

Alleged Unauthorised Development

**Mereworth
(Mereworth)**

07/00485/UNAWKS

565806 154788

Hadlow, Mereworth And
West Peckham

Location: Land Adjoining 283 Beech Road Mereworth Maidstone Kent

1. Purpose of Report:

- 1.1 To report the unauthorised erection of a wooden structure and recommend the issuing of an enforcement notice to require its removal.

2. The Site:

- 2.1 The site is located in the Metropolitan Green Belt, outside the confines of any defined settlement. It is on a plot of land that has been in domestic use for a number of years, but is physically divorced from its "parent" dwelling.

3. Relevant History:

- 3.1 There is no relevant planning history for this site.

4. Alleged Unauthorised Development:

- 4.1 The erection of a wooden structure without planning permission. The structure is open-sided with a Perspex covered roof. It is approximately 5m wide, 10m long and 4m high. It is sited on the eastern side of the plot, close to the common boundary with the dwelling on the adjacent land. It is clearly visible from Beech Road.

5. Determining Issues:

- 5.1 PPS1 - Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of high quality sustainable development through the planning system. Policy CP1 of the Tonbridge and Malling Core Strategy 2007 states that all proposals for new development must result in a high quality sustainable environment and the need for development will be balanced against the need to protect and enhance the natural and built environment. In determining applications, the quality of the countryside will be preserved and wherever possible, enhanced.
- 5.2 The erection of a wooden structure has resulted in a poor quality environment and does not protect or enhance the surrounding natural environment, or preserve the quality of the surrounding countryside.
- 5.3 The development lies within the Metropolitan Green Belt and does not fall within any of the categories of development identified in PPG2: Green Belts as being potentially "appropriate" in the Green Belt. It therefore constitutes inappropriate development in

the Green Belt National policy in PPG2 is applied to this locality through policy CP3 of the Tonbridge and Malling Core Strategy 2007 and policy SS2 of the KMSP. This requires very special circumstances to be demonstrated for any inappropriate development. There are no such very special circumstances to justify a departure from policy in this instance. Similarly, Core Strategy policy CP14 seeks to limit development in the countryside to certain categories, none of which applies in this instance.

- 5.4 Core Strategy policy CP24 requires all development to be well designed and of a high quality in terms of its detailing and materials. It must through its character and appearance be designed to respect the site and its surroundings. Development which by virtue of its design would be detrimental to the built environment, amenity or functioning and character of a settlement or the countryside will not be permitted. This structure is of poor, utilitarian appearance that is harmful to the character and appearance of the countryside and also to the residential amenities of the neighbouring property.

6. Recommendation:

- 6.1 An Enforcement Notice **be issued** as set out below and copies **be served** on all interested parties.

The Notice to take effect not less than 28 days from the date of service, subject to:

- The concurrence of the Chief Solicitor, he being authorised to amend the wording of the Enforcement Notice as may be necessary.
- In the event of an appeal against the Notice the Secretary of State and the appellant to be advised that the Local Planning Authority is not prepared to grant planning permission for the development the subject of the Enforcement Notice.

Breach of Planning Control Alleged

The erection of a wooden structure.

Reasons for Issuing The Notice

PPS1 - Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of high quality sustainable development through the planning system. Policy CP1 of the Tonbridge and Malling Core Strategy 2007 states that all proposals for new development must result in a high quality sustainable environment and the need for development will be balanced against the need to protect and enhance the natural and built environment. In determining applications, the quality of the countryside will be preserved and wherever possible, enhanced.

The erection of a wooden structure has resulted in a poor quality environment and does not protect or enhance the surrounding natural environment, or preserve the quality of the surrounding countryside.

The development lies within the Metropolitan Green Belt and does not fall within any of the categories of development identified in PPG2: Green Belts as being potentially “appropriate” in the Green Belt. It therefore constitutes inappropriate development in the Green Belt. National policy in PPG2 is applied to this locality through policy CP3 of the Tonbridge and Malling Core Strategy 2007 and policy SS2 of the KMSP. This requires very special circumstances to be demonstrated for any inappropriate development. There are no such very special circumstances to justify a departure from policy in this instance. Similarly, Core Strategy policy CP14 seeks to limit development in the countryside to certain categories, none of which applies in this instance.

Core Strategy policy CP24 requires all development to be well designed and of a high quality in terms of its detailing and materials. It must through its character and appearance be designed to respect the site and its surroundings. Development which by virtue of its design would be detrimental to the built environment, amenity or functioning and character of a settlement or the countryside will not be permitted. This structure is of poor, utilitarian appearance that is harmful to the character and appearance of the countryside and also to the residential amenities of the neighbouring property.

Requirement

1. Remove the wooden structure.

Period for Compliance

28 days from the date of effect of the notice.

6.2 Further Proceedings

In the event of the Enforcement Notice not being complied with and subject to satisfactory evidence, the Chief Solicitor **be authorised** to commence any proceedings which may be necessary under Section 179 of the Town and Country Planning Act 1990 (as amended) to secure compliance with the Enforcement Notice.

Contact: Richard Edmonds