

Alleged Unauthorised Development

East Peckham

08/00612/UNAWKS

567217 147456

East Peckham And
Golden Green

Location: The Hop Farm Country Park Maidstone Road Paddock Wood
Tonbridge Kent TN12 6PY

1. Introduction:

- 1.1 Members will recall that I reported in some detail, in January this year, with regard to a number of breaches of planning control at the Hop Farm. The Committee approved, in principle, a number of enforcement actions, and since that time I have been in active discussion with the owner and his agents, with regard to many of these outstanding matters.
- 1.2 A number of planning and listed building applications have been made and some approvals given and I am pleased that some progress has been made to resolve outstanding matters. However, there have been other changes at the site since February and there remain a number of matters where either an application is still awaited, and anticipated, or the time is not yet right to make a final decision on such applications as have been submitted because certain matters remain to be clarified.
- 1.3 For instance it has been possible to approve a new entrance/office building complex. Agreement has also been reached to remove one stable unit and parts of a concrete apron. Indeed this work has now been carried-out to the benefit of a Listed Building. Further investigations have also allowed consideration in more detail of, for instance, the installation, or partial installation of, lifts within several of the Listed Buildings. These works in the Bells (or an acceptance that where such works have commenced, they may be completed) are appropriate in the interest of disabled access and the appropriate re-use of the Listed Buildings) and these considerations outweigh any consequential impact on the fabric or character of the buildings.
- 1.4 One outstanding application is that for one of the large marquees that has been on site for some time. The application is still subject to consultation with regard to the Flood Risk Assessment.
- 1.5 The owner has also now submitted a further draft Master Plan to provide a context for future applications. This will require formal consideration in due course most likely at the same time as an expected application for a new hotel in lieu of some of the holiday units approved by the Secretary of State at the site. We have recently given a formal view that a new application for the hotel will not require to be subject to formal Environmental Impact Assessment, although of course environmental matters will figure significantly in the assessment of the proposal when submitted.

- 1.6 Although some of the above represents progress towards more appropriate levels of planning control on the site, it has become increasingly clear to me that some issues cannot readily be resolved by the further finessing of the works that have been already carried-out. The owner's agent has indicated that, in view of the current economic situation, limitations on cashflow have influenced the ability to submit a number of applications and as a result we still await some of those anticipated in the earlier report.
- 1.7 These are in my view those matters where the setting of the very important Listed Oast Houses are clearly and adversely affected by works that have been carried-out in close proximity to, or connected to, them. Other things that have occurred in the wider setting also have an adverse impact on the countryside and the Green Belt. This report sets out below the matters that are of particular concern and some of the factors that surround those issues.

2. The Site:

- 2.1 The site comprises the main building complex that includes the five listed oast buildings, the adjoining open land and fields that extend to the north and west, as well as the car parking area to the south. The site is within the Metropolitan Green Belt and the building complex is defined as a tourist site in TMBLP under saved policy P6/25 that anticipates tourist related development on the site in the context of an up to date Master Plan. This policy area is tightly drawn around the main building complex.
- 2.2 The Oast buildings are Grade II* Listed. The group of five oasts is considered to be an important and unique collection of historic oast buildings. There are a number of other buildings on the site which are not listed. Some further structures on the site are the subject of this report as they have been erected without the necessary approvals.
- 2.3 The site is within the designated Flood Zone 3 area.

3. Discussion:

- 3.1 The features that I consider that adversely affect the setting of the Listed Buildings and the countryside/Green Belt at present are:
- the childrens' climbing frame and its attachment to the Oast Bell
 - the childrens' rides generally
 - the 'driving school' and associated buildings (which was at the time of the last report was still under consideration and has remained as such as we have not been able to agree with the owner as to the status of the hard standing)
 - the hard standing upon which some of the rides and driving school stand

- the lorry bodies sited along the boundary with the highway and used for storage
- the red big top (for which no application has been submitted)
- the display of advertising on the lorry bodies

3.2 This is not an exhaustive list of those matters that have been under investigation since the January report but represent those matters which I believe are the most harmful to the important setting of the site and the buildings on the site and where I am satisfied that it is now right to act. Further investigations continue in respect of other matters on the January list.

3.3 A key factor that must be taken into account is that the fact that it is obvious, whenever the site is inspected, that the features set out in the first 4 bullet points of 3.1 above have become relatively well used facilities, essentially providing recreational/leisure facilities for younger children and would appear to be a valued facility for users, who seem to return to the site to use these facilities. This, in its turn, must provide a valuable income stream for the site and potentially could contribute to funding for the maintenance of the Listed Buildings

3.4 However, this set of circumstances has the capacity for perverse effects – the value historic, cultural and environmental of the site is focussed on a high quality set of distinctive Listed Buildings which, amongst other things need long-term maintenance. However the play/leisure facilities have significantly altered and eroded the setting of these very buildings which are key attractions in their own right, I have concluded, after some consideration, that these facilities, as listed in bullet points 1-4 of paragraph 3.1 severely detract from the quality of the setting for these key listed buildings and that in this context they should not be allowed to remain, notwithstanding that they appear to provide a well used set of facilities. They have also introduced an alien element which has a detrimental effect on the rural setting of the site in overall terms. Similarly the siting of the lorry bodies referred to at bullet point 5 above detracts from the rural area and the openness of the green belt.

4. Recommendation:

4.1 I therefore recommend that:

4.1.1 Enforcement Notices **Be Issued** in respect of the matters listed in 3.1.1 – 3.1.6 above, with the detailed wording determined by the Director of Planning, Transport and Leisure in consultation with the Chief Solicitor (and subject to the Chief Solicitor being satisfied as to the evidence in respect of each breach).

4.1.2 Listed Building Enforcement Notices **Be Issued** in respect of the works referred-to in 3.1.1 with the detailed wording being determined by the Director of Planning, Transport and Leisure in consultation with the Chief Solicitor (and subject to the Chief Solicitor being satisfied as to the evidence in respect of each breach).

4.1.3 In respect of the unauthorised advertisements, see 3.1.8 above, displayed on various lorry bodies around the site I will be instructing the Chief Solicitor to bring prosecutions for breaches of the Advertisement Regulations and the **Committee Is Asked To Note This Action.**

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