any alternative sites that would be both suitable and readily available to meet identified needs. The development accords with adopted national and local planning policy and it is therefore considered appropriate to raise no objections subject to KCC securing appropriate controls and management arrangements for the letting and allocation of the plots,, the provision of necessary fencing and landscaping, the treatment of the restoration of the existing site, ecological enhancement measures and appropriate lighting details.

7. Recommendation:

- 7.1 **Raise No Objections** in accordance with the following submitted details: Design and Access Statement dated 27.07.2009, Air Quality And Odour Survey dated 27.07.2009, Habitat Survey Report dated 27.07.2009, Noise Assessment D124201/02 (FINAL) dated 27.07.2009, Transport Statement dated 27.07.2009, Soil Report dated 27.07.2009, Desk Study Assessment dated 27.07.2009, Tree Report dated 27.07.2009, Flood Risk Assessment dated 27.07.2009, Plan 5067/CP/01 dated 27.07.2009, Plan 5067/CP/02 C dated 27.07.2009, Plan 5067/CP/03 C dated 27.07.2009, Plan 5067/CP/04 C dated 27.07.2009, Existing Plans 5067/PL/101 dated 27.07.2009, Proposed Plans 5067/PL/114 C dated 27.07.2009, Location Plan 5067/PL/100 dated 27.07.2009, Plan 5067PL/111 H dated 27.07.2009, Site Layout 5067/PL/112 B dated 27.07.2009, Elevations 5067/PL/120 dated 27.07.2009, Elevations 5067/PL/121 dated 27.07.2009, Section 5067PL/130 dated 27.07.2009, Section 5067PL131 dated 27.07.2009, Elevations 5067/PL/140 dated 27.07.2009, Landscaping 1580/01 1 of 2 dated 27.07.2009, Landscaping 1580/02 2 of 2 dated 27.07.2009, Letter dated 30.07.2009, Assessment dated 30.07.2009, Planning Statement JF/730611.038.001 dated 30.07.2009, Statement dated 30.07.2009, Schedule

dated 30.07.2009, Other TEST CERTIFICATE dated 30.07.2009, Details dated 30.07.2009, Photographs dated 30.07.2009, Plan EBS 0207/1 dated 30.07.2009, Plan EBS 0207/2 dated 30.07.2009, Plan ELBS 0207/1 dated 30.07.2009, subject to the imposition by KCC of conditions addressing the following issues:

- To secure a letting and allocations plan to manage the occupancy of the site in order that it provides for locally generated demand for Gypsy and Traveller accommodation;
- To secure the provision of fencing and landscaping to specifically include a 3m acoustic and visual barrier along the northern boundary of the site;
- To achieve the restoration, treatment and security of the existing site
- The submission and implementation of ecological enhancement measures;
and
- The submission of lighting details.

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