

MC/19/2202

Date Received: 19 August 2019

Location: Allhallows Holiday Park Allhallows Caravan Park Allhallows Rochester

Proposal: Reconfiguration of hardstanding bases and golf course to enable installation of 95 hardstanding bases (an uplift of 84 static caravans) with associated infrastructure (above and below ground), internal access road, pedestrian footpaths and landscaping

Applicant Palmhall Limited,

Agent Lichfields
Mr Dan Di-Lieto 14 Regent's Wharf
All Saints Street
London
N1 9RL

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 4th March 2020.

Recommendation – Approval subject to;

A.

- i) Secure £3,794.13 Contribution towards the improvement of premises, infrastructure or equipment at the Allhallows site – a branch of the Elms Medical Practice
- ii) Secure £7,300 contribution towards the maintenance of footpaths RS4, RS9 and RS12 due to additional footfall impact resulting from the development.
- iii) A contribution of £13,751.92 towards bird mitigation measures
- iv) To secure provision of 16no parking spaces for commercial vehicles as shown in drawing 4283-271 Rev B and not to impose any restriction for

commercial vehicles associated with the use or activities at the holiday park to enter the park.

- v) To secure a deed of variation to the term of the 2011 (MC/11/2330) dated 21/02/2013 legal agreement with respect to the provision of open space at the holiday park.

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:
4113-100, 4113-1052232.4.02.02B, 2232.SK00, 19-191-101, 19-191-102

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

- 3 The total number of static caravans on the application site shall not exceed 95 no (comprising 84 new static caravans and 11 replacement static caravans) at any and time. and the caravan site layout shall be as shown on the submitted layout plan, 19-191-101 and 19-191-102 received on 19/08/2019.

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 details.

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 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 ensure that features of archaeological interest are properly examined and recorded.

- 7 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.

- 8 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.

- 9 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.

- 10 The Holiday Caravans shall be occupied only between the period 1st March to 31st October in each year and at no other time outside the said period.

Reason: In the interest of protection of the protected species and in compliance with Policy BNE39 of the local plan and paragraph 170 of the NPPF.

- 11 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 prepared by Tylor Grange report dated 7th August_2019 and provide details of interim management to be implemented until the site wide management plan is operational. The reptile mitigation strategy shall contain the followings:-

- Confirmation of the reptile mitigation methodology
- Details of the reptile receptor site

- Confirmation that the reptile receptor site has sufficient carrying capacity to support
- the translocated reptile population.

The strategy must be implemented as detailed within the approved plan prior to commencement of any vegetation clearance.

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

- 12 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.

- 13 No development above base level of any part of the caravan units 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.

- 14 Within 3 months of the commencement on site of the development hereby granted an ecological enhancement plan (EEP) must be submitted to the Local planning authority for written approval. The approved EEP shall be implemented in full prior to the occupation of the development.

Reason: To ensure satisfactory arrangements are made to encourage wildlife habitats and biodiversity in the interests of ecology in accordance with Policy BNE37 of the Medway Local Plan 2003.

- 15 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 routing 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
 - vii) 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.

- 16 The development ecology mitigation measures and habitat creation shall comply with the approved Shadow Habitats Regulations Assessment report no 11669_R03_NJ_KG produced by Tyloer Grange dated 29/11/2019.

Reason: To ensure satisfactory arrangements are made to minimise impact on the local ecology and to encourage wildlife habitats and biodiversity in accordance with Policy BNE37 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

Removal of 11no existing hardstanding static caravan bases, reconfiguration of the southwest caravan park layout, the golf course layout and change of use of the southeastern part of the golf course/open space land to extend the caravan park by facilitate installation of 95 individual hardstanding bases for 95 static caravans (net gain of 84) new static caravan bases together with extension and alteration of internal access road, pedestrian footpaths and landscaping.

Following representation from local residents and Allhallows Parish Council the proposal is amended to include the provision of 16 parking spaces for commercial vehicles within the land area marked blue (same ownership).

Site Area

5.18hectares (12.8 acres)

Relevant Planning History

MC/19/1820 Upgrading of existing central facilities complex including the provision of a new marina stage bar building, activity hub and outdoor activity centre, creation of a replacement car park and

associated access, hard and soft landscaping and associated works/infrastructure.
To be determined

- MC/14/1687 Non-material amendment to planning permission MC/11/2333 to make minor changes to the layout of the holiday caravans.
Approved 3rd July 2014
- MC/11/2330 A hybrid application seeking: A) Outline planning permission with all matters reserved for future consideration except access and layout for the redevelopment and upgrading of the existing central facilities, new waterfront development and riverside shelters. And B) Full Planning permission for the provision of a car park to the eastern side of the centralised facilities and sport /leisure gardens at Allhallows Leisure Park, Allhallows-On-Sea, Rochester.
Approved 21/02/2013
- MC/11/2333 Application for variation of condition (viii) of MC/82/771 approved 18/02/83 to provide for a revised layout of caravans at Allhallows Leisure Park at Allhallows on Sea, Rochester, Kent
Approved 21/02/2013
- MC/11/2595 Retrospective application for installation of the clubhouse (twin unit caravan) with decking and access ramp, paved approach areas, access road, car park, implement store and amenity land in connection with clubhouse
Also on this agenda
- MC/11/2333 Application for variation of condition (viii) of ME/82/771
Approved 18/02/83 to provide for a revised layout of caravans
Also on this agenda
- MC2009/0077 Construction of 39 caravan bases with balconies & associated car standing; new road layout; river walk & landscaping
Decision Refusal
Decided 20/07/2009
- MC2000/0036 Construction of a nine-hole golf course
Decision Refusal
Decided 06/10/2000
Appeal - Allowed subject to conditions
Decided 03/10/2001

95/0519	Proposed indoor swimming pool with, link/extensions to existing entertainments, building and realignment of private access, road Decision Approval with Conditions Decided 06/09/1995
88/128	Proposed relocation of 44 caravans due to the re-allocation of landscaped areas Decision Approval with Conditions Decided 06/02/1989
82/771/F	Details of siting of caravans pursuant to outline, approval ME/82/771 Decision Approval with Conditions Decided
82/771/E	Details pursuant to outline for phase 3 of, proposed leisure centre (family room &, amusements) Decision Approval with Conditions Decided 29/07/1986
82/771/D	Details of the development of the caravan site, pursuant to condition (viii) of the outline, planning permission for the formation of a holiday caravan park Decision Approval with Conditions Decided 26/02/1986
82/771/C	Details pursuant to condition (viii) (development, of caravan site) of outline planning permission Decision Approval with Conditions Decided
82/771/B	Details pursuant to outline for phase one of, proposed leisure centre (revised scheme) Decision Approval with Conditions Decided 08/03/1984
82/771/A	Phase one of the proposed leisure centre Decision Approval with Conditions Decided 17/10/1983
82/771	Outline permission for a holiday caravan, park, including the provision of 16 twin unit, residential caravans for wardens and the phased, development of a central entertainments

complex
Decision Approval with Conditions
Decided 18/02/1983

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.

One letter of representation has been received stating:-

The Park has a policy that prevents commercial vehicles entering the Park's ground, as a result, such vehicles park on the road leading to the Park to the detriment of the local residents' amenities and on-street parking.

Parish Council

While the parish council welcome enhancements to facilities at the holiday park, these do add to the pressure on the local infrastructure, especially during the summer, but throughout the 10-months occupation. 84 additional static caravans will add to pressures on the road infrastructure, doctors and even local school spaces. Recently rules have been enforced that do not allow large vans and Lorries onto the site and these have been left in the entrance road and Avery Way causing nuisance and risks to vehicles and pedestrians. It is common for caravan owners to rent their caravan out to local contractors outside and sometimes within the peak periods. We would request an amendment to the application to include a suitable off-street site within the holiday park's ownership for the large vehicles generated by this site. This is a holding objection until the parish council are able to consider this application further and hope the applicant opens up a dialogue with the council.

Parish Council's and local residents were re-consulted following receive of the proposal for 16 no commercial parking spaces within the Park.

One letter has been received from the local resident welcoming the proposed 16 commercial parking space

The Allhallows Parish Council also welcome the proposed 16no commercial vehicle parking spaces and agreed to remove their objection to the application subject to confirmation that this parking provision will be available to users of the caravans/chalets on site and not just vehicles of Bourne Leisure. The ban on such vehicles entering the site should also be conditioned as part of the s106 agreement.

Southern Gas Network

Has not raised any objection.

UK Network Power

Has not raised any objection

KCC Ecology

The submitted ecological surveys have detailed the following:

- The site is adjacent to the Thames Estuary and Marshes SPA, Ramsar and SSSI
- The site is within 3km of the Medway Estuary and Marshes SPA, Ramsar and SSSI
- The site has areas of neutral grassland – providing a more diverse grassland mix.
- The site has areas of scrub/tall ruderals.
- The site has the potential to be used by badgers.
- The site provides suitable habitats for foraging/commuting bats.
- Suitable habitat for breeding birds
- At least 9 species of birds recorded within the site during the wintering bird survey
- At least 5 species of birds associated with the designated sites recorded during the wintering bird surveys.
- A good population of common lizard we advise that the submitted information provides a good understanding of the ecological interest of the site.

I've reviewed the submitted Habitat Regulations Assessment in conjunction with this application and we are satisfied with the submitted information.

Environmental Agency

Has no objection to the proposal.

Southern Water

Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development.

KCC Archaeology

The application is accompanied by an archaeological desk-based assessment (DBA) which was prepared on behalf of the applicant by Pre-Construct Archaeology (PCA). The DBA provides a reasonable account of the site's archaeological background, albeit I would suggest that for some periods the likelihood and potential significance of such remains is greater than the PCA report suggests. The DBA concludes that the scheme is anticipated to have a negative effect on any archaeological remains that might be present. It goes on to recommend that further archaeological works will likely be required and suggests these could involve a phased programme to include evaluation (trial trenching), followed by further mitigation measures. I broadly agree with this conclusion and suggest that such a programme of archaeological works could be secured by means of a suitably worded planning condition attached to any forthcoming planning consent. The following covers what would be required: AR1 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 ensure that features of archaeological interest are properly examined and recorded.

Natural England

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate the potential recreational impacts of the development on the site(s).

However, our advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's Conservation Objectives and in accordance with the Conservation of Habitats & Species Regulations 2017.

This is because Natural England notes that the recent People Over Wind ruling by the Court of Justice of the European Union concluded that, when interpreting Article 6(3) of the Habitats Directive, it is not appropriate when determining whether or not a plan or project is likely to have a significant effect on a site and requires an appropriate assessment, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site. The ruling also concluded that such measures can, however, be considered during an appropriate assessment to determine whether a plan or project will have an adverse effect on the integrity of the European site. Your Authority should have regard to this and may wish to seek its own legal advice to fully understand the implications of this ruling in this context. Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017, Natural England must be consulted on any appropriate assessment your Authority may decide to make. Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

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 seeks full planning permission for the change of use of land from the golf course/open space to siting of an additional 84-holiday accommodation (holiday lodges/static caravans and associated highway works and parking to the west of the holiday Park and Provision of 16no parking spaces for commercial vehicles to the east of the Park close to the access point to the Park within blue land.

The new individual pitches will comprise 4m x 12m static caravan bases with minimum 6m spacing. Each new static caravan pitch will be accompanied by allocated parking space and will be fully serviced.

The application site relates to the development of about 5.18 hectares of the existing 14 hectares golf course/open space land associated with the Holiday Park.

Golf clubs across the country have seen falling participation rates; due to competing pressures from other sports and leisure activities. To provide more diverse leisure and sport provision within the Park, the applicant has submitted a separate application under ref MC/19/1820 (see planning history section above). This application is being considered.

Allhallows is a successful holiday park located in a rural area of Medway. Members will have noted from the history section above that the site has extensive planning history. The Holiday Park developed over many years being initially established as a static holiday caravan park in the late 1950s.

The original 1983 consent permitted some 1,100 static holiday caravans and 125 touring caravans, whilst the chalets consent originally granted permission for some 308 timber chalets. This meant that the total amount of accommodation would have been in the region of some 1533 accommodation units.

Following the 2011 permission, the Holiday Park currently consists of a total of 1111 caravans comprising 1036 static caravans and 75 touring caravan pitches which are located across the park.

The condition no 9 of the 1982 outline planning permission limited the occupation of the caravans on-site to the period of 1st March to 31st October in each year.

The current caravan layout was approved in July 2014 planning permission under reference ME/14/1687.

Paragraph 8 of Part 2 of Schedule 1 of the S106 legal agreed associated with the permission granted MC/2011/2333 says:-

8.1 Throughout the life of the Development to retain the Open Space Area as open space and not to use the Open Space Area for any purpose other than for recreational facilities.

8.2.1 Permit Occupiers of the site and members of the public to visit such parts of the Open Space Area that incorporate a Public Right of Way; and

8.2.2 Permit Occupiers of the site to visit all other parts of the Open Space Area that are not referred to in subparagraph 8.2.1 above.

8.3 Not to carry out nor allow to carry out any development on the Open Space Area without the express written consent of the Council.

For the avoidance of doubt, the open space obligation will apply to the golf course area.

Allhallows currently attracts a considerable number of visitors and second homeowners to an area of Medway, which would otherwise attract considerably fewer visitors.

Tourism is an important industry in the UK and generates about 1.6 million jobs and over £62bn in GVA to the UK economy.

Tourism and related sectors form one of 4 key local economic growth sectors of Medway Economic Development Strategy.

Medway's Cultural Strategy 2014-2019 Rich heritage-great future states:-

A growing tourism sector currently worth £290 million – around 7% of the local economy - attracting 4 million visits a year and accounting for around 6000 jobs.

Tourism in Medway is a significant economic driver and is one of the key sectors listed in the Medway Economic Growth Plan. Encouraging existing businesses to invest and grow.

The tourism industry is one of the job creators in Medway and Allhallows caravan-park contributes to the local economy and generates jobs.

Allhallows Holiday Park enhance the diversity of the current Self-catering accommodation offered in the Medway area and creates rural employment opportunities and the generation of income into the local economy as a result.

The primary aims of the Medway's Cultural Strategy 2014-2019 are to increase the volume and value of tourism, to create compelling destinations and to link visitors more to experiences that Medway has to offer.

In light of the above, it is clear that tourism can bring many broader benefits that will contribute to the economic and social well-being of local communities as well as to individuals. The revenue generated by tourism can help to support and enhance local

services and facilities such as shops and pubs, particularly in rural areas. It can also underpin the quality of the local environment and facilitate further enjoyment of it by residents and visitors.

Paragraph 177 of the 2019 NPPF 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 make 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 where the policies in the development plan are out of date, assessing proposed sites in terms of their sustainability.

There are a number of development plan policies that need to be carefully balanced in consideration of this application. These range from but are not limited to, countryside protection policies and concerns related to nature conservation areas, impact of the development on ecology and protected species, especially in relation to the adjoining Thames Estuary and Marshes RAMSAR and Special Protection Area and the North Kent Marshes Special Landscape Area to the potential economic benefits of the development and the effect of the development on the open space provision within the site that is secured currently by a legal agreement.

The application site is outside the built confines of Allhallows and within the countryside. The starting point for consideration must be the Council's adopted Countryside protection policies. Therefore, Policies BNE25 development in the countryside, BNE35 National and International Conservation sites, of the Medway Local Plan 2003 are relevant.

Policy L3 of the Local Plan 2003 controls development to ensure the protection of open space. This Policy also allows for development where (i) sports and recreation facilities can be best implemented and enhanced through the redevelopment of a small part of the site and (ii) alternative open space provision can be made within the same catchment area and is acceptable in terms of amenity value. When assessing against this policy.

The Park currently has substantial open space land as shown in drawing accompanied to the legal agreement accompanied 2011 permission. The proposal would result in a change of use of less than ¼ of the land for the proposed development.

The identified need for tourism accommodation in the Medway area as defined by policy ED12 is for hotel type provision. However, the proposed development will have an impact on local tourist facilities and economy. The preamble to Policy ED12 of the local plan states that “the Council recognises the valuable contribution that new tourist attractions and facilities can make to the local economy and will, therefore, support enhancement of holiday park provision in appropriate locations and states that care must be taken to ensure that proposals do not undermine the local environment or harm the quality of life of residents.

Policy ED15 of the local plan specifically relates to self-catering, caravan and camping sites, and states that new facilities will be permitted provided the scale of the proposal would not affect local amenity or be intrusive; the local highway network can support the scale of the development; and that the facilities should be of a design and scale in keeping with the locality.

Paragraph 80 of the NPPF states that planning decisions, “...should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”.

Paragraph 83 C) of the NPPF in relation to a prosperous rural economy states:-
Local Plan Policies and decisions should support sustainable rural tourism and leisure development which respect the character of the countryside.

The proposed development would represent an expansion of the existing holiday caravan park close to Allhallows village and would be located within the boundaries of the existing holiday park complex.

Taking the NPPF 3 objectives of sustainable development in turn:

Economic – The proposal would make more efficient use of the golf course land by rationalising and redesigning the golf course and extending the existing caravan holiday units by further 84 holiday static caravans. The proposal will generate employment opportunities during the construction period and will generate a number of hospitality/entertainment job opportunities post-construction as well as jobs outside the park.

These jobs will help to boost the local economy. Also, additional spending by new visitors/holiday-makers will help to support existing jobs at local shops, pubs, restaurants and other services. Also, it is likely that holidaymakers take advantage of their stay and visit other tourist and heritage attraction of Medway towns and thus further contribute to the local economy. As such therefore it is considered that the economic benefits that the development will bring are compelling.

Social – The proposal would provide a suitable environment for social gathering and help to enhance social cohesion, wellbeing and sense of community in the village.

Environmental – The existing 9 holes golf course covers about 14 hectares (34 acres) this is a generous size 9 holes golf course and is not well used. It is considered a redesigned 9 holes golf course in a smaller area of land (about 9 hectares (22 acres) would be likely to be more manageable and attractive to the visitors of the Park.

It is considered that better managed and maintained golf course together with additional tree planting and landscaping and contribution towards birds' mitigation would generate environmental significant benefits.

In addition, it is considered that the proposed development would be within the holiday park's existing site, this proposal would not result in encroach into the surrounding countryside or loss of golf course provision within the Park. Furthermore, the retention of land to the north-western side of the Park as a golf course/open space, (about 9 hectares) would be satisfactory and in compliance with local plan Policy L3. However, it is not just the quantity of open space provision that is important, the quality of the open spaces should be given equal weight, which will be secured by an appropriate landscaping condition.

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 financial contributions toward the improvement of the existing infrastructure such as local GP service, upkeep of PROWs and birds mitigation measures to offset the increase in the footfall resulting from the additional visitors to the holiday park.

Having regard to the above it is considered that the loss of part of open space land to provide additional holiday tourist facilities, as proposed in this application, can be justified on this occasion.

It is considered the applicant would need to secure the changes to the open space land by entering into a deed of variation with the Council of the legal agreement of 2014 under ref (MC/11/2330).

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 the local plan policies and NPPF guidance. The proposal to provide park homes is considered acceptable in principle subject to other considerations including landscape impact, visual amenity, residential amenity, ecology, and heritage issues and highways matters.

Landscape and Visual Effects

The application site rises from south to north and east to west. The proposed pitch layout would involve some cut and fill remoulding of the land in order to create a flat ground for the individual pitches and associated vehicle parking.

The site is enclosed by trees and hedgerows, the proposed pitch layout shows the caravans would be sited to the west of the existing caravan park and having regard to the caravan/pitch sizes of 4m x 12m static caravan bases with minimum 6m spacing, it is considered that the proposed caravans would have low profile within the rural setting and would be screened by the existing boundary hedge/treed and reinforced by additional landscaping that would be carried out as part of a landscaping condition. As such the proposed development would not appear visual dominant or intrusive in the wider countryside/landscape. It is, however, acknowledge that the existing and proposed caravans are and will be visible from the PROW footpaths that run through the application site.

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

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.

Given the current use of the land as a golf course, there are no trees within the site. The development would provide the opportunity for landscaping and new trees planting to be carried out.

It is considered that the proposed layout would make efficient use of the site and provided pockets of amenity areas within the caravan site, however, to restrict the number of caravans within the application site, it is recommended that a planning condition be imposed to limit the number of caravans to no more than 95 and the layout to be as shown on the submitted layout plan, 19-191-101. 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.

The golf course site is not lit, to ensure that the future lighting scheme for the development causes minimum impact and is properly managed, a condition is recommended to deal with this issue.

It is considered subject to the above conditions, the proposed scheme would have limited impact on the openness of the countryside and landscape character of the area and be in conformity with policies BNE5, BNE6, BNE42 and BNE43 of the local plan and paragraphs 120 C), 170 a) 172 C) and 180 C) of the NPPF.

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.

The proximity of the estuary does both present a risk of flooding and a suitable location to dispose of clean uncontaminated rainwater. Given the relative size of the estuary and the development, there is no hydraulic reason to provide attenuation. However, it must be recognised that the estuary is a Ramsar Convention site and water quality is, therefore, a significant consideration. Surface Water It is recommended that there is no requirement to provide any SuDS features due to the limited impact of providing hard standings for the caravan pitches. This will be in accordance with the treatment of the majority of the site. The proposal is to allow surface water to drain into the surrounding ground, and no surface water system is to be installed.

Foul Water discharge will be to connect to the existing foul sewer. Southern Water as stated that the existing foul sewer system has the capacity to cater for the additional static caravans.

Ecology

The application is supported 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 and paragraph 177 of the NPPF.

Air quality

An air quality report has been submitted with the application. It is considered that the report clearly demonstrates that there will not be a significant impact on the AQMA from the small increase of vehicles using the caravan park. As such, there is no objection to the proposed development.

Contamination

A Geoenvironmental Phase 1 report has been submitted with the application. In line with current guidance and, based on the findings and risk assessment, concluded no phase 2 intrusive investigation was required. It is considered based on the report, that no land contamination condition is required as part of any permission.

Highway

The proposals involve the addition of 84 new static caravan pitches with associated landscaping and access. 11 existing pitches will be reorganised within the application site to facilitate access to the proposed holiday caravan park extension area.

The proposal makes provision for one car parking space adjacent to each caravan.

There is limited opportunity to access the holiday park by public transport, however, once at the site there are extensive guest facilities and access to nearby attractions that limit the need for guests to travel during their stay. However, should they decide to visit outside the Park this would most like occur during the off pick period. Those who choose to arrive by public transport are able to make their way to the park by bus or taxi from the nearest railway station at Strood.

The layout of the proposed caravan Park extension would very much mirror existing provision at the site, including access road layout, parking provision and pedestrian prioritisation. One car parking space is being proposed per caravan unit which is considered satisfactory in this instance.

The park access would be via a controlled private road, no issues are expected to occur that would affect the public highway post-construction. No changes to the existing interface with the public highway are proposed.

To ensure that commercial vehicles entering the site do not impact on the parking provision for the visitors a separate parking spaces for 16no vehicles as shown by drawings 4283-270 Rev C and 4283-271 Rev B, have been proposed within the park ground/ area marked blue.

As the proposed commercial parking provision would be outside the application site, the area marked red and would be within the blue area (land within the same ownership) this parking provision will be secured by a section 106 legal agreement.

The forecast trip generation has been calculated using bespoke trip rates calculated from data obtained previously at two other similar holiday park sites, in the absence of suitable data on the TRICS database. Both Saturday and Sunday are expected to be the peak days for trip generation, however for the proposed 84 pitches and having regard to the arrival and departure time of holidaymakers to and from the Park a trip generation of just 11 additional two-way trips during the weekend peak is anticipated. As the weekend period is considered to be an off-peak time it is considered this will have a negligible impact on the highway network.

The additional caravan's proposal would result in more visitors to the Park and greater footfall on the nearby PROWs RS4, RS9 and RS12 to mitigate this a contribution has been sought. This is reflected in the s106 heads of terms.

It is therefore concluded that the proposed development will not result in a significant impact on the highway network and therefore is considered acceptable and in compliance with local plan Policies L10, T1, T13 and Paragraphs 98 and 109 of the NPPF (2019).

Amenity

The application site is well over half a kilometre away from the nearest residential property as such it is considered that the use of the land as an extension to the holiday caravan Park would not adversely impact on the amenities of the local residents.

However, concern has been expressed by the Parish Council and the local residents that the Park's current policy of denying access to commercial vehicles entering and parking within the Parks ground forcing such vehicles to be parked in the Avery Way to the detriment of the amenities of the residents close to the access to the Park.

The above issue was discussed with the applicant and in response, additional parking provision for commercial vehicles has been proposed. In addition, the applicant has agreed to remove the Park policy to allow commercial vehicles to enter and park within the designated parking area. These two issues would be covered part of s106 heads of terms; bullet point (iv). Therefore, it is considered that the proposal would not be in conflict with accord with the local plan Policy BNE2.

Heritage

The application is accompanied by an archaeological desk-based assessment report. This has been considered by the KCC Archaeological advisor and he broadly agrees with the conclusion and suggested programme of archaeological works subject to a suitably worded planning condition.

The Slough Fort which is a Scheduled Ancient Monument is situated within the ground of the Allhallows Holiday Park and is accessed from an unmade track called The Brimp road along the southern boundary of the Park.

The Fort is already surrounded from east-west and north by rows of caravans previously approved on this site. The application site for 84 new caravan pitches would be some distance to the west of the Fort beyond the existing caravans. As such the proposal would not impact on the setting of the Fort or its character beyond the current situation. Therefore, it is considered that the proposal would not be in conflict with paragraphs of 186 and 190 of the NPPF.

Climate Change and Energy Efficiency

The individual static caravan and wider caravan site's streets, parking areas and associated buildings can be equipped with energy and water-saving products in order to reduce the carbon footprint of the development.

Eco water taps, showers and toilet facilities can help reduce water use and use of photovoltaic solar panels on the roof, vehicle electric points, use of efficient heating or cooling system and efficient lighting system.

Usually, static caravans are manufactured off-site and are transported or assembled on site. Modern static caravans can be double glazed and all materials will be used to exceed the requirements of the latest building regulations and in particular, Part L (Energy Use) and will utilise materials that meet the BRE Green Guide A+ rating. (Materials which have the lowest overall environmental impact over the lifecycle of a product as calculated by BRE Environmental Assessment Method).

Low NOx boilers and electric car points will also be provided to reduce CO2 generation. The close proximity of amenities including public transport, public park, leisure facilities, businesses and shopping facilities from the proposed development mean the length of journeys would be minimal promoting walking and making it not essential to own a car as such the development offers the opportunity for a sustainable transport solution.

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 £245.56 per dwelling (excluding legal and monitoring officer's costs, 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 applicants have agreed to pay this tariff. No objection is therefore raised under Paragraphs 175 and 176 of the NPPF and Policies S6 and BNE35 of the Local Plan.

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 to comply with these tests because without these contributions the development would unacceptably impact on the existing infrastructure.

The Allhallows holiday park is open between 15th March to 4th November each year. The section 106 contributions have been adjusted to reflect the period that the park is open. Therefore the level of the contributions sought is calculated pro-rata for the number of months that the Park is open.

- i) Secure £3,794.13 Contribution towards the improvement of premises, infrastructure or equipment at the Allhallows site – a branch of the Elms Medical Practice
- ii) Secure £7,300 contribution towards the maintenance of footpaths RS4, RS9 and RS12 due to additional footfall impact resulting from the development.
- iii) A contribution of £13,751.92 towards bird mitigation measures
- iv) To secure provision of 16no vehicle parking spaces for commercial vehicles as shown in drawing 4283-271 Rev B and not to impose any restriction for commercial vehicles associated with the use or activities at the holiday park to enter the park.
- v) To secure a deed of variation to the term of the 2011 legal agreement with respect to the provision of open space at the holiday park.

Local Finance Considerations

None

Conclusions and Reasons for Approval

The proposal is considered to be in a sustainable location and to be 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 and the Section 106 contributions as set out in the body of the report. Therefore 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/>