

2.6 REFERENCE NO - 16/508678/FULL			
APPLICATION PROPOSAL Change of use of land to residential caravan site consisting of 3no. caravans and 2no. utility dayrooms and associated development (part retrospective).			
ADDRESS The Willows Munsgore Lane Borden Kent ME9 8JU			
RECOMMENDATION Grant subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL Proposal is in line with national and local planning policy			
REASON FOR REFERRAL TO COMMITTEE Parish Council objection;			
WARD Borden And Grove Park	PARISH/TOWN COUNCIL Borden	APPLICANT Mr & Mrs Fuller AGENT Murdoch Planning Ltd	
DECISION DUE DATE 27/04/17	PUBLICITY EXPIRY DATE 31/03/17		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/09/1159	Change of use for stationing of one mobile for a gypsy family	Approved	22/07/2010

1.0 DESCRIPTION OF SITE

- 1.01 The site is situated approximately one mile from the centre of Borden and approximately two-thirds of a mile from Oad Street. The site is within a rural area, outside any built-up area boundary. It is well-screened from the highway by mature trees and shrubs and is accessed by its own private driveway.
- 1.02 The site was approved in 2010 for the permanent stationing of one mobile and one touring caravan for occupation by persons of gypsy status under planning reference SW09/1159. As such, the principle of the site being used to accommodate persons of gypsy status has already been approved.
- 1.03 The site is not subject to any local planning designations although the lane has recently been designated a “quiet” land and it is popular with walkers, joggers, cyclists and horse riders.

2.0 PROPOSAL

- 2.01 The proposal is to add to the single mobile home on the site to produce a site with three static caravans and three dedicated day rooms, each with a bathroom. The day rooms would be arranged so as to produce one single detached day room, and two adjoining day rooms. These new structures would be situated to the side and rear of the existing mobile home within new tree and hedgerow planting.

- 2.02 The description of the proposal as submitted is somewhat poorly worded; one mobile home is already on site and, as noted above, has the benefit of planning permission. As such, the description of the proposal being part retrospective is not really accurate.
- 2.03 The drawings also show dedicated areas of gardens and landscaping, and a new extension to the existing driveway to create access to the new mobile homes.
- 2.04 The proposed day rooms would be of cavity block construction clad in timber. No elevational details of the proposed mobile homes have been received
- 2.05 The proposed scheme is to add two new mobile units; one for the applicant's daughter, who is coming of age and therefore requires her own unit; and for the applicant's son, who is at present fourteen years of age and has some medical issues which would render any possible move from the family home in the future both difficult and painful. The details of those medical conditions have been sent to the Case Officer within a confidential email, but no details from relevant medical practitioners have been submitted.
- 2.06 The application is accompanied by a short planning statement and a fairly comprehensive proposed landscaping plan, showing proposed hard and soft landscaping.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area (ha)	0.3	0.3	-
No. of Residential Units	1	3	+2

4.0 PLANNING POLICY

National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites (PPTS) (Re-issued)

- 4.01 The national policy position comprises the National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites (PPTS). Both documents were released in 2012 but the PPTS was re-issued in August 2015 with amendments. Together they provide national guidance for Local Planning Authorities on plan making and determining planning applications for Gypsy and Traveller sites. A presumption in favour of sustainable development runs throughout both documents and this presumption is an important part of both the plan-making process and in determining planning applications. In addition, there is a requirement in both documents that makes clear that Councils should set pitch targets which address the likely need for pitches over the plan period and maintain a rolling five-year supply of sites which are in suitable locations and available immediately.
- 4.02 I consider that the following extracts from paragraph 7 are particularly pertinent:

“There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right

places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

4.03 In relation to rural housing the NPPF (at paragraph 55) states;

- To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:
 - the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
 - where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
 - where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
 - the exceptional quality or innovative nature of the design of the dwelling. Such a design should:
 - be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
 - reflect the highest standards in architecture;
 - significantly enhance its immediate setting; and
 - be sensitive to the defining characteristics of the local area.

4.04 In relation to conserving and enhancing the natural environment the NPPF, at paragraph 109, states;

The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Planning Policy for Traveller Sites (PPTS)

- 4.05 The PPTS was originally published in March 2012 but it was re-issued in August 2015 with minor changes. Its main aims now are:

“The Government’s overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.” (para 3 PPTS)

To help achieve this, Government’s aims in respect of traveller sites are:

- a. that local planning authorities should make their own assessment of need for the purposes of planning*
- b. to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites*
- c. to encourage local planning authorities to plan for sites over a reasonable timescale*
- d. that plan-making and decision-taking should protect Green Belt from inappropriate development*
- e. to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites*
- f. that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective*
- g. for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies*
- h. to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply*
- i. to reduce tensions between settled and traveller communities in plan-making and planning decisions*
- j. to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure*
- k. for local planning authorities to have due regard to the protection of local amenity and local environment.” (para 4 PPTS)*

- 4.06 In terms of plan making the PPTS advice is that;

“Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies:

- a) promote peaceful and integrated co-existence between the site and the local community*
- b) promote, in collaboration with commissioners of health services, access to appropriate health services*
- c) ensure that children can attend school on a regular basis*
- d) provide a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment*
- e) provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development*
- f) avoid placing undue pressure on local infrastructure and services*

- g) *do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans*
- h) *reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability.” (para 13 PPTS)*

4.07 For sites in rural areas and the countryside the PPTS advice is that;

“When assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.” (para 14 PPTS)

4.08 In relation to the determination of planning applications the PPTS says that;

“Applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the National Planning Policy Framework and this planning policy for traveller sites.” (para 23 PPTS)

“Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) *the existing level of local provision and need for sites*
- b) *the availability (or lack) of alternative accommodation for the applicants*
- c) *other personal circumstances of the applicant*
- d) *that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites*
- e) *that they should determine applications for sites from any travellers and not just those with local connections”*

“Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.” (para 25 PPTS). I note that the word “very” was added to this paragraph in the 2015 re-issue of PPTS.

“If a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary permission. The exception to this is where the proposal is on land designated as Green Belt; sites protected under the Birds and Habitats Directives and / or sites designated as Sites of Special Scientific Interest; Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park (or the Broads).” (para 27 PPTS).

Finally, the definition of gypsies and travellers has been amended in the re-issued PPTS to remove the words “or permanently” from after the word “temporarily” in the following definition;

“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an

organised group of travelling showpeople or circus people travelling together as such.”

The implications for this change in definition has affected the issue with regard to defining need, and this matter is the subject to some very recent changes regarding the Council’s emerging Local Plan, which are referred to below.

- 4.09 The Council has responded positively and quickly to the changes in the national policy position in respect of Gypsy and Traveller accommodation. The Local Development Framework Panel quickly supported the commissioning of a new Gypsy and Traveller Accommodation Assessment (GTAA), which was completed in June 2013 and identified a need for 82 pitches to be provided during the plan period (adjusted down from 85 pitches in reflection of those sites granted permanent permission whilst the document was under preparation). This need figure was incorporated within the draft Bearing Fruits Swale Borough Local Plan: Part 1 alongside a policy introducing provision for pitches on certain major development sites. An additional net 47 permanent pitches (some with personal use conditions) had also been approved up to March 2015, reducing the outstanding need to 35 pitches over the Plan period. Further permanent permissions have since been granted. A further number of pitches enjoy temporary permissions.
- 4.10 Shortly after publication of the GTAA in 2013 the Council began work on Part 2 of the Swale Borough Local Plan which was intended to deal with site allocations for Gypsy and Traveller pitch provision only. This process began with a call for sites between September and December 2013, and the publication of an issues and options paper which was subject to public consultation (this finished on 25 April 2014). The Local Plan was subject to examination in November 2015 and the latest position on this is referred to below.

Saved Policies of Swale Borough Local Plan 2008

- 4.11 Saved policy E1 (General Development Control Criteria) sets out standards applicable to all development, saying that it should be well sited appropriate in scale, design and appearance with a high standard of landscaping, and have safe pedestrian and vehicular access whilst avoiding unacceptable consequences in highway terms.
- 4.12 Within the Borough’s countryside saved policy E9 (Protecting the Quality and Character of the Borough’s Landscape) seeks to protect the quality, character and amenity value of the wider landscape of the Borough. Within the countryside it expects development to be informed by local landscape character and quality, consider guidelines in the Council’s landscape character and assessment, safeguard distinctive landscape elements, remove detracting features and minimise adverse impacts on landscape character.
- 4.13 Saved policy E19 (Achieving High Quality Design and Distinctiveness) requires development proposals to be well designed.
- 4.14 Saved policy T1 (Providing Safe Access to New Development) states (most relevant bit in **bold**);

“The Borough Council will not permit development proposals that;

1. *generate volumes of traffic in excess of the capacity of the highway network, **and/or result in a decrease in safety on the highway network, unless these issues can be addressed by environmentally acceptable improvements to the***

- highway network that have been agreed by the Borough Council and the appropriate Highway Authority in accordance with Policy T2; and*
2. *lead to the formation of a new access, or the intensification of any access, onto a primary or secondary road or route, unless it can be created in a location that it acceptable to the Borough Council, or where an access can be improved to an acceptable standard and achieve a high standard of safety through design.*

Where appropriate, the Borough Council will require the submission of a comprehensive Transport Assessment and Travel Plan with a planning application.”

Swale Landscape Character and Biodiversity Appraisal SPD 2011

- 4.15 This site is within the Borden Mixed Farmlands landscape character areas as defined in the March 2011 Swale Landscape Character and Biodiversity Appraisal, areas which are seen as in moderate condition and with moderate sensitivity. As such, I do not consider that landscape impact is a significant potential objection to development here.

Bearing Fruits 2031: The Swale Borough Local Plan Proposed Main Modifications June 2016

- 4.16 The Council's Publication version of the draft Local Plan, entitled *Bearing Fruits 2031*, The Swale Borough Local Plan Proposed Main Modifications June 2016 underwent final examination in February 2017. The Local Plan Inspector's relevant interim findings are set out below.
- 4.17 Policy CP 3 of the draft Local Plan aimed to provide pitches for gypsies and travellers as part of new residential developments. Policy DM10 is now a criteria based policy for assessing windfall planning applications and this includes the following points. It seeks to retain existing permanent sites, and favours expansion of existing sites. Further criteria for approval are exceptional mitigating or personal circumstances where there is no overriding harm to the locality or the need for affordable housing. Beyond these points the policy suggests that new sites should;
 - be for applicants who have previously led a nomadic lifestyle, or those who can show why they have stopped travelling, or show intentions for future travelling
 - provide opportunity to integrate with communities
 - be of an appropriate scale without landscape harm or overloading services
 - accommodate living and working
 - cause no significant harm to occupants or others
 - cause no harm to AONB, other national or local landscape or biodiversity designations
 - provide landscaping to enhance the environment in a way that increases openness
 - provide for health lifestyles
 - be safe from flooding
 - have safe and convenient access and parking
 - provide transit or visitor pitches where appropriate

Site Assessment

- 4.18 The Council's February 2014 Gypsy and Traveller Site Allocations: Issues and Options consultations document recommended a new methodology for how to assess site suitability for determining whether or not to allocate a site. Although this was primarily intended to rank potential site allocations, it was agreed by Members of the

LDF Panel in June 2014 to be used as a material consideration in planning applications. Even though this is normally done in relation to the potential suitability of a fresh site a site assessment exercise has been carried out in relation to this site and I have taken this into account in considering this application. The assessment is a Red/Amber/Green staged approach to site suitability, with any site scoring Red in any stage not being progressed to the next stage.

- 4.19 The assessment starts with Stage 1: Availability. The appellant is in occupation of the site. Here the site scores green. This means that the site should proceed to Stage 2.
- 4.20 Stage 2: Suitability/Constraints. The site is not in a flood risk zone (assessment green); it is not in an AONB or with significant landscape impact (green); it has no unacceptable impact on biodiversity (green); no dominating effect on settlements on its own (green); no adverse impacts on heritage/archaeology (green); is not known to be contaminated (green); will not be subject to unacceptable noise or disturbance (green); has access which the highway authority considers can be safely arranged (green); and is a reasonable distance to most services (amber). This means that the site should proceed to Stage 3.
- 4.21 Stage 3: More detailed site suitability: The site is level (green), has no impact on residential amenity (green), has most available utilities (amber), is capable of a live/work mix (green), has ample off road parking (green) and is or could be well-landscaped (green). As such, the site is deemed suitable to be used as a small accommodation site for those with gypsy/traveller status.

Five-year supply position

- 4.22 The PPTS has since 2012 introduced a need for Council's to maintain a rolling five-year supply of sites which are in suitable locations and available immediately. The Council put measures into place to deal with the PPTS requirements very quickly, but have only recently started down the route of trying to maintain a rolling five-year supply.
- 4.23 The GTAA (2013) set a target of 85 pitches to be provided by the year 2031, with a suggested provision of 35 pitches in the first five years (to 2018). Three pitches were approved during the course of the GTAA's production so the final target was in fact 82 pitches. Since the publication of the GTAA and up to the end of March 2015 a total of 47 permanent pitches were approved in Swale, almost exclusively without an appeal, of which 33 pitches had been implemented. Evidence presented to the recent Local Plan examination (November 2015) shows that at the end of March 2015 the need for pitches identified from the GTAA thus stood at 82 pitches minus the 33 permanent pitches approved and implemented, including the personal permissions granted in the interim. This reduced the need to 49 pitches. These mostly comprised extensions to, or more intensive use of, existing sites and were awaiting occupation. Since then six more wholly new permanent sites (comprising eight (8) pitches) were approved in 2015/2016 including two fresh pitches on a large mixed use development site at Faversham. A further two (2) pitches as an extension to an existing well located site were approved in November 2016, with another wholly new pitch (previously approved only on a temporary basis) was approved in December 2016. Three more permanent pitches were approved at Brambledown on appeal in February 2017. This provision of 61 permanent pitches (47 in 2013 to 2015 plus eight (8) in 2015/2016 and six (6) further pitches in 2016/2017) is a very considerable achievement and indicates the Council's positive attitude to such development in the right location. As at July 2016, monitoring shows that 41 new permanent pitches have been implemented with 13 pitches yet to have their permission implemented. Based on these figures the

Council has already met two thirds of the original pitch target to 2031 and the number of pitches completed exceeds any residual requirement for the five year period. The Council is able to demonstrate a five-year supply and the further two pitches proposed here will strengthen the Council's position further, enabling the Council to resist any proposals which are not in suitable locations. However, this position has been changed somewhat by the revised PPTS published in 2015.

The latest position on site provision

- 4.24 The revised PPTS (2015) has resulted in considerable uncertainty as it changed the planning definition of a traveller and gypsy, and therefore what number of required pitches needs to be identified. Evidence to the recent Local Plan examination was that the Council has re-interrogated the GTAA data to determine the appropriate level of pitch provision based on the new 2015 PPTS revised definition of gypsies and travellers. The data revealed that for all but unauthorised sites some two-thirds of households surveyed for the GTAA either never travel or travel not more than once a year. Overall, only 31% of respondents travel a few times a year, and 55% never travel, meaning that in Swale the gypsy and traveller population is quite settled, slightly more so than elsewhere in the country. Many of the Borough's Gypsy/Traveller population no longer meet the new PPTS definition of having a nomadic habit of life.
- 4.25 Accordingly, the need for pitches in Swale has been re-evaluated, resulting in a reduced estimate of pitch need of 61 pitches over the Plan period to 2031; this being the most generous of the possible reduced pitch numbers scenarios considered. Of these, 58 pitches have already been granted permanent planning permission meaning that the outstanding need for pitches to 2031 has now been met, albeit eight pitches at Upchurch have not been implemented and may now need to be deducted from the figures. The Council considers that on the basis of past trends any remaining need could easily be met from windfall proposals. Moreover it indicates that by proper engagement with the Council, appropriate sites can be found in sustainable and acceptable locations in Swale (outside of the AONB or other designated area) without an appeal, meaning that there is a high probability of being able to find an acceptable alternative site with minimal delay. Indeed, if Members were to approve this application, two more pitches could be added to the list.
- 4.26 As a result of this analysis, the Council is suggesting through Main Modifications to its draft Local Plan (published in June 2016) that the future need be based on a figure of 61 pitches, leaving a need per year of less than one pitch and, that no formal pitch allocations will be needed. Policy DM10 has been revised to deal with these windfall applications and the element of policy CP3 on pitch allocations is to be removed from the Plan. Accordingly, a Part 2 Local Plan would not be required.
- 4.27 The Local Plan Inspector's third interim report (March 2016) fully supports the Council's proposed position regarding gypsy and traveller site provision, accepting that the remaining need for sites can be managed by windfall applications and without a Part 2 Local Plan. The Inspector also accepts that the Council should revise draft Plan policies to reflect progress on site provision whereupon the Plan will be effective and consistent with national policy. In June 2016 the Council published Main Modifications to the draft Local Plan to confirm these intentions and these were considered at the resumption of the Local Plan EIP in January 2017.

5.0 PLANNING CONSTRAINTS

None

6.0 LOCAL REPRESENTATIONS

6.01 Five letters/emails of objection and concern have been received from local residents. Their comments may be summarised as follows:

- Not just mobile homes but permanent structures as well
- The applicants do not travel, so should be treated the same as everyone else; also stated in government policy
- Will set a precedent
- ‘Severe visual impact on this exclusive country lane’
- Increase I traffic and noise
- Will introduce multiple dwellings on the site
- Day rooms are in fact self-contained units
- Designated ‘quiet lane’
- Out of keeping with surrounding area
- Site is a visual eyesore

7.0 CONSULTATIONS

7.01 Borden Parish Council raises no objection, but requests that permission be restricted to use of the new units by family members only.

7.02 Kent Highways and Transportation raises no objection.

7.03 Natural England raises no objection.

7.04 The Environmental Health Manager raises no objection, subject to a condition referring to construction hours included below.

8.0 APPRAISAL

Principle of Development

8.01 The main issues to consider in this case are the principle of development, the scale of development, and harm to amenity. For the sake of regularity, I will take each issue in turn.

8.02 Principle of development: The site fully complies with the requirements as set down within the NPPF, the PPTS, and the Council’s Gypsy and Traveller Site Allocations: Issues and Options document. As such, I consider the principle of such development on this site to be acceptable.

8.03 I also note the reasons for the proposed development, in a desire to keep a family living together, whilst giving independence and freedom to the applicant’s growing children. I do not consider that these issues affect my recommendation which is independent of them.

8.04 Scale of development: A number of objections note the presence within the proposal of not only mobile homes but also day rooms, thus increasing the level of development on the site. Given the small-scale nature of the mobile homes, it is relatively normal to have day rooms included within gypsy and traveller site applications. Much as these day rooms contain small kitchens and bathrooms, they do not contain bedrooms; as such, they would not be used as fully separate units. Therefore, these are not separate units and the increase in living accommodation

units will be only two. The cumulative floorspace will therefore not be excessive, and the mobile homes and day rooms would be very low key in height and design and, as such, I do not consider that the scale of development on this spacious plot is acceptable.

- 8.05 Amenity: A number of issues of amenity have been raised by local residents. With regard to the status of the 'quiet lane', I do not agree that the addition of two mobile homes on an existing site would compromise the tranquillity and peace of the lane and the immediate area. The lane is indeed narrow in some places, but the addition of two units will have a negligible impact on amenity and highway safety. This view is obviously reflected by the lack of objection to the proposal from Kent Highways and Transportation.
- 8.06 With reference to visual amenity, my visit to the site revealed a site which is neat and tidy. The site is well screened from the lane by mature trees and shrubs, and the proposal includes a comprehensive landscaping plan. As such, I do not believe that the proposal, if approved, would have an adverse effect on the visual amenity of the area.
- 8.07 With regard to residential amenity, as the site is large and not particularly close to other nearby properties, I do not believe that the proposal would have any adverse effect on residential amenity. I also note the comments regarding the applicants' gypsy status, but as the site already has an established use as a site for gypsy accommodation, I see no discrepancy between government policy and the proposal.
- 8.08 I am therefore of the opinion that the question of the acceptability of the proposal with regard to amenity has been proven, and that the proposal, if approved, would not have a negative effect on residential amenity.

9.0 CONCLUSION

- 9.01 As the proposal is in accordance with both national and local planning policy, and would not have a negative impact on amenity, I recommend that the proposal be approved, subject to strict conformity with the conditions noted below.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) No development beyond the construction of foundations shall take place until details in the form of samples of external finishing materials to be used in the construction of the day rooms hereby approved have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

- (3) No floodlighting, security lighting or other external lighting shall be installed or operated at the site.

Reason: In the interests of visual amenity and the residential amenities of occupiers of nearby dwellings.

- (4) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0730 – 1900 hours, Saturdays 0730 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (5) All hard and soft landscape works shall be carried out in accordance with the approved details shown on drawing number TDA.2262.03. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (6) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (7) The areas shown on the submitted plan as parking spaces shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the additional caravans hereby permitted.

Reason: Development without adequate provision for the parking of cars is likely to lead to car parking inconvenient to other road users.

- (8) The day rooms hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the mobile homes hereby permitted.

Reason: As their use as separate units of accommodation would be contrary to the provisions of the development plan for the area.

- (9) No more than three mobile homes shall be stationed at any one time.

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

- (10) The mobile homes shall only be occupied by persons of Gypsy status as defined in the Planning Policy for Traveller Sites (PPTS).

Reason: To ensure that the site occupants are gypsies.

- (11) The site shall only be used for residential purposes, and it shall not be used for any business, industrial or commercial use. In this regard no open storage of plant, products or waste may take place on the land, and no vehicle over 3.5 tonnes shall be stationed, parked or stored on the land.

Reason: In the interests of the visual amenities of the area.

- (12) The mobile homes and day rooms hereby permitted shall only be sited as shown on approved drawing TDA.2262.03.

Reason: In the interests of the visual amenities of the area.

Council's approach to the application

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this case, the application was deemed to be acceptable as submitted.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

APPENDIX 1

16/508678/FULL
THE WILLOWS, MUNGTON CANTI

Gypsy and Traveller Site Allocations Assessment Methodology

Stage 1 - Is the site available?

Site Assessment Table: Stage 1 - Site availability

Criteria and Issues	Assessment references	Red – Does not meet criteria	Amber – May be capable of meeting criteria	Green – Fully meets criteria
Availability		Owner confirmed site not available, nor is likely to become available over plan period	Site availability uncertain	Willing landowner
Is the site available and deliverable?				✓

IF RED THE SITE SHOULD BE DISCOUNTED AT THIS STAGE. ALL OTHER SITES SHOULD PROCEED TO STAGE 2.

Stage 2 – Suitability/ Constraints

Site Assessment Table: Stage 2 - Suitability

Criteria and Issues	Assessment references in addition to National Planning Policy Framework (NPPF), National Planning Guidance (NPG)	Red – Does not meet criteria	Amber – May be capable of meeting criteria	Green – Fully meets criteria
Flood Zone	Swale Strategic Flood Risk Assessment (SFRA) and Environment Agency guidance	Flood zone 3/ cannot be mitigated	Flood zone 2 or 3 but with acceptable mitigation to the satisfaction of the Council and Environment Agency	Flood zone 1
Impact on designations or on landscape character/quality	Kent Downs AONB Management Plan 2009, Landscape Character and Biodiversity Appraisal SPD, Advice from Natural England and other environmental bodies	Site is within 1. a landscape designation, or 2. will affect the setting of a designation, or 3. is within an Area of High Landscape Value with unacceptable detrimental impact or where landscape impact cannot be mitigated including cumulative impacts	Within close proximity of a designated area but, and where landscape impact may be mitigated	Outside designated area and not affecting the setting of a designation/ No impact
Impact on biodiversity of known protected species	Advice from KCC Archaeology Officers, UK/ Kent/ Swale BAP, advice from Natural England and environmental bodies	Site is within or affecting international, national or locally designated sites with unacceptable detrimental impact or where impact cannot be mitigated including cumulative impacts	Site is within, close proximity to or affecting international, national or locally designated sites where impact could be mitigated	Outside of any designation and not affecting the setting of a designation/No impact.
Scale of site or multiple sites	Officer assessment - considering quantity of existing sites against scale and form of existing settlement/settled community and advice from service providers	Has significant dominating effect	Scale has some impact	Scale has little or no impact.
Archaeology and	Heritage asset list and advice from heritage	Unacceptable detrimental impact on scheduled	Possible impact /minor impact on scheduled	Not in close proximity to Scheduled Ancient

Conservation Impact on Scheduled Ancient Monument or other heritage asset/non designated heritage asset	advisors	ancient monument/other heritage asset/non designated heritage assets	ancient monument/other heritage asset/non designated heritage assets	Monument/other heritage asset/non designated heritage assets
Contamination Unacceptable living conditions	Consult Land Contamination Planning guidance Document 2013 and Contaminated Land Strategy 2010	Site is contaminated and cannot be mitigated	Site is or is potentially contaminated - potential impact likely to be mitigated	No known contamination issues
Noise and disturbance issues Unacceptable living conditions	Consult Noise and Vibration: Planning Guidance Document 2013	Site located adjacent to noisy land use - cannot be mitigated	Site located adjacent to noisy land use - potential impact likely to be mitigated or low level	No noisy adjacent land uses
Site access and safety Access/Proximity to major roads and pedestrian routes	Any transport information submitted and Kent Highways Services assessment/advice	Remote location accessed by unmade roads/ poor roads or unresolvable highway safety issue	Some access to road network and site - potentially requiring mitigation or highway safety issue and possibly capable of mitigation	Good site and road access and no significant highway safety concerns
Accessibility to facilities GP surgery, Primary School, Shops, Public Transport	Desk top review	None or few within reasonable distance	Reasonable distance to most services	All within reasonable travelling distance

IF ANY SCORE RED THE SITE SHOULD BE DISCOUNTED AT THIS STAGE. ALL OTHER SITES SHOULD PROCEED TO STAGE 3.

Stage 3 - More detailed site suitability

Site Assessment Table: Stage 3 - Detailed suitability

Criteria and Issues	Assessment references	Red – Does not meet criteria	Amber – May be capable of meeting criteria	Green- Fully meets criteria
Topography Uneven or unsafe ground levels and structures	Site survey by Officers and landscape evidence submitted	Steep slope which makes site unsuitable	Sloping land which may require works to make site suitable for use	Level or gently sloping site
Residential Amenity Impact on amenity of proposed and existing residents	Officers' assessment - same as housing, overlooking, disturbance from vehicle movements, loss of light, overcrowding etc	Close proximity to existing adjacent uses especially residential properties where any potential impact (light, visual, other disturbance). Has unacceptable impact which cannot be mitigated	Some impact on residential amenity - likely to be mitigated or low level	No impact on residential amenity
Utilities Electricity, Gas, Water, Drainage/ Sewers (mains or cesspit)	Site visit and utility providers advice	Not applicable as a reason for discounting a site	Yes – most (3 or 4)	Yes – all
Site capable of live/ work mix Priority for sustainable	Site visit/ submitted details	Not applicable as a reason for discounting a site	No or maybe	Yes

locations				
Parking	Site visit and Kent Highways Services advice	No parking/ turning and no potential to provide parking and turning space	Inadequate parking/ turning or limited potential to provide parking and turning space	Sufficient parking and turning space ✓
Sufficient parking and turning space				
Landscaping	Site visit and Swale Landscape Character and Biodiversity Assessment 2010, Planting on New Developments: A Guide for Developers	Not applicable as a reason for discounting a site	No soft landscaping/ landscaping could impact on landscape character area	Site has existing soft landscaping/ option to provide soft landscaping ✓
Sufficient landscaping for amenity/impact on landscape character				