

SUPPLEMENTARY REPORTS

AREA 2 PLANNING COMMITTEE

DATED 23 June 2010

East Peckham (A) TM/08/02257/FL
East Peckham And (B) TM/09/00840/FL
Golden Green (C) TM/09/02211/FL
(D) TM/09/02212/LB

(A) Retrospective application for creation of a miniature driving school including construction of a hard surface track with raised kerb stones, street furniture and timber post fencing and associated one storey pitched roof building with ornamental petrol pumps; (B) Retrospective application for the erection of a marquee structure with hard surface base and related drainage works for a temporary period of five years; (C) Proposed alterations to frontage to create an enclosure under the existing decking of Bell 3 & (D) Listed Building Application: Proposed alterations to frontage to create an enclosure under the existing decking of Bell 3 at (A) & (B) The Hop Farm Country Park Maidstone Road Paddock Wood Tonbridge Kent TN12 6PY; (C) & (D) Bell 3 The Hop Farm Country Park Maidstone Road Paddock Wood Tonbridge Kent TN12 6PY for Mr Peter Bull

Alleged Unauthorised Development

East Peckham A: 09/00279/LB and 08/00616/UNAWKS
East Peckham And B: 08/00653/UNAWKS
Golden Green C: 08/00665/UNAWKS
D: 08/00613/UNAWKS
E: 08/00647/UNAUTU
F: 08/00633/ADVERT
G: 10/00212/UNAUTU

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

PC: No one from the Parish Council is able to attend this evenings meeting of the Area 2 Planning Committee. The Parish Council does however object to the proposal for the following reasons:

The Hop Farm, Driving School - TM/08/02257/FL was originally considered by the Parish Councils Planning Committee on 08 September 2008. The Parish Councils comments were OBJECTION on the grounds that the one storey building is out of character with the nearby listed buildings. These views were echoed during a meeting of the Parish Councils Planning Committee held on 21 June 2010.

The comment was also made that it could be considered that the listed buildings at the Hop Farm, far from representing its focal point, are now considered merely an impediment to its future plans.

The Parish Council is also concerned that a leylandii hedge in front of the oasts, already high, will be allowed to grow out of control and this will almost completely hide the oasts from view.

Applicant: The applicant and his new Chief Executive have both written in response to the agenda reports. For Members' assistance I have copied both of these documents with these Supplementary Reports.

Agent: The agent has submitted some revisions to the proposed scheme for Bell 3 to take on board the views of English Heritage but there is still some uncertainty over the implications to comply with Building Regulations and whether, in turn, further works requiring listed building consent would be necessary and how acceptable those would be from a listed building point of view.

DPTL: For clarification, the approved Masterplan is that from 2003 and considered at the Holiday Lodge Public Inquiry. None of the elements in these enforcement reports comply with the Masterplan. The children's play area in the Masterplan was behind Bell 4 and was to stay in situ.

On 21 June I received a letter from the new Chief Executive of the Hop Farm and today I have received an email (which I believe has been circulated to some Members) commenting on the Committee Report.

I need to comment on some aspects of these pieces of correspondence.

The letter indicates that the new Chief Executive is developing his own ideas for the future of the site. However, as can be seen these are far from developed let alone fully formed. There can be no certainty that all or any of these ideas will prove acceptable.

It is also suggested that feedback is awaited on the draft Master Plan presented to Members in September last year. This is not the case. That presentation was not a formal submission of the revised Draft Master Plan which is seeking to update that adopted by the Council when it supported the scheme for 64 holiday lodges at an earlier Call-in Inquiry. A new Draft Master Plan accompanies a further application, for hotel and conference facilities and is likely to be reported to the next meeting of this Committee.

The Draft presented to Member last year describes uses and works that are the subject of the Report and is therefore based on the assumption that the many unauthorised features will be allowed to remain and therefore form the basis of further planning. I fear that this is the wrong way of thinking. What is key is that the Council must consider which, if any, of

the current unauthorised matters at the site are acceptable and then base a Draft Master Plan on those judgements together with some element of forward planning for the Council's consideration.

I am pleased to see that the new Chief Executive agrees that some of the existing rides and facilities are not in keeping with the setting in which they sit – thus must arise from his experience of operating in the context of historic buildings. I intend to discuss such matters when I take-up the offer to meet.

Nevertheless the Council has been investigating a significant number of breaches over the last few years. It has granted appropriate permissions and chosen to not take action against some others. The Council should now make a final decision in respect of those matters that I last reported upon last year. The new Chief Executive seeks a further 4 months to come forward with new proposals but I fear that this is merely extending, yet further, the uncertainty with regard to this site – for there can be no certainty that other future plans will prove to be acceptable.

It is suggested that temporary planning permissions could be given to allow the, as yet unspecified future works, to be completed. I would not support such approach but if Members felt that such a period of time should be made available then the Enforcement Notices should be framed accordingly. As Members are aware any potential enforcement actions involving a business may lead to wider impacts but the planning considerations must remain key.

The Email raises some issues that are the same as the letter. It is noted that yet a further Draft Master Plan is proposed. I consider that this should be dealt with on its merits when it is produced and I cannot see that this issue should hold up decision making now, many months after the site inspection. I say this especially as it seems that the most recent Draft Master Plan, as submitted with the hotel/conference scheme, appears now to not to have any currency for the Hop Farm's longer term thinking.

The comments made with regard to the driving school, children's rides, bouncing pillows, and the climbing frame and its attachment to Bell 3 do not cause me to change my recommendations. With regard to the storage containers, I remain unaware of any hard evidence to demonstrate their lawfulness. Should such evidence be forthcoming then the Legal Services Partnership Manager will have to thoroughly review that evidence before endorsing the issue of such Enforcement Notices Notice.

I set out some further thoughts below with regard to Bell 3.

The consideration of the Draft Master Plan attached to the hotel/conference application will take place at the time of the consideration of that application. As I mentioned above that will hopefully at the next meeting of APC2.

For the avoidance of doubt, the enclosure works in situ at Bell 3 are unacceptable and would need to be removed in order to carry out either the scheme as proposed under applications (C) and (D) or an alternative that is under negotiation. Therefore whilst the applicant's positive response to EH's representations is welcome, it does not alter the expediency for enforcement action to be taken against the unacceptable unauthorised changes that have taken place as detailed in my main report and as observed at the Members Site Inspection. However it appears that the applicant is willing to submit a further revised scheme that satisfies both my assessment and that of EH. I would suggest that provided that such acceptable plans are provided in no more than 21 days that I be authorised to approve such plans. However should they not arrive within that time frame or still prove to be unacceptable then permission and consent should be refused by me and enforcement action taken as recommended.

AMENDED RECOMMENDATION

Applications (C) and (D) be deferred for receipt of satisfactory drawings, decision delegated to the DPTL. If no satisfactory drawings received by 14 July 2010, applications to be refused for the reasons in the main report.