

MC/18/0288

Date Received: 25 January 2018

Location: Allhallows Golf Course Avery Way Allhallows Rochester

Proposal: Change of use of land for siting of 81 park homes for the purpose of permanent residential accommodation by persons over 50 years old and associated amenity space and allotments, permissive footpath, new pond and alterations to existing pond

Applicant Turners Britannia Parks Ltd

Agent Mr James Wells
GVA Grimley Ltd
65 Gresham Street
London
EC2V 7NQ

Ward: Peninsula Ward

Case Officer: Majid Harouni

Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 20th March 2019.

Recommendation - Approval subject to:

- A. The applicants entering into agreement under Section 106 of the Town and Country Planning Act to ensure:
- i. Secure a minimum of 25% affordable housing equating to 20 dwellings. In this instance, the Council's housing section has sought commuted sum of £226,561.00 to facilitate affordable housing provision to be provided elsewhere in the borough.
 - ii. A contribution of £13,677.66 toward waste and recycling
 - iii. A contribution of £49,981.66 towards the reconfiguration and equipping of premises that provide community health services, including but not limited to, the Walter Brice Centre.
 - iv. A contribution of £127,719.25 towards outdoor Open space and Cross Park

- v. A contribution of £8444.00 toward mitigation against the footfall that will occur on the adjacent PROW RS12, RS10, RS9, RS8 and RS4 footpaths as a result of the development.
- vi. A contribution of £19,408.41 toward Habitats Regulations (mitigation against Wintering Birds).
- vii. A contribution of £317,750.00 towards new community facilities including a new village community centre and associated car parking at Cross Park
- viii. A contribution of 13,053.15 towards the improvement of local library facilities.

B. And the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plan:

GVA/02B526836/01, 804.3/101 Rev A, TSP/TBP/P3355/03 Rev B, TSP/TBP/93355/02 Rev C, surface water management drawing 001 Rev P2 and 002 Rev P2, received 25/01/2018 13/09/2018 received 02/10/2018,

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The total number of static caravans on the site shall not exceed 81 no at any and time and the caravan site layout shall be as shown on the submitted layout plan, 804.3/101Rev A received on 13/09/2018.

Reason: To avoid an overcrowded and to ensure that no alterations could be made to the layout, siting or number of caravans on the site which could potentially impact on the character, appearance, trees, landscape or biodiversity of the site and in accordance with Policies BNE1, BNE2, BNE37 and BNE43 of the local plan.

- 4 No outdoor living space including veranda, decking, canopy, balustrades or ramps shall be incorporated into the external aspects or within the grounds of the individual caravan until details of such external addition and associated finish materials to be used have been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the outdoor spaces permitted shall conform to those approved.

Reason: To avoid over development of the site and in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy BNE1 of the local plan.

- 5 Prior to the first occupation (or use) of any part of the development hereby permitted, the overall landscape strategy for the site and full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. Details that will be required to be submitted include details of a green infrastructure that meanders through the space and helps to:

- 'anchor' the caravans to the site and coordination with the ecology mitigation measures,
- Details of boundary treatments on the site or defining caravan plots,
- Details of street furniture (including any lighting bollards, seating, bins, signs, which are expected to be provided in timber),
- Exact location of swales and details of their depth and pond planting,
- Details of the footpath trail (levels, surfacing, construction detail),
- Coordination of landscape proposals with pedestrian link to the adjoining caravan park,
- Details (including cross section drawings) of existing and proposed levels for all external earthworks associated with the landscape proposals including the basin,
- A general arrangement plan of the landscape proposals which must include trees and hedgerows to be removed, retained and proposed.

The approved landscape scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation

Reason: To ensure a satisfactory development that is sympathetic to the landscape and rural character of the surroundings, and in the interests of visual amenity in accordance with Policy BNE 43 of the local plan.

- 6 Prior to the commencement of any development, a scheme for the protection of trees, hedges and green infrastructure to be retained on site and along the full length of the boundary shall be submitted to and approved in writing by the local planning authority. All trees and hedgerows to be retained must be protected by barriers and or ground protection in accordance with BS5837 (2012) "Trees in relation to Construction Recommendations". No work shall take place on site until full details of protection have been submitted to and approved in writing by the Local Planning Authority. The approved barrier and/or ground protection measures shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed nor

fires lit, within any of the area protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground level changed, nor excavations made within these area without the written consent of the Local Planning Authority.

Reason: To Safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development in compliance with Policy BNE 43 and NPPF.

- 7 Prior to the first occupation of any part of the development hereby permitted, a landscape management plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas shall have been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy BNE6 of the local plan.

- 8 No external lighting, street lighting or flood lighting shall be installed on the site until full details have been submitted to and approved in writing by the Local Planning Authority. Any proposals for lighting should incorporate an ecologically sensitive lighting scheme to reduce impacts on bats (protected species) which should be in consultation with a qualified Ecologist. The lighting scheme shall be installed and retained in accordance with the approved details and maintained thereafter.

Reason: In the interests of the amenities of the locality and to provide ecological protection and enhancement in accordance with Policies BNE2, BNE5 and BNE37 of the local plan.

- 9 Prior to the commencement of the development hereby permitted, an air quality scheme that implements the measures described in the air quality assessment reference J3084 dated June 2018 shall be submitted to and approved in writing by the Local Planning Authority. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of amenity and in compliance with Policy BNE24 of the local plan.

- 10 Prior to any works commencing on site (including vegetation clearance) that a detailed reptile mitigation strategy must be submitted to and approved in writing by the Local Planning Authority. The reptile mitigation strategy must reflect the information detailed within the Reptile Survey Report; Hankinson Duckett

Associates; June 2017 and provide details of interim management to be implemented until the site wide management plan is operational. The strategy must be implemented as detailed within the approved plan.

Reason: In the interest of protection of the protected species and in compliance with Policy BNE39 of the local plan.

- 11 Within 3 months of works commencing on site (including vegetation clearance) a site wide management and ecological enhancement plan must be submitted to and approved in writing by the Local Planning Authority. The plan must include the following:
- Map showing the area to be managed and locations of ecological enhancements
 - Simple 5 year rolling management plan
 - Details of ecological enhancements

The works must be implemented as detailed within the approved report.

Reason: In the interest of protection of wildlife habitat and in compliance with Policy BNE37 of the local plan.

- 12 No development above ground floor slab level of any part of the development hereby approved shall commence until details of the specification of bird and bat boxes on the buildings and their precise locations have been submitted to and approved in writing by the Local Planning Authority. The approved bird and bat boxes and position shall be erected/installed before the occupation of the individual buildings/dwelling houses are occupied and the boxes shall be retained in perpetuity.

Reason: In order to compensate for the present potential wild life and birds nest sites in accordance with Policy 37 of the Local Plan.

- 13 Prior to the commencement of the development hereby permitted a construction and environmental management plan, that should details in respect of the following shall be submitted to and approved in writing by the Local Planning Authority:
- i. the parking of vehicles of site operatives and visitors
 - ii. the routeing of construction traffic throughout the construction process and the mechanism for securing adherence to approved routes.
 - iii. loading and unloading of plant and materials
 - iv. storage of plant and materials used in constructing the development the erection and maintenance of security fencing
 - v. wheel washing facilities including removal of mud from the highway
 - vi. measures to control the emission of dust and dirt during construction
 - vii. details of the construction hours and noise control
 - viii. a scheme for recycling/disposing of waste resulting from the construction works

The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and amenity of the area and in compliance with Policies BNE2 and T1 of Local Plan.

- 14 No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, phasing (where appropriate) implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.
Those details shall include (if applicable):

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage surface water during and post construction and for the lifetime of the development.

- 15 Prior to the occupation of the development, a signed verification report to confirm that the Sustainable Drainage System constructed is as per agreed scheme and plans. The report shall be carried out by a qualified drainage engineer (or equivalent). The report shall be submitted for approval in writing by the Local Planning Authority. The approved drainage system shall be maintained as approved thereafter.

Reason: To ensure that the development will not result in an increase flood risk on or off site and in compliance with paragraph 103 of the NPPF.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or Orders amending or revoking and re-enacting the same, no works constituting development required by the conditions of a site licence for the time being in force under Part I of the Caravans Sites and Control of Development Act 1960, shall be commenced without the prior approval in writing of detailed plans and specifications by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control and secure a satisfactory development of the site in accordance with Policies BNE1, BNE2, BNE37 and BNE39 of the local plan.

- 17 The caravan site hereby permitted shall not be first occupied unless and until provision for the storage of refuse/recycling has been made for each caravan in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of refuse/recycling facilities is provided in the interests of amenities and in compliance with Policy BNE2 of the local plan.

- 18 The access shall not be used until vision splays 59 metres x 2.4 metres have been provided on both sides of the vehicular access point(s) and no obstruction of sight, including any boundary treatment, more than 0.6m above carriageway level shall be permitted within the splays thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policy T1 of the Medway Local Plan 2003.

- 19 The caravans herein approved shall not be occupied until the area shown on the submitted layout TSP/TBP/93355/02 Rev C as vehicle parking space, has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

- 20 The caravans shall not be occupied until details of secure private cycle parking provision in the form of individual lockers and for visitors have been submitted to and approved in writing by the Local Planning Authority. The cycle parking facility shall be implemented in accordance with the approved and shall thereafter be retained.

Reason: To ensure the provision and permanent retention of bicycle spaces in accordance with Policy T4 of the Medway Local Plan 2003.

- 21 Prior to the first occupation of the residential caravans hereby approved details of electric charging points for the future residents of the caravans shall be submitted to and approved in writing by the Local Planning Authority. No caravan shall be occupied until the approved electric charging points are provided and all approved electric charging points shall thereafter be retained.

Reason: To ensure that provision is made for the parking and charging of battery powered cars in compliance with Policy BNE24 of the Local Plan and in compliance with paragraph 105(e) of the NPPF.

- 22 Prior to the occupation of the 40th caravan the proposed allotments land as shown in drawing 804.3/101Rev A and associated water supply and enclosure shall be made available for cultivation. Thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the allotment land so shown or in such a position as to preclude the use of the land as a allotments.

Reason: In the interests of amenity and in compliance with paragraph 91 and 92 of the NPPF.

- 23 The caravans hereby permitted shall not be occupied by any person under the age of 50 years old.

Reason: To limit impact on education and highway infrastructure and in compliance with Policies, CF6, T1, and T13 of the local plan.

- 24 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To safeguard the archaeological interest in the site in accordance with Policy BNE21 of the Medway Local Plan 2003

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This application is for a change of use of land from Golf course to a residential static mobile home/caravans park use involving stationing of 81 static mobile homes, and associated estate road, car parking for individual mobile homes, visitors parking and 3 car parking spaces for the users of the proposed 10 allotment spaces, landscaping comprising open space, 10 allotment plots, ponds, a permissive footpath and associated amenity/recreational area.

The proposed caravans and the associated facilities are for the people over the age of 50 and their spouse. Children under the age of 50 would not be able to occupy these units.

Site Area/Density

Site Area: 6.36hectares (15.71 acres)

Site Density: 12.85dph (5.15 dpa)

Relevant Planning History

ME/94/0552	Construction of a 9 holes golf course. Refused by Rochester Council Appeal allowed on 24/10/1995
ME/90/1025	Change of use of amenity space ancillary to Kingsmead Park Mobile Home Park to form an extension of the mobile home park. Refused 30.04.91 Appeal dismissed 01/11/91
ME/89/1062	Change of use of amenity space ancillary to Kingsmead Park mobile home-park into an extension of the mobile home park Refused 12/12/89

Representations

The application has been advertised on site and in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties.

6 letters of representations have been received raising the following concerns:

- Inadequate medical facilities (doctor and dental surgeries) in the village.
- Poor level of public transport service, 1 per hour until 10.20 and then every 2 hours during the day time and none after 19.00 hours.
- Lack of leisure facilities in the village.
- Potential impact on the archaeology during the construction period.
- Additional noise and disturbance from traffic and movement of large lorries during the construction period.
- Additional cars from the residents of 81 new mobile home will add to the traffic on the local roads and the village.
- The proposal will impact on the existing infrastructure.
- Cross Park should be kept as it is.
- Loss of trees will impact on wildlife

Local MP Kelly Tolhurst has written in support of her constituent who has objected to the development as set out above.

Allhallows Parish Council has written making the following comments:

- The S106 commitment to enhance the community facilities is welcome and a planning application for these works has now been submitted (MC/18/3181 Construction of a single storey extension to community hall, extension to existing parking area and provision of outdoor sport facility with associated bin/cycle store (removal of existing portacabin. The extension of car parking is welcome.

- S106 commitments to medical facilities are welcome, although it is recognised the opening hours of the Allhallows Surgery are very limited and do need to improve - this is a matter for the practice concerned and additional residents will strengthen the case.
- Transport remains an issue, with several morning buses skipping Allhallows on the way to Stoke and Grain. Additional residents will support the need for Arriva to revisit this.
- Archaeological - We have yet to see what is proposed here. Although chalets are going to be something that will limit the damage to the land, we would expect a study to be carried out (building on previous work that identified some ancient remains).
- Development Traffic is something that can be agreed through a local scheme of works - identifying lorry movements and times of operation.
- Most of the issues under the direct influence of the applicant have been addressed, although some will need to be included as planning conditions should this application be approved. If this is done the parish council would support the application.

Southern Gas Network has no objection. No gas line runs through the site.

UK Power Network has no objection. No power line runs through the site.

Southern Water comment that a public sewer runs through the site and the final position of the structures on site must be determined with full consideration of the exact location of sewer.

Natural England advise that the application is not likely to have a significant effect on the nearby designated nature conservation site provided an appropriate financial contribution can be secured in order to carry out appropriate strategic mitigation measures.

KCC Ecology comment that they are satisfied with the detail of the outline reptile mitigation proposed would be acceptable subject to a condition that a detailed reptile mitigation strategy must be submitted for written approval by the LPA. Similarly they have no objection in relation to impact on bats .subject to the appropriate condition regarding submission of a sensitive lighting scheme to avoid impacts on foraging bats and the prevention of light pollution.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this

application have been assessed against the National Planning Policy Framework 2019 and are considered to conform.

Planning Appraisal

Background

The application site is an irregular shape area of land currently used as a 9 holes golf course. This facility is significantly under-used and currently struggles as a business which makes its upkeep and maintenance difficult.

The site is enclosed by two and three storey dwelling houses to the north, outdoor sports ground and associated pavilion building and Allhallows Primary School to the west and farmland to the south.

Except for the access point of the site which is from Avery Way, a significant part of the application site is not within the Allhallows village confines.

The applicant owns and operate Kingsmead Park Allhallows residential caravan park to the east of the application site. The applicant also operates 38 other residential parks across the country. Kingsmead Park is a long established residential community with permission for 146 residential mobile homes providing accommodation for people of 50 years of ages.

The proposal would appear as an extension to the Allhallows caravan park even though they would have separate vehicular access points.

Amended plans have been received during the consideration of the application which has reduced the spread of caravan pitches and increased the extent of the landscaped areas, open spaces and amenity areas through-out the site and in particular along the south-west corner of the application site, resulting in visual improvement to the appearance of the scheme in this rural setting.

The 81 static caravans would be sited along the eastern boundary of the site and occupy about 3.5 hectares of the 6.3 hectares. The remaining 2.8 hectares would form the allotment and amenity area of the development. This would give the development a true density of just over 23 dph.

The proposed 81 static caravans would be the permanent place of residents for the future occupiers and not as a holiday let associated with tourism and recreational use.

The existing park home site benefits from a Residential Caravan Site Licence (ref: MC/079) dated 13 June 2014. This site licence limits the maximum number of static residential units on the adjoining site. The site layout is governed by the standard site licensing spacing requirements and density standards for caravan units. Condition 2 (i) of

this licence requires that caravans are sited at a distance of no less than 6 metres from one another.

The application site would be the subject to a separate site licence, if permission is granted, which will control the spacing between an individual mobile home and associated garden and parking.

The western part of the golf course will be converted into amenity area for use by all the residents of caravan park homes.

The All-Party Parliamentary Group on Housing and Care for Older People highlights the massive problem of under-provision of affordable homes for older people seeking retirement on lower incomes. The report found that there are over 8 million people over 60, in 7 million homes, who are interested in downsizing.

It also found that the number of homes built specifically for older people has fallen from 30,000 per year in the 1980s to just 8,000 a year today, and that up to 50% of older people in some areas, typically the South East, are priced out of retirement housing.

Section 124 of the Housing and Planning Act 2016 places a duty on local housing authorities to consider the needs of people residing in or resorting to, their district with respect to the provision of sites on which caravans (park homes) can be stationed. Indeed the council's own planning policies seek to retain this form of accommodation at Kingsmead Park due to the contribution it makes to the stock of affordable housing for older people. This proposal presents a positive opportunity for the council to better acknowledge and address the local need and demand for park home housing, and in doing so fulfil its duties under the Act.

Legal Definition of Caravan & Caravan Site:

In consideration of this proposal, it is important to clarify the statutory definition of a caravan and of a caravan site which is contained within the Caravan Sites and Control of Development Act 1960, section 29(1) as extended by the Caravan Sites Act 1968, section 13. The result is that 'caravan' includes both:

a) Any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include (a) any railway rolling stock which is for the time being on rails forming part of a railway system, or (b) any tent; and b) Such a structure which is designed or adapted for human habitation which (a) is composed of not more than two sections separately constructed and designed to be assembled on site by means of bolts, clamps or other devices; and

b) is, when assembled, physically capable of being moved by road from one place to another (whether by being towed or by being transported on a motor vehicle or trailer), subject to the restrictions on dimensions (length 20m, width 6.8m and height 3.05m)

Planning permission is therefore sought for the change of use of the land for a residential caravan park, access, landscaping and open space. Planning permission is not required for static caravans themselves as defined in (b) above as this would not amount to development as defined within Section 55 of the Town & Country Planning Act 1990.

On 20th Feb 2019 revised NPPF was published and paragraph 177 states:

The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

As indicated in the consultation section above Natural England was consulted. NE has undertaken an appropriate assessment of the impact of the proposed development on the habitats sites and has no objection subject to the financial contribution being made by the applicant in order to carry out mitigation measures to protect the habitat sites. The applicant has agreed to the contribution (see section 106 part of this report).

Principle

Paragraph 11 of the NPPF sets out a clear presumption in favour of sustainable development. For decision making this means approving development that accords with an up to date development plan or (paragraph 11d) where the policies in the development plan are out of date because the LPA cannot demonstrate a 5 year supply of deliverable housing sites, assessing proposed sites in terms of their sustainability.

The application site except for its access point is outside the built confines of Allhallows and within the area designated as new leisure, open space and new play area where policies L2, L6 and L7 of the local plan are relevant. These policies seek to restrict the use of the land and control the supply of land for housing. Those elements of these policies which seek to control the supply of land for housing are considered to be out of date, as Medway cannot currently demonstrate a 5 year supply of deliverable housing land.

Taking the NPPF 3 objectives of sustainable development in turn:

Economic – The proposal would bring into much more beneficial and effective use the 9 holes golf course land. The proposal will generate employment opportunities during the construction period and will generate a small number of other job opportunities relating to landscaping and maintenance post construction. These jobs will help to boost the local

economy. Also, additional spending by new residents will help to support existing local shops, services and facilities.

Social – the NPPF confirms that social objective is: “to support, strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of the wider community including older generation and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect and support communities, health, social and cultural wellbeing”.

The proposal will provide relatively low cost and affordable housing for over 50s and provide opportunities for those who wish to downsize and yet stay in their own community. Furthermore, the applicant is also making commuted sum payment so that offsite affordable housing provision can be provided.

In addition, the proposal makes a special contribution for the improvement and extension of the sports pavilion just to the west of the application site as well as provision for 10 allotments. It is considered all these provisions would help to enhance social cohesion and sense of community in the village.

Environmental – The golf course is not well used and maintained at present and is not a secure environment.

It is a material consideration that the use of the application site as a golf course (leisure use and play area) has not been well used in recent years. Furthermore, the loss of application site as a 9 holes golf course would not be a significant loss as there is another 9 holes golf course short distance away within the grounds of Allhallows Caravan Park.

As the submitted layout plan shows the proposed caravans and road infrastructure would occupy the eastern part of the golf course site and a substantial part of the golf course ground will remain as open space and allotment. The proposal would result in the creation of a new publicly useable open space, allotment and landscape areas which would provide a more functional and usable natural environment. Also, proper use and maintenance of the land and new mobile home and pedestrian connectivity would result in the creation of a much more secure and attractive environment.

Moreover, the applicant is making a financial contribution in order to facilitate upgrading of the existing sports facilities on the adjoining land to the north, within the application site and off-site.

In terms of a traditional assessment of sustainability it is important to note that the application site is adjacent to Allhallows village and Kingsmead Park Allhallows where a range of shops, services and community facilities and public transport to the nearby towns already exist. In addition, as part of Section 106, the developer's contribution, will be secured to improve the existing infrastructure.

It is considered that having regard to the above the proposal in this location is capable of forming a sustainable development that would be in accordance with NPPF guidance. The proposal to provide park homes is considered acceptable in principle subject to other considerations including landscape impact, visual amenity, residential amenity and highways matters.

Landscape and Visual Effects

The application site is enclosed by trees and hedgerows, the proposed layout shows the caravans would be sited to the east of the application site and having regard to the legal definition of dimension of a caravan (length 20m, width 6.8m and height 3.05m), it is considered that the proposed caravans would be low profile within the rural setting and compared with normal bricks and mortar housing development with height of over 8.5m to the ridge would have significantly less visual impact.

The majority of trees on site would be retained to screen the development from the surrounding area and give the caravan park a sense of maturity.

The proposed development would be well screened by the existing two and three storey houses along the northern boundary and Avery Way, the existing caravan park along the eastern boundary and existing trees and hedgerows along the southern and western boundaries will be retained and reinforced by additional landscaping.

It is therefore considered the development would be well screened from wider views from all directions as the retained boundary trees would limit the visual impact of the caravan site within the wider landscape.

The proposed development would re-grade the land to a more natural landform involving removal of the artificial mounds and hollows of the golf course whilst maintaining levels around trees to be retained.

The caravan pitches would be formally arranged as shown in the proposed layout plan with associated internal road surface system and further spacing between the caravans would allow for more landscaping within the site.

Improvements to the proposed open space would include additional extensive native tree planting and the establishment of a semi-natural amenity grassland. This would incorporate a range of habitat types including trees; scrub; rough grassland; meadow grassland; and amenity grassland. Also, a new pond and swales would be created to enhance habitat and provide drainage to the open space area. SUDS would be incorporated into the landscape to provide effective drainage; enhance landscape setting; create buffers and enhance ecology and habitat.

New tree planting, within the new caravan park development and on the eastern site boundary would, when established, screen the limited views of the new development from the marshes to the east.

Space has been retained to provide areas of soft landscaping and this would help to 'soften' the appearance of the development, relative to the adjacent caravan park to the east and thus have less impact on the wider countryside setting.

The proposed layout scheme would result in the removal of a small number of trees within the site. The number of trees that will be removed are small in proportion to the overall tree cover on the site and additional trees that will be planting as part of a landscape scheme.

It is considered that the proposed layout would make an efficient use of the site and provided amenity area, it is therefore recommended that a planning condition be imposed to restrict the number of caravans on the site to 81 and the layout as shown on the submitted layout plan, 804.3/101Rev A. This would ensure that no alterations could be made to the layout, siting or number of caravans on the site which could potentially impact on the character, appearance, trees, landscape or biodiversity of the site.

Subject to appropriate conditions, It is therefore considered that the proposed scheme would not have a significant impact on the overall landscape character of the area or conflict with policies BNE6, BNE42 and BNE43 of the local plan.

Flood Risk

The application has been accompanied by a flood risk report. The NPPF in Paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from those areas at the highest risk.

The application site is situated in Flood Zone 1; the proposed site is considered to be at low risk of tidal, fluvial, surface water, groundwater, sewer, reservoir, and artificial sources flooding. The submitted FRA has applied a Sequential Test described at Paragraph 157 of the NPPF, concluding that as the site is located in Flood Zone 1 development should be deemed appropriate.

Suds and Drainage

Details of the existing and proposed site drainage have been submitted which are acceptable subject to the appropriate condition regarding the implementation and management of the surface water management conditions.

Ecology

The application is support by ecological appraisal (EA) reports. The EA identifies that the site has the potential to provide foraging habitat for reptiles, dormice, great crested newts and bats. The assessment has identified that mitigation measures will be required, including space for translocation of reptiles.

The applicant's ecologist has proposed a number of mitigation and enhancement measures within the Habitat Creation and Management Plan, to mitigate the impact of the development on protected species. These measures include the enhancement of the remaining open space to the west of the caravan park for the protected species on the site through the supplementary planting of shrub species, installation of bird and bat boxes, dormouse nest boxes, creation of reptile translocation area, management and the formation of a Sustainable Urban Drainage System (SuDS) pond designed for creation of wider habitat and diverse ecology.

It is considered that the proposal would be acceptable subject to the appropriate conditions and is therefore in accordance with Policy BNE37.

Highways

The applicant has submitted a transport assessment report. The report uses traffic data from the existing park home development to predict that the development would generate 161 vehicle movements per day (83 arrivals and 78 departures). As the occupiers of the park would be over the age of 50, it is predicted that the number of movements during the peak hours would be lower than the norm. Taking into consideration the vehicle trips generated by the existing use of the site, it is considered that this level of traffic would not have a significant impact on highway safety and capacity on the local network, subject to the provision of a satisfactory means of access. The site is within a reasonable walking distance of local amenities and public transport. The bus service is not particularly frequent, although it provides peak hour services into the main Medway Towns and five buses during the off-peak period. For the purposes of future residents, this is considered acceptable.

The application proposes to modify the existing access to provide a 4.8-metre wide carriageway with 2 metre wide footways to connect with the existing provision on Avery Way. Visibility can be provided in accordance with the guidance, and commensurate with the speed limit of the road. The application has provided vehicle swept path analysis to demonstrate that large refuse vehicles could turn in and out of the junction without compromising other vehicles and pedestrians in the vicinity of the access. (It is noted that swept path analysis has been undertaken in respect of the internal site layout as well). Accordingly an appropriate condition is recommended that the development comply with the vehicle swept path submitted. On-site car parking and cycle parking is provided in accordance with the Council's standards and therefore complies with Policy T13.

It is considered that subject to the above there is no detrimental impact on highway safety in accordance with Policies T3, T4 and T13 of the Medway Local Plan 2003 and paragraphs 102, 104, 110 and 111 of the NPPF.

Impact upon the amenities of the nearby and future residents

The proposed caravans would be single storey and as such would not impact on the outlook, daylight or sunlight of the houses to the north or existing caravans to the east.

The caravan site licence would have regard to the distance between caravans and all health and safety issues and as such therefore it is considered that the siting and orientation of the caravans would not impact on the amenities of the future residents.

The proposal would involve widening the existing access road and generation of additional levels of activity associated with the occupation of the new caravan park use and use of the recreational ground.

It is considered that the existing uses of the access way associated with the golf course and recreational ground would generate some degree of noise and level of traffic movements and vehicular movements and a degree of noise accessing and exiting the site. The anticipated additional activity associated with the proposed caravan park would increase this level to some degree, however, given the access improvements proposed, background noise from Avery Way and volume of traffic that will result, it is not considered the development would cause a harmful level of disturbance to the occupiers of neighbouring residential. Furthermore, the proposed caravan park would be set well back from the dwellings fronting Avery Way and as such the separation distance minimises any harm from the noise resulting from the new caravan park.

Also, a construction Management condition is recommended to deal with the impact of the construction-related issues during the construction period.

It is considered that the proposal would not cause any significant harm to the amenity of the occupiers of the residential dwellings adjacent to the access way or the future residents of the caravan park through the noise and general disturbance in accordance with Policy BNE2 of the local plan.

Air quality

The proposed development would add to the air quality issue for the Hoo peninsula and to address this issue, an air quality report has been submitted. The recommendation in the report refers to providing electric charging points and bicycle shelter. These measures are considered to be acceptable subject to appropriate conditions with regard to electric charging and bicycle storage. The additional landscaping including tree planting proposed will also assist in dealing with issues relating to air quality.

Subject to the above conditions the proposal is considered to be in compliance with policy BNE24 of the Local Plan.

Bird Mitigation

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in-combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised

that an appropriate tariff of £239.61 per dwelling (excluding legal and monitoring officer's costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

- An administrative body being identified to manage the strategic tariff collected by the local authorities;
- A memorandum of understanding or legal agreement between the local authorities and administrative body to underpin the strategic approach;
- Ensure that a delivery mechanism for the agreed SAMM measures is secured and the SAMM strategy is being implemented from the first occupation of the dwellings, proportionate to the level of the housing development.

The applicant has agreed to pay this tariff and are in the process of submitting a unilateral undertaking. No objection is therefore raised under Paragraphs 175 and 176 of the NPPF and Policies S6 and BNE35 of the Local Plan. This is also considered to comply with paragraph 177 of the NPPF in terms of appropriate mitigation relating to the appropriate assessment undertaken by Natural England and the LPA.

S106 Matters

The Community Infrastructure Levy Regulations 2010 provide that in relation to any decision on whether or not to grant planning permission to be made after 6 April 2010, a planning obligation (a s106 agreement) may only be taken in to account if the obligation is (a) necessary to make the development acceptable in planning terms;(b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. The obligations proposed comply with these tests because without these contributions the development would unacceptably impact on the existing infrastructure.

- i. Secure a minimum of 25% affordable housing equating to 20 dwellings. In this instance, the Council's housing section has sought commuted sum of £226,561.00 to facilitate affordable housing provision to be provided elsewhere in the borough.
- ii. A contribution of £13,677.66 toward waste and recycling
- iii. A contribution of £49,981.66 towards the reconfiguration and equipping of premises that provide community health services, including but not limited to, the Walter Brice Centre.
- iv. A contribution of £127,719.25 towards outdoor Open space and Cross Park

- v. A contribution of £8444.00 toward mitigation against the footfall that will occur on the adjacent PROW RS12, RS10, RS9, RS8 and RS4 footpaths as a result of the development.
- vi. A contribution of £19,408.41 toward Habitats Regulations (mitigation against Wintering Birds).
- vii A contribution of £317,750.00 towards new community facilities including a new village community centre and associated car parking at Cross Park
- viii A contribution of 13,053.15 towards the improvement of local library facilities.

Conclusions and Reasons for Approval

The proposal is considered to be in a sustainable location and to be a sustainable development and the principle of the proposed development is acceptable. No objection is raised in terms of layout and siting of the caravans and impact on residential amenity, highways and parking, the impact on ecology, and flooding are acceptable subject to appropriate conditions. Subject to the Section 106 contributions sought and the suggested conditions, no objection is raised under Paragraphs 47, 73, 78, 110, 111, 124, 127, 165, 175, 177 and 178 of the NPPF and Policies S6, BNE1, BNE2, BNE6, BNE24, BNE35, BNE37, BNE39, BNE43, H3, T1, T2, T3, T13, CF13, L2, L6 and L7 of the Medway Local Plan 2003 and the application is recommended for approval.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations received expressing a view contrary to officer's recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>