

LOCAL PLANNING AND ENVIRONMENT ADVISORY COMMITTEE

25 March 2014 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks

AGENDA

Membership:

Chairman: Cllr. Mrs. Hunter Vice-Chairman: Cllr. Searles
Cllrs. Bosley, Clark, Mrs. Dawson, Gaywood, Mrs. Morris, Mrs. Purves, Mrs. Sargeant and
Williamson

	<u>Pages</u>	<u>Contact</u>
Apologies for Absence		
1. Minutes To agree the Minutes of the meeting of the Committee held on 19 November 2013, as a correct record.	(Pages 1 - 6)	
2. Declarations of interest Any interests not already registered		
3. Actions from Previous Meeting (if any) None		
4. Update from Portfolio Holder		Councillor Ian Bosley
5. Referrals from Cabinet or the Audit Committee (if any) a) Internal Audit Progress Report (Minute 17, Audit – 10 September 2013)	(Pages 7 - 8)	
6. Gypsies and Traveller Plan - Site Options consultation	(Pages 9 - 138)	Kirsti Johnstone Tel: 01732 227134
7. Community Infrastructure Levy (CIL) Governance	(Pages 139 - 150)	Steve Craddock Tel: 01732 227315
8. Enforcement Charter	(Pages 151 - 170)	Richard Morris Tel: 01732 227430
9. Work Plan	(Pages 171 - 172)	

EXEMPT ITEMS

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

For any other queries concerning this agenda or the meeting please contact:

The Democratic Services Team (01732 227241)

LOCAL PLANNING AND ENVIRONMENT ADVISORY COMMITTEE

Minutes of the meeting held on 19 November 2013 commencing at 7.00 pm

Present: Cllr. Mrs. Hunter (Chairman)

Cllr. Searles (Vice-Chairman)

Cllrs. Bosley, Clark, Gaywood and Mrs. Morris

Apologies for absence were received from Cllrs. Mrs. Purves, Mrs. Sargeant and Williamson

Cllrs. Brookbank and Ramsay were also present.

19. Minutes

Resolved: That the Minutes of the meeting of the Committee held on 24 September 2013, be approved and signed by the Chairman as a correct record.

20. Declarations of interest

No additional declarations of interest were made.

21. Actions from Previous Meeting

It was noted that a report had been placed on the agenda at item 11 in response to the action from the previous meeting.

22. Update from Portfolio Holder

The Portfolio Holder for Local Planning and Environment advised that he was still holding regular meetings with the Chief Officers for Environmental & Operations Services; and Planning. Among many issues dealt with included that the CIL charging schedule had been found sound; the Allocations and Development Management Plan had had some minor modifications which had been signed off as a Portfolio Holder decision, such as updating the statistics to 2013 and document cross referencing with KCC. Water companies were now requesting a policy to do with adequate drainage and run off. He had also taken a decision on Christmas refuse collection timings; Dunbrik was operational now after the fire; a decision by the Secretary of State on the Sainsbury's application at Edenbridge was still awaited. He commented on the excellent planning tour arranged for Members and hoped there would be another one soon that more members of the Development Control Committee would attend.

The Chairman asked for the Committee's thanks to be conveyed to the team of officers who had worked on the CIL.

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In response to a question the Chief Planning Officer advised that the meeting in January would be asked to consider a report on the CIL Charging Schedule and separately in March the governance arrangements.

23. Referrals from Cabinet or the Audit Committee (if any)

There were none.

24. Climate Local Sevenoaks

The Housing Policy Manager advised Members on the background of Climate Local, which was a Local Government Association (LGA) initiative to drive, inspire and support local authority action on a changing climate. The initiative supported 'mitigation' measures (address the root causes by reducing greenhouse gas emissions) and 'adaptation' measures (lower the risks posed by the consequences of climatic changes). Climate Local superseded the Nottingham Declaration on Climate Change, which had been previously adopted by the District Council. In response to this, Kent County Council (KCC) and its public sector partners, which included all Kent district/borough councils, Kent Police, Kent Fire and Rescue, and Kent and Medway NHS Trust, had jointly developed Climate Local Kent which was subsequently supported by the Kent Forum.

The report presented Members with two options:

- (i) Option A: Adopt District targets in line with *Climate Local Kent* (local targets and comparisons included at Appendix A to the report).

County targets had been scaled-down to district/borough level by assuming an equal proportion for each respective authority. Consideration was then given to the local population, housing stock types/numbers and condition, major infrastructure and business, planning restrictions and deprivation.

A reduction was subsequently applied to some targets to reflect limited scope for savings in the Sevenoaks District. This provided a more realistic set of commitments and targets to work towards at District level, whilst still demonstrating a local commitment to wider Kent outcomes; or

- (ii) Option B: Members work with Officers to develop a bespoke action plan with associated targets.

With Climate Local covering the whole remit of operations and services, input would be required from departments across the District Council (and other advisory boards, if a move away from generally agreed strategy).

It was proposed within the report to report back on key progress two-years from plan approval; however the Housing Policy Manger advised that this had now been agreed to be an annual report. The latest Community Plan also included a target to achieve at least 80% of targets and commitments contained within the proposed *Climate Local Sevenoaks* document. Quarterly reports against the Community Plan would allow Members to monitor related strategy more frequently.

It was noted that as Council had now been moved, the report would be considered at the meeting on 17 December 2013 not 18 February 2014.

A Member was worried that the 'green deal' target may be unrealistic; the Housing Policy Manager replied that he was comfortable with that target and confident that it could be achieved.

Resolved: That it be recommended to Cabinet to recommend to Council, that *Climate Local Sevenoaks* Option A, be approved and adopted as District Council policy.

25. Pest Control Review Outcome

The Chief Officer Environmental & Operational Services, presented the report which advised that following the decision of the Social Affairs Select Committee on 26 March 2013 and confirmed by Cabinet to continue the pest control service, as existing, until 2014, maximising income by charges and additional commercial sector work, whilst remaining competitive, but accepting that the service would produce a net deficit on the trading accounts of an average of £12,000 per annum; and that a further review of the service be carried out in October 2013 to consider exposing the service to competitive tender. This report provided that further review as requested and reported that that the tender result would identify the most financially advantageous price of delivering the pest control service, and would compare the price submitted by the in-house service with prices offered by the private sector. This would inform Members of the cost of continuing to provide a pest control service.

A Member commented that it was a service the public expected from the Council though he understood that it was discretionary, if it could be provided at a cost that did not adversely impact on the Council's budget then he was keen to see it continue and agreed with the recommendations. Another Member was not happy that the Council was competing against the private sector and did not see what could be gained from going out to tender and that the services was making a loss, was discretionary and so should just be ceased a further Member supported this..

The Chief Officer Environmental & Operational Services replied that it was a public service and should not be judged on cost recovery basis, there was discretion to charge and maximise income. The services also currently offered a reduction in fees for those on means tested benefits. Going out to tender would help assess the situation and provide Members with all the relevant information they would need to make an informed decision. The results of the tender process, if agreed, would be brought back to Committee in July 2013. At the moment any loss was absorbed by the direct services trading account and did not affect the general fund. In response to a question concerning the officers' morale, he replied that they were aware of the threat of the service ceasing and highest praise to them they had continued to be flexible, and had reduced costs by working long hours without overtime and by taking the time off in lieu in the slower winter months along with their annual leave. He believed that if the service was compulsorily competitively tendered they would go for redundancy rather than a TUPE arrangement. However he believed that they would be confident of being the successful tender.

Public Sector Equality Duty

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Members noted that consideration had been given to impacts under the Public Sector Equality Duty and that a decision to cease delivery of the service or contracting out to a private company may have a detrimental affect on residents receiving means tested benefits as discounts currently offered may not be available. Steps that could be taken to mitigate this would be a requirement within the tender process to require the 'contractor' to provide a discount on pest control treatments to families on means tested benefits and provision for this subsidy within future council budgets as a growth item.

Resolved: That it be recommended to Cabinet that the pest control service be exposed to competitive tender, for a three year contract and that the results of the tender be reported back to the Planning and Environment Advisory Committee for consideration.

26. 2014/15 Budget and Review of Service Plans

The Head of Finance advised that the purpose of the report was for the Committee to advise Cabinet on growth and savings ideas for the services within its terms of reference. Appendix C to the report contained a list of growth and savings ideas proposed by the Portfolio Holder and these together with any additional suggestions made by the Committee would be considered by Cabinet on 5 December 2013.

The Portfolio Holder for Finance & Resources addressed the Committee and asked whether glass kerb side recycling had been considered. He was advised that it had been looked at but was too cost prohibitive.

Resolved: That the the views on the growth and savings proposals identified by the Portfolio Holder, attached as Appendix C to the report, be agreed.

27. Weald Conservation Area Management Plan

Members considered a report which sought Members' support for a new Conservation Area at Sevenoaks Weald and the adoption of the Conservation Area Appraisal and Management Plan as a Supplementary Planning Document. The Chairman thanked the report authors for a very readable document.

Resolved: That it be recommended to Cabinet that:

- a) a new Conservation Area be designated for Sevenoaks Weald; and
- b) the Conservation Area Appraisal and Management Plan be adopted as Supplementary Planning Guidance.

28. Approval of Neighbourhood Plan Areas for Otford and Sevenoaks

Members considered a report which advised that Otford Parish and Sevenoaks Town Council had submitted proposed Neighbourhood Areas for consideration. The Otford area reflected the future boundary of Otford Parish, following boundary changes recommended by the 2012 Community Governance Review, which would take place in 2015. The proposed areas were appropriate in planning terms for the long term planning of the area and it was recommended that the proposed Neighbourhood Plan

Areas should be designated and the Portfolio Holder's approval sought for the designation of Neighbourhood Plan Areas for Otford Parish and Sevenoaks Town, and that in accordance with the Neighbourhood Planning (General) Regulations 2012 (7) the following be published as soon as possible after designation:

- the name of the neighbourhood area,
- a map which identifies the area, and
- the name of the relevant body who applied for the designation

Resolved: That the the Portfolio Holder be advised to approve the designation of Neighbourhood Plan Areas for Otford Parish and Sevenoaks Town for the areas as set out in Appendices B and C to the report.

29. Potential New Conservation Areas

Members considered a report that arose from an action point from the last meeting. The report invited Members comments on the suggested approach to prioritisation of Conservation Area requests as set out in the report. The approach gave priority to those areas that were more likely to be under pressure for new development that could be harmful to their character. It set out the list of potential areas that had been put forward in recent years and suggested a possible approach to prioritisation. Members' discussed the report and were happy with the approach used.

Resolved: That the approach to prioritisation of Conservation Area requests set out in the report be noted.

30. Work Plan

The Committee considered a tabled [amended work plan](#), which was agreed subject to the last line being deleted as it referred to a report that was considered that night.

THE MEETING WAS CONCLUDED AT 8.44 PM

CHAIRMAN

RECOMMENDATION FROM AUDIT COMMITTEE

Internal Audit Progress Report (Minute 17, Audit Committee – 10 September 2013)

The Committee considered a report providing details of the progress of the Internal Audit Team in delivering the Annual Internal Audit Plan 2013/14 and outcomes of final internal audit reports issued since the meeting of the Audit Committee in June 2013.

Three planned reviews had been finalised with a further five were shown as work in progress.

The Committee expressed concern surrounding the outcome of the audit of IT Implementation and Network. The Audit, Risk and Anti Fraud Manager reported that since the audit, five out of six recommendations had been implemented and based on the actions taken by management to date there was no longer a matter of concern, if the audit were undertaken now the audit opinion would be 'Good'.

Members reported that they would like to continue monitoring IT and the Chief Finance Officer suggested that a further report could be provided to the Committee following the IT Audit Review which would be undertaken in January 2013.

A Member suggested that the Committee should ask the Environment and Local Planning Advisory Committee to look at issues surrounding the future of the Dunbrik site.

The Committee expressed concern that the Environmental Health Partnership schedule between Dartford Borough Council and Sevenoaks District Council had not been formally agreed and signed. The Chief Officer Legal and Governance and the Audit, Risk and Anti Fraud Manager confirmed that agreements were in place and working arrangements and the delivery of the service had not been impeded. However, Members were still not satisfied that the agreement had not been formally signed and suggested that this was something else that the Environment and Local Planning Advisory Committee may wish to investigate.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That

- (a) the report and progress made by the Audit Team in delivering the 2013/14 Annual Internal Audit Plan be noted; and
- (b) the Environment and Local Planning Advisory Committee be asked to look at issues surrounding the future of the Dunbrik site.

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Following the meeting the Chief Officer Legal and Governance followed up on the matter concerning the Environmental Health Partnership schedule between Dartford Borough Council and Sevenoaks District Council had not been formally agreed and signed.

GYPSY AND TRAVELLER PLAN - SITE OPTIONS CONSULTATION

Local Planning and Environment Advisory Committee – 25 March 2014

Report of Chief Planning Officer

Status: For consideration

Also considered by: Cabinet – 10 April 2014

Key Decision: No

Executive Summary:

The Gypsy, Traveller and Travelling Showpeople Accommodation Assessment completed in March 2012 identified a need to provide 72 pitches between 2012 and 2026 to meet the needs of those forecast to meet the planning definition of a Gypsy and Traveller. The Planning Policy team is preparing a consultation draft of the Gypsy and Traveller Plan to put forward a series of site options for further consideration of their suitability, deliverability, and achievability to deliver the identified need for Gypsy and Traveller pitches across Sevenoaks District. It is important that the Council develops a plan to meet this need, as without the identification of suitable sites, the Council will find it hard to resist new proposals for sites across the District coming forward through the development management (including appeal) process, regardless of their location. Initial assessments have been conducted on the constraints of each site option (Appendix 2), and the purpose of the consultation (Appendix 1) is to seek the views of all stakeholders on these sites, as well as provide an opportunity to put forward other sites that may be considered more suitable.

This report supports the Key Aims of the Community Plan

Portfolio Holder Cllr. Ian Bosley

Contact Officer(s) Kirsti Johnson ext. 7134

Recommendation to Local Planning and Environment Advisory Committee:

It be resolved that the Local Planning and Environment Advisory Committee endorse the recommendation to Cabinet, subject to any identified amendments to the consultation document.

Recommendation to Cabinet

- (a) That the ‘Gypsy and Traveller Plan – Site Options Consultation’ (Appendix 1) and the Gypsy and Traveller Plan – Site Options - Assessments (Appendix 2) be
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published for consultation (along with the Sustainability Appraisal) during a period to be agreed by the Portfolio Holder.

- (b) That the Portfolio Holder is authorised to agree minor presentational changes and detailed amendments to the consultation documents to assist their clarity.
- (c) That the consultation document is published on the Council's website and made available to purchase in hard copy at a price to be agreed by the Portfolio Holder.

Reason for recommendation:

To allow for the preparation of the Gypsy and Traveller Site Provision Plan in accordance with the Local Development Scheme.

1. Introduction

- 1.1 Government policy requires local planning authorities to identify the accommodation needs of Gypsies and Travellers and prepare a plan to show how these needs will be met. Gypsies and Travellers are recognised as being a distinct ethnic group and are protected from discrimination through the Equalities Act 2010. The Government wish to ensure fair and equal treatment for 'travellers' in such a way that facilitates their traditional and nomadic way of life while respecting the interests of the settled community.
- 1.2 The Gypsy and Traveller Plan, once adopted, will form part of the LDF/Local Plan, and will allocate a number of sites that provide for the identified accommodation needs of Gypsies and Travellers across Sevenoaks District. Before the Council can adopt a Gypsy and Traveller Plan it must be subjected to independent examination and found sound by a Government-appointed Planning Inspector. It is critical, therefore, that the suitability and deliverability of sites is robustly assessed and that sound planning reasons can be presented for the Council proposing or rejecting sites. These documents (appendices 1 and 2) form the first stage of this process and set out potential site options, and an assessment of the planning issues relating to these sites, that it is proposed the Council should seek the views of the public and stakeholder organisations on. The site options consultation document, and the evidence base, can be given very little weight in the planning process at this early consultation stage.

2. Evidence Base

- 2.1 National Planning Policy for Traveller Sites (PPTS) states that local authorities should 'set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and

transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities’.

- 2.2 The Council undertook a Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) in March 2012. The study identified a need for 40 pitches to be delivered over the period 2012-2016 (when applying the planning definition tests of Gypsy and Travellers) and a subsequent need for a further 32 pitches over the period 2017 to 2026 (a total of 72 over the period 2012-2026). These figures compared to the 2006 GTAA findings that 64 pitches would be required in the period 2006-2011 and 184 pitches would be required over the period 2006-2026.
- 2.3 The GTAA was based on information from key stakeholders (KCC, SDC and Kent Police, for example) and a survey of 86 Gypsy, Traveller and Travelling Showpeople households currently residing in Sevenoaks. The survey included 66 household interviews on Gypsy and Traveller sites (54% of the estimated total number of households) and 20 with Gypsies and Travellers living in bricks and mortar. The GTAA notes that many of the pitches required in the District in the period 2012-2016 are required to provide permanent pitches for those households currently on temporary and unauthorised sites, where these meet the planning definition tests. As a result, the net increase in the number of pitches in the District over this period is likely to be much lower than 40. Of those 40 pitches required in 2012-2016 that are not needed to provide permanent accommodation for households on temporary or unauthorised sites (9 pitches), these are all to provide for concealed (doubled up) households currently residing in the District or new households forecast to form in the period from children of existing households in the District. No need has been identified from households moving into the District.
- 2.4 A ‘call for sites’ was conducted during both the Allocations (Options) consultation in 2010 and the Development Management: Draft Policies for Consultation in 2011. This did not result in any suitable sites coming forward for potential allocation. Therefore a subsequent call for sites was undertaken in August 2012, which did receive some interest for potential new sites, potential extensions to existing permanent sites, and additional pitches on existing private sites.
- 2.5 Discussions have also been held in-house with the Council’s Housing, Property, Development management and Enforcement Teams to suggest potential sites in SDC ownership or others than may come forward through the planning system. Discussions have also taken place in a similar manner with KCC regarding the potential for any sites, or extension to existing sites

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that could be put forward to assist with meeting the identified need for Sevenoaks District.

3. Potential Site Options

- 3.1 In order to meet the identified need, a variety of sources of potential site options have been explored to ensure all known site options at this stage in the process can be equally assessed. These sources of sites are:
- Proposed Allocations - as put forward in the Allocations and Development Management Plan
 - Existing temporary sites
 - Increasing capacity within existing permanent sites
 - Extending existing public sites
 - Suggested sites identified in the “call for site” exercise, and
 - Currently Unauthorised sites
- 3.2 All sites have been initially assessed according to the criteria adopted in Core Strategy Policy SP6 for their potential suitability to provide Gypsy and Traveller accommodation. These criteria are outlined in section 6.5 of the Sites Options Consultation document (Appendix 1).
- 3.3 Whilst Core Strategy Policy SP6 states that ‘alternatives should be explored before Green Belt locations are considered’ and national policy states that the Green Belt should be protected from inappropriate development, it appears from the work undertaken to date that it will not be possible to meet the identified need without planning for Gypsy and Traveller sites in the Green Belt.
- 3.4 Following the revocation of regional strategies (e.g. the South East Plan), the Government has identified the statutory ‘Duty to Cooperate’ as the mechanism by which authorities should plan for regional and sub-regional issues, including where development needs can not be met as a result of constraints such as the Green Belt. Council officers have undertaken discussions with neighbouring authorities and understand it to be unlikely that they will be in a position to help SDC meet its needs. The consultation document provides a formal opportunity for authorities to respond on this issue.
- 3.5 Table 3 in paragraph 7.4 of the consultation document (Appendix 1) sets out the potential site options that the Council are seeking views on, following the assessment set out in Appendix 2. The total number of potential pitches that could be accommodated on these sites is more than the total need requirements for Sevenoaks District and it is hoped that this

consultation will identify additional options. Therefore, the Council is in a strong position to be able to choose the most suitable and deliverable sites going forward. It is not simply the case that all of the sites proposed must be taken forward in later versions of this plan and through to examination and adoption.

- 3.6 Table 4 in paragraph 8.1 of the consultation document sets out the sites that the Council's initial assessment, using the same criteria (set out in Appendix 2), has found to be unlikely to be suitable for allocation at this stage. The key reasons are outlined in Table 2. Views of stakeholders and the public are also sought on these sites and the planning assessment (Appendix 2).
- 3.7 As noted above, as part of this consultation, the Council are also seeking additional sites to be put forward. The Council will then assess whether these could potentially be more suitable than any of the proposed site options.

4. Timetable

- 4.1 The Local Development Scheme considered by Local Planning and Environment Advisory Committee (at its inquorate meeting) in January proposed the following timetable for the preparation of the Gypsy and Traveller Plan:

Consultation on Site Options	April / May 2014
Publication of Draft Plan (following approval of Full Council)	November / October 2014
Examination	July 2015
Adoption	December 2015

The Local Development Scheme will be considered by Local Planning and Environment Advisory Committee in July 2014.

- 4.2 The site options consultation document, and the evidence base, can be given very little weight in the planning process at this early consultation stage.

Other Options Considered and/or Rejected

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Not approving the consultation document is the alternative option, but would result in further delays to the preparation of the Gypsy and Traveller Plan and leave the Council at risk of unplanned development.

Key Implications

Financial

Any cost will be met by the existing budget and staffing.

Legal Implications and Risk Assessment Statement.

If the decision not to consult on the site options it taken, this would result in further delays to the production of the Gypsy and Traveller Plan and subsequent future amendments to the LDS. There is also a risk that the Council will be unable to resist planning applications for this land use, or result in further appeals coming forward due to lack of suitably identified sites.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The plan will allocate land for future development of Gypsy and Traveller pitches to assist the Council in meeting the identified accommodation needs of the Gypsy and Traveller community up until the end of the plan period. The Local Plan currently identifies the provision for bricks and mortar housing, allocating sites across the District to meet that need. By ensuring that the needs of this minority group are fairly and equally considered by the Local Plan (in the same way as general housing and land allocations) the Council aims to prevent any discrimination against this group, via the planning process.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	A strategy which considers provision for adequate future homes for Gypsies and Travellers will make a positive contribution to this minority group. An Equalities Impact Assessment forms a background document to this report.
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts	N/A	N/A

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
identified above?		

Conclusions

It is important that the Council develops a plan to meet the identified need for Gypsy and Traveller pitches, as without the identification of suitable sites, the Council will find it hard to resist new proposals for sites across the District coming forward through the development management (including appeal) process, regardless of their location. Initial assessments have been conducted on the constraints of each site option, and the purpose of the consultation is to seek the views of all stakeholders on these sites, as well as provide an opportunity to put forward other sites that may be considered more suitable. It is recommended that the consultation document is published.

Appendices

Appendix 1 – Gypsy and Traveller Plan – Site Options

Appendix 2 – Gypsy and Traveller Plan – Site Options - Assessments

Background Papers:

Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2012)

Sustainability Appraisal of the Gypsy and Traveller Plan – Site Options

Equality Impact Assessment of the Gypsy and Traveller Plan – Site Options

Planning Policy for Traveller Sites (CLG, 2012)

Designing Gypsy and Traveller Sites – Good Practice Guide (CLG, 2008)

Mr Richard Morris

Chief Planning Officer

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**GYPSY AND TRAVELLER PLAN
SITE OPTIONS CONSULTATION DOCUMENT**

MARCH 2014

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1. Introduction

- 1.1 The Government believes that everyone should have the opportunity of a decent home. Ensuring the availability of decent homes is considered a key element of any thriving, sustainable community, and is true for both the settled and Gypsy and Traveller communities alike.
- 1.2 Through its national planning policy, the Government is committed to ensuring a fair and equal treatment for gypsies and travellers. In order to achieve this Local Planning Authorities should make their own assessment of need across their District or Borough, and seek to plan positively in line with the principles of sustainable development.
- 1.3 This Gypsy and Traveller Plan - Site Options Consultation document is the first stage in the consultation process for the preparation of the Gypsy and Traveller Plan. The Gypsy and Traveller Plan, once adopted, will form part of the LDF/Local Plan, and will allocate a number of suitable and deliverable sites that provide for the identified accommodation needs of Gypsies and Travellers across Sevenoaks District. It is critical, therefore, that the suitability and deliverability of sites is robustly assessed and that sound planning reasons can be presented for the Council proposing or rejecting sites. Before the Council can adopt a Gypsy and Traveller Plan it must be subjected to independent examination and found sound by a Government-appointed Planning Inspector.
- 1.4 The Council undertook a Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTTAA) in March 2012. The GTTAA is the key evidence base document for identifying the need across Sevenoaks District. The study identified a need for 40 pitches to be delivered over the period 2012-2016 (when applying the planning definition tests of Gypsy and Travellers) and a subsequent need for a further 32 pitches over the period 2017 to 2026 (a total of 72 over the period 2012-2026).
- 1.5 It is important to plan to meet this need, as without the identification of suitable sites, the Council will find it hard to resist new proposals for sites across the District, regardless of their location, as strategic provision will not have been identified. Initial assessments have been conducted on the constraints of each site option, according to the criteria adopted in Core Strategy Policy SP6 for their potential suitability to provide Gypsy and Traveller accommodation. These criteria are outlined in section 6.5 of this document and the views of all stakeholders are now being sought on these sites, as well as an opportunity to put forward other sites that may be considered more suitable.

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- 1.6 The responses made during the consultation, along with any additional sites suggested, will be duly considered and assist in informing the next stages of the Gypsy and Traveller Plan preparation, which will put forward the Council's preferred options.

2. How to respond to this Consultation

- 2.1 The Gypsy and Traveller Plan is being prepared as part of the Local Plan for Sevenoaks District to allocate sites for future gypsy and traveller accommodation.
- 2.2 This Site Options Consultation document represents the first stage in the preparation process of the Gypsy and Traveller Plan. We wish to hear from you regarding the set of site options put forward in this document to meet the identified need for providing Gypsy and Traveller accommodation across the District.
- 2.3 The consultation period runs from ** to ** 2014 and all comments should be received by ** on ** 2014.

How to comment:

You can make representations using several methods:

- By completing the form online ([hyperlink](#))
- Email your response to ldf.consultation@sevenoaks.gov.uk
- By completing and returning the enclosed response form.

Additional copies of the response form can be downloaded at: ([hyperlink](#))

3. Background

- 3.1 The Council is required by the Housing Act 2004 and the National Planning Policy for Travellers to meet the accommodation needs of the population within the District, including the needs of the Gypsy and Traveller community and Travelling Showpeople.
- 3.2 This Gypsy and Traveller Plan will eventually form part of the Local Plan for Sevenoaks District, and will set out a number of sound sites allocated to meet the accommodation needs of Gypsy, Traveller, and Travelling Showpeople for the current plan period (up to 2026). This Sites Options Consultation Document represents the first stage of consultation, setting out potential site options to address the identified need within the District.

Defining Gypsy and Travellers, and Sites and Pitches

- 3.3 For the purposes of this document, the definition of Gypsy and Travellers is taken from the national Planning Policy for Traveller Sites (2012):

Gypsies and Travellers -

“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.”

Travelling Showpeople -

“Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers as defined above.”

- 3.4 The terms ‘site’ and ‘pitch’ are often used to describe Gypsy and Traveller accommodation, and are commonly confused. It is important therefore to note what is meant by each term to ensure they are not mis-used.

What do we mean by 'site' and 'pitch?'

A Gypsy and Traveller **site** is an area of land on which Gypsies and Travellers are accommodated. Sites contain one or several units of accommodation. These units are known as a **pitch**. A pitch is generally home to one household. For example, a public site will almost certainly be home to several families, each who occupy their own pitch within that site.

There is no set definition of what should be contained within a pitch, but it is generally accepted that an average family pitch must be capable of accommodating a large trailer and touring caravan, an amenity building, parking space for two vehicles, and a small garden area (DCLG Designing Gypsy and Traveller Sites – Good Practice Guide para.7.12). Taking into account the available guidance, it is generally accepted that an average pitch size is 500sqm.

Main Aim, Objectives and Challenges

- 3.1 The National Planning Policy for Travellers (PPTS) sets out the requirement for Local Planning Authorities to make their own assessment of need for Gypsy, Traveller, and Travelling Showpeople accommodation, ensuring fair and equal strategies to meet the identified need are developed. Further information on national planning policy in respect of Gypsies and Travellers is set out in section 4 of this consultation document. The main strategic document for Sevenoaks District is the Core Strategy (2011), which sets out the long-term spatial vision for how the Borough will develop and change up to 2026. The national and local planning policy context is set out in section 4.
- 3.2 The shortage of authorised Gypsy and Traveller sites across Sevenoaks District provides the key challenge this Plan seeks to address. The Plan will sit alongside the Core Strategy and Allocations and Development Management Plan (ADMP) as development plan documents, and once adopted will allocate sites for Gypsy and Traveller accommodation that have been robustly assessed and are demonstrated to be suitable and deliverable within the plan period.
- 3.3 The Gypsy, Traveller, and Travelling Showpeople Accommodation Assessment (2012) sets out the need for Sevenoaks District, identifying a requirement for 72 pitches to be delivered between 2012 and the end of the current plan period (2026).
- 3.4 However, Sevenoaks District is covered to a large extent by landscape constraints, with 93% Metropolitan Green Belt and 60% Area of Outstanding

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Natural Beauty afforded considerable protection in national policy. These represent challenges to identifying suitable locations to meet the requirement.

3.5 The overarching aim of the Plan is therefore:

To increase the number of authorised Gypsy and Traveller pitches in the most appropriate locations across Sevenoaks District, reducing the number of unauthorised sites, and to enable Gypsy and Travellers to access services and facilities to meet their needs, whilst respecting the needs of the settled community in these locations.

3.6 In order to achieve this aim, the Plan seeks to address a number of sub-objectives being:

- To identify sites that are available, suitable and deliverable to meet the identified need in Sevenoaks District;
- To allocate sites and grant permission for such sites that are sustainably located so as to improve access to local services and facilities such as education, healthcare provision, and convenience goods, whilst having minimal impact upon the surrounding landscape;
- To provide clear development management guidance for the assessment of planning applications regarding Gypsy and Traveller sites; and
- To ensure sites are designed to high quality, providing a safe and pleasant living environment for residents.
- To protect the Green belt from inappropriate development, whilst recognising the difficulties of securing Gypsy and Traveller accommodation in the urban areas across the District.

Do you agree with the main aim and objectives of the Plan?

Do you think there are any other objectives that the Plan should address?

4. Planning Policy Framework

National Planning Policy and Guidance

- 4.1 In March 2012, the Government published a new Planning Policy for Traveller Sites (PPTS), in conjunction with the National Planning Policy Framework (NPPF). The overarching aim of government policy for Gypsy and Travellers is to ensure their fair and equal treatment in a way that facilitates the traditional and nomadic way of life, while respecting the interests of the settled community (para.3).
- 4.2 The policy sets out the requirement of local planning authorities (LPAs) to make their own assessment of need, setting their own pitch targets for gypsies and travellers and plot targets for travelling showpeople. This must be based on robust evidence, including engagement and cooperation with the traveller and settled community, and involve collaborative working with neighbouring authorities (para.4).
- 4.3 Policy B of the PPTS states that Local Plans addressing gypsy and traveller needs should:
- Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of sites against their locally set targets;
 - Identify a supply of specific, developable sites or broad locations for growth for years 6-10, and where possible years 11-15;
 - Ensure sites are sustainable economically, socially and environmentally
 - Set criteria to guide land supply allocations and help determine planning applications;
 - Consider the provision of suitable traveller sites for mixed residential and business uses wherever possible; and
 - Protect the Green Belt from inappropriate development, strictly limiting new traveller sites in open countryside away from existing settlements or outside areas allocated in the development plan.
- 4.4 Regard must also be given to the NPPF, which sets out the Government's overarching planning policies for England with a presumption in favour of sustainable development.
- 4.5 There are no set requirements of what should be contained within a site or a pitch. In order to assist Local Authorities and those involved in the design and delivery of sites, the Government produced a Good Practice Guide (2008). The guide is intended to concentrate on issues such as how to design successful sites by identifying good practice case studies and examples, and the consideration of the need to achieve a good mix of accommodation.

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4.6 Chapter 4 of the Good Practice Guide recommends that, whilst there is no one ideal size of site or number of pitches, experience of site managers and residents alike suggests that a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage (para.4.7). It goes on to suggest that smaller sites containing fewer pitches can also be successful, particularly if accommodating one extended family. The guidance recognises that if evidence exists to demonstrate that sites larger than the suggested threshold of 15 pitches is preferable by the local Gypsy or Traveller community, then higher capacities can be acceptable (para.4.8).

Local Planning Policy

4.7 Policy SP6 of the Core Strategy (2011) sets out the criteria by which sites will be assessed for allocating as gypsy and traveller accommodation, and if required, for travelling showpeople.

4.8 The identification of sites will take account of the following criteria:

- a. The site should be located within or close to existing settlements with a range of services and facilities and access to public transport*
- b. The site is of a scale appropriate to accommodate the facilities required and will offer an acceptable living environment for future occupants in terms of noise and air quality*
- c. Safe and convenient vehicular and pedestrian access can be provided to the site*
- d. The site is not located within an area liable to flood*
- e. The development will have no significant adverse landscape or biodiversity impact. Particular care will be taken of landscape impacts on AONBs. In the AONBs, sites should only be allocated where it can be demonstrated that the objectives of the designation will not be compromised.*
- f. Alternatives should be explored before Green Belt locations are considered.*

4.9 The policy further states that land allocated for Gypsies and Travellers and Travelling Showpeople will be safeguarded for this purpose so long as a need exists in the District for accommodation for Gypsies and Travellers and Travelling Showpeople.

4.10 Proposals for sites for Gypsies and Travellers and Travelling Showpeople on other land outside existing settlement confines will only be permitted where it is first demonstrated that the development is for occupation by Gypsies and Travellers or Travelling Showpeople and that the proposed occupant has a need for accommodation that cannot be met on lawful existing or allocated sites in the region. In addition development proposals will need to comply with criteria a – e above.

- 4.11 For the purposes of this policy Gypsies and Travellers are people who meet the definition in Circular 01/06, as set out in the Core Strategy

5. Preparing the Gypsy and Traveller Site Options Consultation Document

Development of the Document

5.1 This Plan has been prepared in accordance with:

National and local policies:

- The National Planning Policy Framework 2012
- Planning Policy for Traveller Sites 2012
- Sevenoaks District Core Strategy 2011
- The Community Plan for Sevenoaks 2013
- Statement of Community Involvement 2006

Evidence base:

- Gypsy, Traveller and Travelling Showpeople Accommodation Assessment for Sevenoaks (2012)

Key Assessments and Appraisals:

- Sustainability Appraisal of the potential site allocations highlighting any potential conflicts and measures to mitigate these, and ensuring the Plan is aligned with the principles of sustainable development.
- Equalities Impact Assessment to ensure the document has been prepared in an inclusive manner, and to identify any impacts on specific groups of race, gender, disability, age or religion.

Engagement with key stakeholders including consultation on:

- Core Strategy criteria-based Policy SP6 (2011)
- Call for Sites 2010, 2011, 2012

Evidence Base

5.2 In September 2011 the Council commissioned the Salford Housing and Urban Studies Unit (SHUSU) at the University of Salford to produce a Gypsy, Traveller and Travelling Showpeople Needs Assessment (GTAA) for the district to replace the study formally undertaken by David Couttie Associates in 2006.

5.3 The GTAA for Sevenoaks was completed in March 2012, and forms key part of the evidence base for the preparation of the Gypsy and Traveller Plan. It considered the need for permanent pitches in Sevenoaks District in the period 2012-2026. Table 1 below sets out the identified need. The assessment of need was based on interviews with over 50% of existing site-based households currently living in the District, interviews with 20 gypsy and traveller families in bricks and mortar housing and engagement with key stakeholders (see table 1). Households on unauthorised sites

and sites with temporary permission were considered by the study to identify their immediate and future needs for permanent pitches. As the assessment sought to identify the need for permanent site-based accommodation, households living on pitches with temporary planning permission were considered to constitute part of the figure for the number of pitches that need to be allocated. Granting permanent permissions for existing temporary pitches would contribute towards achieving the need identified, and is considered as a potential supply option in this consultation.

Table 1: Identified need in Sevenoaks District

Period	Not applying planning definition	Applying planning definition
2012 - 2016	44	40
2017 - 2021	16	15
2022 - 2026	18	17
2012 - 2026	78	72

5.4 As identified in paragraph 3.3 of this document, the planning definition of gypsy and traveller excludes households that have stopped travelling for reasons other than their own family’s or dependants’ educational or health needs or old age. There is no clarification provided in national policy on when a household is considered to have ‘stopped travelling’. However, the GTTAA asked households how often they travelled and if they no longer travelled why this was the case. The assessment was, therefore, able to estimate those existing households that no longer met the planning definition of a gypsy and traveller and reduce the identified need accordingly.

5.5 The study identified that Sevenoaks District has a sufficient provision of sites for Travelling Showpeople to meet the requirements of the plan period and therefore these figures only include those that meet the planning definition of gypsies and travellers.

5.6 Since the assessment was carried out 1 additional permanent pitch has been granted in the District by appeal at Land at Marwood House, Stones Cross Road, Crockenhill (SE/ 11/02166/FUL), as a result the residual need for permanent pitches is 71 in the period 2012-2026, if the planning definition analysis is applied.

Call for Sites

5.7 Calls for gypsy and traveller sites to be put forward to the Council were included in the Allocations (Options) consultation in 2010 and the Development Management: Draft Policies for Consultation in 2011. Following this, the Council formally decided to allocate sites for Gypsies and Travellers through a Gypsy and Traveller Site Provision Plan rather than in the Allocations and Development Management Plan.

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- 5.8 A third Call for Sites was undertaken in August 2012. This involved contacting Gypsies and Travellers living in the District, Gypsy and Traveller organisations and all those who registered an interest in the issue through consultations as part of the LDF. Parish and Town Councils were also contacted for their views on any potential sites within their areas.
- 5.9 Discussions have also been held in-house with Housing, Property, Development management and Enforcement Teams to suggest potential sites in SDC ownership or others than may come forward through the planning system. Discussions have also taken place in a similar manner with KCC regarding the potential for any sites, or extension to existing sites could be put forward to assist with meeting the identified need for Sevenoaks District.

Duty to Co-operate

- 5.10 Section 110 of the Localism Act 2011 places a 'Duty to Cooperate' (hereafter 'The Duty') on Local Planning Authorities when preparing development plan documents. The Duty requires constructive, active engagement on an on-going basis to support all activities relating to a strategic matter.
- 5.11 The Council have participated in discussions with neighbouring authorities since early 2012 with regard to setting a common approach to the methodology for identifying and delivering need. The Council jointly commissioned Salford Housing and Urban Studies Unit (SHUSU) at the University of Salford to produce a GTTAA in 2012 with Maidstone Borough Council. Since this time, a number of local authorities across Kent have since commissioned Salford University to undertake their needs assessments so as to provide a common evidence base across the county.
- 5.12 In May 2013, the Council has conducted a meeting with neighbouring authorities to understand what their individual provision requirements are, where they are in the plan preparation process, and how they intend or anticipate meeting these requirements. These discussions did not result in any expressions of interest or willingness from neighbouring authorities to support SDC in the provision of our identified need.

Is your Local Authority willing and able to assist Sevenoaks DC in meeting the identified need in Sevenoaks District?

6 Site Assessment Criteria

6.1 This section sets out the approach taken to considering how the unmet needs of the District could be met, whilst ensuring appropriate consideration is given to constraints impacting upon the District.

6.2 The search for potential sites has looked at a number of sources:

- Proposed Allocations - as put forward in the Allocations and Development Management Plan
- Existing temporary sites
- Increasing capacity within existing permanent sites
- Extending existing public sites
- Suggest sites identified in the “call for site” exercise, and
- Currently Unauthorised sites

6.3 It is proposed that potential sites should be assessed using a criteria-based approach in order to determine the suitability of each site. These criteria take into consideration national and local policy as set out in the NPPF, the national Planning Policy for Traveller Sites (PPTS), the CLG Designing Gypsy and Traveller Sites Good Practice Guide 2008 and the Core Strategy 2011. They also reflect a range of environmental, economic and social factors.

6.4 Gypsy and Traveller needs for accommodation are invariably different to that of the settled community, but the consideration of location should be similar in many ways, and have regard to the potential health, welfare and social impacts that may be caused as a result of the location.

Assessment Criteria

6.5 It is the Council’s preference that potential sites meet all the below criteria. However, due to the previously mentioned planning and landscape constraints across the District, it may not be possible for all criteria to be satisfied. It may be necessary to prioritise some criteria over others to ensure that the most suitable sites are put forward as potential options to achieve meeting the requirements. Therefore, a site will not be ruled out if it fails to meet one of the criteria if sufficient justification can be put forward to satisfy other criteria considerations. In addition to being suitable in accordance with the criteria in Policy SP6, sites also need to be available and achievable.

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Criteria
Location & Key Constraints
a. The site is not located in the Green Belt
b. The site is not located within an area at high risk of flooding, including functional floodplains.
c. The site should be located within or close to existing settlements with a range of services and facilities and access to public transport. This is specifically related to access to appropriate health services and ensuring that children can attend school on a regular basis and reducing the need for long-distance travelling. It should avoid placing undue pressure on local infrastructure and services.
d. The site will provide an acceptable living environment for future occupants in terms of noise, air quality and privacy and is relatively flat
e. The development will have no significant adverse impact upon the landscape, biodiversity or heritage asset. In the AONBs, sites should only be allocated where it can be demonstrated that the objectives of the designation will not be compromised.
f. Alternative priority land uses.
Impact and Design
g. Responds to local character and reflects the identity of the local surroundings and will support peaceful and integrated co existence with the local community.
h. The site would or is capable, with mitigation, of securing good standards of amenity for existing residents.
i. The site is of a scale appropriate to accommodate the facilities required. In accordance with national policy (PPTS Policy F), wherever possible, Local Planning Authorities should include traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants. The sites should be able to accommodate a large mobile touring caravan, parking for 2 vehicles, utility building small garden area per household.- 500 square metres
j. Safe and convenient vehicular and pedestrian access can be provided to the site
Deliverability,
k. The site is deliverable. <i>The ease of acquisition is considered along with indicative costing of bringing the sites forward for development.</i> <i>Considerations for the deliverability of the site will include:</i> <ul style="list-style-type: none"> - <i>Whether or not the site is currently allocated for an alternative land use</i> - <i>The ownership – private (non-gypsy/gypsy) or public</i> - <i>Anticipated delivery costs</i>

Do you consider these to be an appropriate set of criteria to determine the suitability of each site? Do you feel any other criteria should be considered?

Green Belt

- 6.6 The Metropolitan Green Belt covers 93% of Sevenoaks District. Core Strategy Policy SP6 'Provision for Gypsies and Travellers and Travelling Showpeople' states that "alternatives should be explored before Green Belt locations are considered". This therefore presents a large constraint to meeting the identified need.
- 6.7 National policy dictates that Gypsy and traveller pitches are inappropriate development within the Green Belt. However, as with other forms of inappropriate development in the Green Belt, if very special circumstances exist then development may be acceptable. The lack of suitable sites outside of Green Belt land to meet identified needs could contribute to the justification of very special circumstances. All the existing sites in the District are in the Green Belt. It is therefore reasonable to explore Green Belt land if all other alternatives have been fully explored and exhausted before such sites are considered.
- 6.8 Previously the council have lost appeal decisions due to the weight Planning Inspectors have given to the issue of identified need that has not been met. National Planning Policy (PPTS para.27) makes it clear that opportunities can arise for the granting of permanent pitches if an up-to-date five year supply of deliverable sites can not be demonstrated. Planning Policy for Traveller Sites also suggests that exceptional limited alterations to the Green Belt might need to be made through the plan-making process and allocated for a Gypsy and Traveller sites. However, the Council will consider the circumstances of each site option to determine where this may be an appropriate approach. The Council will seek to maintain the extent of the Green belt wherever possible.
- 6.9 In terms of sustainability, sites for Gypsy and Traveller pitches would ideally be located within or close to existing settlements with a range of services (i.e. those defined as service villages or higher in the Settlement Hierarchy). The distribution of new Gypsy and Traveller pitches throughout the district should be considered. Concentrations in particular parts of the district could put a strain on infrastructure and public services and it would not be reasonable to further exacerbate any problems.
- 6.10 All sites have been assessed for their relative accessibility to key services, such as GP surgery, local shop, primary school and bus service, and their relative remoteness from such services. This is primarily because there are no agreed distance thresholds contained within national or local policy which can be used to reject sites purely on these grounds. Local authorities are also advised in the relevant circulars to be realistic about the availability of alternatives to the car in accessing local services.

Identifying suitable sites

6.11 In order to meet the identified need for a further 71 pitches to 2026 (accounting for the 1 pitch already delivered since 2012), the Council needs to identify suitable and deliverable sites to underpin this supply. The potential categories of sites are outlined in Table 2 below. These should be viewed as a series of interrelated options, as it is likely that a number of these approaches will be needed to meet the identified need.

Table 2: Potential categories of sites

Potential Sources of Sites	Points of consideration
Extensions to existing public authorised sites.	The existing public authorised sites in the District will require assessment in terms of the potential for expansion on to adjacent land, or through redevelopment or intensification within existing boundaries. The national good practice guidance ‘Designing Gypsy and Traveller Sites’ (2008) suggests in paragraph 4.7 that a maximum of 15 pitches for a site is conducive to providing a comfortable environment and this will be a consideration in determining the Council’s final proposals. Sites should not have an adverse impact on the development of the remainder of the site or on the amenity of neighbouring land uses.
Examining whether existing temporary sites are suitable to be made permanent.	All of the sites are privately owned and it will be up to occupiers on the sites and/or landowners to submit planning applications. All applications will be assessed against their conformity with the Core Strategy and Local Plan policies as well as any applicable site specific criteria.
Examining additional capacity on existing, private sites	The national good practice guidance ‘Designing Gypsy and Traveller Sites’ (2008) suggests in paragraph 4.7 that a maximum of 15 pitches for a site is conducive to providing a comfortable environment and this will be a consideration in determining the Council’s final proposals.
Use of part of the sites allocated in the ADMP including the Reserved Land (Land west of Enterprise Way, Edenbridge).	The viability of including this land use at this site will need to be considered. The national good practice guidance ‘Designing Gypsy and Traveller Sites’ (2008) suggests in paragraph

	4.7 that a maximum of 15 pitches for a site is conducive to providing a comfortable environment. Sites should not have an adverse impact on the development of the remainder of the site or on the amenity of neighbouring land uses.
Examining whether unauthorised sites are suitable in planning terms to be allocated and made permanent for this land use.	Consideration will need to be given to the reasons why any unauthorised sites may not have been granted planning permission. Granting permanent permission for these sites could be seen as circumventing the planning process.
Allocating new sites that have come forward through the Call for Sites process.	Any new sites will need to be assessed against the criteria set out in section 4. The national good practice guidance 'Designing Gypsy and Traveller Sites' (2008) suggests in paragraph 4.7 that a maximum of 15 pitches for a site is conducive to providing a comfortable environment.

6.11 The Government recognise that whilst more private traveller site provision should be promoted, it is likely that there will always be those Travellers who cannot provide their own sites. Therefore, by utilising a range of site types to meet the identified need, a range of tenures can be provided for.

Do you consider the approach to the way in which our future pitch provision may be met is appropriate?

Are there any alternative ways in which the pitch requirements can be met?

7 Potential Site Options

7.1 All sites that have come forward through the sources outlined in paragraph 6.2 have been subject to initial assessments against the criteria noted in paragraph 6.5 on grounds of their suitability to potentially provide Gypsy and Traveller accommodation.

Potential capacity

7.2 In order to understand whether or not the site options being assessed are able to potentially accommodate the requirement for the District, a potential capacity of each site has been put forward having had regard to several factors. These are:

- The number of existing temporary pitches on the site
- The number of pitches promoted on the site during the various call for sites
- The governments guidelines on an appropriate number of pitches to manage for an entirely new site
- The number of existing permanent pitches already on the site
- The government’s guidance on an average pitch size

7.3 For some sites, the total capacity includes both current temporary pitches and proposed additional pitches.

7.4 Following such initial assessments, Table 3 below lists the sites considered to be potentially suitable options to consider allocating for the permanent use as Gypsy and Traveller accommodation. These site options and associated potential number of pitches are what the Council is now seeking views on. Appendix 1 includes information on the location of each site, their current status, and the potential capacity for additional pitches.

Table 3: Potential site options

Site details	Current status of site and how identified	Proposed no. additional permanent pitches for potential allocation	Total number of pitches on site (including existing permanent)
Eagles Farm, Crowhurst Lane, West Kingsdown.	Both temporary and permanent pitches	4	6 – This includes 2 permanent pitches, 2 currently temporary pitches, and 2

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			additional pitches promoted during the 2012 call for sites.
Hollywood Gardens, School Lane, West Kingsdown	Temporary	1	1
Seven Acre Farm, Hever Road, Edenbridge	Temporary	7	7
Malt House Farm, Lower Road, Hextable	Temporary	1	1
Land East of Knockholt Station, London Road, Halstead	Temporary	12	12 – this consists of 6 currently temporary pitches and an additional 6 promoted during the 2012 call for sites
Holly Mobile Home Park, Hockenden Lane, Swanley	Temporary	3	3
Hilltop Farm, London Road, Farningham	Temporary	5	5
Robertson's Nursery, Goldsel Road, Swanley	Temporary	1	1
Land adj. Valley Park South, Lower Road, Hextable	Call for sites	5	22 – This consists of the 17 pitches permanently permitted on the site, and an additional 5 being proposed.
Barnfield Park, Ash-cum-Ridley	Existing public	8	43 – this consists of 35 existing permanent public pitches, and 8 proposed

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			additional
Early Autumn, East Hill Road, Knatts Valley	Permanent – call for sites	1	3 – this consists of 2 existing permanent pitches, and 1 additional pitch promoted during the 2012 call for sites
Land west of Enterprise Way, Edenbridge	Reserved Land	15	15
Land South of Mesne Way, part of Timberden Farm, Shoreham	Identified by the Council as landowner	15	15
Land at Fort Halstead, Halstead	Identified by the Council through Local Plan Allocations discussions	15	15
TOTAL proposed additional pitches:		93	

7.5 The total number of proposed pitches derived from the potential site options exceeds the identified requirement for Sevenoaks District and the Council hopes that additional pitches will be proposed through this consultation. Therefore the council are in a strong position to be able to make sound, well informed choices about which of the options are the most suitable going forward. It is not simply the case that all of the sites proposed must be taken forward in later versions of this plan and through to examination and adoption.

7.6 For some of these site options, the development of the number of pitches would not require development on the whole site. Views are therefore also welcomed on what areas are considered to be the most appropriate locations within these sites.

Sites with live planning applications

7.7 Land South-West of Broom Hill, Button Street, Swanley, and Fordwood Farm, New Street Road, Hodsoll Street, both currently have a live planning application to be determined. The respective application numbers are 13/03227/FUL and 09/00822/CONVAR. It would not be appropriate to pre-empt the planning process and make an initial assessment of suitability at this stage until the application has

been determined. Therefore, whilst the Council has undertaken an assessment of the constraints of each site, according to the assessment criteria, views are being sought alongside the other site options on the suitability of these sites in providing any future pitches to help meet the identified need.

7.8 An application has been received by the Council in early March (2014) for Land at Pedham Place, London Road, Farningham for the provision of 5 pitches for Gypsy and Traveller accommodation. It is intended that this site will be assessed in the same way as Land South-West of Broom Hill, Button Street, Swanley, and Fordwood Farm, New Street Road, Hodsoll Street without compromising the planning application process.

Do you agree with the initial site assessments (see also the background site assessment document)? If not, why not?

Do you think the number of pitches proposed for each potential site option is acceptable? If not, why not?

Should any future residential site provision include any additional space for

Can you suggest any additional sites that you consider suitable for use as Gypsy and Traveller sites?

In view of the fact that there is currently no specific identified need for a Travelling Showpeople site in Sevenoaks, is there a need to provide additional capacity for Travelling Showpeople in the District?

Design and Layout guidance

7.9 The Council recognise that any proposed allocation sites will require design and layout criteria to be considered as part of an individual site allocation, to ensure sufficient mitigation measures are included in the development process of each site. The Council are therefore seeking the views of interested parties on these matters.

What criteria considerations do you feel should be included, if any, into design and layout guidance to support proposed allocations?

8 Sites considered unsuitable for allocation

8.1 The following sites were also assessed according to the same suitability criteria as those proposed as site allocation options, but are currently deemed unsuitable for varying reasons. Table 4 below sets out the key reasons why these sites have been rejected at this stage in the process. Site assessments and plans are presented in the background evidence to this consultation document.

Table 4: Sites considered unsuitable for allocation

Site details	Key reasons
Romani Way, Hever Road, Edenbridge	This site does not have any further capacity to accommodate pitches within the site, and does not have the potential to physically expand so is unable to provide any additional pitches by extending the site.
Valley Farm North, Carters Hill, Underriver	This site has planning permission (SE/13/01179/FUL) for the demolition of a dwelling and erection of a new dwelling, therefore is no longer being promoted for use as a Gypsy and Traveller site.
Valley Farm South, Carters Hill, Underriver	The site is currently in agricultural use in a very open area of landscape. It lies opposite two listed buildings; hence any development on this site would impact upon their setting. Whilst the site is better connected to the centre of Underriver, the area is not considered to be a sustainable location for any new development.
Land adj. Cricket Pavilion, Underriver	This is a very small site, very remotely located away from the centre of Underriver. The site would not be within walking distance to the limited facilities in Underriver. There is no planning history on this site for use for Gypsy and Traveller pitches, and developing this site would therefore set a precedent for this land use in the open countryside, green belt, and AONB.

<p>Deers Leap Farm, Four Elms Road, Edenbridge</p>	<p>The site is very open in the countryside, and very visible from the highway. The site does not benefit from any previous planning permissions for this land use. It is not connected to the local settlement of Four Elms, which in itself is not considered to be a sustainable location for new development. There is a vast planning enforcement history on this site, including a compulsory purchase order undertaken by the Council to ensure the land could be restored back to its original state. The land is not available and therefore not considered suitable or deliverable for Gypsy and Traveller accommodation for the reasons set out above.</p>
<p>Polhill Park, Polhill</p>	<p>This site does not have any further capacity to accommodate pitches within the site, and does not have the potential to physically expand so is unable to provide any additional pitches by extending the site.</p>
<p>Land adj. Valley Park North, Hextable</p>	<p>The original site promoted during the 2012 Call for Sites included both this land and the site option being considered to the south. The originally promoted site included a new point of access from the highway into the site, and 25 additional pitches. After having assessed the site for the suitability of this level of additional pitches, it was not deemed suitable due to the number of existing pitches on the adjacent land, creating a potential cumulative impact on the landscape (also taking into account the adjacent site of 70-72 Lower Road). However, the land to the south, away from the highway, could potentially be accessed from the rear of the existing Valley Park, creating an extension for a small number of additional pitches with a lesser impact on the wider landscape. This is therefore being consulted on for the potential of 5 additional pitches.</p>

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Fort Halstead, Halstead	<p>The Council has commissioned and published an assessment of the viability of the landowner's emerging redevelopment proposals. This assessment finds that, whilst viable opportunities for the redevelopment of the site exist, many mixed use development scenarios that could re-provide the number of jobs on the site are of marginal viability. At present, it is, therefore, not considered that there is scope for introducing additional uses with relatively low development values, such as gypsy and traveller pitches, within a redevelopment of the Major Employment Site area. This issue can be kept under review as the Gypsy and Traveller Plan develops and plans for the redevelopment of the site evolve between now and 2018 when DSTL is expected to have relocated away from the site.</p>

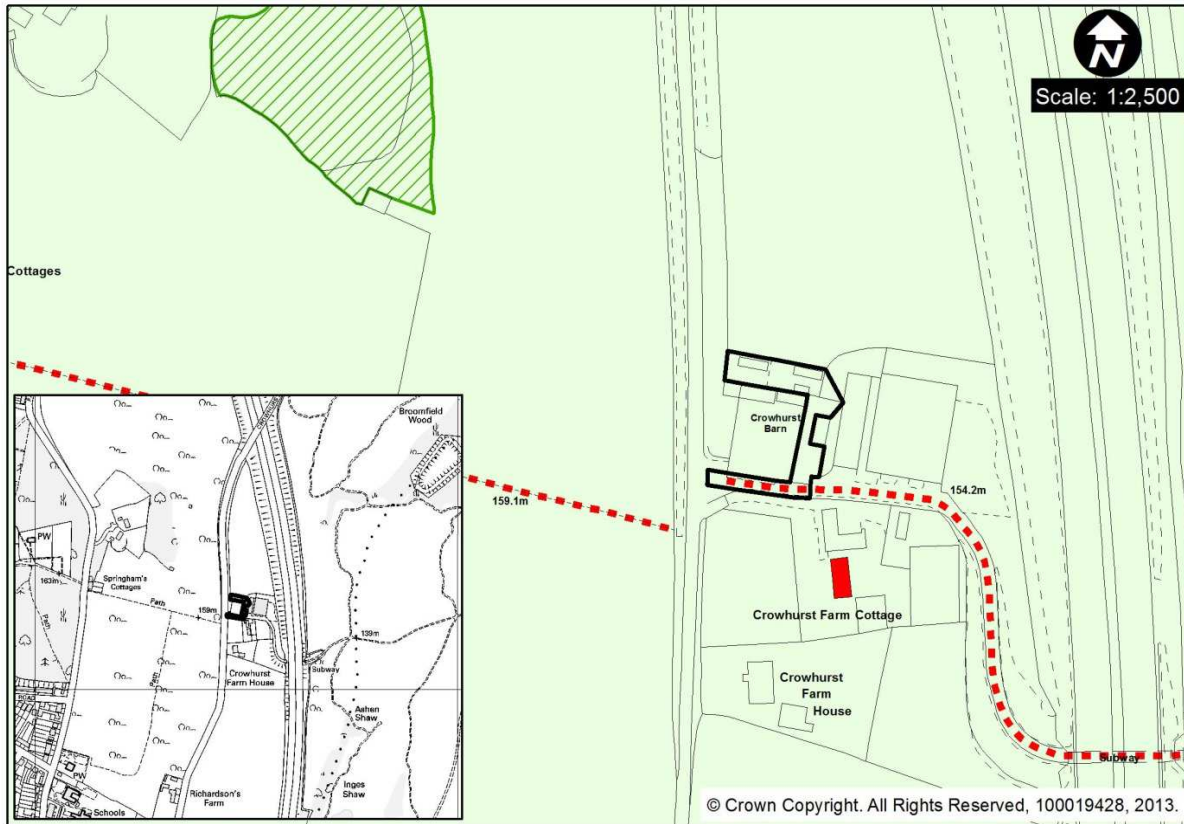
Do you agree with the rejected site options? If not, why not?

Appendix 1 – Site details for potential site options

Key	
	Potential Gypsy & Traveller Site Options March 2014
	Flood Zone 3a
	Flood Zone 3b
	Flood Zone 2
	TPO's
	Listed Building
	Public Right of Way
	Ancient Woodland
	Sites of Special Scientific Interest
	Scheduled Monuments
	Conservation Areas
	Local Wildlife Sites
	Area of Outstanding Natural Beauty
	Metropolitan Green Belt

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Site Address: Eagles Farm, Crowhurst Lane, West Kingsdown (see also the site proposal below)

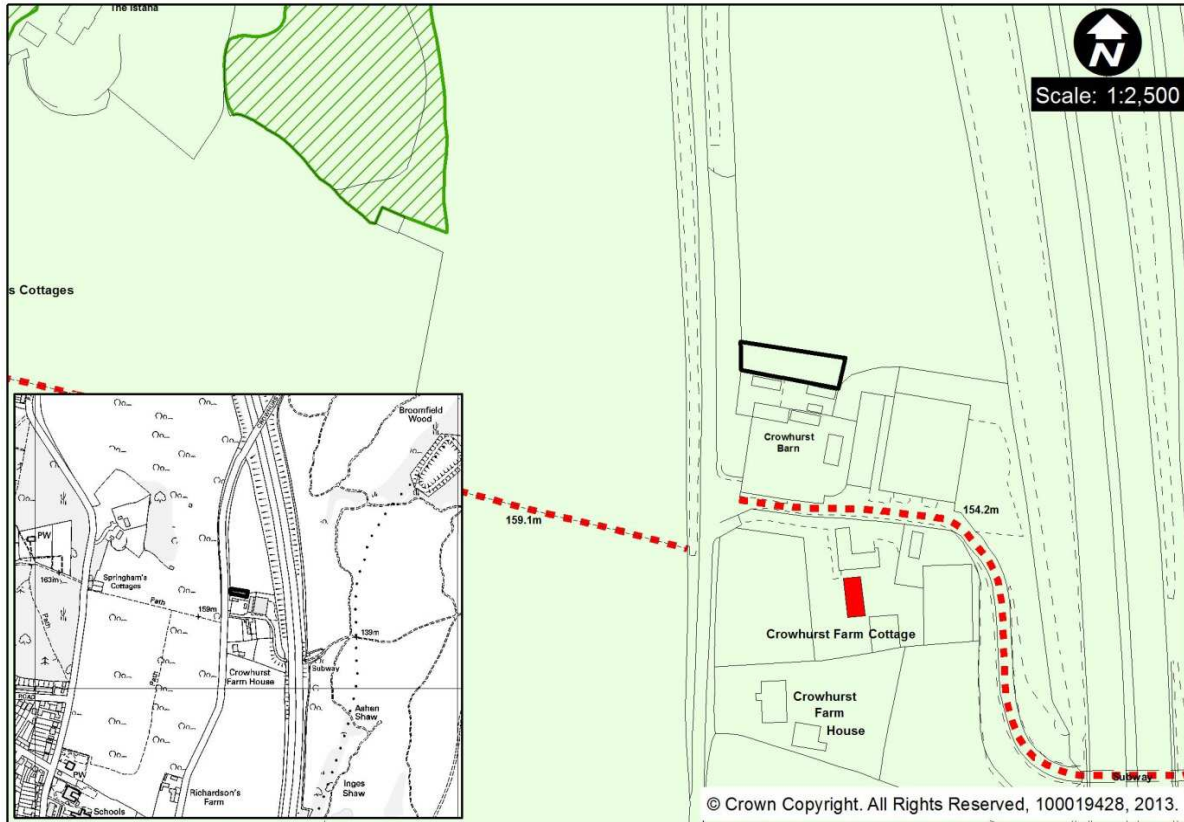


Current status of the site:	Temporary site for 2 pitches
Proposed Number of permanent pitches to allocate:	2

Consult on as a potential allocation?



Site Address: Eagles Farm, Crowhurst Lane, West Kingsdown (see also the site proposal above)



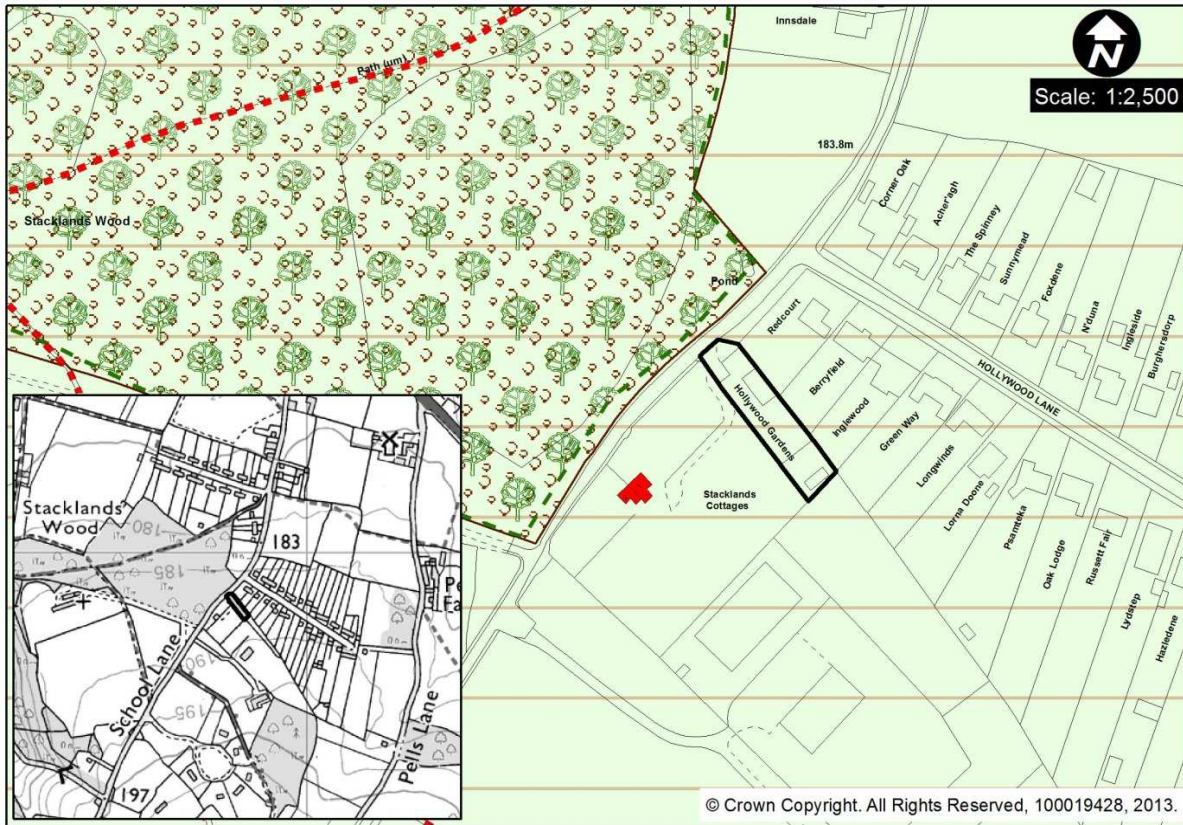
Current status:	Additional pitches promoted through Call for Sites
Proposed Number of permanent pitches to allocate :	2

Consult on as a potential allocation?



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Site Address: Hollywood Gardens, School Lane, West Kingsdown



Current status:	Temporary site containing 1 pitch
Proposed Number of permanent pitches to allocate:	1

Consult on as a potential allocation?



Site Address: Seven Acres Farm, Hever Road, Edenbridge

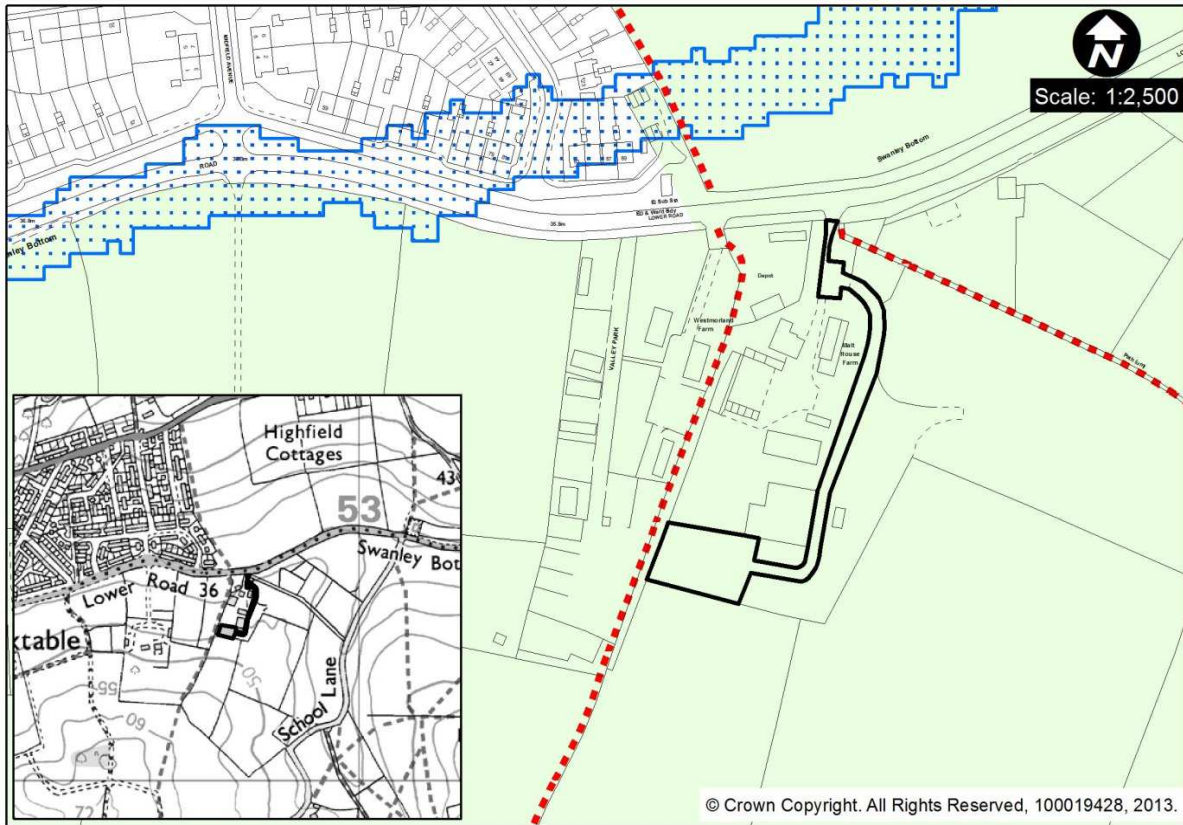


Current status:	Temporary site containing 6 pitches.
Proposed Number of permanent pitches to allocate:	7

Consult on as a potential allocation?



Site Address: Malt House Farm, Lower Road, Hextable

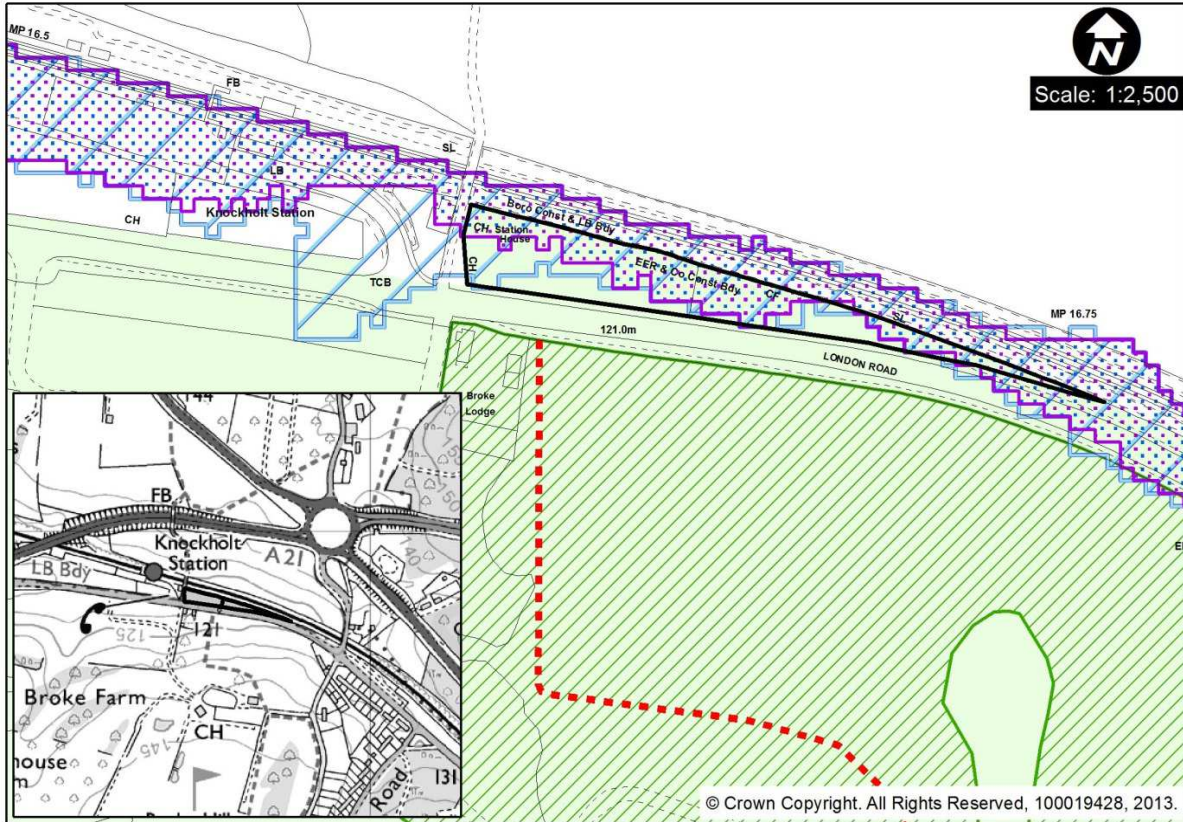


Current status:	Temporary site containing 1 pitch.
Proposed Number of permanent pitches to allocate:	1

Consult on as a potential allocation?



Site Address: Land East of Knockholt Station, Halstead.

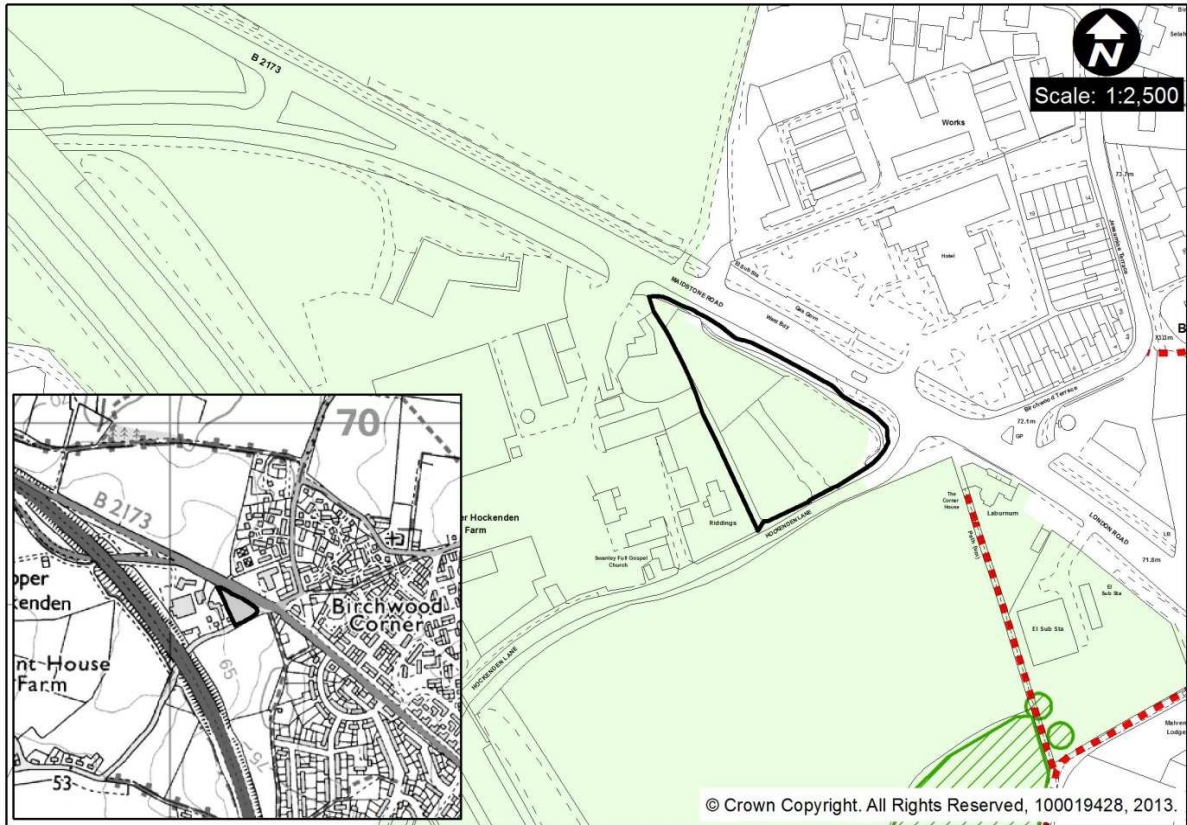


Current status:	Temporary site containing 6 pitches.
Proposed Number of permanent pitches to allocate:	12 – 6 temporary and 6 additional pitches to be made permanent

Consult on as a potential allocation?



Site Address: Holly Mobile Home Park, Hockenden Lane, Swanley

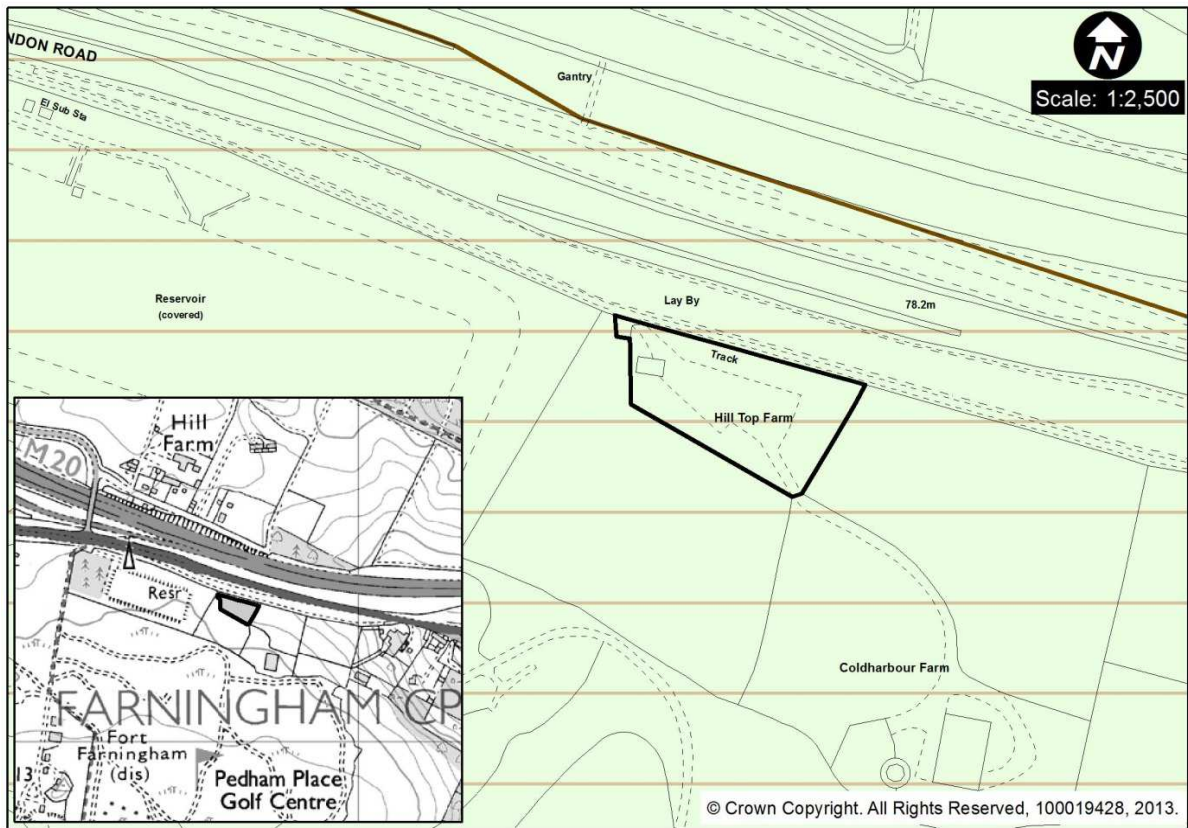


Current status:	Temporary site containing 3 pitches.
Proposed Number of permanent pitches to allocate:	3

Consult on as a potential allocation?



Site Address: Hilltop Farm, London Road, Farningham



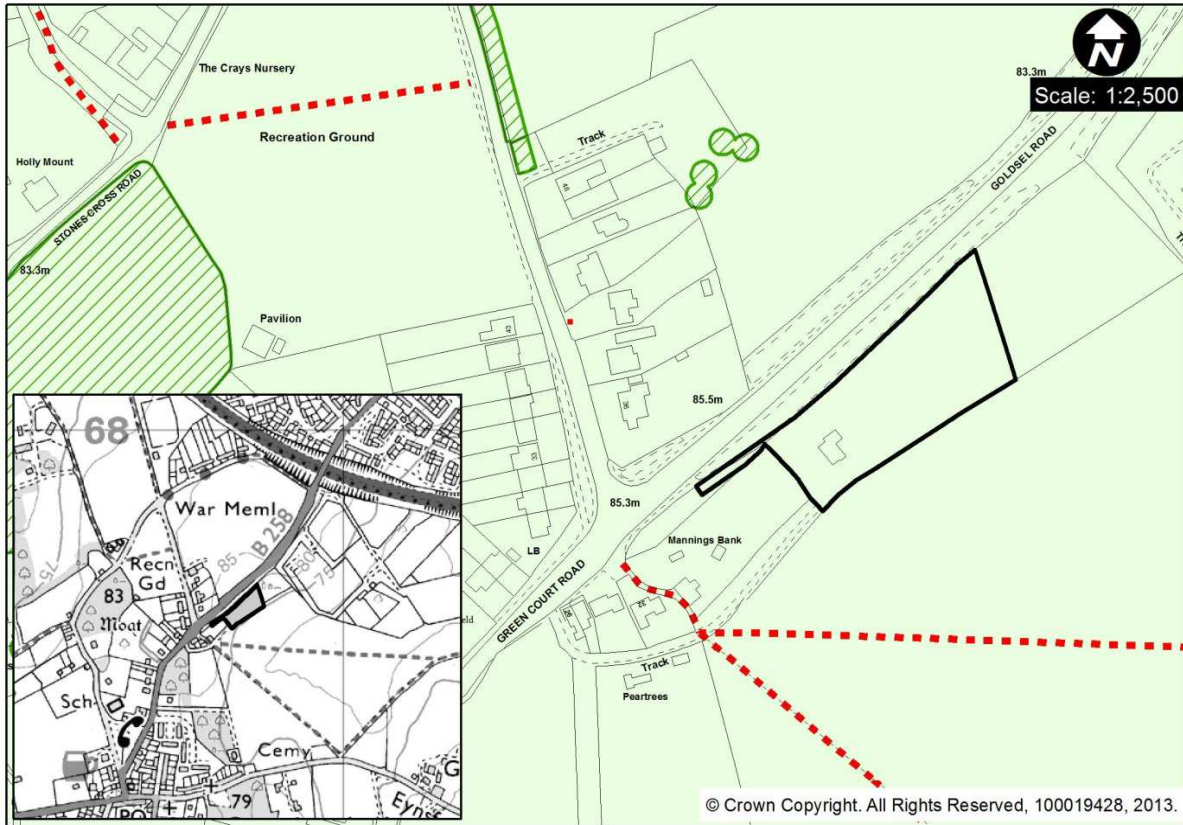
Current status:	Temporary site containing 5 pitches.
Proposed Number of permanent pitches to allocate:	5

Consult on as a potential allocation?



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Site Address: Robertson's Nursery, Goldsel Road, Swanley

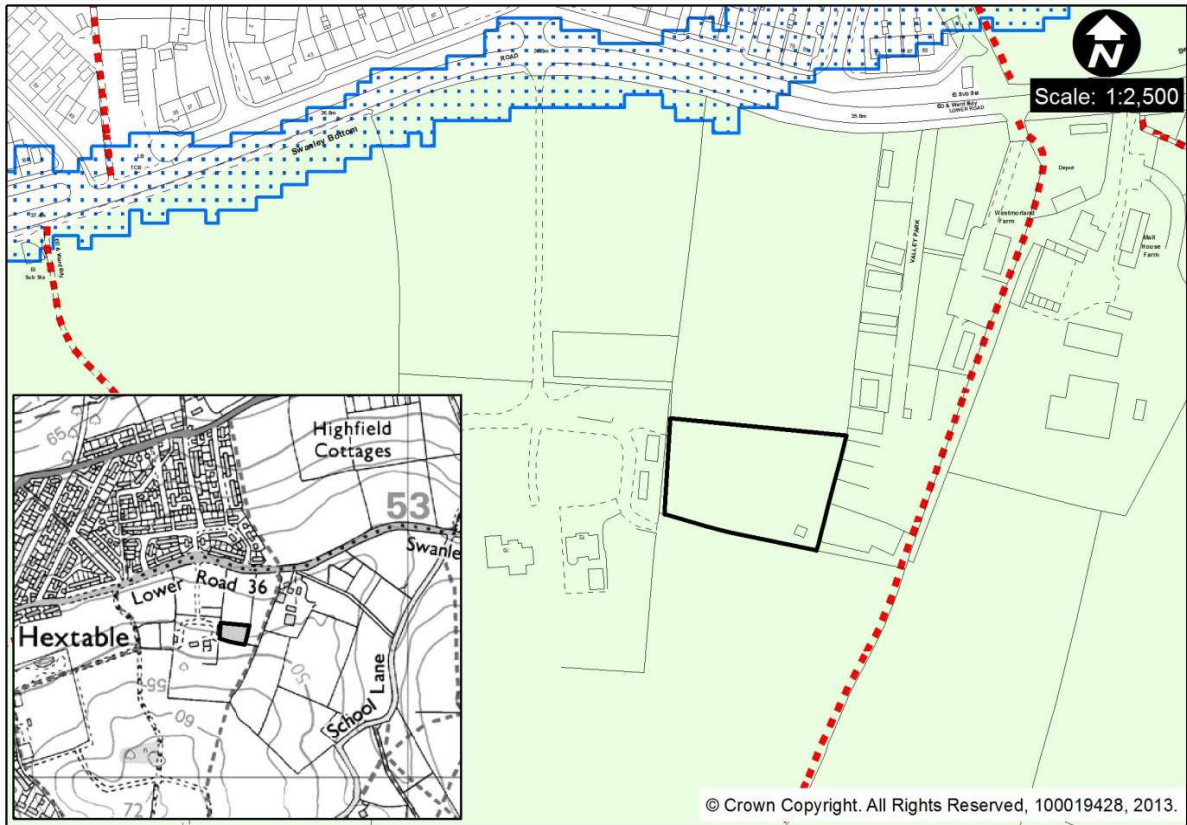


Current status:	Temporary site containing 1 pitch.
Proposed Number of permanent pitches to allocate:	1

Consult on as a potential allocation?



Site Address: Land adj. Valley Park south, Lower Road, Hextable.



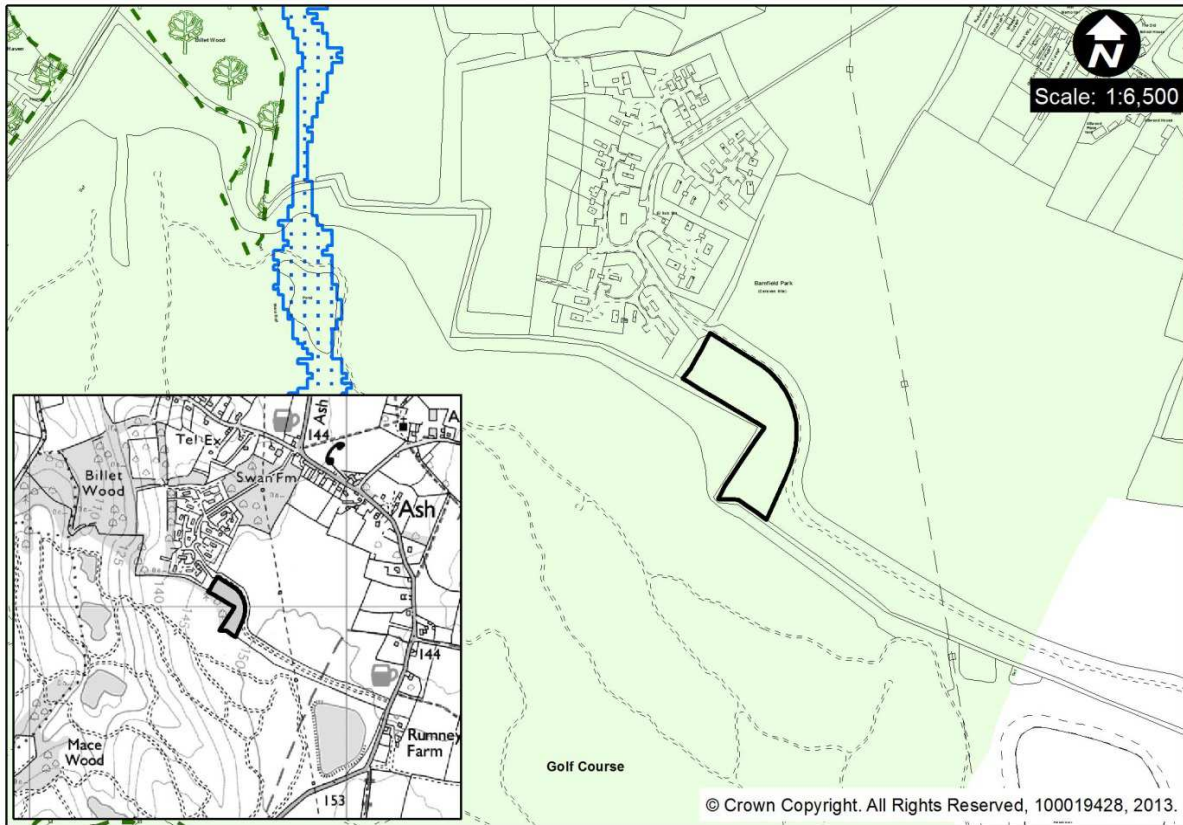
Current status:	Extension to existing site
Proposed Number of permanent pitches to allocate:	5

Consult on as a potential allocation?



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Site Address: Barnfield Park, Ash

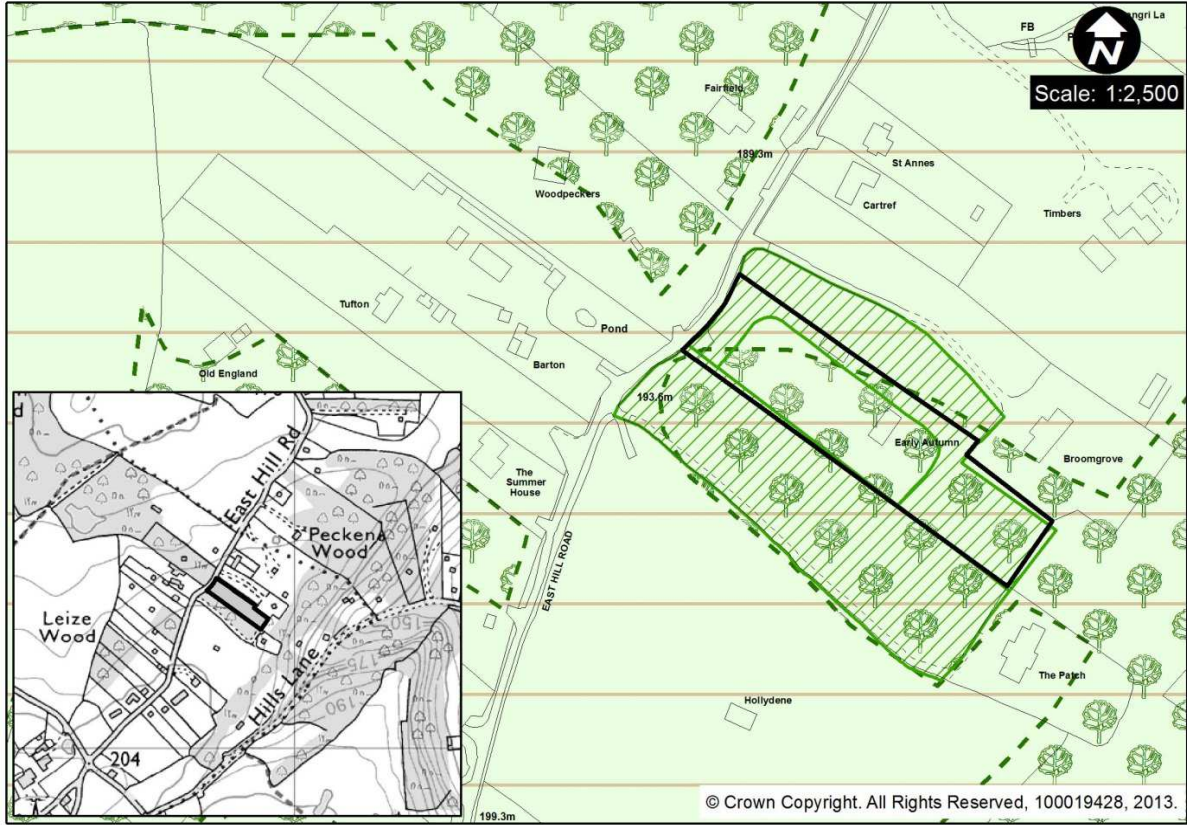


Current status:	Extension to existing site
Proposed Number of permanent pitches to allocate:	8

Consult on as a potential allocation?



Site Address: Early Autumn, East Hill Road, Knatts Valley



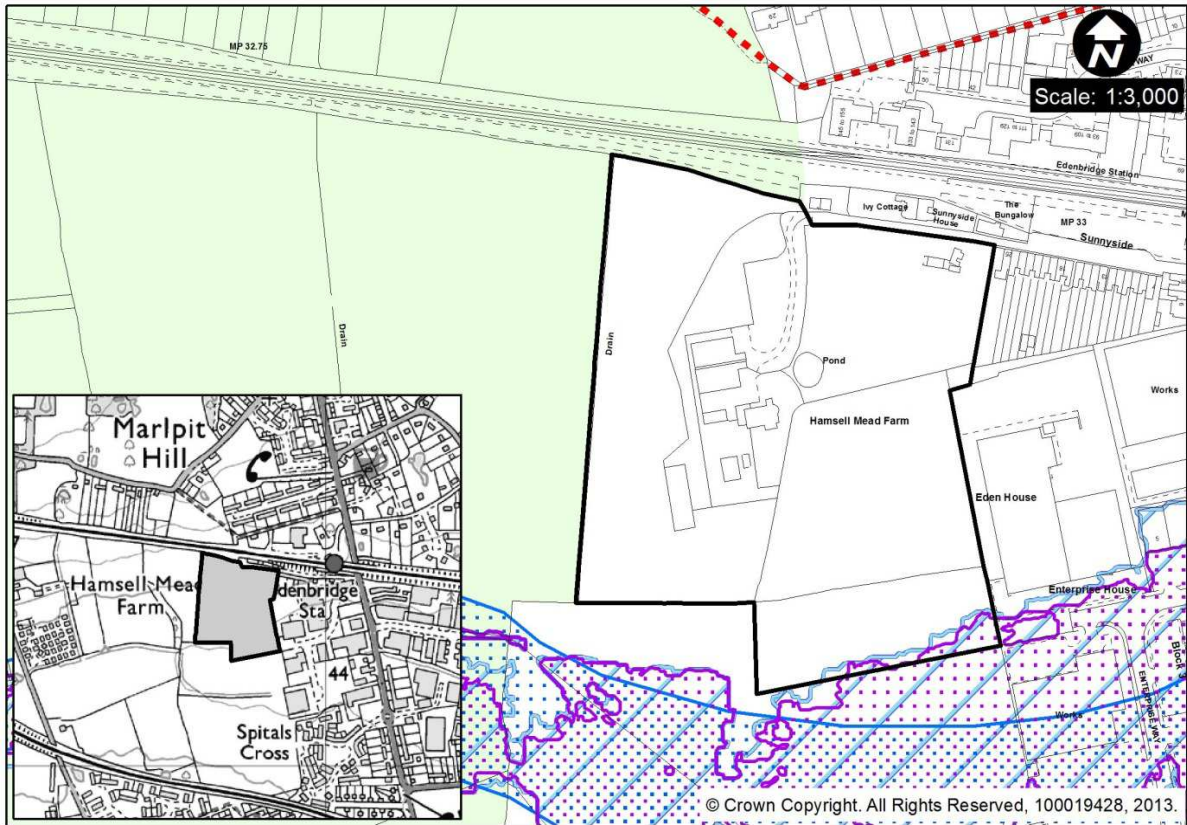
Current status:	Additional pitch on existing permanent site
Proposed Number of permanent pitches to allocate:	1

Consult on as a potential allocation?



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Site Address: Land west of Enterprise Way, Edenbridge.

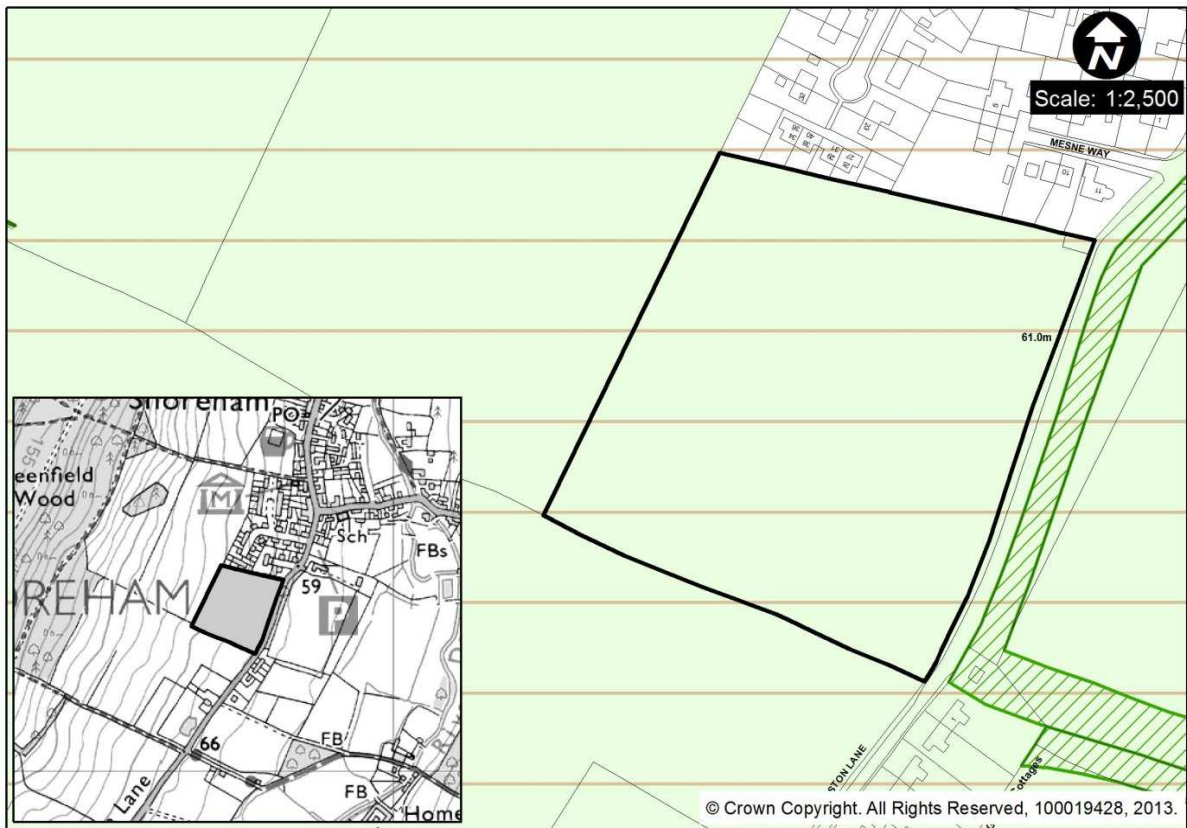


Current status:	Reserved Land
Proposed Number of permanent pitches to allocate:	15

Consult on as a potential allocation?



Site Address: Land South of Mesne Way, part of Timberden Farm Shoreham



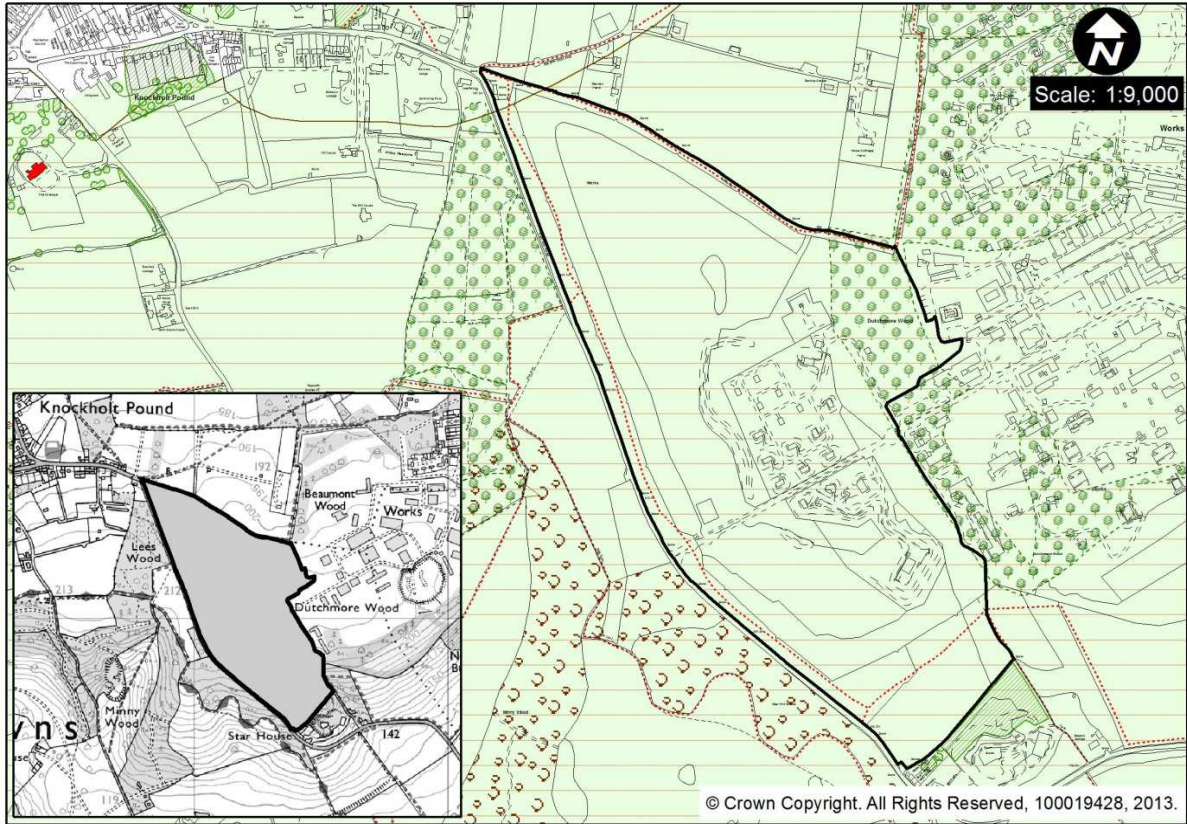
Current status:	Agricultural site identified through call for sites
Proposed Number of permanent pitches to allocate:	15

Consult on as a potential allocation?



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Site Address: Land at Fort Halstead, Halstead



Current status:	Part of wider Fort Halstead site
Proposed Number of permanent pitches to allocate:	15

Consult on as a potential allocation?





**GYPSY AND TRAVELLER PLAN:
SITE OPTIONS CONSULTATION**

APPENDIX 2 - INITIAL SITE ASSESSMENTS

MARCH 2014

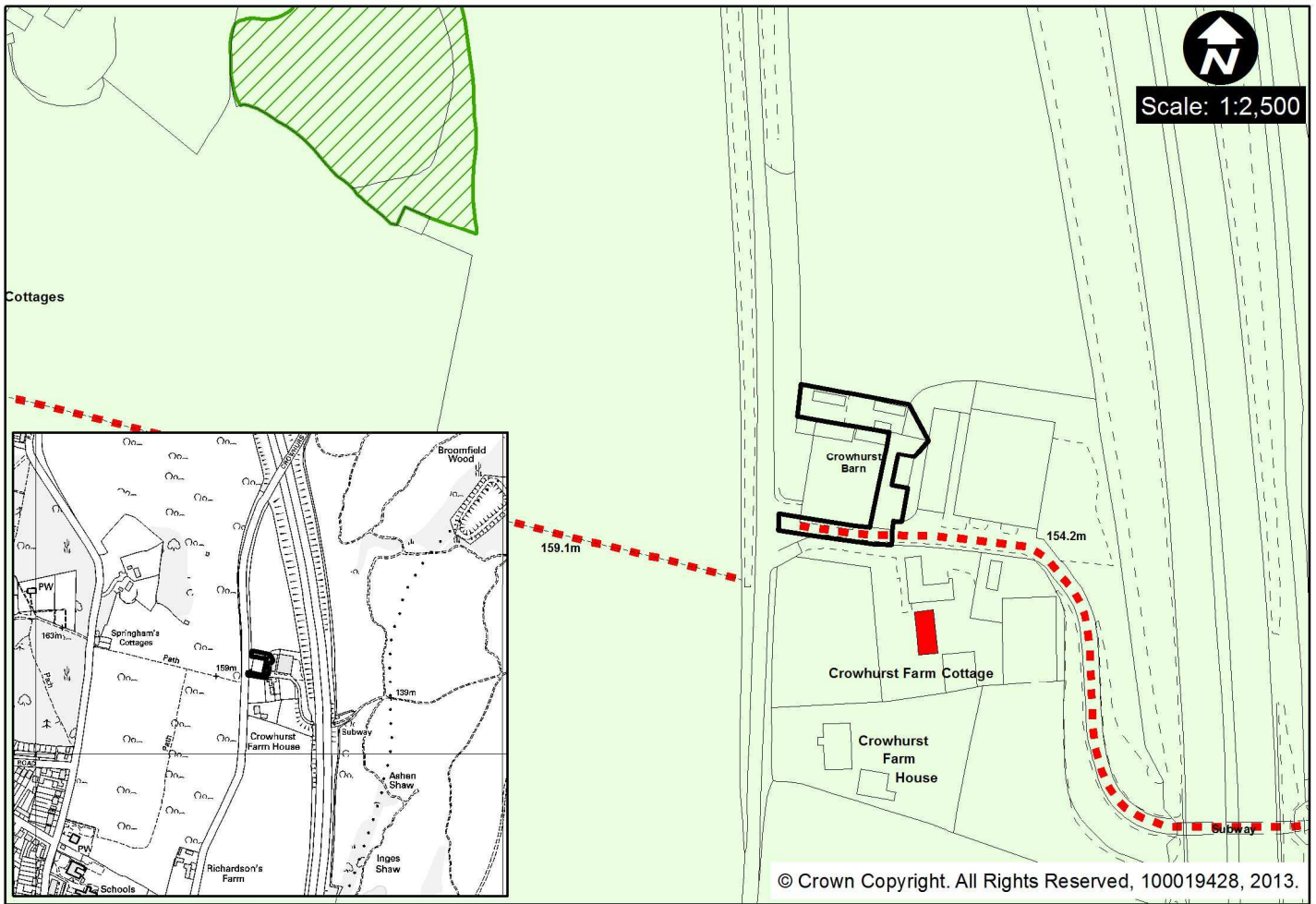


**GYPSY AND TRAVELLER PLAN
SITE OPTIONS ASSESSMENTS:
POTENTIAL SITE OPTIONS**

MARCH 2014

Agenda Item 6

Site Address: Eagles Farm (temp), Crowhurst Lane, West Kingsdown



Site Description:	This site has permission for two temporary static caravans (in addition to two permanent static caravans permitted under refs 99/02336/CONVAR and 04/00640). The site area for the temporary sites under consideration is approximately 0.10ha.			
Relevant Planning History	Application Details		Application History	
	07/00819/FUL Use of land for the stationing of two static caravans for gypsy accommodation.	Approved (20/02/08) Temporary permission granted for 5 years and conditioned to the named applicants. Landscaping scheme must be approved within 6 months and implemented within 12 months of the approval commencement date.		
12/03330/CONVAR Variation of condition No 1 (temporary permission for 5 years) of SE/07/00819/FUL (Use of land for the stationing of two static caravans for gypsy accommodation) - renewal for further period.	Approved (15/02/13) Temporary permission granted for 5 years and conditioned to the named applicants. Soft landscaping scheme along the northern boundary must be approved within 3 months and implemented within 12 months of the approval commencement date.			
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	This site lies fully	The SFRA	The site is relatively	Site is well located

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	within the Metropolitan Green Belt	indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	flat.	within walking distance to the village centre at West Kingsdown. There is a PROW which cuts through part of the site, but is not within the location of the temporary mobile homes.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designated Heritage Assets (incl. Scheduled Monuments, Listed buildings, Registered Parks and Gardens, and Conservation Areas).
	Site is within an AQMA buffer zone	Existing site is considered to be appropriately screened for occupation.	The site is not in the AONB and has no national or local nature conservation designations.	The site does not contain any designated heritage assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	The pitches are not readily visible from public vantage points due to an existing large industrial unit structure and landscaping around Eagles Farm, and as a result do not have a significant impact on local character.	The site is not considered to impact on existing residents due to the distance between the site and surrounding development.	Existing vehicular access is considered acceptable. Pedestrian access is from same point.	
Suitability:	Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site has been established in the Green Belt for 5 years, and forms part of a wider site containing permanent pitches that have been established in the Green Belt since 1995. In all other respects this site is considered suitable for 2 pitches, as it is not subject to any other landscape, heritage, or biodiversity designations, and is not located within an area at risk of flooding. Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for gypsy and traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers (with any potential mitigation measures and potential acoustic and air quality assessment requirements) are considered a potentially suitable option when assessed against			

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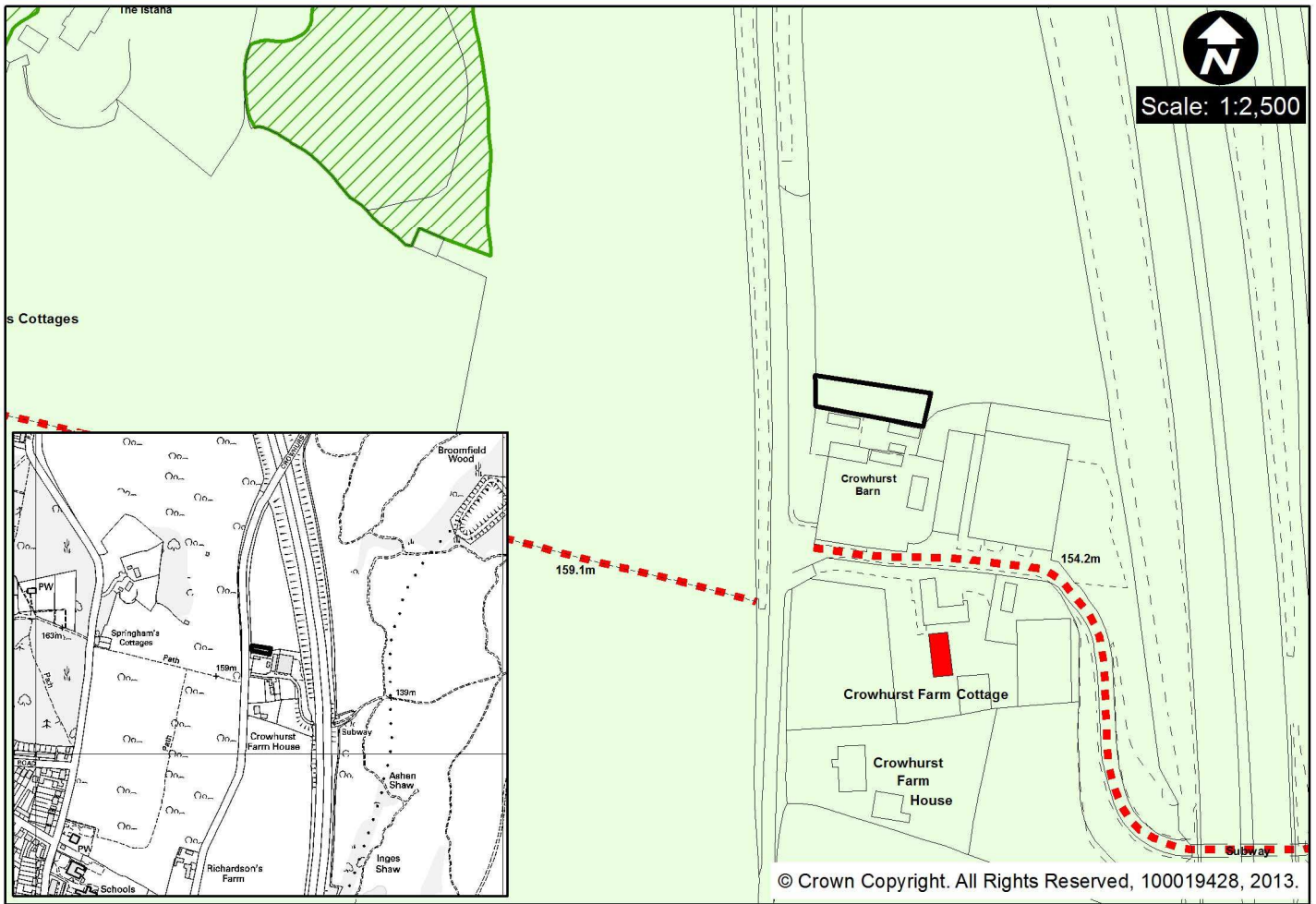
	the criteria for suitability. The impact of this site will need to be considered alongside the proposed site option for additional pitches at Eagles Farm.
Deliverability:	The site is available. It currently has temporary planning permission until February 2018.

Consult on potential to allocate?



Potential Capacity	Total 2 permanent pitches
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

Site Address: Eagles Farm (add), Crowhurst Lane, West Kingsdown



Site Description:	This site has existing permission for two temporary static caravans and two permanent static caravans permitted under refs 99/02336/CONVAR and 04/00640). The site area under consideration for additional pitches is 0.05ha.			
Relevant Planning History	Application Details		Application History	
	<p>07/00819/FUL Use of land for the stationing of two static caravans for gypsy accommodation.</p>		<p>Approved (20/02/08) Temporary permission granted for 5 years and conditioned to the named applicants. Landscaping scheme must be approved within 6 months and implemented within 12 months of the approval commencement date.</p>	
	<p>12/03330/CONVAR Variation of condition No 1 (temporary permission for 5 years) of SE/07/00819/FUL (Use of land for the stationing of two static caravans for gypsy accommodation) - renewal for further period.</p>		<p>Approved (15/02/13) Temporary permission granted for 5 years and conditioned to the named applicants. Soft landscaping scheme along the northern boundary must be approved within 3 months and implemented within 12 months of the approval commencement date.</p>	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	This site lies fully	The SFRA	The site is relatively	Site is well located

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	within the Metropolitan Green Belt	indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	flat.	within walking distance to the village centre at West Kingsdown. There is a PROW along the southern boundary of the site
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designated Heritage Assets (incl. Scheduled Monuments, Listed buildings, Registered Parks and Gardens, and Conservation Areas).
	Site is within an AQMA buffer zone	Existing site is considered to be appropriately screened for occupation.	The site is not in the AONB and has no national or local nature conservation designations.	The site does not contain any designated heritage assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	The pitches are not readily visible from public vantage points due to an existing large industrial unit structure and landscaping around Eagles Farm, and as a result do not have a significant impact on local character.	The site is not considered to impact on existing residents due to the distance between the site and surrounding development.	Existing vehicular access is considered acceptable. Pedestrian access is from same point.	
Suitability:	<p>Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site has been established in the Green Belt for 5 years, and forms part of a wider site containing permanent pitches that have been established in the Green Belt since 1995. In all other respects this site is considered suitable for 2 pitches, as it is not subject to any other landscape, heritage, or biodiversity designations, and is not located within an area at risk of flooding. Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for gypsy and traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers (with any potential mitigation measures and potential acoustic and air quality assessment requirements) are considered a suitable option when assessed against the criteria for suitability. The impact of this site will need to be considered alongside the proposed site option for additional pitches at Eagles Farm.</p>			

Deliverability:	The site is available and is actively being promoted.

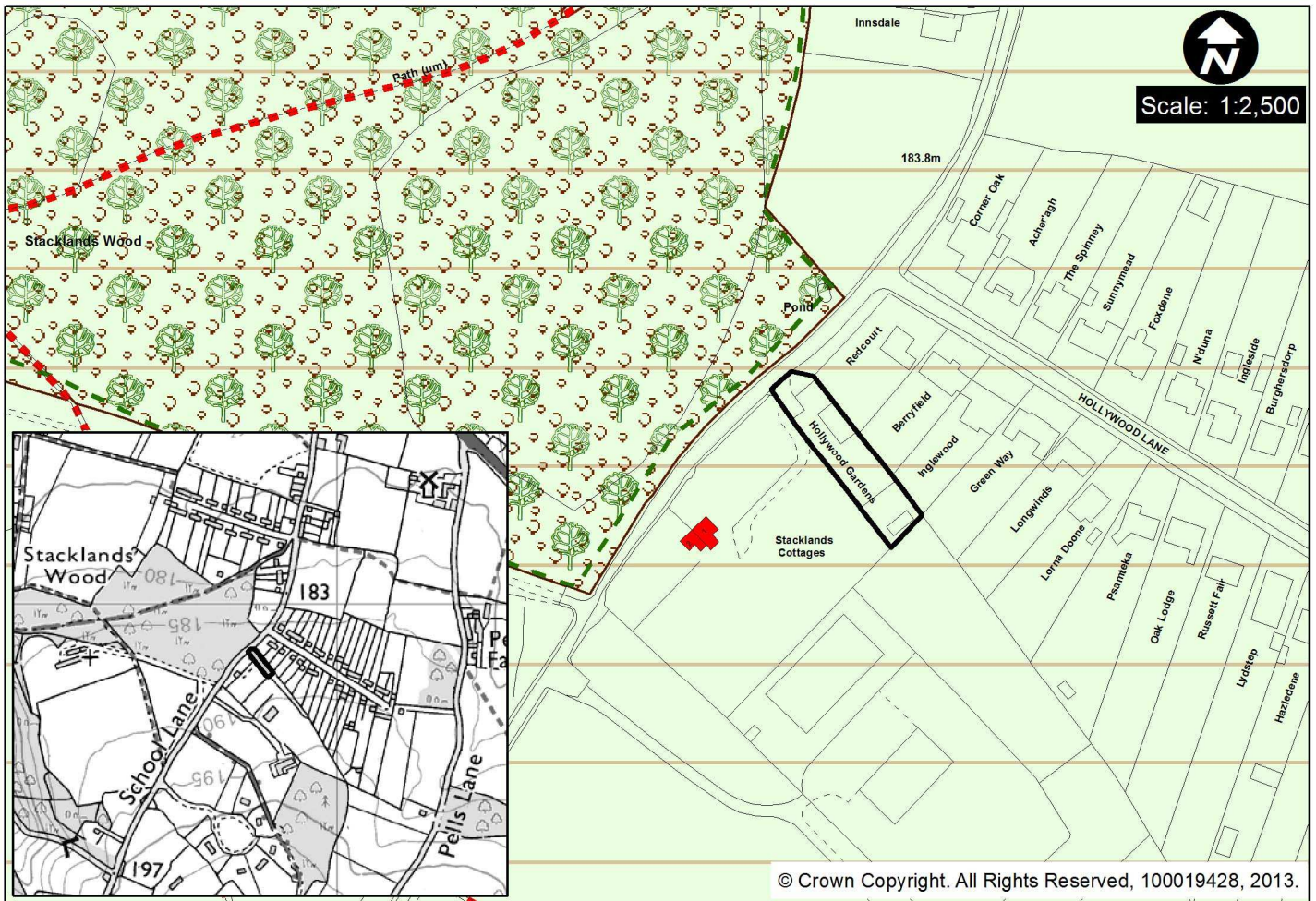
Consult on potential to allocate?



Potential Capacity	Total 2 permanent pitches
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

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Site Address: Hollywood Gardens, School Lane, West Kingsdown



Site Description:	This is a temporary site of 0.11ha containing 1 pitch. It is situated behind a residential frontage.	
Relevant Planning History	Application Details	Application History
	05/02960/FUL: Change of use of the land to a gypsy/traveller site for one family and the retention of a static caravan and outbuilding	Approved on Appeal (01/05/07) Temporary permission granted at appeal for 3 years for no more than 2 caravans (only one being static) and no other sheds, stables or structures shall be placed on the land. Appeal decision granted.
10/00824/CONVAR: To remove or vary condition 2 (the use hereby permitted shall be for a limited period being the period of three years from 1st May 2007) of SE/05/02960/FUL	Approved (18/05/10) Permission granted for no more than 2 caravans to be stationed on the site at any one time, which only one can be static, for a period of 3 years. The permission is not conditioned to the named applicants, but only authorises the use of the land as a caravan site by persons defined as Gypsies and Travellers in Circular 01/2006. Granted temporary rather than permanent permission due to the special circumstances i.e need and lack of	

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				provision, whilst the Gypsy and Traveller Plan is being prepared, as this will also allow regulation of the site, due to some constraints such as access. Harm to the green belt outweighs the justification for permanent permission.
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	This site lies fully within the Metropolitan Green Belt	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site is relatively flat	Site is considered to be fairly well connected to local services.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site is not located within an AQMA nor are there any unacceptable noise constraints.	Existing site provides sufficient privacy for occupiers.	Site is fully within Kent Downs AONB, and is adjacent to a Site of Nature Conservation Interest (SNCI).	Site is approx. 50 metres from a listed building.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents		Vehicle and pedestrian access
	Site is well kept and of a low density so not considered to have a significant adverse impact on the character of the local area. The entrance to the site and position along the built frontage does not detract from the character of the local street scene.	The site is well kept and contains screening. It is not considered to have a significant adverse impact on the amenity of existing residents.		Previous objections to highways safety and access by Highways Authority due to poor visibility in both directions for vehicles leaving the site. However the site option is not proposing an overintensification. Rural lane is not suitable for pedestrians.

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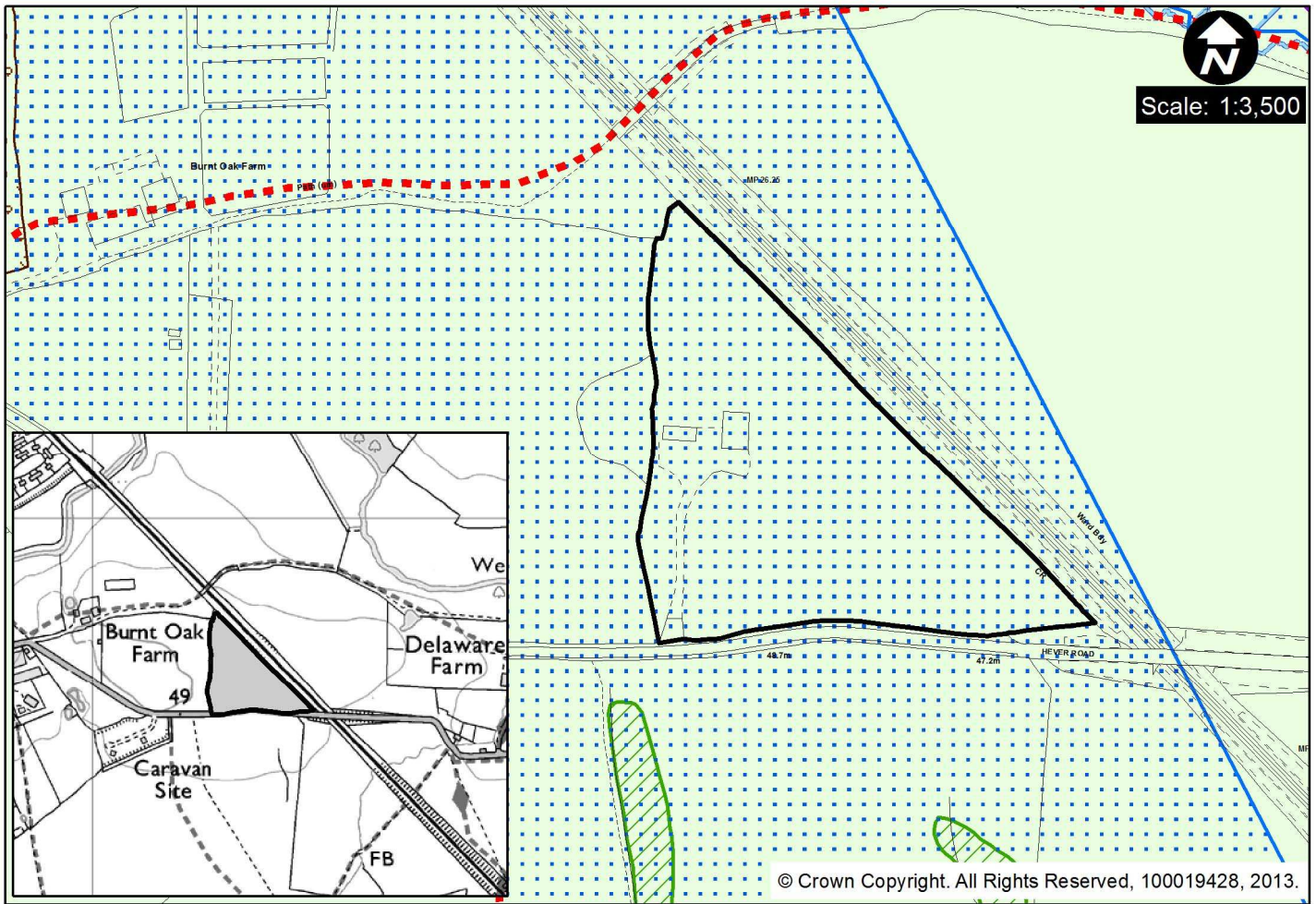
Suitability:	Whilst the site is situated along a rural lane, it forms part of the established residential built frontage and is considered to be well connected to local services and facilities. There are some landscape constraints that exist for this site, being the Kent Downs AONB and proximity to an SNCI. However, the site is well kept and does not significantly detract from the character of the surrounding area, and is not obtrusive within the landscape. An overintensification of use is not being proposed so will not exacerbate any highways use.
Deliverability:	Site is actively being promoted as it is an existing temporary permission and is available.

Consult on potential to allocate?



Potential Capacity	1 total permanent pitch
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

Site Address: Seven Acres Farm, Hever Road, Edenbridge



<p>Site Description:</p>	<p>This is a temporary site containing 7 pitches and is approximately 2.55ha. The site is situated along a busy rural road, and abuts the railway line. It is situated in close proximity to a public Gypsy and Traveller site at Romani Way.</p>	
<p>Relevant Planning History</p>	<p>Application Details</p>	<p>Application History</p>
	<p>05/01966/FUL Change of use to residential and stationing of six mobile homes, six utility rooms and six touring caravans for gypsy family.</p>	<p>Approved at appeal (09/11/06) Inspector granted permission for 3 years to the named applicants. No more than 6 mobile homes and 6 touring caravans to be stationed on the site at any one time.</p>
	<p>09/02953/FUL Change of use for stationing of caravans for residential use with associated development (new access, driveway and retain extension to existing hard standing and septic tanks)</p>	<p>Approved (17/09/10) No more than 6 mobile homes and 6 touring caravans to be stationed on the site at any one time. Permission is temporary for a period of 3 years.</p>
	<p>13/02565/FUL A mixed use application for the retention of a barn for B1 use and the use of land for the stationing of caravans for residential purposes for 7 No gypsy pitches together with the</p>	<p>Approved (26/02/14) Temporary permission is granted for 3 years for the named applicants for the stationing of 7 caravans for residential purposes together with additional ancillary hardstanding, and the retention</p>

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	formation of additional hard standing ancillary to that use.		of a barn for B1 use.	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	This site lies fully within the Metropolitan Green Belt	The SFRA indicates that the site is within Flood Zone 3b (functional floodplain). There is no indication of any surface water flooding affecting the site. Temporary permission was first granted on this site by the Inspector before this designation came into effect.	The site is relatively flat.	Site is considered to be fairly well connected to local services provided at Edenbridge Town centre; however these would be access by road as there is not a footpath provided.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	Site is situated close to the railway line, but the railway line is situated in a significant cutting, reducing any potential noise impacts. The site is not considered to experience significant air quality issues.	Site is not particularly well screened. However Hever Road contains landscaping along the highway boundary which proves a degree of screening of the site from the road.	The site is not within an AONB and has no national or local nature conservation designations.	The site does not contain any designated heritage assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings		Impact on amenity for existing residents	Vehicle and pedestrian access
	This is a relatively		Site is not considered to	Existing vehicular access

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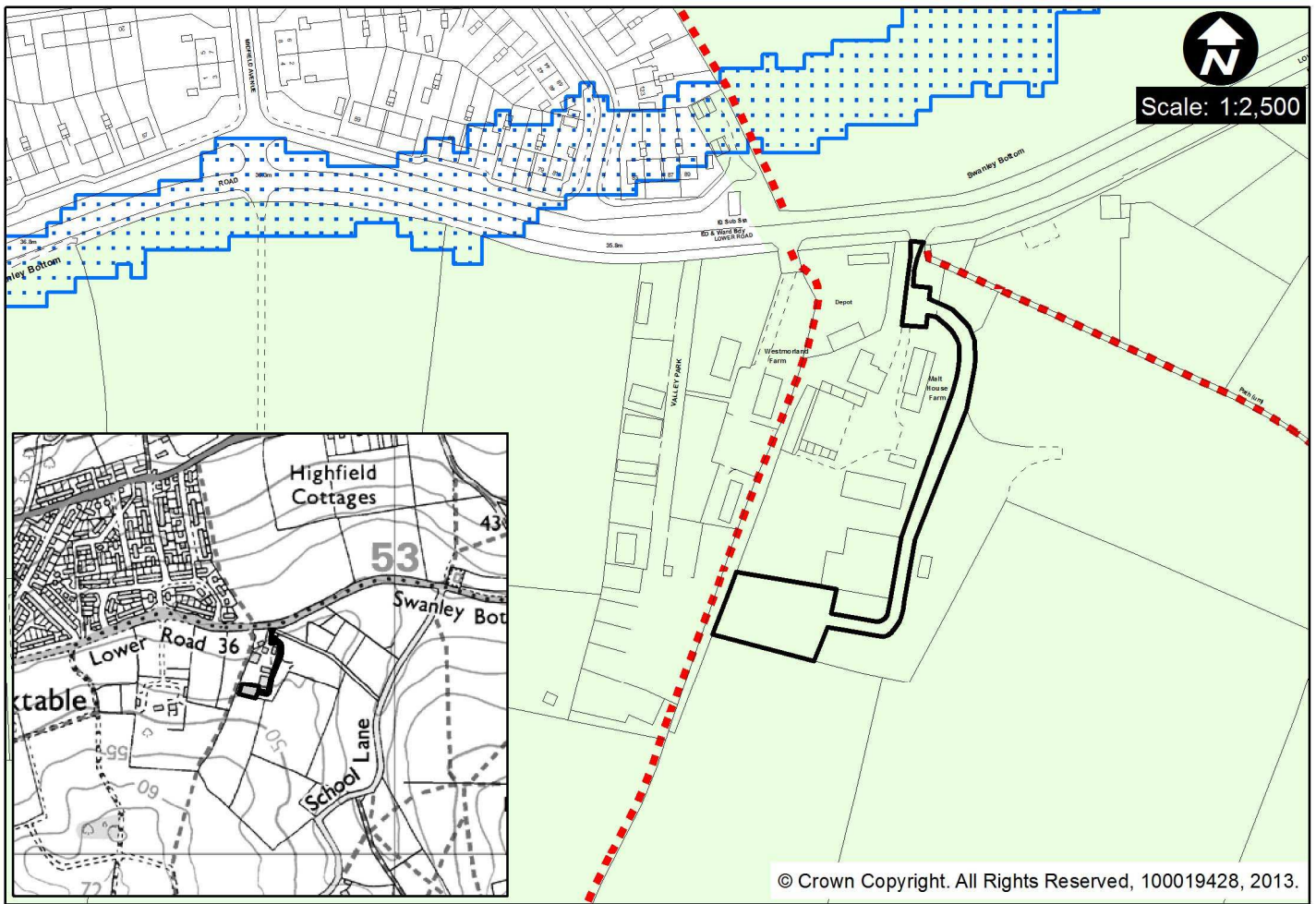
	prominent site in the landscape with views in and out of the site, and can be viewed from several locations along Hever Road.	impact on existing residents due to the distance from other properties. The site is however situated in close proximity to the public traveller site on Hever Road.	from Hever Road is considered to be suitable. However this is a busy road and there is no pedestrian pavement.
Suitability:	The site is located along a busy road forming part of the existing frontage leading into Edenbridge Town centre, so is considered to be fairly well connected to the local service centre. The site is also located outside of any AQMAs and is not subject to any nature or heritage designations. Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site has been established in the Green Belt for 7 years and in all other respects is considered suitable for 7 pitches. Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for Gypsy and Traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers (with potential mitigation measures such as further landscaping and screening to conserve local character, and sustainable drainage mitigation measures, following further advise to be sought from the EA) are considered a potentially suitable option when assessed against the criteria for suitability.		
Deliverability:	The site is available. It currently has temporary planning permission until February 2017. A Phase 1 contaminated land assessment may be required as there is a former landfill on the site.		

Allocate?



Potential Capacity	7 total permanent pitches.
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

Site Address: Malt House Farm, Lower Road, Hextable



<p>Site Description:</p>	<p>This is a temporary site of 0.19ha containing 1 pitch. It is situated adjacent to a bus depot site and another existing permanent Gypsy and Traveller site.</p>			
<p>Relevant Planning History</p>	<p>Application Details</p>		<p>Application History</p>	
	<p>10/01514/FUL Change of use of land to station one mobile home (retrospective)</p>	<p>Approved (28/10/10) Temporary permission granted for the named applicants for 3 years. No more than two caravans (one being static) can be stationed on the site at any time.</p>		
<p>13/02372/CONVAR Variation of conditions 1 and 3 of SE/10/01514/FUL - Change of use of land to station 1 mobile home - with amendment to allow continued use for another 3 years</p>	<p>Approved (07/01/14) Temporary permission granted for a further 3 years as it was found that the very special circumstances put forward in the previous application that was granted were still found to be relevant. However, a temporary rather than permanent permission will accord with the provision of the Gypsy and Traveller Plan work programme.</p>			
<p>Constraints:</p>	<p>Green Belt</p>	<p>Flood Risk</p>	<p>Topography</p>	<p>Connection to local services</p>

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	<p>This site lies fully within the Metropolitan Green Belt</p>	<p>The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.</p>	<p>The driveway to the site rises up away from the road where the mobile home and farm buildings are sited. The land rises to the east where the site becomes more open.</p>	<p>Site is considered to be well connected to the village. Whilst there is not a footpath in this particular location on either side of the highway, the site is located in close proximity to an established residential frontage on the opposite side of Lower Road and adjacent to a permanent Gypsy and Traveller site. Therefore it is considered a sustainable location within suitable walking distance to the local services at Hextable, which include a village store and Post Office, a primary school and secondary school, and a doctor's surgery.</p>
	<p>Noise and Air Quality</p>	<p>Privacy of Site for Occupier</p>	<p>Landscape (e.g. AONB), Biodiversity</p>	<p>Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)</p>
	<p>The site is not located within an AQMA nor are there any unacceptable noise constraints.</p>	<p>The mobile home is set back and well integrated in the wider farm complex so has a fair amount of privacy for the occupier. There is however a PROW running along the western boundary of the site,</p>	<p>This site is not in the AONB and has no national or local nature conservation designation.</p>	<p>The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.</p>

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		adjacent to Valley Park (an existing permanent Gypsy and Traveller site). Further screening may be required to mitigate any potential privacy impacts.		
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	There is a public footpath running alongside the edge of the site. The site not very prominent from the road, but becomes quite open in the countryside and can be clearly seen from approx. 50-100 metres along the footpath where the tree line ends. Domestic paraphernalia can be clearly seen from this viewpoint. The Farm complex rather than mobile home itself becomes more prominent.	The site is not considered to impact upon the amenity of existing residents as the site	The site has an existing vehicular access from Lower Road.	
Suitability:	The site is well located in relation to local services and facilities, and is located outside of an area of flood risk and protected land such as AONB. The site will not have an impact on existing residential amenity, and with some additional screening to the west of the site, would not considerably impact the local landscape character. Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site has been established in the Green Belt since permission was first granted two and a half years ago and in all other respects is considered suitable for 1 permanent pitches. Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for gypsy and traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers (with the proposed mitigation measures such as additional screening along the western boundary of the site) are considered to be potentially suitable when assessed against the suitability criteria.			
Deliverability:	The site is available. It currently has temporary planning permission until January 2017. A Phase 1 contaminated land assessment may be required due to the location next to a potentially contaminated site.			

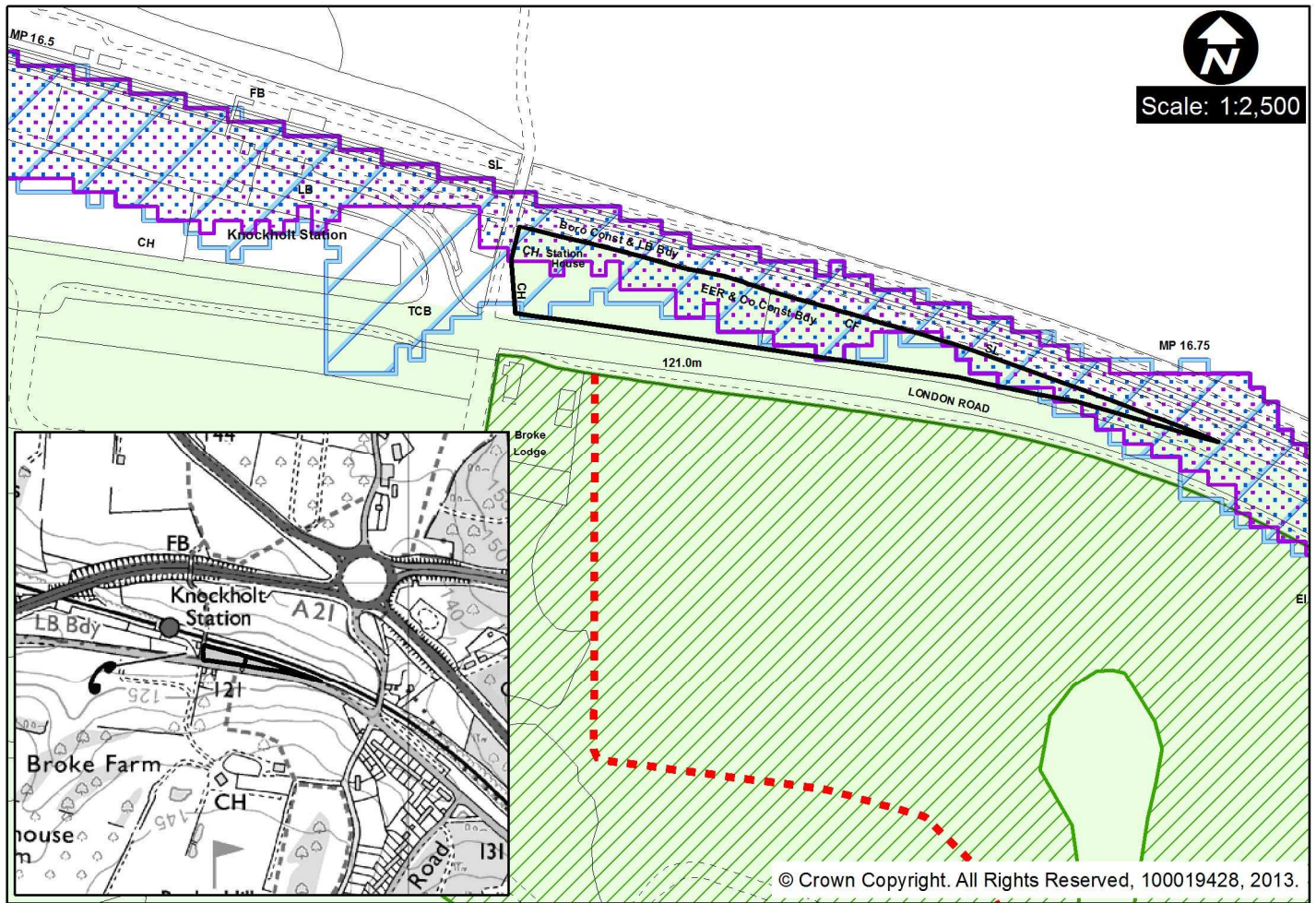
Consult on potential to allocate?



Potential Capacity	Total of 1 permanent pitch.
Design Parameters: Design and Layout Landscape Access	
Phasing	

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Site Address: Land east of Knockholt Station, Halstead.



<p>Site Description:</p>	<p>This is a temporary site which lies at the bottom of a gently sloping valley. It is situated between a main road, railway line, and a public footpath. The site is 0.40ha. The site is being considered for the temporary use to be made permanent as well as an additional 6 pitches to be accommodated permanently on site.</p>	
<p>Relevant Planning History</p>	<p>Application Details</p>	<p>Application History</p>
	<p>03/00292/FUL Use of land as a private gypsy caravan site (6 pitches).</p>	<p>Refused (02/04/03) Reasons for refusal include harm caused to the openness of the Green Belt, and Special Landscape Area.</p>
	<p>06/03260/FUL Use of land as a private gypsy caravan site (6 pitches).</p>	<p>Approved at appeal (18/06/08) Granted temporary permission on appeal for a 3 year period and for the named applicants. Permission is granted for the stationing of 7 caravans, which no more than 3 shall be static and 4 touring caravans.</p>
	<p>11/01510/FUL Permanent use of the land as a gypsy and traveller caravan site including proposed amenity buildings.</p>	<p>Approved (02/09/11) The site was granted temporary permission for a period of 3 years, rather than permanent. The permission is for no more than 7 caravans, of which only 3 can be static, to be stationed on the land</p>

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				at any one time for the named applicants. It was considered by the Council that permanent permission would be premature to the formal consideration process of allocating sites with a Gypsy and Traveller Plan.
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site fully lies within the Metropolitan Green Belt.	Site is partly situated within EA fluvial Flood Zone 3, and Strategic Flood Risk Assessment Flood Zone 3b (functional floodplain). The EA have advised that the site is not at risk of flooding due to being located within a dry valley. KCC have advised that there may be a chance of some surface water accumulation during exceptionally wet periods, but are unaware of any previous significant flooding events from any water sources.	The site is flat	The site is located on a main road where there is a mix of commercial uses. The site is not a significant distance from the main residential development of Badgers Mount, which is also served by public bus services to the surrounding towns of Bromley and Tunbridge Wells.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Assets (incl. Schedule Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	Site is located adjacent to the railway line but is not considered to experience significant continuous noise or air quality issues.	There is fencing along the main road provided screening to the site.	The site is not in the AONB and has no national or local nature conservation designations.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.

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Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access
	The site is situated along a built frontage of a mix of commercial uses, and the railway station. The land use is compatible with the surrounding land uses and is not prominent from the street scene with only shallow roofs visible.	The site is currently well screened along the main road, and is not considered to impact upon the amenity of neighbouring residents at Brooke Lodge. The other neighbouring land uses are a mix of commercial uses, which this site does not impact upon in terms of amenity value.	Vehicular access is currently gained from London Road and no objections were raised in the recent permission by Kent Highways to this access. There is a public right of way of way running opposite the site alongside Brooke Lodge.
Suitability:	The site will have limited impact on the local character of the area and neighbouring residents. It has good access, and is also very accessible in terms of public transport. Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site has been established in the Green Belt for 5 years and in all other respects is considered suitable for 6 pitches. Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for gypsy and traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers (with potential mitigation measures such as further screening adjacent to the footpath and sustainable drainage) is considered to be potentially suitable when assessed against the suitability criteria.		
Deliverability:	The site is available. It currently has temporary planning permission for 6 pitches until September 2015. The proposed site option to make the temporary pitches permanent will need to be considered in line with the additional 6 pitches promoted through the call for sites to be accommodated on the same site. It is likely that Phase 1 and Phase 2 contaminated land assessments will be required due to the former use of the site and associated adjacent land use.		

Consult on potential to allocate?



Potential Capacity	Total 12 permanent pitches (6 temporary to be made permanent and 6 additional pitches)
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

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	site.			
	11/02120/CONVAR Variation of condition 1 of SE/07/03543/FUL - (Change of use to caravan site for stationing of 5 caravans (3 mobile homes and 2 touring caravans) for Travellers, with retention of associated hardstanding, septic tank, sheds and fencing (retrospective). Two utility blocks are proposed on the site.) To either make the site permanent or renew the time limited condition for a further temporary period.		Approved (16/12/11) Permission granted for 3 years for the named applicants. No more than 5 caravans, 3 of which to be static can be stationed on the land at any one time, and no commercial activity can be carried out.	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	This site lies fully within the Metropolitan Green Belt	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site is flat	Site is considered to be well connected to local services and public transport routes.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designated Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered parks and Gardens, and Conservation Areas)
	The site is not located within an AQMA. There may be potential noise impacts due to the proximity to the M25 motorway.	Site is currently fairly well screened from the main road. It is visible from Hockenden Lane at the entrance way, but has further screening along the western edge.	The site is not in the AONB and has no national or local nature conservation designations.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	Whilst the site lies outside of the built up area of Swanley, there are several other low	This is a well kept site, with some soft landscaping acting as screening for existing	The current access had no objections from the local Highway Authority in the most recent	

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	level buildings in the surrounding area. The site also lies opposite a larger hotel and restaurant complex. The site is not considered to be intrusive in the landscape or impact the local character of the area.	residents. It is therefore not considered to impact significantly on the amenities of surrounding residents.	permission. It is close to the junction with London Road.
Suitability:	<p>This site is considered to be sustainable in terms of location and connection to local services. It is currently a well kept site, with some existing soft landscaping providing a degree of screening for both current occupiers, and surrounding neighbours, lessening the impact on the local character of the area. Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site has been established in the Green Belt for 5 years and in all other respects is considered suitable for 3 permanent pitches. Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for gypsy and traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers is considered to be potentially suitable when assessed against the suitability criteria.</p>		
Deliverability:	<p>The site is available. It currently has temporary planning permission until December 2014.</p>		

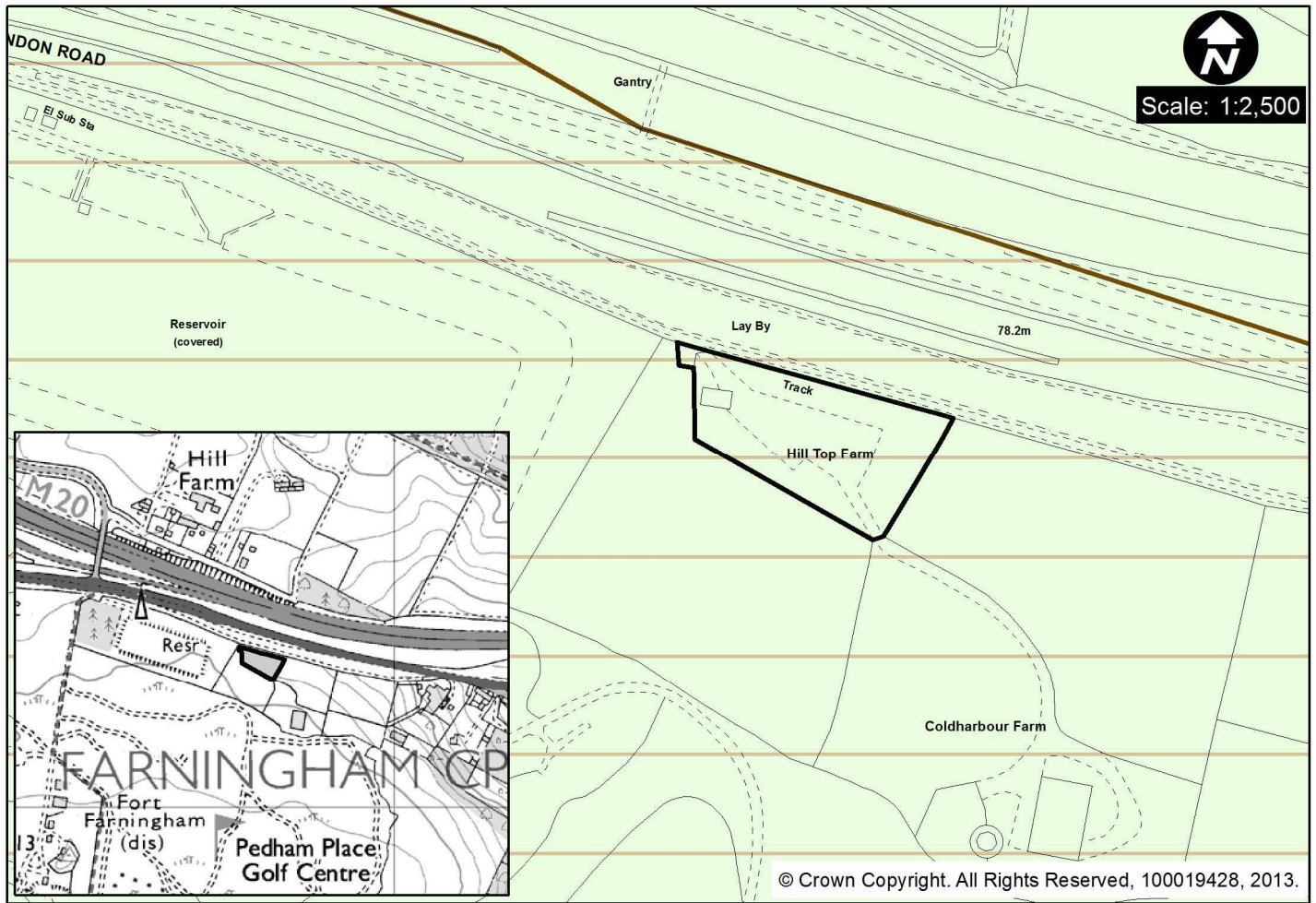
Consult on potential to allocate?



Potential Capacity	Total of 3 permanent pitches.
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

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Site Address: Hilltop Farm, London Road, Farningham



Site Description:	This is a temporary site containing 5 pitches, and is 0.36ha in size. The site is situated adjacent to a golf course and covered reservoir.	
Relevant Planning History	Application Details	Application History
	04/01814/FUL Change of use to residential stationing of ten caravans and mobile homes for an extended gypsy family.	Refused and Appeal dismissed (26/10/05) The Secretary of State disagreed with the Inspector's decision and dismissed the appeal. Substantial weight was given to the potential harm caused to the Green Belt. The special circumstances put forward by the applicant and the fact that there is a shortage of provision were not considered sufficient to outweigh the harm caused to the Green Belt, and so temporary permission was not considered appropriate.
07/01984/FUL Retrospective application for a change of use to a caravan site with the stationing of ten caravans (up to five of which can be mobile homes) to accommodate one extended gypsy	Refused (11/09/08) Refused retrospective change of use to a caravan site with the stationing of 10 caravans. The first reason for refusal given was that the proposal would be harmful and inappropriate development	

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	family.		in the Green Belt. The two other reasons given were that the site lies adjacent to an AQMA and that it had not been demonstrated that the site was not subject to impacts of travel pollutants, and it had not been demonstrated that the site would be suitable for residential use given its proximity to the A20 and M25 in terms of impacts of traffic noise.	
	09/00444/FUL Change of use to include the stationing of caravans to accommodate one extended gypsy family.		Approved (07/03/12) Temporary permission granted for 3 years for the named applicants only for the stationing of no more than 9 caravans, which no more than 5 shall be static, to be stationed on the site at any one time. No commercial activities shall take place on the site or the storage of any materials. The decision was issued in 2012 therefore the permission has not yet expired.	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site lies fully within the Metropolitan Green Belt	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site is in a raised location above London Road. The site gently slopes upwards towards the south-eastern corner.	Site is not considered to be well connected to local services due to its fairly remote location. There is however a public right of way adjoining the entrance of the driveway which runs through the adjacent golf course.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designated Heritage Assets (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, and Conservation Areas)
	Site is within an AQMA buffer zone. Potential noise quality issues due to traffic impacts	There is some existing screening along the northern, southern, and western edge of the site.	Site is fully within the Kent Downs AONB. It has no local nature conservation designations.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.

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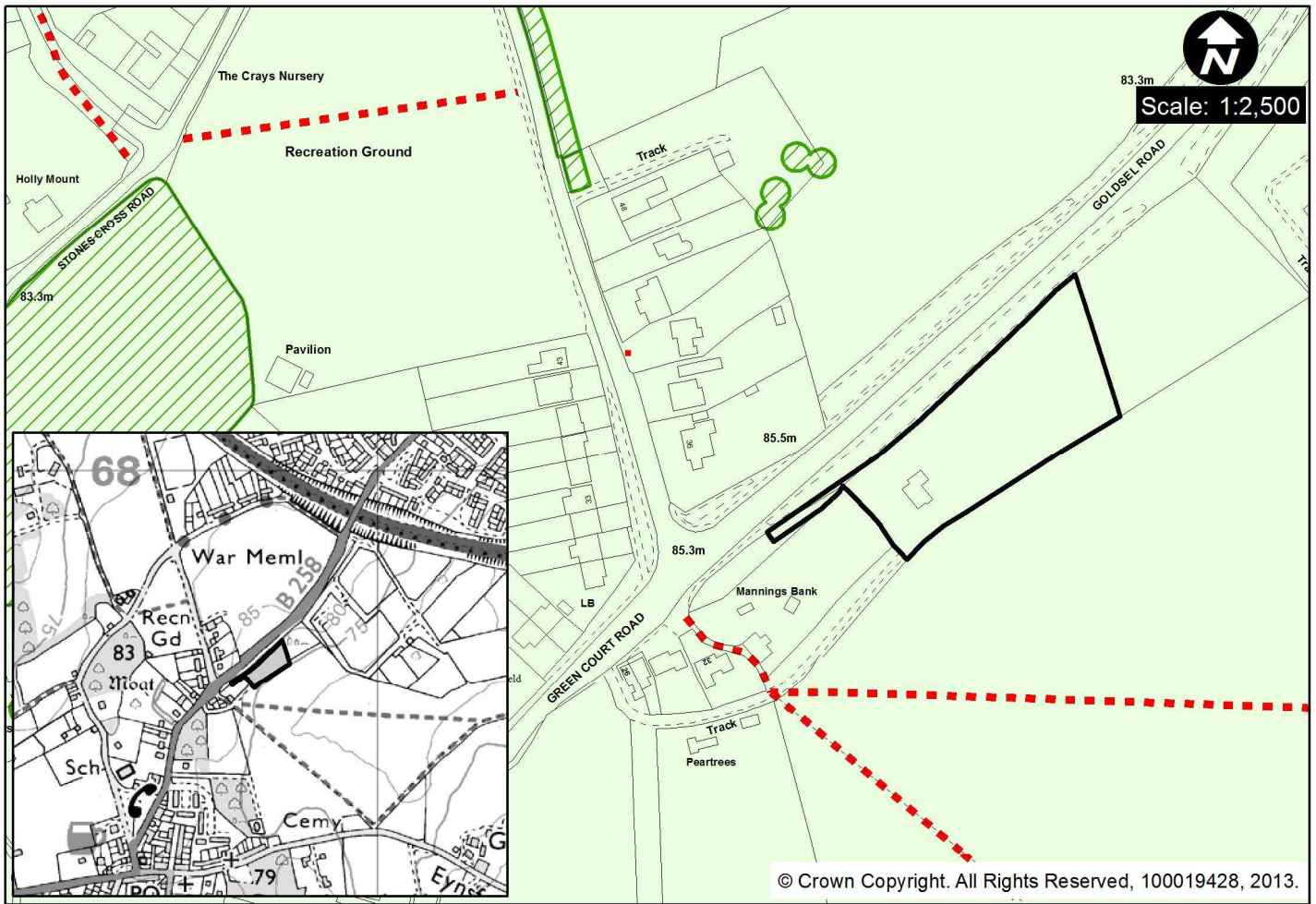
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access
	There are some longer views into the site from the north-eastern corner.	It is considered that there is limited impact on residential amenity due to the distance from neighbouring properties.	Current access is off London Road and is a private track. Pedestrian access would be from the same location.
Suitability:	The site has existing access from London Road, and will not impact upon neighbouring land uses or residential amenities. Within the NPPF, great weight is given to conserving the landscape and scenic beauty in the District's Areas of Outstanding Natural Beauty, and conserving the openness and character of the Green Belt. Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, the existing site contains some screening, and could be further screened, significantly reducing any adverse impact on the landscape character. As the site has been occupied by caravans for 3 and a half years, retention of the existing caravan would not impact further on the character of the AONB. The need for the continued use of this site as a caravan site by persons defined as Gypsies and Travellers (with the proposed mitigation measures of additional landscape screening); the suitability of the site in other respects and the limited harm to the AONB make this site potentially acceptable as an allocation, and is proposed that the consultation document should include a proposal for 5 permanent pitches.		
Deliverability:	The site is available. It currently has temporary planning permission until March 2015. A Phase 1 contaminated land assessment may be required due to the adjacent land use.		

Consult on potential to allocate?



Potential Capacity	Total of 5 permanent pitches.
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

Site Address: Robertsons Nursery, Goldsel Road, Swanley



<p>Site Description:</p>	<p>This is a temporary site containing 1 pitch and is 0.42 ha in size. It is located opposite some residential properties on the edge of the settlement of Crockenhill on the border with Swanley.</p>	
<p>Relevant Planning History</p>	<p>Application Details</p>	<p>Application History</p>
	<p>08/02349/FUL Retention of mobile home and hard standing and proposed utility building</p>	<p>Approved (24/07/09) This was a temporary permission for a period of 3 years approved for the stationing of two caravans, one of which is to be static, for the named applicants only. No commercial activities shall take place on the land or the storage of materials other than for the keeping of horses in need for isolation. No building, enclosure, or temporary structures shall be erected other than those on the approved utility block plan.</p>
	<p>12/00894/FUL Retention of mobile home & hard standing & proposed utility building.</p>	<p>Approved (28/06/12) This is a temporary permission for a period of 3 years approved for the stationing of two caravans, one of which is to be static, for the named applicants only. No commercial activities or the storage of materials shall take place on</p>

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		the land. No building, enclosure, or temporary structures shall be erected other than those on the approved utility block plan.		
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	This site lies fully within the Metropolitan Green Belt	The SFRA indicates that the site is not within Flood Zone 2 and 3 and is not liable to flooding.	Low-lying and gently sloping down from the entrance drive.	The site is considered to be well connected to the local facilities and services of Crockenhill, providing a primary school, local shop and post office, and fairly well located to the larger urban area of Swanley.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monument, Listed Building, Registered Park and Garden, Conservation Area)
	The site is located within the buffer zone for an AQMA.	The site is not considered to have any issues regarding privacy for occupants. It is well screened and located on lower lying land than the adjacent main road.	The site is not in the AONB and has no national or local nature conservation designations.	The site does not contain any designated heritage assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	The site is currently fairly well screened, and is not considered to impact upon the local character of the area, which consists of fairly low density housing. It is not prominent from the main road and is not intrusive to the countryside.	The site is situated close to existing residential properties, but its location on the opposite side of Goldsel Road and location on lower ground means that it does not significantly impact on the amenities of existing residents.	The existing site access is off London Road, and is considered suitable both for vehicles and pedestrians.	

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Suitability:	This site is considered to be well connected to local facilities and services, and will not have an intrusive impact on the landscape, or impact upon local residential amenities. Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site has been established in the Green Belt for 4 years and in all other respects is considered suitable for 1 pitch. Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for gypsy and traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers, is considered to be potentially suitable when assessed against the suitability criteria.
Deliverability:	The site is available. It currently has temporary planning permission until June 2015.

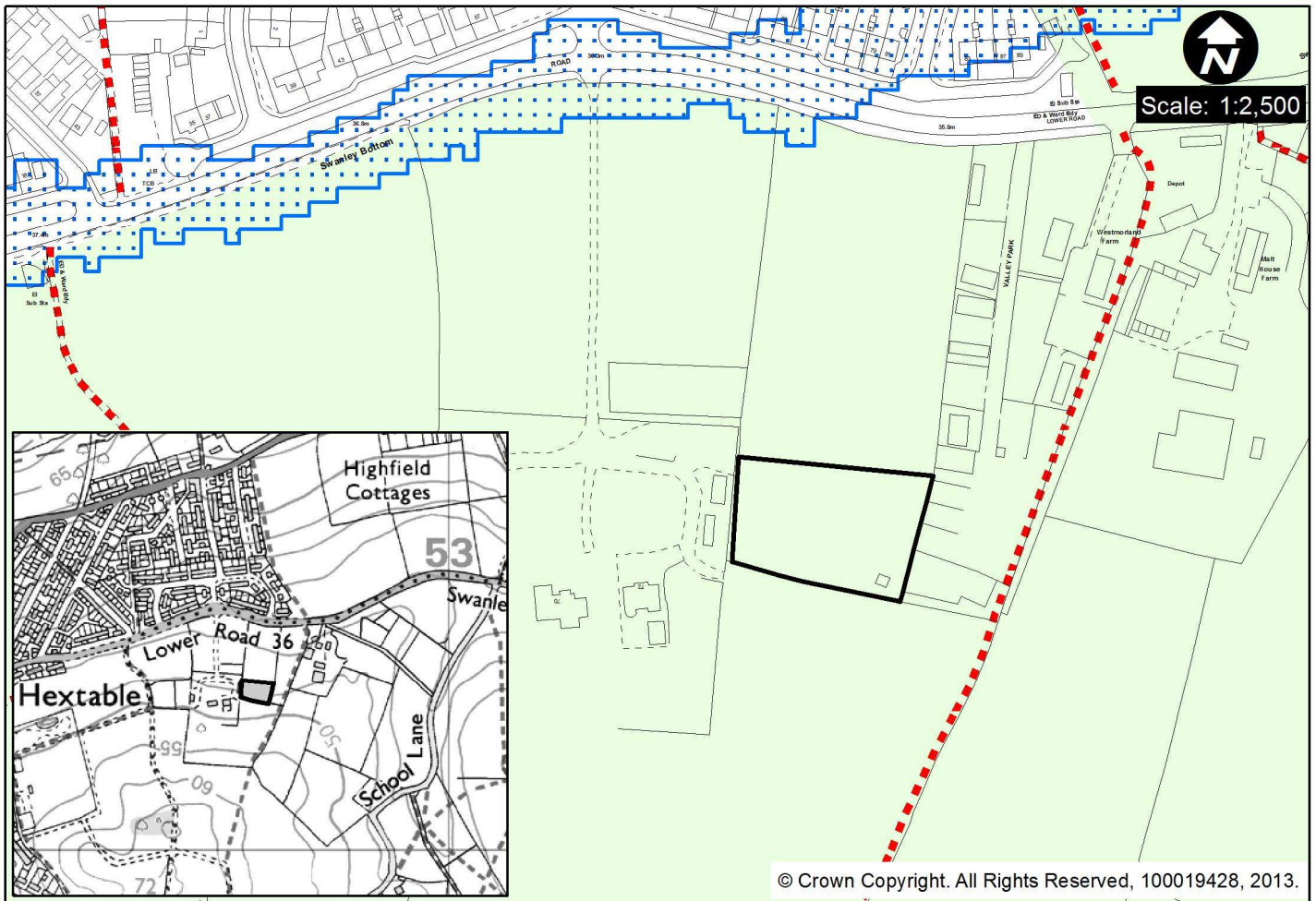
Consult on potential to allocate?



Potential Capacity	Total of 1 permanent pitch.
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

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Site Address: Land adj. Valley Park south, Lower Road, Hextable.



<p>Site Description:</p>	<p>This site is located adjacent to an existing permanent Gypsy and Traveller site known as Valley Park, associated with the adjoining Westmorland Farm, and opposite an established residential area. Adjacent to the western boundary of the proposed site are nos. 70-72 Lower Road, where both of which include a mobile home within their curtilage. The proposed site is approximately 0.28ha. The rear of the site is used for the keeping of horses. This site is proposed for 5 pitches providing an extension to the existing Valley Park site.</p>	
<p>Relevant Planning History</p>	<p>Application Details None</p>	<p>Application History None</p>
<p>Relevant Planning History on adjacent sites</p>	<p>Valley Park – 90/02091/HIST – 90/02098/HIST 8 separate applications each for the change of use for stationing of residential mobile home and one touring caravan on one plot each.</p>	<p>All Allowed on Appeal (29/05/92) Temporary permission granted for the collective site of 8 pitches for 3 years for the named applicants.</p>
	<p>Valley Park - 94/02230/HIST Use of land for caravan site for 8 pitches as amended by letter received on 14.12.94</p>	<p>Approved (08/03/95) Temporary permission granted for 3 years for 8 pitches (Plots 1, 2, 3, 11, 12 and 12a to have 1 mobile home and 1 touring caravan stationed at any one time. Plots 10 and 10a to have no more than 1 mobile home stationed on the land at any one time). Permission granted for the</p>

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		named applicants, and in the event of an owner ceasing to occupy that part of the land, the land cannot be used for the stationing or storage of caravans without arrival from the Council. No vehicles are to be parked along the central access.
	<p>Valley Park - 98/00290/HIST Continued use of land as 8 pitch gypsy caravan site without complying with condition 1 of SE/94/2230 decision notice.</p>	<p>Approved (21/08/98) Permanent permission was granted for continued use of the land as a gypsy caravan site for 8 pitches. The decision also removed the condition regarding the named applicants.</p>
	<p>Valley Park - 99/02400/CONVAR Variation of condition no 1 - SE/98/0290 to enable two mobile homes to be stored and stationed on the land instead of one mobile home and one touring caravan.</p>	<p>Approved on Appeal (21/06/00) The Inspector considered there were very special circumstances that outweigh any additional harm to the Green Belt and allowed the appeal granting personal permission for two mobile homes to be stationed on the land instead of one mobile home and one touring caravan.</p>
	<p>Westmorland Farm - 99/00455/HIST Varied personal permission to include immediate family of occupant for stationing of a mobile home and the storing of a caravan (allowed at appeal of enforcement notice in 1984)</p>	<p>Approved (21/09/99) Permanent personal permission granted in 1984, varied in 1999 to include immediate family, for one mobile home and one touring caravan. In the event of an owner ceasing to occupy that part of the land, the land cannot be used for the stationing or storage of caravans without arrival from the Council.</p>
	<p>Westmorland Farm -99/02626/FUL Use of land as a four pitch gypsy caravan site.</p>	<p>Allowed on Appeal (23/02/01) Permission granted for no more than two touring caravans or one mobile home and one touring caravan to be placed on each pitch at any one time. No named applicants, but to be occupied only by gypsies falling within the statutory definition.</p>
	<p>Westmorland Farm - 02/01984/FUL Creation of three additional plots for gypsy families.</p>	<p>Allowed on Appeal (05/02/04) Temporary permission granted for 5 years for 3 pitches (additional to the 4 permanent pitches previously permitted above). The permitted use cannot take place until the existing mobile unit or portakabin used for educational purposes on the southern part of the site is removed. No more than two touring caravans or one mobile home and one touring caravan shall be stored on each plot at any one time. No named</p>

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			applicants, but to be occupied only by gypsies falling within the statutory definition.	
	Adjacent site 72 Lower Road – 06/00532/FUL Retention and siting of residential mobile home for the joint lives of dependant relatives		Refused The stationing of this mobile home lies outside of the curtilage of the residential property. It was refused permission due to the impact on the openness of the Green Belt and countryside.	
	Adjacent site 72 Lower Road – 310/83/162 Enforcement notice for the making of a material change in the use of the land as a residential caravan site without planning permission.		Allowed on Appeal (19/12/08) The Inspector granted personal permission for the stationing of no more than one caravan at any one time on the land, and be restored to its previous condition within two months of the cease of the use by the named applicants. The caravan did not fall within the curtilage of the residential property to which it was ancillary to. Permission was granted due to very special circumstances surrounding the health matters of the gypsy occupants, and connection of family residing in the property at 72 Lower Road.	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	This site lies fully within the Metropolitan Green Belt.	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site very gently slopes to the south away from the highway.	Site is considered to be well connected to the village. The site is located opposite an established residential area. Therefore it is considered a sustainable location within suitable walking distance to the local services at Hextable, which include a village store and Post Office, a primary school and secondary school, and a doctor's surgery.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled

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				Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site is not located within an AQMA nor are there any unacceptable noise constraints.	The site is very open from Lower Road, and can be seen from both the highway and the residential properties to the west. It is also adjacent to an existing permanent Gypsy site, which is bounded by a wall so provides screening.	The site is not within an AONB and has no national or local nature conservation designations.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	Whilst the site lies adjacent to an existing permanent Gypsy site, with numerous planning permissions (outlined above), additional pitches here may cause a cumulative impact on the character of the countryside. The rear of the site is less visible from Lower Road, and could be viewed in the wider landscape as part of the existing permanent Gypsy site adjacent.	The site is very open and can be viewed from Lower Road and the neighbouring residential development opposite. It is also in close proximity to two residential buildings at 70 and 72 Lower Road, which the upper floors are visible from this site.	There is vehicular access for the adjacent valley park site and two PROWs in close proximity.	
Suitability:	The site is well located in relation to local services at Hextable, and lies outside of an AONB. It is also not affected by air or noise quality issues. Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site lies adjacent to an existing Gypsy and Traveller site established within the Green Belt for 23 years and in all other respects is considered suitable for 5 pitches. Due to the concentration of number of pitches already permitted within the existing site, a lesser number of pitches than the government's guideline for an appropriate figure of 15 pitches on new sites is being considered as a site option. Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for gypsy and traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers (with potential proposed mitigation measures) is considered to be potentially suitable when assessed against the suitability			

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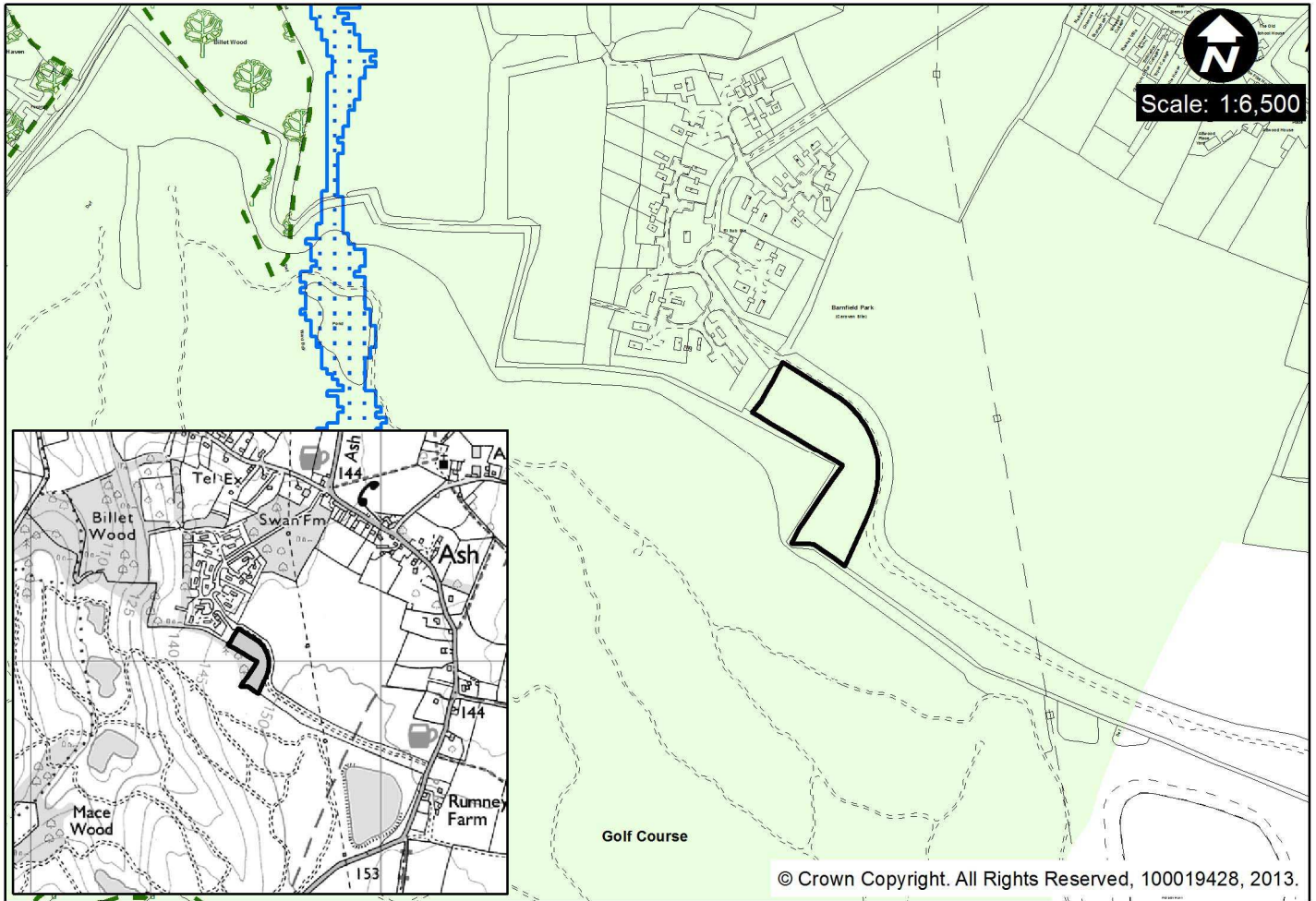
	criteria.
Deliverability:	The site is available and is being actively promoted.

Consult on potential to allocate?



Potential Capacity	<p>5 pitches.</p> <p>The site was promoted during the call for sites in August 2012 for a wider area of land adjacent to Valley Park, fronting the highway to the north. After having assessed the suitability of the originally promoted site, the Council consider this portion of the site to be suitable for the provision of Gypsy and Traveller pitches.</p>
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

Site Address: Barnfield Park, Ash



Site Description:	The site is approximately 0.96ha and lies adjacent to the entrance way of Barnfield Park, which is an existing public Gypsy and Traveller site containing 35 pitches.			
Relevant Planning History	Application Details		Application History	
	<p>92/01141/HIST Change of use of land to provision of Gypsy Caravan Site for 35 pitches (45 caravans maximum), landscaping, amenity woodland, paddock, reclamation for agriculture and provision of new access and ancillary amenity/toilet blocks</p>		<p>Approved by SoS (28/06/95) The SoS approved this application on the grounds that the benefits of the proposal outweigh the harm it will cause, with very special circumstances existing to justify granting permission. No more than 35 pitches shall be provided on the site, containing no more than a total of 45 caravans, whether in residential use or not. No additional shed, washroom, or any other structure whatsoever shall be erected anywhere on the site without the prior consent in writing of the County Planning Authority.</p>	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site lies fully within the Metropolitan	The SFRA indicates that the site is not within	The site is flat, with a large ditch running alongside	The site is fairly well connected to the local service

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	Green Belt.	Flood Zones 2 and 3 and is not liable to flooding.	both sides of the access road.	centre of Ash, providing a community hall and public house. Access would largely be by vehicle due to the nature of the rural lanes in this area. However, there is a network of PROWs on the opposite of The Street, with one approx. 400m from the site entrance.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site is not located within an AQMA nor are there any unacceptable noise constraints.	The adjoining land use is a Gypsy and Traveller site, therefore in order to maintain occupier privacy, the current screening would need to be maintained or re-provided.	The site is not in the AONB and has no national or local nature conservation designation.	The site does not contain any designated Heritage assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	The site would form an extension to an existing public Gypsy and Traveller site. The site is well screened from the west and south, fronting onto the entrance drive to the established site. The otherwise of the entrance drive is a fence separating off an open field, adjoining residential properties to the north along The Street. This	The site would not impact upon neighbouring residential properties along The Street as they are not in close proximity, and there is current screening.	There is an existing vehicular access onto The Street. This also serves as pedestrian access, but with no separate footpath.	

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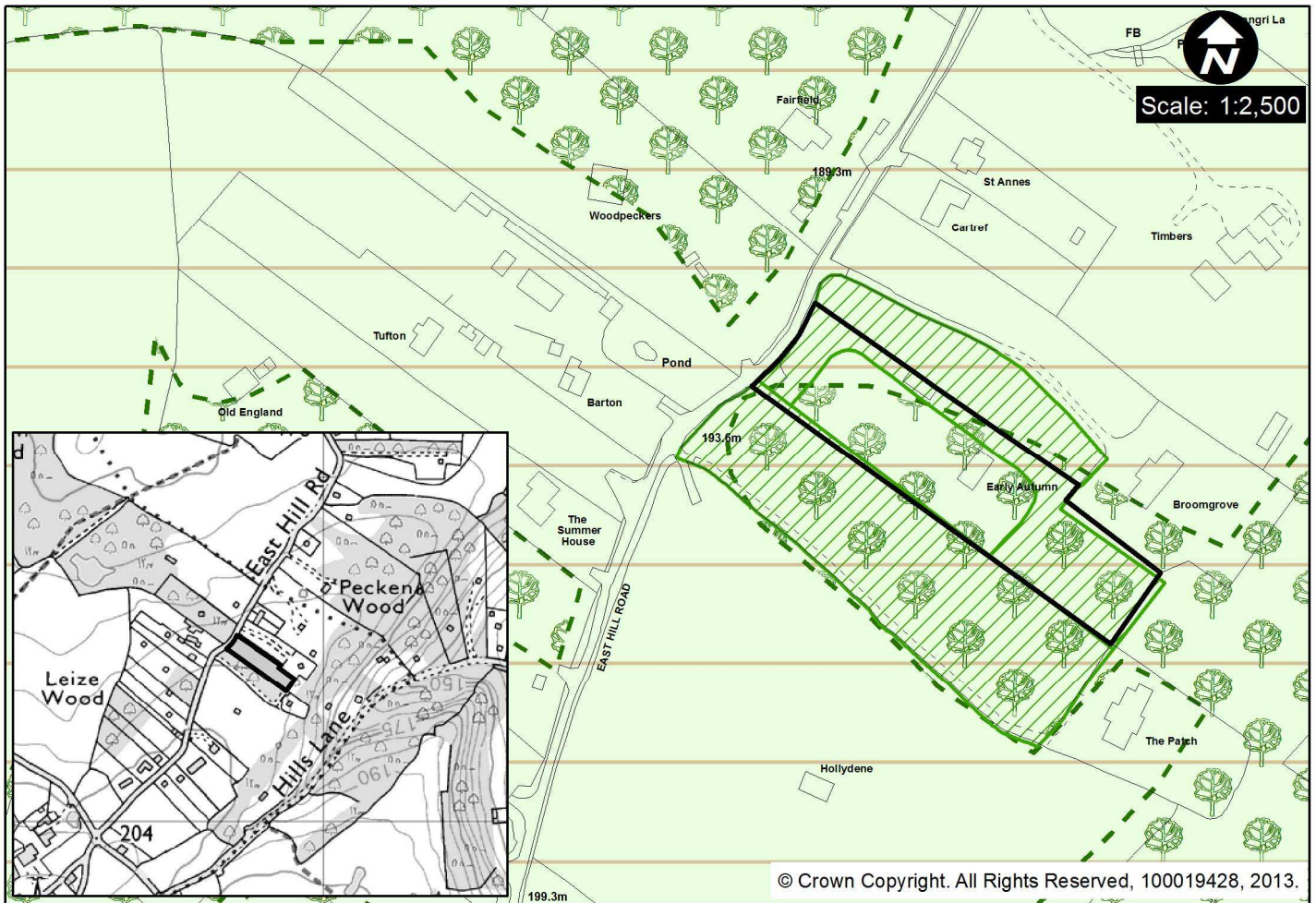
	field is however well screened from the residential properties.		
Suitability:	<p>The site is considered to have a limited additional impact on the local character of the area, and is outside of an AONB. It is also not affected by air quality or noise issues and does not impact upon any heritage assets or the setting of such assets. Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site forms an extension to a public site that has been established in the Green Belt for 18 years and in all other respects is considered suitable for 8 pitches. Due to the concentration of number of pitches already permitted within the existing site, a lesser number of pitches than the government's guideline for an appropriate figure of 15 pitches on new sites is being considered as a site option. Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for gypsy and traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers (with additional screening measures and other potential mitigation measures) it is considered to be potentially suitable when assessed against the suitability criteria.</p>		
Deliverability:	<p>The site is available and has been identified through discussion with KCC who manage the existing site of Barnfield Park.</p>		

Consult on potential to allocate?



Potential Capacity	Total 8 additional pitches as an extension to the existing public site.
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

Site Address: Early Autumn, East Hill Road, Knatts Valley



<p>Site Description:</p>	<p>This site currently contains 2 permanent pitches, and is approximately 0.57ha. It is located within an area of sporadic residential development on large plots. The site is being considered for 1 additional pitch.</p>	
<p>Relevant Planning History</p>	<p>Application Details</p>	<p>Application History</p>
	<p>93/01554/HIST Retention of mobile home for 1 Gypsy Family, Stables Building and septic tank.</p>	<p>Approved (03/06/94) Temporary permission granted for one mobile home and one touring caravan for a period of 5 years. The permission was for the named applicant and his partner/spouse only.</p>
	<p>99/00300/HIST Variation of conditions 1 and 2 of planning permission SE/93/1554.</p>	<p>Approved (11/01/01) Permission granted to remove conditions to provide permanent permission for the named applicants for one mobile home and one touring caravan.</p>
	<p>01/00664/FUL Construction of 'Dayroom' ancillary to existing mobile home.</p>	<p>Refused and Appeal Dismissed (03/01/02) The proposal would result in harm to the Green Belt which it was felt by the Inspector could not be outweighed by the special circumstances put forward by the applicant.</p>

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	02/00685/CONVAR Variation of condition 1 of planning permission SE/99/0300 removal of personal restriction and imposition of restriction to gypsy family.		Refused and Appeal Dismissed (21/07/03) The proposal was deemed to be inappropriate development within the Green belt and not outweighed by special circumstances put forward by the applicant.	
	06/02637/FUL Variation of condition 3 imposed on planning permission SE/99/00300 to permit a second mobile home and second touring caravan.		Allowed on Appeal (31/12/07) Permanent permission granted for an additional touring caravan and mobile home for the named applicants. The existing stables on the site are only to be used for purposes incidental to the residential use of the site.	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site lies fully within the Metropolitan Green Belt.	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	Site is relatively flat.	The site is situated along a rural lane without any nearby PROWs. However, the site is set within an established very low density residential area, whereby access to local services at Knatts Valley and West Kingsdown is already accepted to be by private transport.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site is not located within an AQMA nor are there any unacceptable noise constraints.	The site is considered to provide sufficient privacy for the occupier due to its existing use.	The site lies fully within the Kent Downs AONB. Some of the site is covered by a TPO, which surrounds it. The site is surrounded by ancient woodland. The site is however situated within an open area within the woodland.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets
Impact:	Impact on local character	Impact on amenity for	Vehicle and pedestrian	

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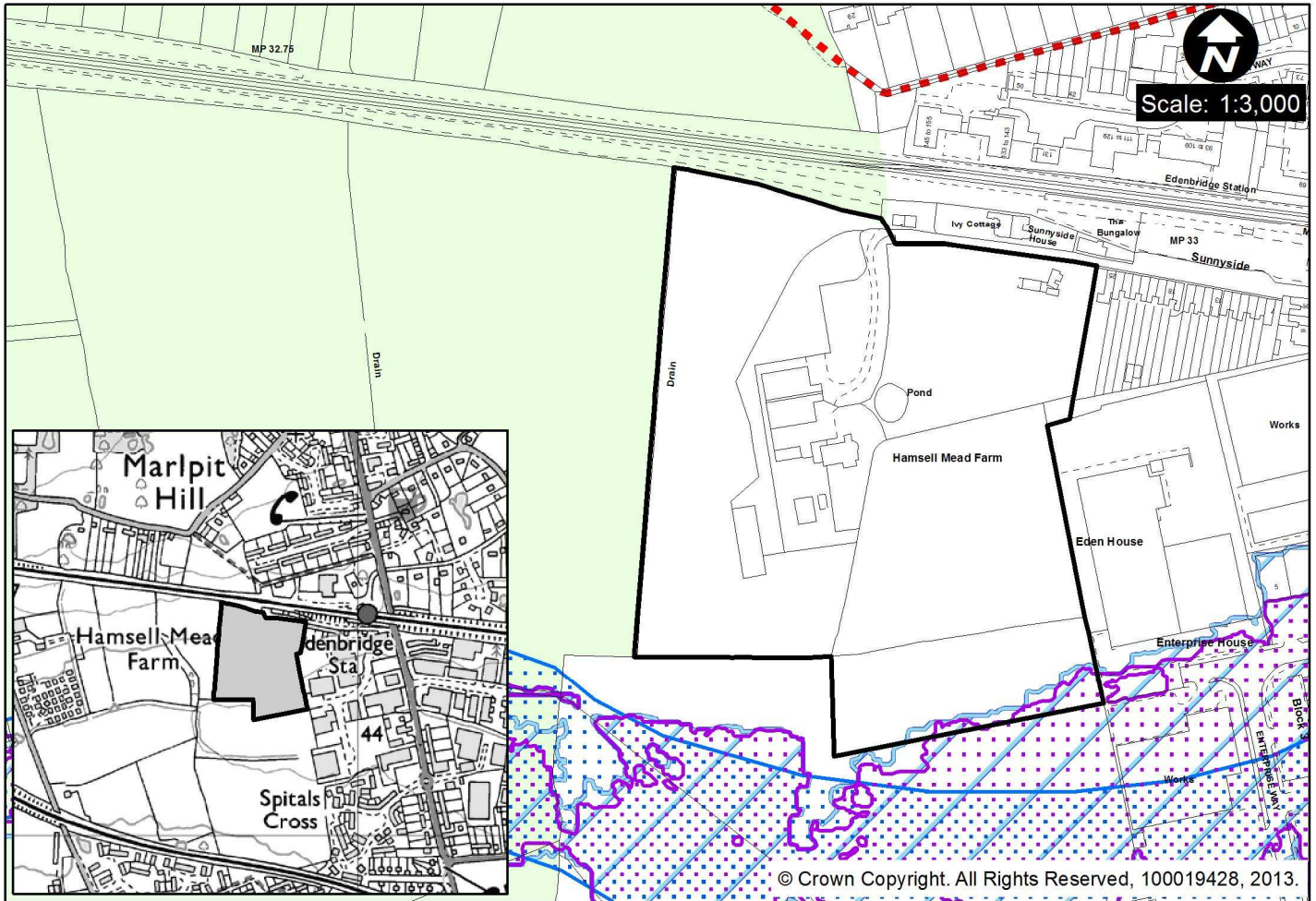
	and identity of local surroundings	existing residents	access
	The site is fairly well screened, but parts of it can be viewed from the highway. There would be limited impact upon the local character of the area which is predominately large plots of low density housing, which this type of accommodation would be more modest in size.	The site is not considered to have any impact upon the amenity for neighbouring residents due to the existing use of the site and nature of the surrounding low density residential development.	The site has an existing vehicular access onto East Hill Road. Pedestrian access is not provided.
Suitability:	The site is located outside of an AQMA and not subject to any noise constraints, and is also not liable to flooding. Although access to local services and facilities is via private transport, this has already been accepted in principle due to the existing residential properties in this area and the existing permanent pitches approved on the site. Whilst the site lies within an area of ancient woodland, the potential developable area of the site is an open section. Whilst the NPPF does not consider gypsy and traveller sites to be appropriate development within the Green Belt, this site has been established in the Green Belt for 19 years and in all other respects is considered potentially suitable for 3 pitches. Substantial weight is given to any harm to the Green Belt in Sevenoaks District but in the light of the need to meet the objectively assessed need for gypsy and traveller pitches, the advantages of permanently allocating the existing site as a caravan site by persons defined as Gypsies and Travellers (with additional screening to mitigate any impact on the local character of the area, and mitigation advise to be sought from the Tree Officer with regard to the area of ancient woodland) it is considered potentially suitable when assessed against the suitability criteria.		
Deliverability:	The site is available and is actively being promoted for 1 additional pitch.		

Consult on potential to allocate?



Potential Capacity	Total 3 permanent pitches (1 in addition to the 2 existing permanent pitches on the site)
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

Site Address: Land west of Enterprise Way, Edenbridge.



Site Description:	The site, of approximately 3.76ha, currently forms part of a wider site allocated in the Core Strategy as Reserved Land. It contains a collection of agricultural buildings at Hamsell Mead Farm, and is bounded by an industrial estate to the east, and residential properties to the north. To the south and west is open countryside.			
Relevant Planning History	Application Details		Application History	
	Hamsell Mead Farm - 84/01260/HIST Caravan Storage (15) – (Continued use of land)		Refused Reasons for refusal include unsuitable access for any further development, impacting upon the traffic flow, and detrimental to the amity of existing residents using the access way. Also caravans would be inappropriate development in the open countryside, impacting the rural character of the area.	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site is not within, but lies adjacent to the Metropolitan Green Belt. It is within the	The SFRA indicates that a small portion of the site at the south is within Flood Zone 3b,	The site is gently sloping	The site is well connected to the local services provided in Edenbridge, such as a post office,

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	settlement boundary of Edenbridge.	and Environment Agency Flood Zone 3.		doctor's surgery and supermarket.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	This site is not located within an AQMA. There may be potential noise impacts due to the close proximity to the railway line. Consideration will need to be given in this respect to the potential layout of any caravans/mobile homes.	The site is currently fairly open, so would require screening along the eastern boundary with the industrial estate.	This site is not within an AONB and has no national or local nature conservation designation.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	Dependent upon the layout of the site, the proposal would have limited impact upon the character of the local area due to being seen in the wider landscape as part of the existing industrial area and agricultural buildings.	There are existing residential properties to the north east of the site, north of the industrial estate and adjacent to Hamsell Mead Farm. Proposal may impact upon the amenity of these properties, but can be mitigated through good layout design and screening.	Vehicular and pedestrian access can be gained from Enterprise Way.	

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Suitability:	<p>This site is not constrained by national or local landscape designations, and is not subject to air quality or noise issues. It is well located to the town of Edenbridge, and could be served by public transport. Whilst there is a small degree of flood risk, this can be mitigated by appropriate sustainable drainage methods, and good layout design of the site will also mitigate against any potential noise impacts. Further landscape screening can be provided in order to mitigate against any impacts upon the rural character of the site, the amenities of the existing residents to the north west of the site, and the privacy of future occupiers. Therefore this site is considered suitable for 15 pitches.</p>
Deliverability:	<p>The site is currently allocated in the Core Strategy under Policy LO6 as reserved Land to be brought forward for development after 2015 only if required to maintain a five year supply of housing land in the District, and is therefore available late in the plan period. The Council would, in view of its size, see it as having scope for a mix of different types of affordable and market housing, and will consider whether there might be scope for including some provision for Gypsy and Traveller accommodation.</p> <p>A Phase 1 contaminated land assessment may be required due to the former use of the site.</p>

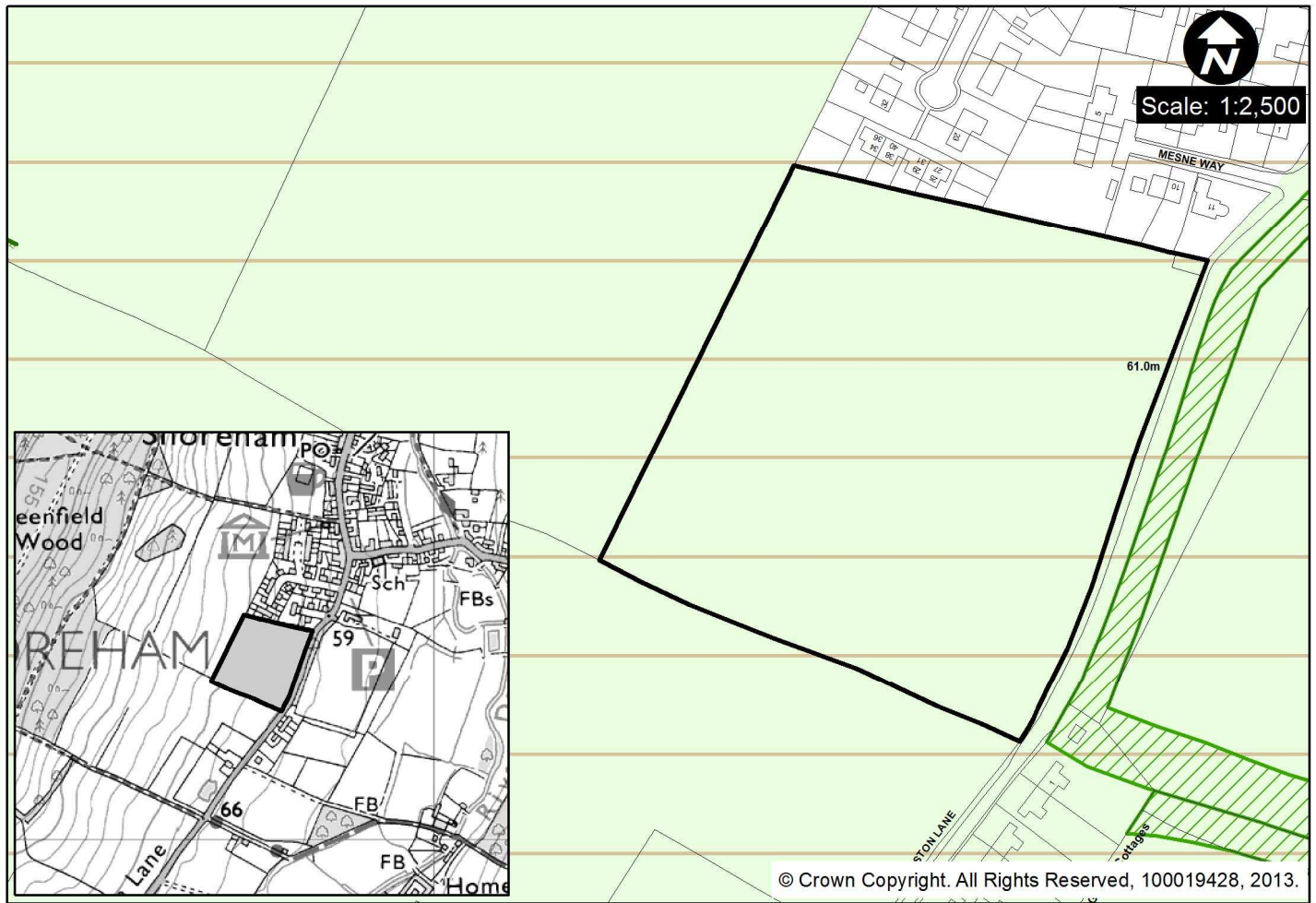
Consult on potential to allocate?



Potential Capacity	15 permanent pitches
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

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Site Address: Land south of Mesne Way, part of Timberden Farm, Shoreham



Site Description:	This site is situated on the edge of an established residential area at the southern end of Shoreham High Street. The site is approximately 2.71 ha and is currently in agricultural use.			
Relevant Planning History	Application Details		Application History	
	There is no relevant planning history for the site			
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	This site lies fully within the Metropolitan Green Belt	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site is relatively flat.	Site is well located within walking distance to the village centre at Shoreham.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designated Heritage Assets (incl. Scheduled Monuments, Listed buildings, Registered Parks and Gardens, and

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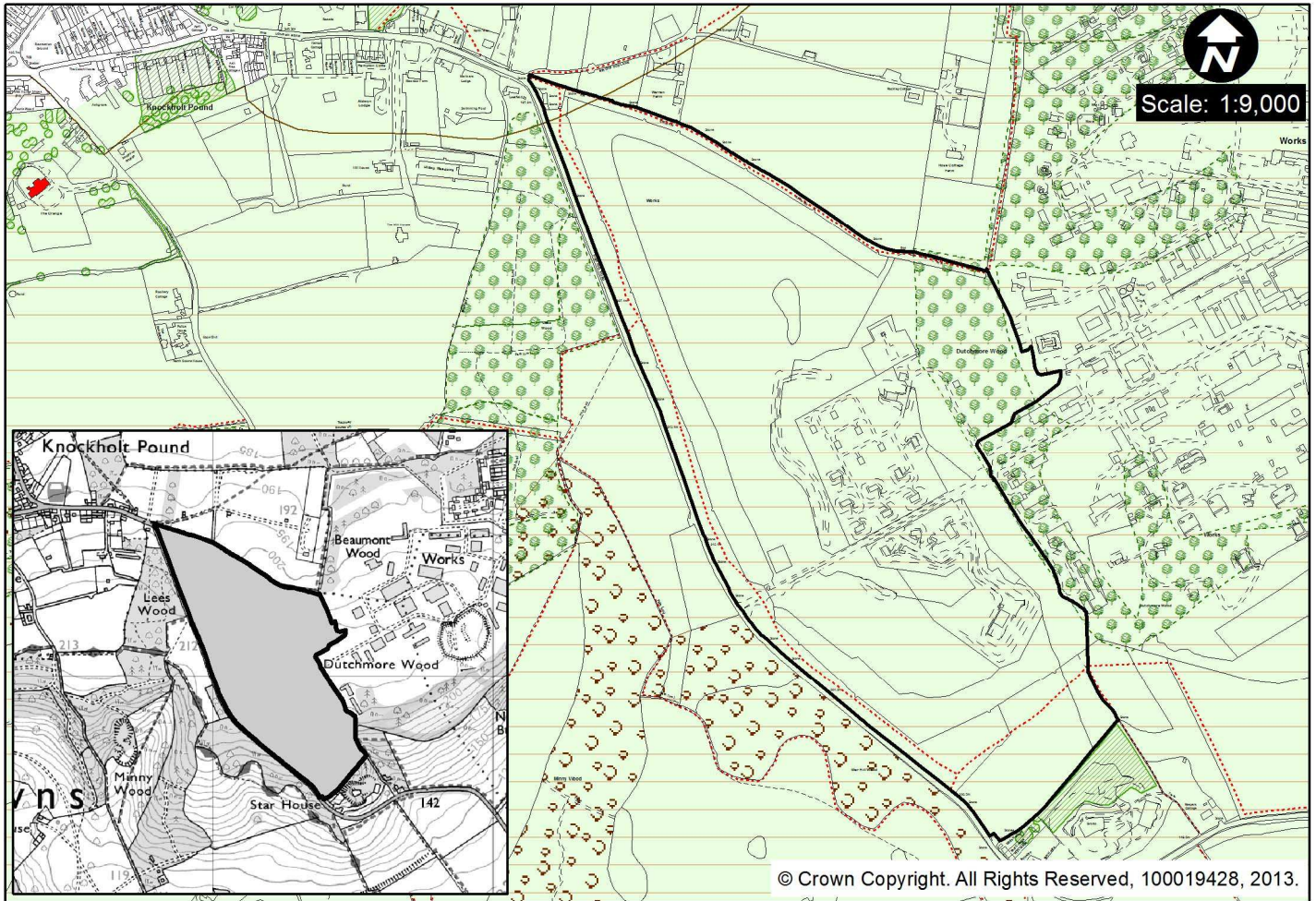
				Conservation Areas).
	The site is not within an AQMA or AQMA buffer zone.	The site is relatively open. However screening could be incorporated into the design and layout of the site.	The site lies fully within the Kent Downs AONB	The site does not contain any designated heritage assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	The site is visible from the public footpath along this section of the North Downs. However, the existing residential development is currently visible in this area. Additional screening could be incorporated into the design and layout of the site.	The site is visible from properties on the edge of Mesne Way. However screening could be incorporated into the design and layout of the site.	Vehicular access into the site can be made from the High Street	
Suitability:	Whilst this is a greenfield site within the Green Belt and Kent Downs AONB designations, it is considered to be very well connected to the settlement boundary of Shoreham. Shoreham is defined in the Settlement Hierarchy as a Service Village, and the site would be in walking distance of a number of local facilities including a primary school, a local shop, train station and several public houses. The site is currently in active agricultural use and not used for the grazing of livestock.			
Deliverability:	The site is available and has been promoted through discussions with the Council's Property Team acting in behalf of the Council as landowner.			

Consult on potential to allocate?



Potential Capacity	Total 15 pitches
Design Parameters:	
Design and Layout	
Landscape	
Access	
Phasing	

Site Address: Land at Fort Halstead, Halstead



Site Description:	The site forms the wider part of Fort Halstead, outside of but adjacent to, the proposed Policy EMP3 'redevelopment of Fort Halstead' in the draft ADMP. The site is approximately 33.83ha.			
Relevant Planning History	Application Details		Application History	
	None applicable		None applicable	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site lies fully within the Metropolitan Green Belt	The SFRA indicated that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site steeply slopes to the south and south east, being relatively flat on the areas of higher ground.	There is limited public transport traveling passed the site but not currently serving it. It is not particularly well connected to a local service centre. However, there is other residential use established in this area, which would require private

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				transport to reach the larger local centre of Halstead, providing educational, convenience, and community facilities.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site is not located within an AQMA nor are there any unacceptable noise constraints	There is a degree of screening currently on the site through tree cover. However further landscaping and similar mitigation measures would need to be considered to ensure appropriate privacy.	There are some parts of the site with heavy tree cover including ancient woodland, and a small section covered by TPO. The site lies within the Kent Downs AONB	The site surrounds, but is not included within the boundary of a Scheduled Ancient Monument.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	There are quite extensive views looking out of the site from the south west, interspersed by tree coverage. There are residential properties to the north of the site, which are not visible from the wider landscape. Therefore, dependent upon layout and design, there would be limited impact upon the landscape.	The site is adjacent to an existing residential area. However, the nature of the proposal would cause fewer disturbances than the industrial nature of the current use of the site, and would be considered as part of a wider redevelopment.	The site currently has two vehicular access points, at the north and west of the site. Pedestrian access is limited, but can be accessed from the north of the site adjacent to the residential area.	

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Suitability:	The site is not located in an area at risk of flooding nor is it located in an area of air and noise quality impacts. Parts of the site are well screened with heavy tree coverage, which includes some ancient woodland. The site is not within walking distance to the nearest local service centre of Halstead, and has a limited exposure to public transport. However there are some residential properties in this area which would require reliance on private transport. Any redevelopment of Fort Halstead in accordance with the criteria proposed in Policy EMP3 of the ADMP will enable this location to increase in terms of sustainability for the location of Gypsy and Traveller accommodation, through improved infrastructure and public transport provision.
Deliverability:	<p>The site has been considered alongside the land included within the proposed Policy EMP3 allocation site of the Allocations and Development Management Plan. The landowners of this site have provided information to demonstrate that the inclusion of provision for Gypsy and Traveller accommodation as part of any redevelopment of Fort Halstead will render the scheme unviable. However this area under consideration lies outside of the Policy EMP3 site and is being considered separately.</p> <p>It is likely that a Phase 1 and Phase 2 contaminated land assessment will be required due to the land use at the associated Fort Halstead site.</p>

Consult on potential to allocate?



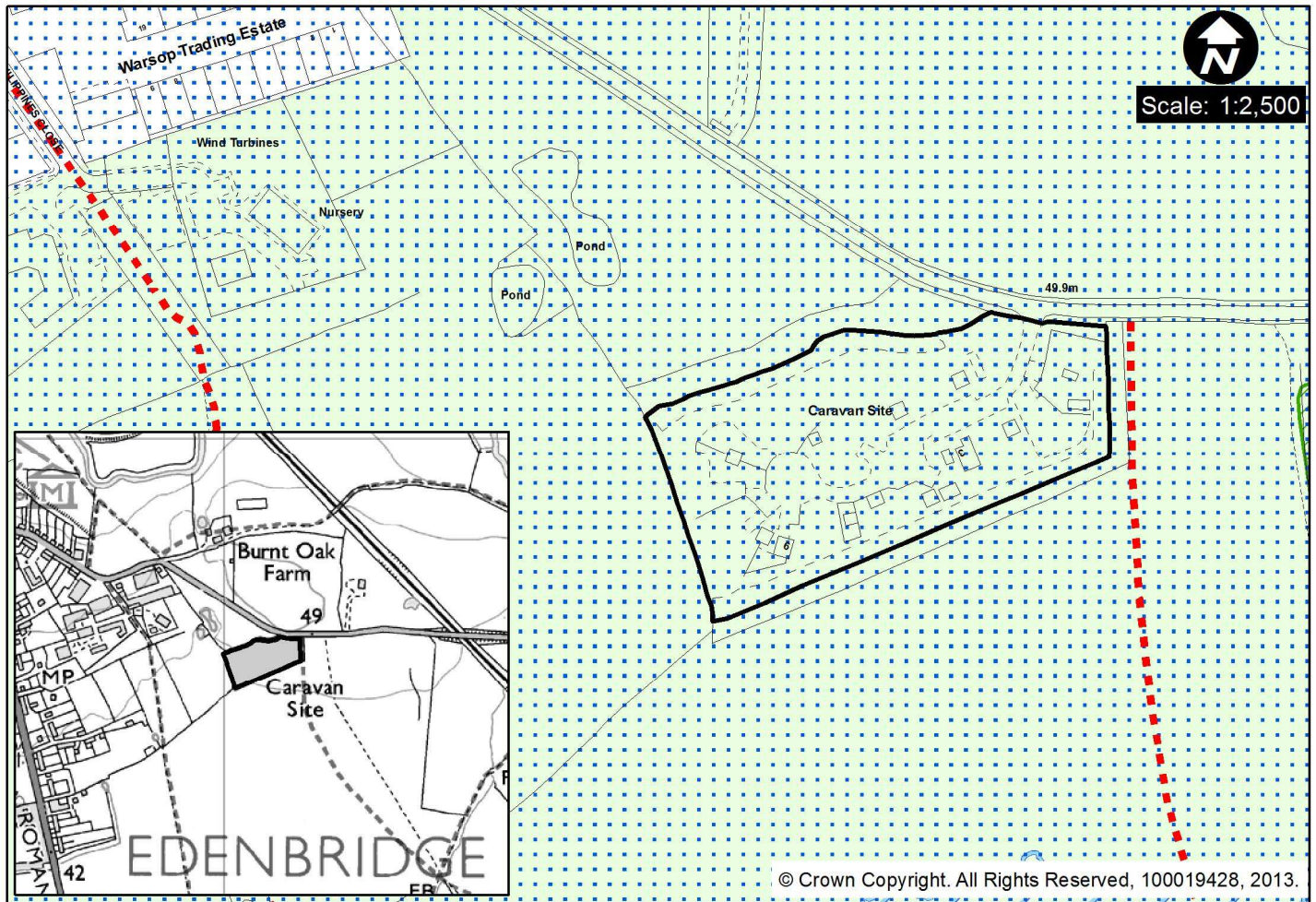
Potential Capacity	Total 15 permanent pitches
Design Parameters: Design and Layout Landscape Access	
Phasing	



**GYPSY AND TRAVELLER PLAN
SITE OPTIONS ASSESSMENTS:
SITES NOT CONSIDERED TO BE SUITABLE**

MARCH 2014

Site Address: Hever Road Caravan Site, Edenbridge



<p>Site Description:</p>	<p>This is an existing permanent public Gypsy and Traveller site containing 17 pitches. It is approximately 1.11ha and is situated at the eastern edge of a built up residential area in Edenbridge, and opposite a private temporary site containing 6 pitches.</p>	
<p>Relevant Planning History</p>	<p>Application Details</p>	<p>Application History</p>
	<p>78/01774/HIST The continued use of land as an encampment for Gypsies for seven years</p>	<p>Approved Temporary permission granted for 7 years in order to review the position in line with the proposals contained within the Kent Structure Plan at the end of this period.</p>
	<p>86/02042/HIST Retention of the use of the land for encampment for Gypsies</p>	<p>Approved Temporary permission granted for 7 years in order to review the position in line with the proposals contained within the Kent Structure Plan at the end of this period.</p>
	<p>94/00166/HIST Redevelopment & extension of existing 8 pitch gypsy caravan site to form a 12 pitch caravan site.</p>	<p>Approved The number of caravans on the extension site should not exceed 8. No storage, industrial or other commercial activity should take place on this site, nor any trading operations take place from</p>

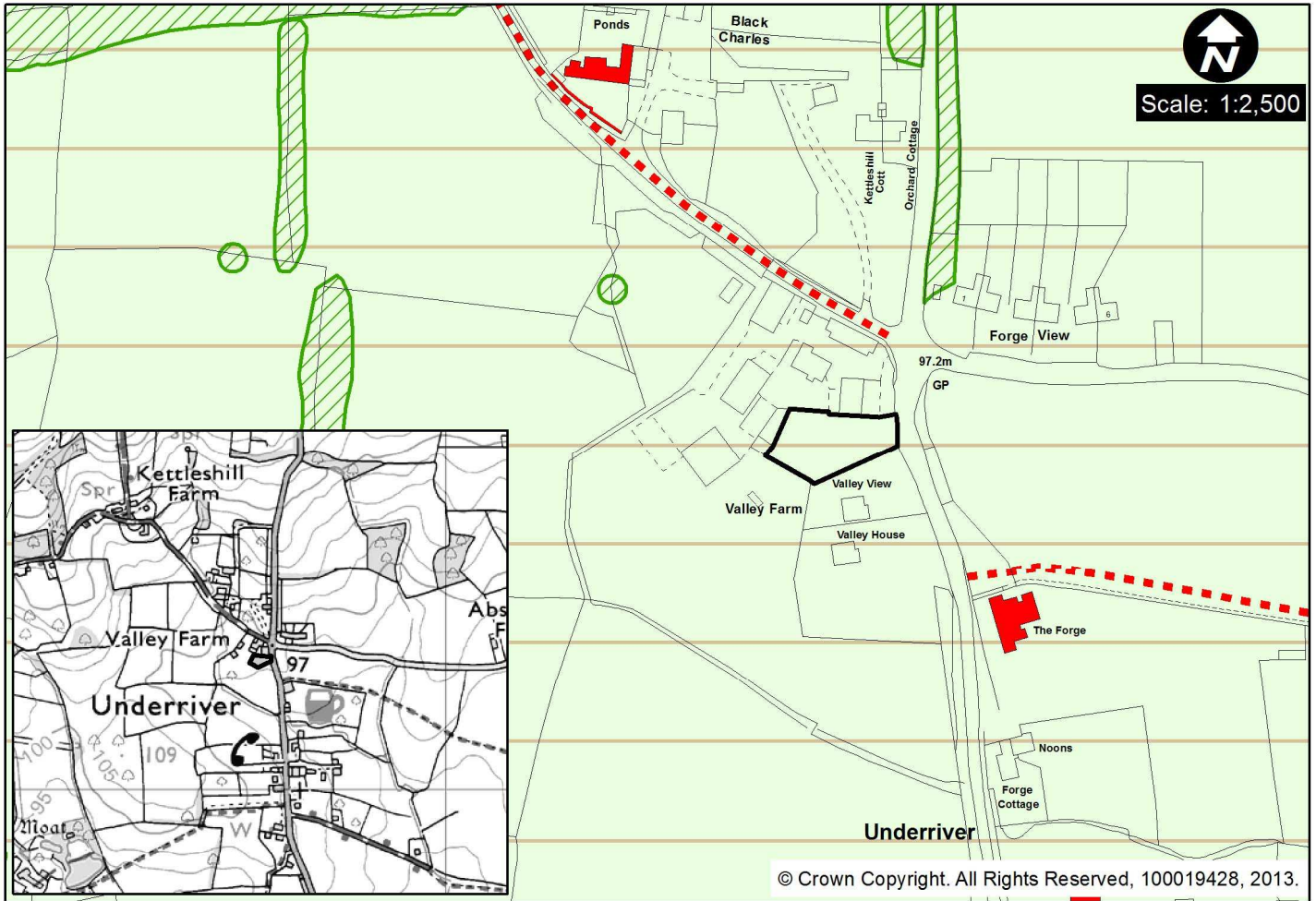
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			the site.	
	06/02494/FUL Provision of 3 additional pitches on existing gypsy caravan site (from 12 to 15 pitches).		Approved No more than 2 caravans shall be stationed on each of the additional pitches. The pitches permitted should only be used by those who meet the definition of Gypsies and Travellers in Circular 01/06	
	08/01242/FUL Six Caravan Pitches on existing Caravan Site and associated works/facilities (including revision to 3 pitches and associated works already approved under reference SE/06/02494/FUL).		Approved (12/09/08) No more than one mobile home can be stationed on each pitch at any given time.	
	10/01598/FUL Four Caravan Pitches on existing Caravan Site and associated works/facilities including replacing existing amenity blocks.		Approved No more than one mobile home can be stationed on each pitch at any given time. No outbuildings shall be erected within the four approved pitches.	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site lies fully within the Metropolitan Green Belt.	The SFRA indicates that the site is within Flood Zone 3b (functional floodplain). The site has been in existence for several years before this designation came into effect.	Site is flat.	Site is considered to be fairly well connected to local convenience, health, and educational facilities provided at Edenbridge Town centre; however these would be access by road as there is not a footpath provided. The site is surrounded by a network of PROWs, but these do not provide direct access into Edenbridge
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site is not located within an AQMA nor are	The site is considered to provide a	The site is not within the AONB and has no national	The site does not contain any designated

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	there any unacceptable noise constraints.	sufficient degree of privacy for occupiers.	or local nature conservation designation.	Heritage Assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	Whilst there are some long views out of the site into the open countryside to the rear of the site, it is fairly well screened from the highway, with existing fencing along the frontage.	This is an established site and would not be increasing any existing impact on amenity.	Existing vehicular access from Hever Road is considered to be suitable. However this is a busy road and there is no pedestrian pavement.	
Suitability:	This site is considered to be at full capacity and therefore is unable to accommodate any further pitches to meet the identified need. The surrounding land is not available therefore the site is unable to expand to provide an extension for additional sites.			

Site Address: Valley Farm North, Carter's Hill, Underriver



Site Description:	This site is situated adjacent to the complex of Valley Farm and a residential property. It is approximately 0.08ha. The site is located in close proximity to a cross road whereby existing residential properties are situated.	
Relevant Planning History	Application Details	Application History
	<p>91/00805/HIST 6 no. x two bedroom houses (3 pairs) with garages and access (OUTLINE)</p>	<p>Refused (03/07/91) Reasons for refusal include that the site would cause harm to the openness of the Green belt, and would be detrimental to the visual amenity of the AONB.</p>
	<p>92/01206/HIST Forestry workers dwelling with double garage and storage barn, access road and development of tree nursery/plantations amended by letter dated 25.9.92.</p>	<p>Refused (06/10/92) Reasons for refusal include that the site would cause harm to the openness of the Green belt, and would be detrimental to the visual amenity of the AONB.</p>
	<p>13/01179/FUL Demolition of a dwelling and erection of a new dwelling.</p>	<p>Granted (15/08/13) The permission is conditioned to be used by a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or w widow or widower of such a person, and to any resident dependents.</p>

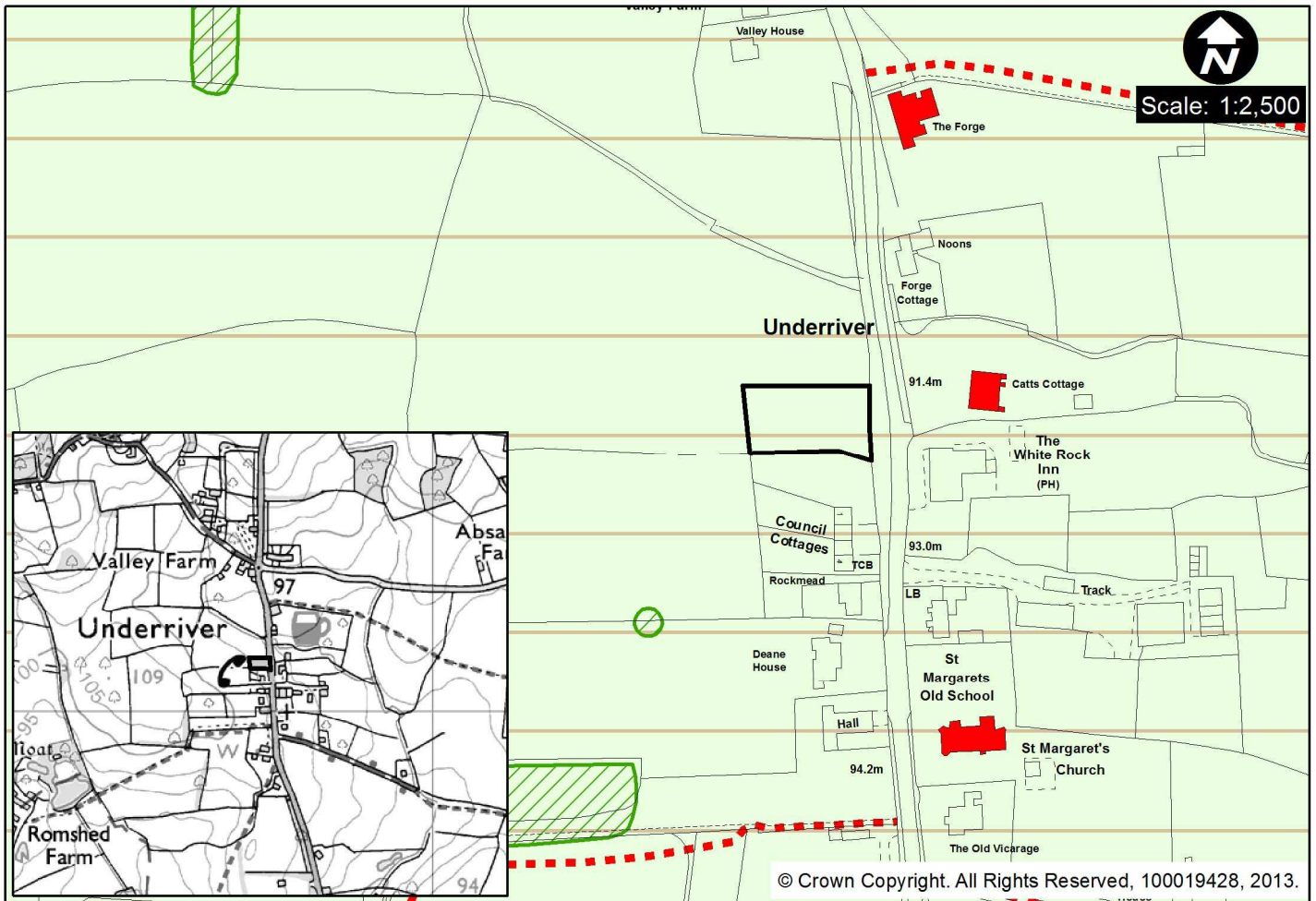
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Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site lies fully within the Metropolitan Green Belt.	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	Site is flat	The site is within walking distance to the village centre at Underriver, containing a public house and community hall.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site is not located within an AQMA nor are there any unacceptable noise constraints.	The site lies adjacent to an agricultural complex, so would require some screening as this would not be connected to any proposed pitch/es	The site lies fully within the Kent Downs AONB.	The site lies in close proximity to The Forge which is a listed building.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	This site adjoins the existing built curtilage of Valley Farm, and the residential properties of Valley View and Valley House, therefore would not greatly impact on the local character. The site is also in close proximity to the existing low density residential frontage at the junction with Underriver House Road.	Capability of securing good standards of amenity for existing residents	There is vehicular access connected to Valley Farm. There is a public right of way opposite the site and adjacent to the farm buildings of Valley Farm.	

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Suitability:	This site lies in a remote location, away from the centre of Underriver, which in itself is not considered to be a sustainable location for new development. The site is located adjacent to an area of land covered under an injunction order against the use of the land as Gypsy and Traveller accommodation. The site is not considered to be compliant with a number of suitability criteria and therefore is not considered a suitable site option.
Deliverability:	Since the time the site was promoted during the Call for Sites 2012, permission has been granted for the demolition of a dwelling and erection of a new dwelling for an agricultural worker. Therefore the site is no longer being promoted for use of Gypsy and Traveller accommodation.

Site Address: Valley Farm South, Carter Hill's, Underriver



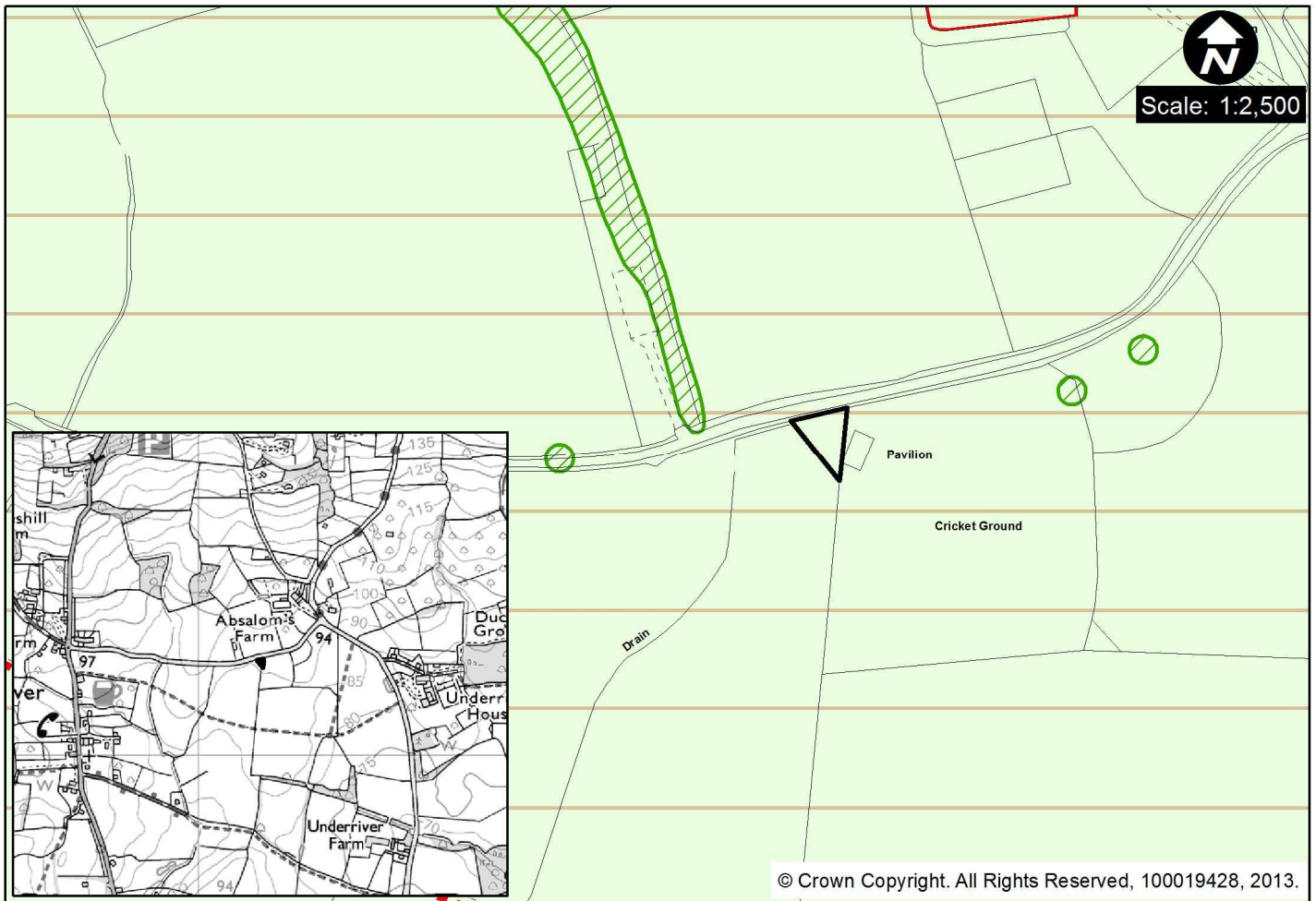
Site Description:	The site is currently in agricultural use and is approximately 0.11ha. It lies between the main built area of Underriver village, and Valley Farm complex.			
Relevant Planning History	Application Details		Application History	
	No relevant planning history		No relevant planning history	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site lies fully within the Metropolitan Green Belt.	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	Site is flat	The site is within walking distance to the village centre at Underriver, containing a public house and community hall.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings,

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				Registered Parks and Gardens, Conservation Areas)
	The site is not located within an AQMA nor are there any unacceptable noise constraints.	The site is very open in the landscape, containing no current screening.	The site lies fully within the Kent Downs AONB.	The site lies in close proximity to both The Forge and Catts Cottage, which are listed buildings
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	The site is very open in the countryside along this section of Carters Hill, with a small degree of screening reducing far reaching views. There is some scattered development opposite the site.	The site lies opposite two residential properties, but would not cause overlooking.	Access to the site can be gained from the highway, but does not have an existing access point. Pedestrian access can be gained from the same point but would be onto a rural lane.	
Suitability:	The site is currently an agricultural field, and very open in the landscape. It also forms part of the wider setting for two listed buildings. Whilst there is some scattered residential development opposite the site, it is not well connected to the built form of the village or associated with the built complex of Valley Farm, and would therefore be intrusive in the landscape. This site lies in a remote location, away from the centre of Underriver, which in itself is not considered to be a sustainable location for new development. The site is located adjacent to an area of land covered under an injunction order against the use of the land as Gypsy and Traveller accommodation. The site is not considered to be compliant with a number of suitability criteria and therefore is not considered a suitable site option.			

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Site Address: Land adj. Cricket Pavilion, Underriver



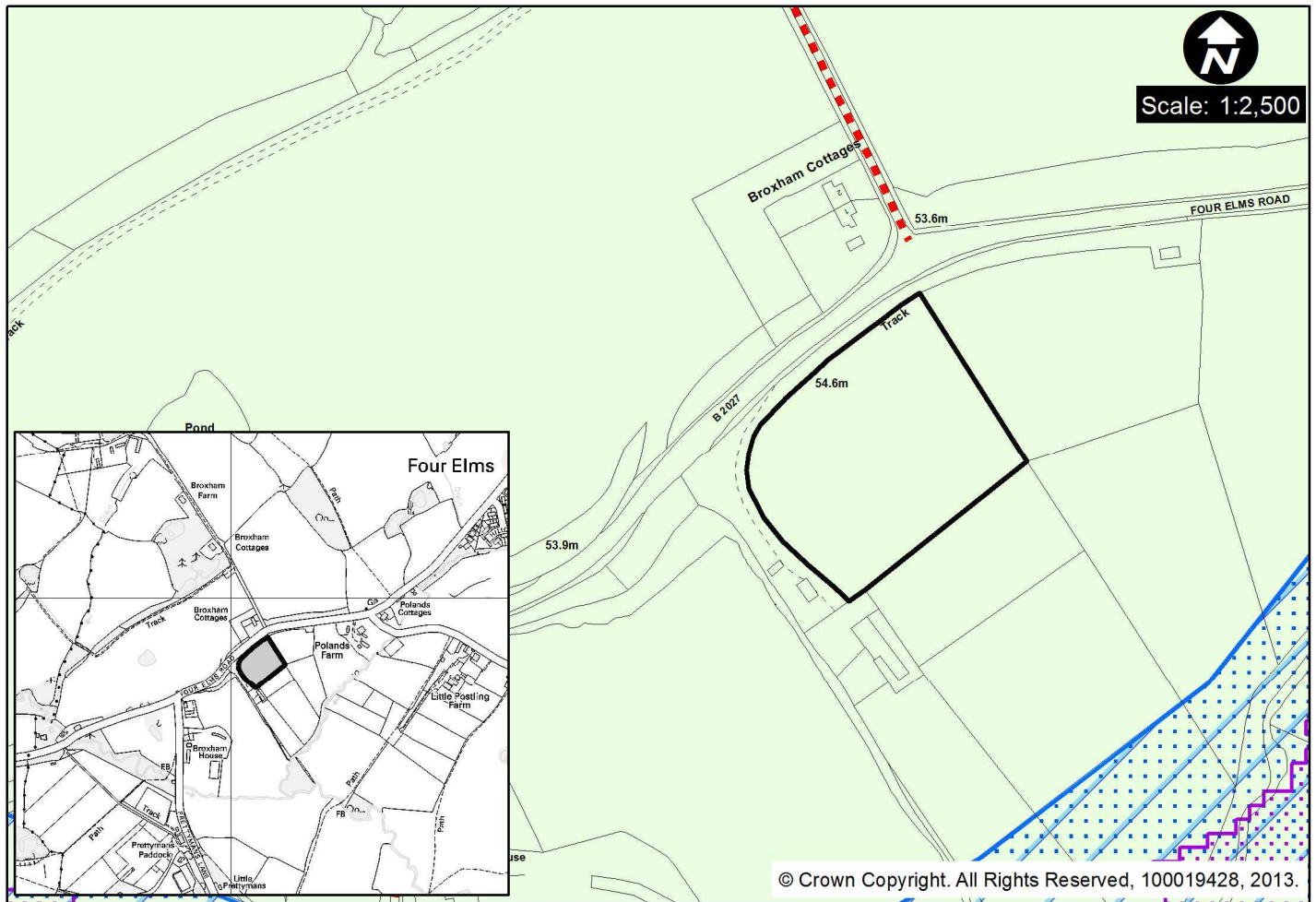
Site Description:	The site lies adjacent to a cricket pavilion, and is approximately 0.02ha. The adjoining land uses are open cricket field and agricultural land.			
Relevant Planning History	Application Details		Application History	
	04/00444/FUL Change of use of land from agricultural to a mixed agricultural/equestrian use. Erection of six stables, tack room, feed store and associated works including 6 car parking spaces.		Refused (11/05/04) Reasons for refusal includes the proposal would cause significant harm to the openness of the Green Belt, the character of the AONB, and would detract from the character and appearance of the SLA.	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site lies fully within the metropolitan Green Belt	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	Site is flat.	The site is isolated in the open countryside and not well connected to the local services at Underriver village.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl.

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				Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site is not located within an AQMA nor are there any unacceptable noise constraints.	The site is very open in the landscape, containing no current screening.	The site lies fully within the Kent Downs AONB.	The site does not contain any designated heritage assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	The site would be intrusive in the open countryside and not reflect the character of the surrounding area.	The site lies adjacent to the cricket pavilion, but is otherwise isolated from other development, therefore would have little impact on neighbouring amenities.	Access to the site can be gained from the highway, but does not have an existing access point. Pedestrian access can be gained from the same point but would be onto a rural lane.	
Suitability:	The site is located outside of an AQMA and does not have any issues of noise quality. It is also not at risk of flooding. However, the site would impact upon the local landscape character of the area as it is a very open site within both the Green Belt and AONB. The site is not well connected to the established built form within Underriver village, which in itself is not considered to be a sustainable location for new development. There is no planning history on this site for use for Gypsy and Traveller pitches, and developing this site would therefore set a precedent for this land use in the open countryside, green belt, and AONB.			

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Site Address: Deers Leap Farm, Four Elms Road, Edenbridge



Site Description:	The site is approximately 0.99 ha, and is situated along a main rural lane in an area of fairly open countryside. Immediately opposite the site are two residential properties. The nature of development in this area is fairly sporadic.	
Relevant Planning History	Application Details 03/00557/FUL Retrospective application for the change of use of the land for the siting of 6 caravans and 6 mobile homes, and associated hard standing and fencing.	Application History Refused and Appeal Dismissed Reasons for refusal were that the proposal would involve new development outside the confines of a town or village and be inappropriate development harmful to the maintenance of the character and openness of the Green Belt. It would be intrusive development in the countryside, thus harmful to its character, and fail to give long term protection to the Area of Local landscape Importance designation covering the site. The proposal would cause noise and disturbance to neighbouring residential amenity. The location is deemed to be unsustainable on grounds of being unrelated to local community services, not served by public transport, has no footways, cycle ways or street lighting,

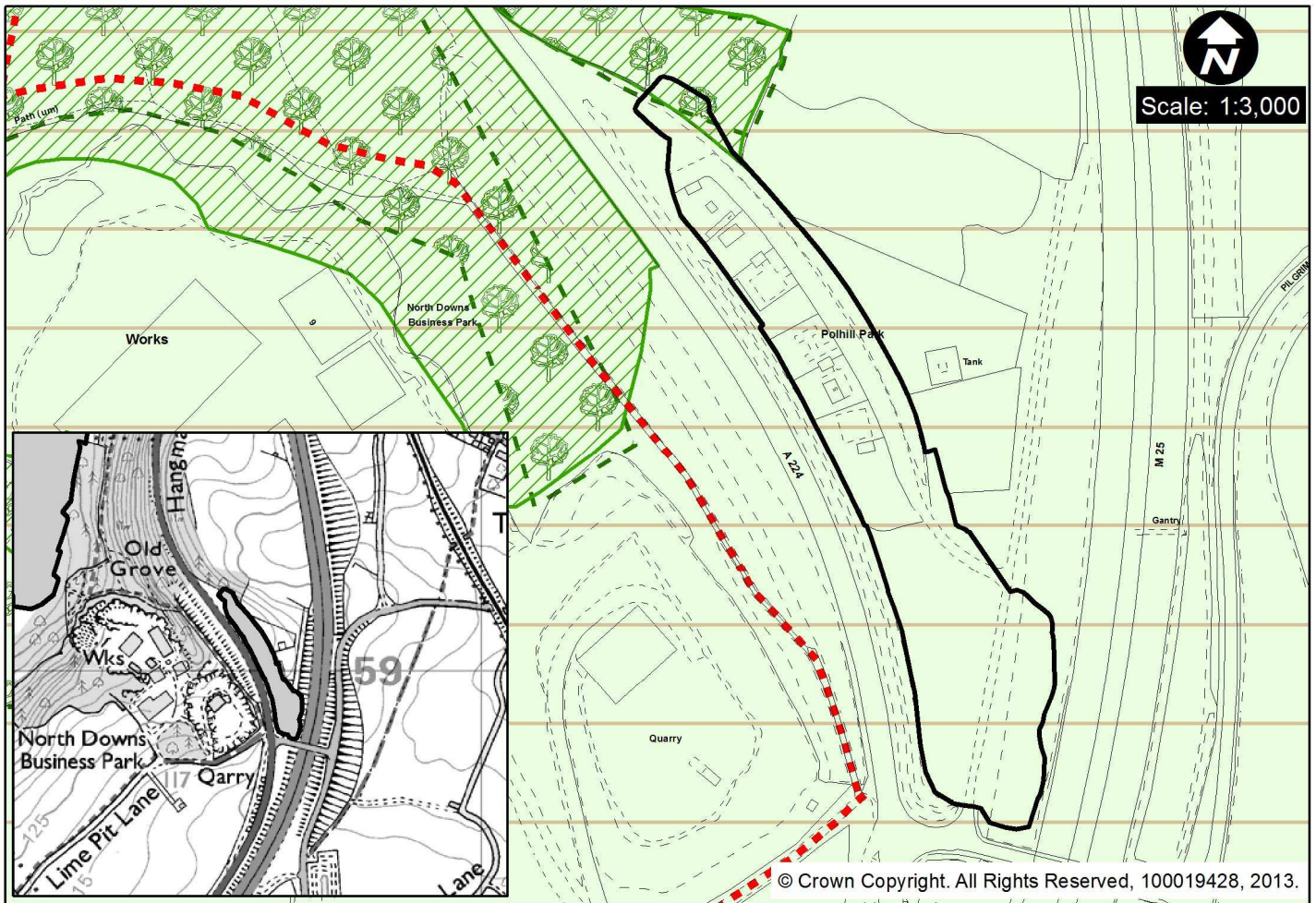
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				and does not provide a proper safe access.
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site lies fully within the Metropolitan Green Belt.	The SFRA indicates that the site is not within, but is located in close proximity to land within Flood Zone 3b to the south of the site.	Site is gently sloping.	The site is in an area of sporadic development, situated along a rural lane leading into the local centre of Four Elms, which provides a garage, public house, and shop. Although there is a PROW located opposite the site, this does not lead into Four Elms. Main facilities for convenience, educational or medical needs would have to be accessed by private transport, as public transport in this area is very limited.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site is not within an AQMA nor are there any unacceptable noise constraints.	There is screening around the boundary of the site, but it is very visible from the highway.	The site is not within an AONB and has no national or local nature conservation designations.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents		Vehicle and pedestrian access
	The site is very visible	The site is within an area		There is reduced visibility

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	from the highway. It is bounded by landscaping providing screening at the rear of the site, but is very open in nature when looking into the site from the highway.	of sporadic development, with residential properties opposite.	at this point in the road due to a curve in both directions, therefore vehicular access is restricted. There is no pedestrian access, and no footpaths along the highway.
Suitability:	The site is very open in the countryside, and very visible from the highway. The site does not benefit from any previous planning permissions for this land use. It is not connected to the local settlement of Four Elms, which in itself is not considered to be a sustainable location for new development. For these reasons, and the reason of inappropriate development in the Green belt the site is not considered to be a suitable option to potentially provide any Gypsy and Traveller pitches.		
Deliverability:	There is a vast planning enforcement history on this site, including a compulsory purchase order undertaken by the Council to ensure the land could be restored back to its original state. The land is not available and therefore not considered deliverable for Gypsy and Traveller accommodation.		

Site Address: Polhill Park, Halstead

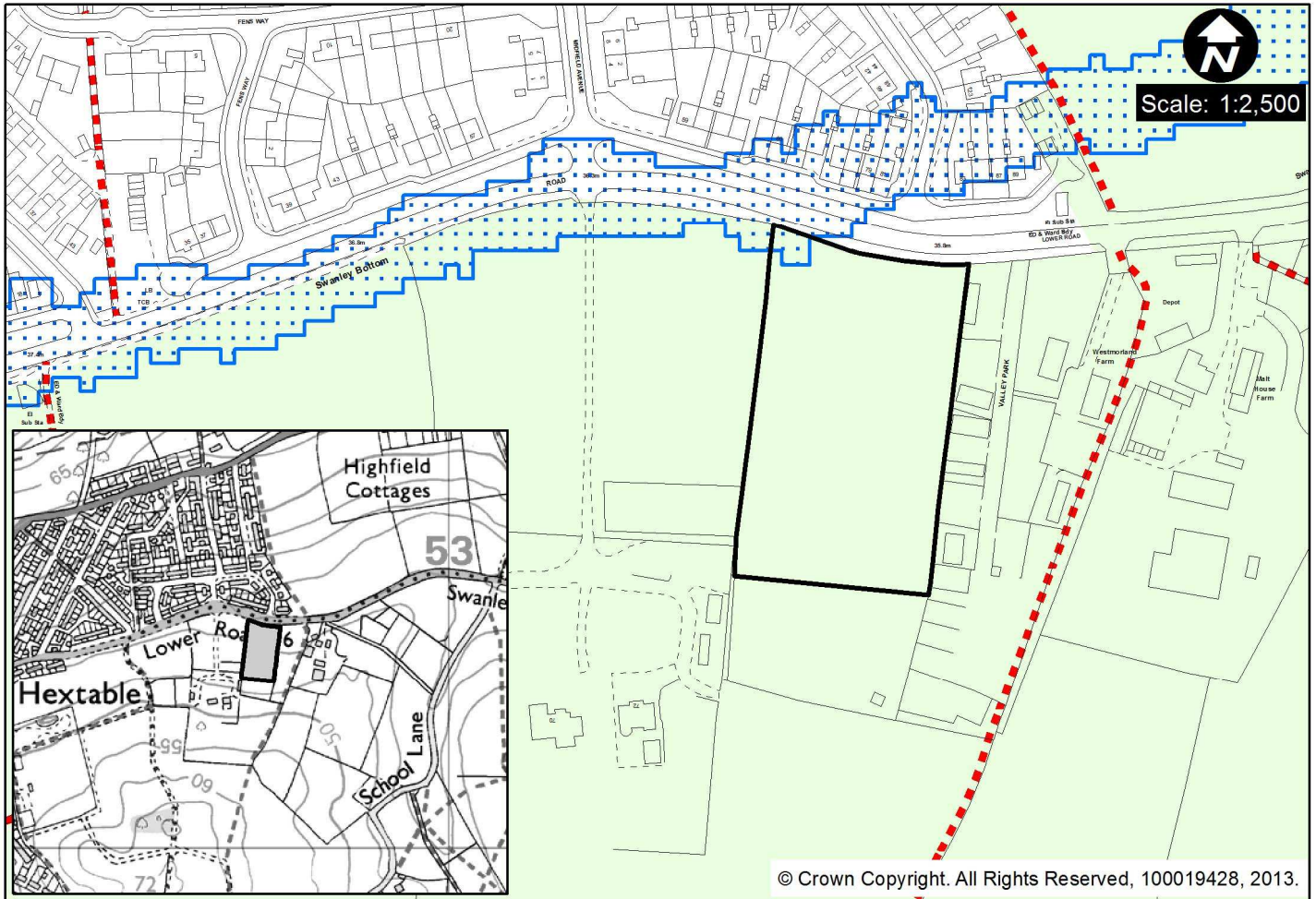


Site Description:	This is an existing permanent public Gypsy and Traveller site containing 9 pitches. The site is approximately 1.45ha, and is situated between the M25 motorway, a quarry, and North Downs Business Park.			
Relevant Planning History	Application Details		Application History	
	92/01262 Provision of a gypsy caravan site for 7 pitches (totalling 14 caravans)	Approved (29/06/93) Permission granted for no more than 14 caravans (7 pitches) to be stationed on the site whether in residential use or not. No more than 2 caravans may occupy a pitch at any given time.		
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site lies fully within the Metropolitan Green Belt	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	Site is relatively flat	The site is not considered to be well connected to the local services at Halstead. There are PROWs in close proximity to the site, but daily facilities such as convenience shops and educational

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				facilities would require private transport to reach.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site lies within the buffer zone to the M25 AQMA.	The site is well screened so considered to have a suitable level of privacy for occupants.	The site is fully within the Kent Downs AONB. Adjacent to the north west boundary is a large group of TPOs, and a very small part of the site at the northern boundary contains ancient woodland.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	The site is well screened from the public highway and is not considered to impact on the local character and identity of the area.	The site is at capacity so any further pitches would impact upon the amenity of existing residents but causing over crowding.	There is an existing vehicular access onto the road connecting Polhill with Pilgrims Way West, across the M25 motorway.	
Suitability:	This site is considered to be at full capacity and therefore is unable to accommodate any further pitches to meet the identified need. The surrounding land is not available therefore the site is unable to expand to provide an extension for additional sites.			

Site Address: Land adj. Valley Park north, Lower Road, Hextable.



<p>Site Description:</p>	<p>This site is located adjacent to an existing permanent Gypsy and Traveller site known as Valley Park, associated with the adjoining Westmorland Farm, and opposite an established residential area. Adjacent to the western boundary of the proposed site are nos. 70-72 Lower Road, where both of which include a mobile home within their curtilage. The proposed site is approximately 0.28ha. The rear of the site is used for the keeping of horses. This site is proposed for 5 pitches providing an extension to the existing Valley Park site.</p>	
<p>Relevant Planning History</p>	<p>Application Details None</p>	<p>Application History None</p>
<p>Relevant Planning History on adjacent sites</p>	<p>Valley Park – 90/02091/HIST – 90/02098/HIST 8 separate applications each for the change of use for stationing of residential mobile home and one touring caravan on one plot each.</p>	<p>All Allowed on Appeal (29/05/92) Temporary permission granted for the collective site of 8 pitches for 3 years for the named applicants.</p>
	<p>Valley Park - 94/02230/HIST Use of land for caravan site for 8 pitches as amended by letter received on 14.12.94</p>	<p>Approved (08/03/95) Temporary permission granted for 3 years for 8 pitches (Plots 1, 2, 3, 11, 12 and 12a to have 1 mobile home and 1 touring caravan stationed at any one time. Plots 10 and 10a to have no more than 1 mobile home stationed on the land at any one time). Permission granted for the</p>

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		<p>named applicants, and in the event of an owner ceasing to occupy that part of the land, the land cannot be used for the stationing or storage of caravans without arrival from the Council. No vehicles are to be parked along the central access.</p>
	<p>Valley Park - 98/00290/HIST Continued use of land as 8 pitch gypsy caravan site without complying with condition 1 of SE/94/2230 decision notice.</p>	<p>Approved (21/08/98) Permanent permission was granted for continued use of the land as a gypsy caravan site for 8 pitches. The decision also removed the condition regarding the named applicants.</p>
	<p>Valley Park - 99/02400/CONVAR Variation of condition no 1 - SE/98/0290 to enable two mobile homes to be stored and stationed on the land instead of one mobile home and one touring caravan.</p>	<p>Approved on Appeal (21/06/00) The Inspector considered there were very special circumstances that outweigh any additional harm to the Green Belt and allowed the appeal granting personal permission for two mobile homes to be stationed on the land instead of one mobile home and one touring caravan.</p>
	<p>Westmorland Farm - 99/00455/HIST Varied personal permission to include immediate family of occupant for stationing of a mobile home and the storing of a caravan (allowed at appeal of enforcement notice in 1984)</p>	<p>Approved (21/09/99) Permanent personal permission granted in 1984, varied in 1999 to include immediate family, for one mobile home and one touring caravan. In the event of an owner ceasing to occupy that part of the land, the land cannot be used for the stationing or storage of caravans without arrival from the Council.</p>
	<p>Westmorland Farm -99/02626/FUL Use of land as a four pitch gypsy caravan site.</p>	<p>Allowed on Appeal (23/02/01) Permission granted for no more than two touring caravans or one mobile home and one touring caravan to be placed on each pitch at any one time. No named applicants, but to be occupied only by gypsies falling within the statutory definition.</p>
	<p>Westmorland Farm - 02/01984/FUL Creation of three additional plots for gypsy families.</p>	<p>Allowed on Appeal (05/02/04) Temporary permission granted for 5 years for 3 pitches (additional to the 4 permanent pitches previously permitted above). The permitted use cannot take place until the existing mobile unit or portakabin used for educational purposes on the southern part of the site is removed. No more than two touring caravans or one mobile home and one touring caravan shall be stored on each plot at any one time. No named</p>

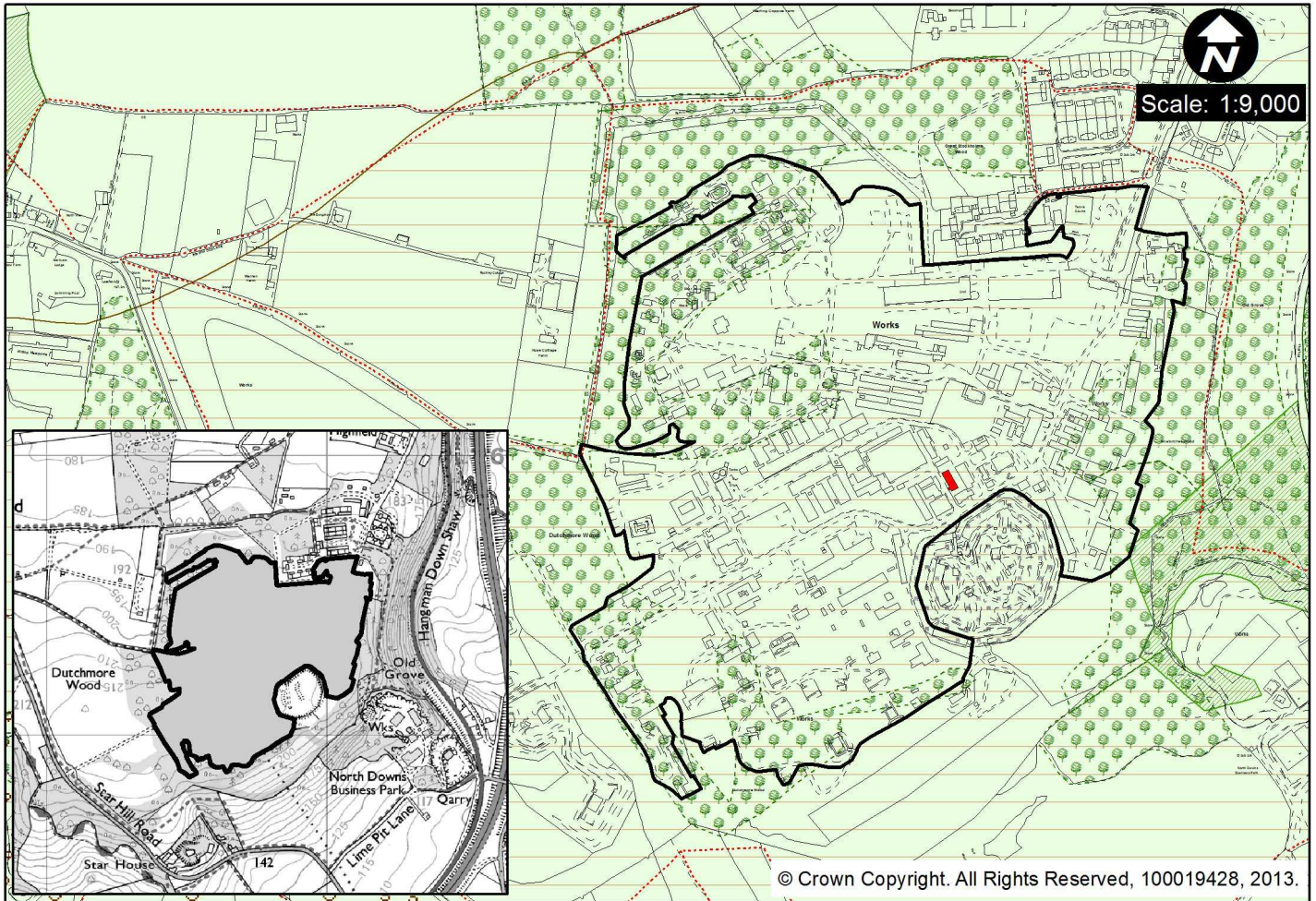
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			applicants, but to be occupied only by gypsies falling within the statutory definition.	
	Adjacent site 72 Lower Road – 06/00532/FUL Retention and siting of residential mobile home for the joint lives of dependant relatives		Refused The stationing of this mobile home lies outside of the curtilage of the residential property. It was refused permission due to the impact on the openness of the Green Belt and countryside.	
	Adjacent site 72 Lower Road – 310/83/162 Enforcement notice for the making of a material change in the use of the land as a residential caravan site without planning permission.		Allowed on Appeal (19/12/08) The Inspector granted personal permission for the stationing of no more than one caravan at any one time on the land, and be restored to its previous condition within two months of the cease of the use by the named applicants. The caravan did not fall within the curtilage of the residential property to which it was ancillary to. Permission was granted due to very special circumstances surrounding the health matters of the gypsy occupants, and connection of family residing in the property at 72 Lower Road.	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	This site lies fully within the Metropolitan Green Belt.	The SFRA indicates that a very small area of the site at the north-west corner is within Flood Zone 3b (functional floodplain)	The site very gently slopes to the south away from the highway.	Site is considered to be well connected to the village. The site is located opposite an established residential area. Therefore it is considered a sustainable location within suitable walking distance to the local services at Hextable, which include a village store and Post Office, a primary school and secondary school, and a doctor's surgery.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled

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				Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site is not located within an AQMA nor are there any unacceptable noise constraints.	The site is very open from Lower Road, and can be seen from both the highway and the residential properties to the west. It is also adjacent to an existing permanent Gypsy site, which is bounded by a wall so provides screening.	The site is not within an AONB and has no national or local nature conservation designations.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	Whilst the site lies adjacent to an existing permanent Gypsy site, with numerous planning permissions (outlined above), additional pitches here may cause a cumulative impact on the character of the countryside.	The site is very open and can be viewed from Lower Road and the neighbouring residential development opposite. It is also in close proximity to two residential buildings at 70 and 72 Lower Road, which the upper floors are visible from this site.	There is vehicular access for the adjacent valley park site and two PROWs in close proximity.	
Suitability:	The site is well located in relation to local services at Hextable, and lies outside of an AONB. It is also not affected by air or noise quality issues. However, the original site promoted during the 2012 Call for Sites included both this land and the site option being considered to the south. The originally promoted site included a new point of access from the highway into the site, and 25 additional pitches. After having assessed the site for the suitability of this level of additional pitches, it was not deemed suitable due to the number of existing pitches on the adjacent land, creating a potential cumulative impact on the landscape (also taking into account the adjacent site of 70-72 Lower Road).			

Site Address: Fort Halstead, Halstead



Site Description:	The site is currently classified as a major developed site within the Green Belt, and is subject to Policy SP 8 of the Core Strategy ‘Economic Development and Land for Business’, and the proposed Policy EMP3 ‘redevelopment of Fort Halstead’ in the draft ADMP. The site is approximately 40.1ha.			
Relevant Planning History	Application Details		Application History	
	None applicable		None applicable	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site lies fully within the Metropolitan Green Belt	The SFRA indicated that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site steeply slopes to the south and south east, being relatively flat on the areas of higher ground.	There is limited public transport traveling passed the site but not currently serving it. It is not particularly well connected to a local service centre. However, there is other residential use established in this area, which would

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				require private transport to reach the larger local centre of Halstead, providing educational, convenience, and community facilities.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site is not located within an AQMA nor are there any unacceptable noise constraints	There is much tree coverage along the western and southern boundary of the site, which would provide privacy for the occupier.	Adjacent to the south-east of the site is an area of land covered by a TPO. The site lies within the Kent Downs AONB	The site surrounds, but is not included within the boundary, a Scheduled Ancient Monument.
Impact:	Impact on local character and identity of local surroundings	Impact on amenity for existing residents	Vehicle and pedestrian access	
	There are quite extensive views looking out of the site from the south west, interspersed by tree coverage. There are residential properties to the north of the site, which are not visible from the wider landscape. Therefore, dependent upon layout and design, there would be limited impact upon the landscape.	The site is adjacent to an existing residential area. However, the nature of the proposal would cause fewer disturbances than the industrial nature of the current use of the site, and would be considered as part of a wider redevelopment.	The site currently has two vehicular access points, at the north and west of the site. Pedestrian access is limited, but can be accessed from the north of the site adjacent to the residential area.	
Suitability:	The site is not located in an area at risk of flooding nor is it located in an area of air and noise quality impacts. The site contains very extensive views looking out over the wider landscape, and is located in a prominent position. It is however well screened and any development would potentially be limited in terms of impact on the landscape. The site is not within walking distance to the nearest local service centre of Halstead, and has a limited exposure to public transport.			

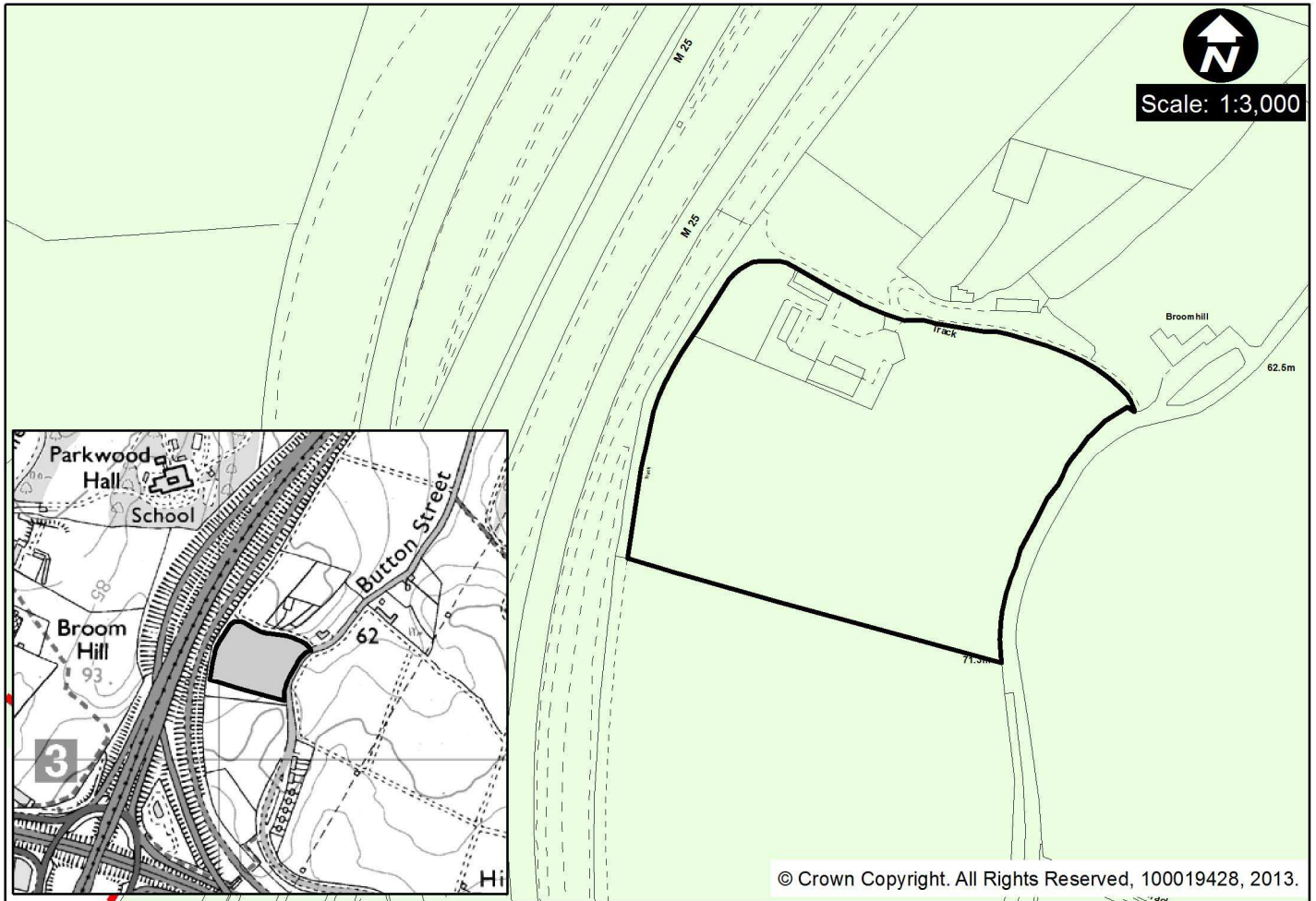
Deliverability:	<p>The Council has commissioned and published an assessment of the viability of the landowner's emerging redevelopment proposals. This assessment finds that, whilst viable opportunities for the redevelopment of the site exist, many mixed use development scenarios that could re-provide the number of jobs on the site are of marginal viability. At present, it is, therefore, not considered that there is scope for introducing additional uses with relatively low development values, such as gypsy and traveller pitches, within a redevelopment of the Major Employment Site area. This issue can be kept under review as the Gypsy and Traveller Plan develops and plans for the redevelopment of the site evolve between now and 2018 when DSTL is expected to have relocated away from the site.</p>
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**GYPSY AND TRAVELLER PLAN
SITE OPTIONS ASSESSMENTS:
SITES WITH A LIVE PLANNING APPLICATION**

MARCH 2014

Site Address: Land South West Broom Hill, Swanley



Site Description:	The site is approximately 2.28ha and is situated in close proximity to the M25 motorway. It is in a fairly open rural location, set back from any residential development.	
Relevant Planning History	Application Details	Application History
	<p>03/00624/FUL Stationing of two mobile homes for two Gypsy families and change of use from grazing to residential.</p>	<p>Refused and Appeal Dismissed Reasons for refusal include that the proposal constitutes inappropriate development which is by definition harmful to the Green Belt, and openness and quality of the landscape. No special circumstances were deemed to outweigh this harm. Harm was also found to highways safety and the promotion of sustainable patterns of development.</p>
	<p>07/00178/FUL Continuation of residential use of land by gypsy families with two mobile homes, one touring caravan and ancillary structures.</p>	<p>Allowed on Appeal Temporary permission granted for 4 years for 2 mobile homes and 2 touring caravans for the named applicants only. No commercial activities can take place on the land.</p>
<p>12/03287/CONVAR Variation of condition 1 (limited period of 4 years) and condition 2 (cease</p>	<p>Refused The reason given for refusal was that the applicant failed to demonstrate that the</p>	

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	use) of SE/07/00178/FUL (Continuation of residential use of land by gypsy families with two mobile homes, one touring caravan and ancillary structures) - to allow permanent use of the land		location will ensure satisfactory environment for permanent residential occupancy due to the adverse impacts from air quality and noise generated by the nearby motorway.	
	13/03227/FUL Continuation of residential use of land by gypsy families with two mobile homes, two touring caravan and ancillary structures.		To be determined	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site lies fully within the Metropolitan Green Belt	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site is relatively flat with a slight slope up from Button Street to the motorway.	The site is fairly well connected to the local services provided in Swanley, providing large scale convenience retail facilities, and educational facilities. There are however no PROWs so access to these facilities would be by private transport.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
	The site lies within an AQMA Buffer Zone. This itself does not indicate the site is constraint by noise or air quality issues, but that it could have an impact upon the AQMA.	The privacy of the occupiers has not been raised as an issue previously when temporary permission was granted so is not considered to be an issue.	The site is not in the AONB and has no national or local nature conservation designation.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.
Impact:	Impact on local character and identity of local	Impact on amenity for existing residents	Vehicle and pedestrian access	

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	<p>surroundings</p> <p>The site is located in an area of fairly open countryside.</p>	<p>There is limited impact on the amenity for existing residents due to the fairly isolated location of the site.</p>	<p>There is an existing vehicular access onto Button Street.</p>
<p>Suitability:</p>	<p>Due to the current application on this site still to be determined, it would not be appropriate to make an initial judgement against some of the criteria to decide whether it is suitable enough to be put forward as a site option. However the site does have previous planning history for the stationing of 1 mobile home, which can be considered as part of its potential suitability. The site is located outside of an AONB and is not constrained by other nature designations or impacts the setting of any Heritage Assets. It does however lie within an AQMA buffer zone and has potential air and noise quality impacts.</p>		
<p>Deliverability:</p>	<p>The site is available and currently has an application to be determined for the continued use of the land for 2 residential caravans.</p>		

Site Address: Fordwood Farm, New Street Road, Hodsoll Street



<p>Site Description:</p>	<p>This site is approximately 0.13ha and is an unauthorised site. It currently has an application to be determined for the stationing of 1 mobile home and 1 touring caravan. The site lies within an area of scattered and sporadic development with a dwelling to the north, and farm to the south.</p>	
<p>Relevant Planning History</p>	<p>Application Details</p>	<p>Application History</p>
	<p>03/00623/FUL Change of use to residential, stationing of one mobile home and one touring caravan for a Gypsy Family.</p>	<p>Refused and Appeal Dismissed Reasons for refusal include inappropriate development that would be harmful to the maintenance and openness of the Green Belt, and detract from the rural character of the countryside.</p>
	<p>05/00126/ENF Without planning permission the making of a material change in the use of the land by the change from agriculture to use for the stationing of caravans for residential purposes.</p>	<p>Appeal Allowed and Enforcement Notice quashed (24/04/06) Planning permission granted by appeal for the stationing of no more than 1 mobile home and 1 touring caravan at any one time for a temporary period of 3 years. No other buildings, structures, containers or lorry bodies shall be erected or placed on the land. No more than one commercial vehicle shall be parked on the land.</p>

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	09/00822/CONVAR Change of use from agricultural land to agricultural with standing caravan for residential purposes.		To be determined Application is for temporary permission for a further 3 years for 1 mobile home and 1 touring caravan to vary the condition for the permission granted by the earlier appeal.	
Constraints:	Green Belt	Flood Risk	Topography	Connection to local services
	The site is within the Metropolitan Green Belt.	The SFRA indicates that the site is not within Flood Zones 2 and 3 and is not liable to flooding.	The site is flat	The site is in a fairly remote location approx. 1.8 miles to the west of the site from the main centre of New Ash Green.
	Noise and Air Quality	Privacy of Site for Occupier	Landscape (e.g. AONB), Biodiversity	Designate Heritage Asset (incl. Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Conservation Areas)
The site is not located within an AQMA nor are there any unacceptable noise constraints.	The site is well screened at the rear and public view points along the roadside.	The site is not in an AONB and has no national or local nature conservation designations.	The site does not contain any designated Heritage Assets nor would it affect the setting of any such assets.	
Impact:	Impact on local character and identity of local surroundings		Impact on amenity for existing residents	Vehicle and pedestrian access
	Wide or long views into and from the site are not affected, reducing the visual impact of the site in the landscape.		The neighbouring properties are at a sufficient enough distance to not be impacted by this site in terms of amenities.	Vehicular access is from New Street Road, which was considered to be adequate by the Inspector of the 2006 Appeal, and no issues raised by Kent Highways. Pedestrian access would be from the same point. However this is a rural lane and there are no pavements or PROWs in close proximity.

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Suitability:	Due to the current application on this site still to be determined, it would not be appropriate to make an initial judgement against some of the criteria to decide whether it is suitable enough to be put forward as a site option. However the site does have previous planning history for the stationing of 1 mobile home, which can be considered as part of its potential suitability. The site is located outside of an AONB, AQMA, and is not constrained by other nature designations or impacts the setting of any Heritage Assets.
Deliverability:	The site is available. It is currently an unauthorised site and is awaiting the determination of an application for temporary planning permission.

CIL GOVERNANCE**Local Planning and Environment Advisory Committee – 25 March 2014**

Report of Chief Planning Officer

Status: For Consideration

Key Decision: No

Executive Summary:

The Council adopted the Community Infrastructure Levy (CIL) Charging Schedule on 18 February 2014. Under the Council resolution qualifying developments permitted on or after 4 August 2014 will be liable to pay CIL. As part of the process of adopting the CIL Charging Schedule, Cabinet tasked Local Planning and Environment Advisory Committee with developing the CIL governance arrangements. The purpose of this report is to begin to explore some of the issues and decisions the Council faces in determining how CIL funding will be prioritised amongst the many different competing infrastructure projects. It is recommended that the arrangement of a CIL workshop would ensure that the development of governance arrangements by the committee is a Member-led process and would enable Members to debate the issues that the Council will need to consider in greater detail.

Portfolio Holder Cllr. Ian Bosley

Contact Officer(s) Steve Craddock (7315)

Recommendation To Local Planning and Environment Advisory Committee:

It is recommended that a separate CIL workshop, consisting of all Local Planning and Environment Advisory Committee Members that wish to attend, is arranged in Summer 2014 to consider CIL governance issues in more detail and to begin to develop recommendations for how the spending of CIL should be prioritised and be brought back to a future meeting of the Local Planning and Environment Advisory Committee for consideration.

Reason for recommendation:

The CIL workshop would ensure that the development of governance arrangements by the committee is a Member-led process and would enable Members to debate the issues that the Council will need to consider in greater detail. The lack of a date allows for the meeting to be agreed after the Council meeting timetable and committee memberships for next year has been agreed.

Introduction and background

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- 1 The Council adopted the CIL Charging Schedule on 18 February 2014. Under the Council resolution qualifying developments permitted on or after 4 August 2014 will be liable to pay CIL.
- 2 As part of the process of adopting the CIL Charging Schedule, Cabinet tasked Local Planning and Environment Advisory Committee with developing the CIL governance arrangements. The purpose of this report is to begin to explore some of the issues and decisions the Council faces in determining how CIL funding will be prioritised amongst the many different competing infrastructure projects.
- 3 In order to prepare the CIL Charging Schedule, the Council was required to prepare a Draft CIL Infrastructure Plan to identify the scale of the funding gap for delivering infrastructure necessary to support development. This Draft Plan may provide a useful indication of the infrastructure required and the priorities of partner organisations (including town and parish councils). However, the document is largely based on information provided approximately 2 years ago and will need to be refreshed. The Draft Infrastructure Plan does indicate how important and challenging it will be for the Council to prioritise the allocation of funding to infrastructure projects. Whilst it is estimated that between now and 2026 the delivery of the Core Strategy housing targets would lead to the Council receiving approximately £5-6 million, the costed projects currently identified sum to approximately £33,000,000.

Infrastructure that can be funded through CIL

- 4 The share of CIL that SDC will control must be spent on infrastructure to support the development of the District. It is important to note that, unlike Section 106 agreements, there is no need for the use of CIL to be directly linked to the development that pays it.
- 5 There is no definitive list of infrastructure that can be funded through CIL. However, the Planning Act 2008 provides the following indicative definition:

“Infrastructure” includes-

- (a) road and other transport facilities,*
- (b) flood defences,*
- (c) schools and other educational facilities,*
- (d) medical facilities,*
- (e) sporting and recreational facilities,*
- (f) open spaces.*

Generally, other mechanisms exist to ensure that developers and utility companies provide sufficient connections to new properties and so this would not need to be provided through CIL.

- 6 It should be remembered that CIL is intended to largely replace s106 agreements as the mechanism that local planning authorities use to secure funding for infrastructure. Therefore, whilst the provision of new school places, greater library capacity, improved GP surgeries or improved bus services have previously been

secured through s106 agreements, these types of projects will in the future need to be funded through CIL.

- 7 The Council submitted a list of the types of projects to be funded through CIL and those to be funded/provided through s106 agreements to the CIL examination. This list follows Government regulations on the use of s106 agreements, which suggests that they should be used to secure site-specific infrastructure, whilst CIL should be used for strategic projects. Given that this list formed part of the basis for the Charging Schedule being found sound, there is little scope for the Council to change this without reviewing the Charging Schedule (appendix A). What flexibility does exist allows for projects that the Council previously indicated would be funded through s106 agreements to be funded through CIL, rather than increasing the burdens placed on developers through s106 agreements. Following the discussions on governance arrangements, the Council will need to consider the adoption of this list.

Payments to town and parish councils

- 8 Under the CIL Regulations, town and parish councils will receive 15% of the CIL collected from development in their area (capped at £100 per existing Council Tax dwelling per annum) if they do not have a Neighbourhood Plan and 25% of the CIL collected from their area (uncapped) if they do have a Neighbourhood Plan. This money must be spent on supporting the development of an area.
- 9 The Council resolved when it adopted the Charging Schedule that town and parish councils will receive an equal amount when a CIL-paying residential development occurs in their areas. As such, town and parish councils will receive £18.75 per sq m (15% of £125 per sq m) of the CIL payment if they do not have an adopted Neighbourhood Plan at the time the development is permitted to spend on infrastructure or £31.25 per sq m (25% of £125 per sq m) if they do have an adopted Neighbourhood Plan. As the charge for supermarkets, superstores and retail warehouses is a standard £125 per sq m across the District, town and parish councils will receive 15% or 25% of the same sum if a development of one of these types happens in their area. This does not preclude additional funds being passed to town or parish councils if the projects proposed are given sufficiently high priority under the governance arrangements that will be developed.
- 10 In order to ensure that the town or parish council and SDC is compliant with the legislation, town and parish councils in £75/m² charging areas will need to spend the 'top up funding' (equivalent to £7.50 per sq m or £12.50 per sq m of CIL-paying residential development, depending on whether the area has a Neighbourhood Plan) on infrastructure. They are also able to pass their CIL contributions to other organisations. Officers will brief and liaise with town and parish councils on this, as part of the implementation process.

CIL Governance Issues for SDC to consider

- 11 There are a number of issues that the Council will need to consider in respect of how it prioritises CIL funding. Some of these issues are introduced below. It is recommended that a separate CIL workshop, consisting of all LPEAC Members who wish to attend, is arranged in Summer 2014 to consider these issues in more

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detail and to begin to develop recommendations (to be considered in public at a formal meeting of the committee) to Cabinet for how the spending of CIL should be prioritised. Officers will investigate how other authorities are currently prioritising CIL expenditure and, if examples are available, will provide these prior to the workshop. In addition, Officers are in discussion with the Planning Advisory Service and the Planning Officer's Society to identify what support may be available to the Council in developing governance arrangements. Officers are considering joining a CIL Implementation Group run by the Planning Officers Society and will be able to feedback information from this to Members. Issues that Members may like to consider include:

What Types of Infrastructure should be given highest priority?

- 12 The Council will need to consider how it goes about prioritising different types of infrastructure, given the competing needs for the CIL pot. It is considered that the Council could do this by ranking the types of infrastructure that it considers to be the most important (schools or roads, for example), it could identify criteria for prioritising schemes (for example, will the CIL contribution be matched by another funding sources) or through a combination of the two approaches. The Council should also consider whether there would be benefit in consulting local residents on this.

Funding Pots

- 13 Members may like to consider whether there would be benefit to separating CIL payments into 'local' and 'strategic' funding pots. Whilst local funds could be spent on infrastructure in the areas where development occurs, for example new open space or play areas, the strategic funds could be pooled for things like school extensions and substantial transport schemes. The proportion of funding transferred to each pot would need to be influenced by discussions on priorities. Clearly spending more money on local projects would limit the amount available for 'strategic' projects and vice versa.

How should the Council balance the benefits of proactively planning infrastructure delivery with need to react to unexpected developments

- 14 Especially in the case of more strategic infrastructure developments, such as school extensions, the providing organisation is likely to need certainty over the funding that will be made available from CIL to support planned new developments. Whilst the Allocations and Development Management Plan provides a good indication of what development the Council expects to come forward and when, unexpected windfall developments continue to make an important contribution to housing development in the District. An example of this would be the Bramblefields development in Longfield, which will provide 71 dwellings (approximately half of the annual Core Strategy housing target) despite not being promoted through the Allocations and Development Management Plan and not considered in the Draft CIL Infrastructure Plan. Whichever way the Council decides to govern the expenditure of CIL, it will need to ensure that it can react to these 'windfall' developments.

Advance Funding

- 15 Linked to the issue above, the Council will need to consider whether it is willing to enter into formal agreements to transfer a certain amount or proportion of CIL per annum (subject to agreed limits and conditions) to partner organisations to deliver named projects. A situation could arise where a new GP surgery, for example, is required immediately but is partly justified on planned development in that area. Without the Council committing to provide further funding the development of the infrastructure would need to be undertaken in a piecemeal fashion or would rely on funding being allocated by the providing organisation or through it securing a loan.

Who should have the power to make the final decision on how CIL money is spent?

- 16 Options to consider might include:
- The relevant Portfolio Holder;
 - Cabinet;
 - A specific CIL committee;
 - The relevant Chief Officer; or
 - The Chief Executive.

Different arrangements could also be put in place for different funding pots, if it is considered that their creation is appropriate.

How often should funding allocation decisions be made?

- 17 CIL funds will usually be received 60 days after a development is commenced. Organisations are likely to want to receive funding as soon as possible after a development is commenced in order that infrastructure can be provided to support development before it is completed or as soon as possible afterwards. There will be a need for the Council to balance the workload of Members and Officers with this desire.
- 18 The Council will also need to consider whether it would like organisations to bid for CIL funding, which would also impact on the workloads of partner organisations, depending on the information that the Council expects in order to rank schemes.

Instalment Policies

- 19 In most circumstances, a developer must pay CIL in full 60 days after commencement, unless the Council adopts an instalments policy. This would apply regardless of the size of the development, which could lead to a developer having to pay a substantial CIL before it has had the chance to sell any of the dwellings. It is recommended that the Council adopts an instalment policy to help maintain the viability of these developments. An initial proposal for an instalment policy is set out in Appendix B and it is recommended that this is also debated through the governance workshop.
- 20 The CIL regulations 2010 provide that each phase of a development has a separate charge associated with it. Therefore, only once the developer commences a particular phase does the 60 day payment period (or instalment policy) begin. This effectively provides an instalments policy for larger

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developments (over 100 dwellings, for example), which are unlikely to be built out in one phase.

- 21 The instalment schedule (from appendix B) provides different payment timetables depending on the overall level of the CIL charge. The different charging levels are presented below alongside the estimated numbers of dwellings that these charging levels would apply to in the £75/m² charging area. This assumes that the proportion of affordable housing (which must be offered 100% relief from CIL) on-site is consistent with Core Strategy Policy SP3 and that the average dwelling size is 76m² (consistent with CABE advice).

Total CIL liability	Number of instalments	Number of dwellings in £75/m ² area
Amount less than £50,000	Payable as one instalment	Less than approximately 15 dwellings
Amount of £50,000 or more but less than £100,000	Payable in two instalments	Approximately 15 to 30 dwellings
Amount of £100,000 or more but less than £200,000	Payable in three instalments	Approximately 30 to 60 dwellings
Amount of £200,000 or more	Payable in four instalments	Approximately 60 dwellings or more

Timetable

- 22 The proposed timetable for developing CIL governance arrangements is set out below:

Initial discussion and agreement to arrange a governance workshop of LPEAC members	25 March 2014
LPEAC CIL Governance Workshop	Summer 2014
Officers to prepare a report with recommendations on governance arrangements following the workshop	August & September 2014
LPEAC to further debate governance recommendations	September / October 2014
Cabinet to debate and agree/reject governance arrangements	October / November 2014

Flexibility to make further changes to Governance Arrangements

- 23 Governance arrangements for CIL do not need to be published for consultation or independent examination. As the Council appears to be something of a ‘front-runner’ in this area, there may be opportunities to learn from experiences elsewhere. It is recommended that arrangements should be set up on the basis that they will be reviewed after 1-2 years. This will provide the opportunity to reflect on any lessons learnt, either from the Council’s experience or the experience of other authorities. If, however, it is found that there is a fundamental problem with the arrangements put in place then the Council can review them at any stage.

Other Options Considered and/or Rejected

LPEAC could request that Officers work up CIL governance proposals that the committee will then debate. This option is not recommended by Officers on the basis that it would make it more difficult to ensure that the process is Member-led.

Key Implications

Financial

There are no financial implications of this recommendation.

Legal Implications and Risk Assessment Statement.

Governance arrangements that are consistent with the CIL regulations must be agreed. If they are not then the Council runs the risk of challenges from developers over the use of CIL to the Ombudsmen being upheld.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The recommendation relates to an approach that the LPEAC should take to resolving issues of CIL governance rather than agreeing any fixed approach to the governance itself. There will be further opportunities for LPEAC to debate these issues in a public meeting.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		n/a

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Conclusions

It is recommended that the arrangement of a CIL workshop would ensure that the development of governance arrangements by the committee is a Member-led process and would enable Members to debate the issues that the Council will need to consider in greater detail.

Appendices

Appendix A – List of infrastructure types to be funded through CIL and S106 Agreements

Appendix B – Draft Instalments Policy

Background Papers:

Draft CIL Infrastructure Plan (July 2013)

Richard Morris
Chief Planning Officer



COMMUNITY INFRASTRUCTURE LEVY:

REGULATION 123 LIST:

TYPES OF INFRASTRUCTURE TO BE FUNDED BY CIL

MARCH 2014

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Community Infrastructure Levy

Following CIL coming into force in Sevenoaks District Council, the following types of infrastructure will be funded through CIL receipts:

- Transport schemes other than site-specific access improvements;
- Flood Defence schemes;
- Water quality schemes;
- Schools;
- Health and social care facilities;
- Police and emergency services facilities;
- Community facilities;
- Green infrastructure other than site-specific improvements or mitigation measures.

Planning Obligations

SDC proposes to use planning obligations for site specific infrastructure, such as:

- Site specific access improvements (these could also be secured through s278 of the Highways Act 1980 in some circumstances);
- On-site open space, for example children's play areas;
- Site specific green infrastructure, including biodiversity mitigation and improvement;
- On-site crime reduction and emergency services infrastructure, for example CCTV or fire hydrants; and
- Site specific Public Rights of Way diversions or impact mitigation.

In addition, affordable housing provision and contributions will continue to be secured through planning obligations.



COMMUNITY INFRASTRUCTURE LEVY:

REGULATION 69B:

INSTALMENTS POLICY

PUBLISHED: MARCH 2014

EFFECTIVE: 4 AUGUST 2014

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As required under Regulation 9 (4) of the Community Infrastructure Regulations 2010 (as amended), where a planning permission permits development to be implemented in phases, each phase of the development is a separate chargeable development and the instalment policy will, therefore, apply to the amount that a developer is liable to pay under each phase.

In order to qualify for this instalment policy, liable parties must follow the necessary CIL administration steps set out in the CIL Regulations 2010 (as amended). They must have notified the Council of their assumption of liability and submitted a Commencement Notice for the development.

Where nobody has assumed liability to pay CIL, it is payable in full on the intended commencement date.

Where the Council was not sent a Commencement Notice and had to determine the 'deemed commencement date', the CIL charge is payable in full on the deemed commencement date.

Total CIL liability	Number of instalments	Payment period
Amount less than £50,000	Payable as one instalment	100% payable within 60 days of the commencement date
Amount of £50,000 or more but less than £100,000	Payable in two instalments	1st instalment of 50% payable within 60 days of commencement date 2nd instalment of 50% payable within 180 days of commencement date
Amount of £100,000 or more but less than £200,000	Payable in three instalments	1st instalment of 25% payable within 60 days of commencement date 2nd instalment of 50% payable within 180 days of commencement date 3rd instalment of 25% payable within 270 days of commencement date
Amount of £200,000 or more	Payable in four instalments	1st instalment of 25% payable within 60 days of commencement date 2nd instalment of 25% payable within 180 days of commencement date 3rd instalment of 25% payable within 270 days of commencement date 4th instalment of 25% payable within 365 days of commencement date

LOCAL ENFORCEMENT PLAN

Local Planning and Environment Advisory Committee – 25 March 2014

Report of Chief Planning Officer

Status: For consideration

Also considered by: Cabinet 10 April 2014

Key Decision: No

Executive Summary: This report introduces a Local Enforcement Plan (see Appendix A) which is a document setting out how the Council will respond to breaches of planning control.

This report supports the all the key aims of the Community Plan

Portfolio Holder Cllr Bosley

Contact Officer(s) Alan Dyer X7961

Recommendation to Local Planning and Environment Advisory Committee: That Cabinet is recommended to agree the Local Enforcement Plan for consultation

Recommendation to Cabinet: That the Local Enforcement Plan be agreed for consultation

Reason for recommendation: The Local Enforcement Plan provides information to customers on how the Council will deal with enforcement and the powers available so that complainants and those subject to complaints will know what to expect from the service.

Introduction and Background

- 1 The Improvement Plan for the Planning Service includes a proposal to review, revise and re-launch the 'Enforcement principles' document, last updated in 2003, as an Enforcement Handbook - a user friendly, informative, easy to read and understand guide which will explain our priorities, the options available to us and set out our service standards.
- 2 The National Planning Policy Framework (NPPF) recommends that local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate

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alleged cases of unauthorised development and take action where it is appropriate to do so (NPPF para 207).

- 3 The Government's recently published Planning Practice Guide also advocates the preparation of a Local Enforcement Plan.
- 4 The proposal in the Improvement Plan is very similar to what the Government envisages in a Local Enforcement Plan and the Improvement Plan proposal is therefore being taken forward as a Local Enforcement Plan.
- 5 Consultation is proposed on the draft plan to provide an opportunity for engagement with the local community and other stakeholders.

Structure of the Plan

- 6 The plan is structured as follows:
 1. General Introduction
 2. Key Principles of the Enforcement Service. Listing seven key principles which guide our approach
 3. Investigating Complaints. Covering what complaints will be investigated, how they will be prioritised and how investigations will be carried out.
 4. Decisions Making. Covering how decisions will be made on what action to take action following an investigation. This section makes it clear that development taking place without permission is not in itself a reason to take action and that there must be evidence of harm.
 5. Securing Compliance. Setting out the powers available to the Council and the circumstances in which they will be used.
 6. Monitoring Implementation of Planning Permissions. Covering the monitoring that is carried out when development starts.
 7. General Information. Including how we communicate with people who complain and people who are subject of complaints.

Additionally there is an appendix covering relevant legislation.

- 7 The plan does not make any substantial change to existing policies and procedures which accord with Government guidance and are constrained by legislation.
- 8 Publishing the plan and making it available to those involved in the process should raise awareness of how enforcement operates and the powers available, together with providing accessible information on the service customers can expect.

Other Options Considered and/or Rejected

There is no statutory requirement to prepare a Local Enforcement Plan and there is an option of not proceeding with the plan. However, it is considered that there are substantial benefits from adopting and publishing the plan as set out above.

Key Implications

Financial

There are no significant financial implications from publishing the plan as the limited cost of printing can be met from existing budgets. The plan does not introduce any new procedures that have additional costs. Some potential enforcement actions do have potential financial implications for the Council and these are considered before taking action.

Legal Implications

The Legal Services Manager has been consulted on the preparation of the document and comments have been incorporated.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	Yes	Enforcement does have the potential to adversely affect certain groups including those with limited understanding of Planning, those with difficulty reading documents and those without access to IT. The EQIA for Enforcement which was updated in 2013 identifies potential adverse impact and measures to overcome them, including offering home visits, translation services and maintaining paper copies of documents.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		The Enforcement Plan should aid understanding of the service and will be made available in different formats to help those without computer access.

Conclusions

It is considered that the Local Enforcement Plan will offer benefits in aiding understanding of the service and clarity for customers in understanding what to expect from enforcement investigations. It is therefore recommended for adoption.

Appendices

Appendix A – Draft Local Enforcement Plan

Background Papers:

None

Richard Morris
Chief Planning Officer

Sevenoaks District Council

Local Enforcement Plan

1. INTRODUCTION

Effective operation of the planning system depends on the ability to enforce against development carried out without planning permission and planning legislation gives District Councils powers to take action where necessary against development that does not have permission.

The Government provides guidance to local authorities on enforcement in its National Planning Policy Framework. It says:

Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.

The Government's Planning Practice Guidance also advocates the preparation of a local enforcement plan.

This document is the Council's Local Enforcement Plan. It was adopted on [insert date].

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2. KEY PRINCIPLES OF THE ENFORCEMENT SERVICE

Our approach to enforcement is based on the following key principles.

- The identity of complainants will be treated as confidential information. It is considered that disclosing the identity of those persons who report breaches or possible breaches is likely to result in fewer reports being made to the council .
- Where a new complaint is received we will aim to visit the site within three working days.
- Complainants and those who are the subject of complaints will be kept informed of the progress of enforcement investigations and of the outcome.
- We will prioritise the investigation of complaints based on the degree of harm caused by the development subject of the complaint.
- We will seek to achieve a solution that removes harm caused by unauthorised development.
- We will use our statutory powers where necessary and proportionate to remove harmful development.
- We will not take enforcement action against unauthorised development that causes no harm.

The remaining sections explain our approach in more detail.

3. INVESTIGATING COMPLAINTS

3.1 How to Report Alleged Breaches of Planning Control

The Council encourages the reporting of suspected breaches of planning control. As development can gain immunity from enforcement action over time, it is important that any suspected breaches are reported as soon as possible in order that harmful development can be removed or minimised. Those reporting a breach of planning control are asked to do so via the Council's web-site

<http://www.sevenoaks.gov.uk/services/housing/planning/planning-enforcement>

providing as much information as possible in all fields.

, The Council will not disclose any information that would identify a complainant. If nevertheless you do not want to reveal your identity you may wish to ask your local Parish or Town Council to put forward your complaint. The personal information of a complainant will be processed in accordance with the Data Protection Act 1998

Anonymous complaints are not investigated.

3.2 What is a Breach of Planning Control?

A breach of planning control is either: -

- Carrying out development without the required planning permission (this includes carrying out development contrary to approved plans);
or
- Failing to comply with any condition or limitation subject to which planning permission has been granted

Some development, referred to in the legislation as "permitted development", does not need an express grant of planning permission from the Council and we cannot take enforcement action against it.

The Planning Enforcement Team can only investigate breaches of planning control. It cannot enforce the requirements of other legislation, for example on street parking, safety of a building, clearing land of undergrowth and bushes, safety of a structure, fly tipping, noise/smell complaints and licensing restrictions.

The Council will not intervene in private civil disputes such as breaches of restrictive covenants, boundary disputes or disputes that relate to damage to or reduction in value of land or property.

If complainants are unsure whether their complaint relates to a planning matter the Enforcement team can provide advice.

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3.3 Prioritising Complaints

Taking enforcement action can be a complex process requiring significant staff time. The Council, therefore, must prioritise cases to ensure that prompt action is taken against the most damaging breaches of planning control. In very urgent cases, a site visit will be made immediately. However, in all cases, we will aim to make a site visit within 3 working days.

Complaints are prioritised as follows: -

Very Urgent

- Unauthorised works to listed buildings
- Unauthorised works to protected trees
- Any other development that causes irreversible demonstrable harm, such as the deposit of waste

Urgent

- Any unauthorised development/activity which causes clear harm to the locality including the living conditions of adjoining residents
- Breach of a condition which results in demonstrable harm to amenity in the neighbourhood

Non Urgent

- Unauthorised developments which are likely to receive planning permission
- Technical breaches, including breaches of conditions
- Unauthorised advertisements

3.4 Site Visits

In all but the most straightforward cases, officers will undertake a site visit to try to establish whether a breach of planning control has taken place. The majority of site visits are made without prior arrangement, and officers are required to identify themselves as investigation officers as soon as they enter the site.

The Council's planning investigation officers have powers of entry, for the purpose of investigating alleged breaches of planning control (see appendix).

Where site visits are made and no occupier can be found at the time of visit, officers have power to inspect the land in his or her absence. Officers do not have powers to force entry into any dwelling house. Where appropriate, officers will leave a business card requesting the occupier of the land to contact the Council.

If, during a site visit, officers are refused entry onto land or buildings, the Council has the right to apply to the Magistrates' Court for a warrant to enter the property. This course of

action will be taken only in cases where it is considered both necessary and proportionate to the alleged breach under investigation.

Whilst on site, officers may ask questions of any present occupiers, and may take measurements and photographs. Any information gathered will be used to ascertain whether a breach of planning control has taken place. If a breach has occurred, this information will be used to assess the most appropriate course of action to resolve the matter.

3.5 Gathering Evidence

Where a complaint relates to an alleged unauthorised use of land, officers will make a reasonable attempt to determine whether a breach has taken place. In most cases a 'reasonable attempt' will consist of a number of site visits at days and/or times deemed most suitable for the allegation. This approach ensures that the Council's limited resources are used effectively. Where officers can find no evidence of a breach of planning control the investigation will be closed and no further action taken. Such cases will not be reinvestigated unless the complainant is able to provide more substantive evidence of the alleged breach of planning control.

Officers may also make use of the 'planning contravention notice' if they have reasonable suspicion that a breach of planning control is likely to have occurred, [this tool will be used in accordance with Government guidance and best practice

Officers may use a variety of other methods to determine whether or not a breach of planning control has taken place, including obtaining information from witnesses to an alleged breach, and consultation with Council departments, HM Land Registry etc.

The Council may also seek clarification from case law or obtain legal advice where the subject of an investigation is complicated or contentious.

3.6 Immunity from Enforcement Action

When investigating breaches of planning control, officers must identify whether or not a breach is immune from enforcement action.

Where a breach of planning control continues, undetected and therefore without any intervention by way of enforcement action, it will become lawful by the passage of time. In such circumstances the breach becomes immune from enforcement action and lawful, which means the Council is unable to remove or mitigate the development.

Immunity timescales are as follows: -

- Four years where the breach consists of unauthorised building, mining, engineering or other operations

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- Four years for a change of use of any building to use as a single dwelling house
- Ten years in any other case, including breaches of planning conditions

However, deliberate concealment of a breach of planning control in order to gain immunity from enforcement action does not necessarily benefit from the statutory immunity timescales. New powers conferred by the Localism Act 2011 allow the Council to apply to the Magistrates' Court for a Planning Enforcement Order, where a deliberate concealment of a breach of planning control becomes evident. Where such a breach of planning control is discovered, consideration will be given to the expediency and anticipated success of using such powers. The application can be made at any time within six months of the date on which there was sufficient evidence to justify the application.

3.7 Planning Contravention Notices

The Council has powers to issue planning contravention notices and serve these on owners and occupiers of land where they believe a breach of planning control has occurred. The Council may ask questions regarding the alleged breach, to acquire information necessary to determine whether a breach has taken place. A planning contravention notice is a formal notice and failure to respond, or knowingly to provide false information, is a criminal offence. The notice allows the recipient to explain why there has been no breach of planning control if this is the case. Failure to reply to a planning contravention notice will not stop the Council from taking enforcement action where it is considered appropriate.

Issuing a planning contravention notice does not constitute the Council taking enforcement action. A planning contravention notice is not registered as a land charge and is not included on the Council's Enforcement Register (see paragraph 7.3 below).

4. DECISION MAKING

4.1 Basis for Decision Making

Where it is established that there is a breach of planning control the Council has to decide whether to take action.

It is not a criminal offence to carry out work or change the use of land or buildings without first obtaining planning permission and the Council does not have a duty to take enforcement action where there is a breach of control.

Enforcement action will not be taken simply because development has taken place without permission. There must be evidence of harm arising from the work carried out.

The Council does have a duty to determine whether enforcement action is necessary and in doing so it must consider whether it is “expedient” to take action. The expediency test involves assessing the planning merits of the unauthorised development and the impact of the Council’s enforcement powers, to determine whether action is required to control the unauthorised development or require its cessation/removal.

An enforcement notice can be overturned on appeal on the grounds that planning permission should be granted for the development and the Council will not therefore not normally take enforcement action against a development for which permission would be granted under its policies if an application had been made.

The key issues will therefore be similar to the situation if a planning application was submitted for the development. The Council will consider whether the development is consistent with relevant national and local policies and also take into account other relevant planning considerations.

4.2 Recording of Decisions

Decisions not to take enforcement action will be agreed by the Senior Investigation Officer with reasons recorded in writing.

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5. SECURING COMPLIANCE

The Council has a variety of enforcement options that may be utilised when resolving a breach of planning control.

5.1 No Action

Where it is determined that an unauthorised development is acceptable based on its planning merits, the land owner and/or occupier will be invited to submit a retrospective planning application in an attempt to regularise the matter. In the event that such an application is not forthcoming no further action will be taken on the basis that it is not expedient or in the public interest to pursue.

5.2 Considering an Application

Where a planning application is received for development that has already taken place the Council will assess its merits on the same basis as if the development had not yet commenced. The proposal will receive no more or less favourable treatment because it has already taken place.

5.3 Informal Action

In the majority of cases where it has been established that further action is expedient, the Council will initially seek informal resolution of the breach of planning control. Informal resolution may be by way of requesting a retrospective application in order that the development may be controlled either with or without conditions, or by requesting cessation or removal of the breach of planning control within a specified deadline. The time allowed will be reasonable and will take into account the amount of work required, the seriousness of the contravention and the implications of non-compliance. The Council will make all requests in writing, and failure to achieve compliance will result in consideration being given to formal action.

Where the harmful impact of the development is such that the Council would be very unlikely to grant permission it will not seek a planning application before taking action.

5.4 Statutory Notices

The Council has powers to issue notices to remedy breaches of planning control. The type of notice issued will be dependant upon the nature of the breach of planning control and, in most cases, such action will be taken only where attempts to negotiate an informal resolution have been unsuccessful.

- **Breach of Condition Notice**

These will be issued within 14 days of authorisation and can be used where conditions imposed on a planning permission have not been complied with. They

are not suitable for all conditions. There is no right of appeal. Failure to comply may result in prosecution in the Magistrates' Court [maximum fine £2,500].

- **Enforcement Notice**

These will be issued within 28 days of authorisation and are the usual method of remedying unauthorised development. They can also be served to restrict or impose conditions on a particular operation which would otherwise be unacceptable. There is a right of appeal against these notices. Failure to comply may result in prosecution in the Magistrates' or Crown Court [maximum fine £unlimited].

- **Listed Building Enforcement Notice**

These are very similar to Planning Enforcement Notices. They specify the unauthorised works to a listed building and the requirements necessary to remedy the harm. They can be served on their own, e.g. where unauthorised works to a listed building required only listed building consent and not planning permission, or in conjunction with a Planning Enforcement Notice. Failure to comply may result in prosecution in the Magistrates' or Crown Court [maximum fine £unlimited].

- **Section 215 Notice**

These can be used in relation to untidy land or buildings where their condition adversely affects the amenity of the area. Failure to comply may result in prosecution in the Magistrates' Court [maximum fine £2,500].

- **Stop Notice**

These can be used only in conjunction with an enforcement notice and where the breach of planning control is causing irreparable and immediate significant harm. Failure to comply may result in prosecution in the Magistrates' or Crown Court [maximum fine £unlimited]. There is no right of appeal and the Council may be liable to pay compensation if it is later decided that such a notice was not appropriate.

- **Temporary Stop Notice**

These take effect immediately from the moment they are issued, and last for up to 28 days. A Temporary Stop Notice is issued only where it is appropriate that the activity or development should cease immediately to safeguard the amenity of the area. Failure to comply may result in prosecution in the Magistrates' or Crown Court [maximum fine £unlimited].

- **Planning Enforcement Order**

Where a local planning authority discovers an apparent breach of planning control, within 6 months of discovery it may apply to the Magistrates' Court for a Planning Enforcement Order. The order allows the authority an 'enforcement

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year' in which to take enforcement action, even after the usual immunity limits have expired. The Magistrates may make a planning Enforcement Order only if they are satisfied that, on the balance of probabilities, the "actions of a person or persons have resulted in, or contributed to, full or partial concealment of the apparent breach or any of the matters constituting the apparent breach".

- **Injunction**

Where a breach of planning control is causing, or is likely to cause, significant harm, the Council may apply to the Courts for an injunction compelling the breach to stop. In order to grant an injunction the Court needs to be satisfied that it is just and convenient as well as proportionate to do so in light of the Article 8 right to a private life contained within the European Convention on Human Rights. At the hearing, the Judge will invariably weigh up the public interest of granting an injunction in terms of upholding the integrity of the planning system and abating the material harm, as against the private interests of the landowner/occupier to use his land as he or she sees fit. From a practical point of view, the Circuit Judge who will hear the application may be inexperienced in planning and environmental law. Accordingly, Judges commonly take a common-sense, broad-brush approach. If it can be demonstrated that there has been a flagrant breach of planning [rather than some technical or slight indiscretion], material harm is caused and the defendant shows no sign of rectifying the situation, the Court is likely to look sympathetically upon the application.

5.5 Direct Action

Where the Council has issued a statutory notice and those responsible for the breach have failed to comply, the Council has powers to carry out the works specified in the notice. This is referred to as 'direct action'. Direct action is a useful tool that can resolve many different breaches of planning control, and is generally most effective when used to remove unauthorised building operations. The Council has powers to recover from those responsible any expenses incurred as a result of direct action, and unpaid expenses can be pursued either in the County Court or registered as a land charge payable when the land is sold.

5.6 Prosecution

Whilst it is not a criminal offence to carry out development without first obtaining planning permission, it is an offence to erect unauthorised advertisements, fell a protected tree without consent, carry out unauthorised works to a listed building or fail to comply with an enforcement, breach of condition, planning contravention or stop notice.

A prosecution is more likely to ensue where the individual or organisation has: -

- Deliberately or persistently ignored written warnings or formal notices

- Endangered, to a serious degree, the health, safety or well being of people or the environment

Prosecution may be the most appropriate course of action in other circumstances, or where direct action is considered inappropriate or has proved ineffective in resolving the breach. The Council will pursue a prosecution only where there is a realistic prospect of conviction, and where it is in the interests of the wider public to do so.

The decision to prosecute will also take account of the evidential and public interests and tests set down in the Code for Crown Prosecutors. These include:

- The age and evidence of the state of health of the alleged offender
- The likelihood of re-offending; and remedial action taken by the alleged offender

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6. MONITORING THE IMPLEMENTATION OF PLANNING PERMISSIONS

The Planning Enforcement Team is notified of commencements of development by the Council's Building Control Department. These are checked by the Planning Enforcement team against planning application decisions to ensure that:

- All necessary permissions have been granted
- All pre-commencement conditions have been discharged
- All financial contributions that form part of a Section 106 Agreement or, where relevant payments under the Community Infrastructure Levy, have been received by the Council

The Council does not routinely check compliance with the approved plans or individual conditions but will do so if a complaint is received.

7. GENERAL INFORMATION

7.1 Keeping People Informed

The Council aims to keep complainants and those in breach of planning control informed at each stage of the investigation. Complainants may contact the case officer and seek an update at any time during the process.

7.2 If You Are the Subject of a Complaint

If the Council believes you to be responsible for an alleged breach of planning control and contacts you in this regard, you are entitled to know what the allegation is, and have the opportunity to explain your side of the case.

Please note that under the Freedom of Information Act 2000, the Council is not obliged to provide details of the source of any complaint although you will be entitled to know the name of the Councillor who lodges a complaint on his/her own behalf or on behalf of someone else.

Where the complaint is found to be without substance, you will be advised accordingly and the Council's file on the matter will be closed. If there is found to be a breach of planning control, you will be advised of the details of the breach and how it can be rectified.

Your cooperation will be sought to correct the breach, either by removing or modifying the unauthorised development or by ceasing the unauthorised work. A reasonable time period will be allowed for you to do this.

In some circumstances you may be invited to submit a retrospective planning application, although no assurance can be given as to a successful outcome to any planning application. However, if refused, such applications carry a right of appeal.

We will try to minimise possible impacts on any business which may be subject of enforcement action, but this does not necessarily mean that the enforcement action will be delayed or stopped.

Enforcement Notices will contain the precise details of the breach, the reasons for the action, the steps required to overcome the breach and the time period for compliance.

In the early stages of an investigation, you may be issued with a 'Planning Contravention Notice' that requires information concerning the development carried out and precise details of those responsible and/or involved. This Notice is used to establish facts so that the Council can determine whether a breach of planning control has taken place and whether formal enforcement action is appropriate. The legal implications of not completing and returning the Notice will be explained to you.

7.3 Enforcement Register

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The Council has a statutory duty to hold and maintain an Enforcement Register, which is a public record of all formal enforcement action that is registered as a land charge. This register is in electronic format on the Council's website.

7.4 Complaints Against the Service

The Council aims to investigate and assess all breaches of planning control fully, and to take enforcement action where it is considered expedient to do so. The Council also aims to ensure high customer service standards are maintained with all parties involved in an enforcement investigation.

Where customers have a complaint about the way an enforcement investigation has been carried out the complaint will be investigated in accordance with the Council's Complaints Policy, details of which can be found at www.sevenoaks.gov.uk.

APPENDIX

LEGISLATION AND GOVERNMENT GUIDANCE

1 Primary Legislation

When investigating alleged breaches of planning control, the Council will act in accordance with the provisions of both primary legislation [Acts of Parliament] and secondary legislation [Statutory Instruments].

The primary legislation is the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act, 1991) together with the Localism Act, 2011. This legislation sets out the definition of 'development', and provides the Council with the majority of its planning enforcement powers.

2 Secondary Legislation

Key secondary legislation includes: -

The Town and Country Planning (Use Classes) Order 1987, and all amendments

The Use Classes Order [UCO] separates the many different uses of land into 'classes', and sets out which changes of use of land are outside the scope of development. The UCO deals only with 'primary' uses of land; any use class that is not listed or constitutes a 'mixed use' is defined as 'sui generis' and sits within its own class. The UCO defines the changes of use that cannot be 'material', and therefore advises only which changes of use are excluded from development. The UCO does not define what constitutes a material change of use, therefore if a change of use is not excluded it must be assessed on its own merits as a matter of fact and degree.

The Town and Country Planning (General Permitted Development) Order 1995, (as amended)

The General Permitted Development Order (GPDO) sets out what forms of development have the benefit of 'deemed' planning permission. All works or activities that are defined as being 'development' that are not covered by the GPDO will require express planning permission.

3 Government Guidance

Paragraph 207 of the National Planning Policy Framework sets out the general approach to planning enforcement.

The Council will also have regard to Planning Practice Guidance (Department for Communities and Local Government)

4 Other Legislation, Guidance and Codes of Practice

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When investigating breaches of planning control the Council will also act in accordance with the following: -

- Code for Crown Prosecutors
- Human Rights Act 1998
- Equality Act 2010

5 Powers of Entry

The Council's planning investigation officers have powers of entry, for the purpose of investigating alleged breaches of planning control, under the following provisions: -

- Town and Country Planning Act 1990 (as amended)
- Town and Country Planning (Listed Buildings and Conservation areas) Act 1990 (as amended)
- Planning (Hazardous Substances) Act 1990 (as amended)
- Planning (Hedgerow Regulations) Act 1997
- Local Government (Miscellaneous provisions) Act 1976, 1982
- Planning (Consequential Provisions) Act 1990 (as amended)

Local Planning & Environment Advisory Committee Work Plan 2013/14

25 March 2014	July 2014	September 2014	November 2014	January 2015
Gypsies and Traveller Plan Consultation Document CIL Governance Arrangements Planning Enforcement Charter	Allocations and Development Management Plan Local Development Scheme Green Belt SPD Pest Control Review of tender results Westerham Conservation Area Management Plan			

Possible future reports:

- a future report (if felt necessary) after the seminar on affordable housing contributions to take place on 10 December 2013

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