

**Alleged Unauthorised Development**

**East Peckham**

East Peckham And  
Golden Green

**A: 09/00279/LB and**

**08/00616/UNAWKS**

**B: 08/00653/UNAWKS**

**C: 08/00665/UNAWKS**

**D: 08/00613/UNAWKS**

**E: 08/00647/UNAUTU**

**F: 08/00633/ADVERT**

**G: 10/00212/UNAUTU**

**567217 147456**

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

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**1. Purpose of Report:**

- 1.1 Members will recall that in January and August 2009, I reported a number of breaches of planning control at the Hop Farm. The Committee made a Members' Site Inspection on 1 September 2009 and an *informal* presentation by the owner and agent on the draft revised Masterplan took place on 10 November 2009. The earlier committee reports are included as an Annex.
- 1.2 The owner has also submitted the draft Master Plan in conjunction with a current planning application for a new hotel, 16 holiday lodges and a conference centre (in lieu of the 64 holiday lodges application allowed by the Secretary of State following a call-in Public Inquiry). Members may also be aware that there is a current request to vary the S106 related to the 64 lodge permission to amend the car parking arrangement and to alter the method by which funds for maintenance of the listed oast houses are deposited and accounted for.
- 1.3 The hotel/lodge/conference centre planning application is currently being assessed with regard to economic justification and flood risk amongst other key issues and will be reported to Members in due course.
- 1.4 In summary, the draft Masterplan proposes the following:
  - Bell 1: restaurant, café, banqueting, conferences, functions, weddings
  - South of Bell 1: wedding gazebo and garden
  - Bell 2: conferences
  - Open space to SE of Bell 2: Christmas time use as Santa's grotto
  - Bell 3: Children's indoor play area, café, pottery, Hop Story museum

- South of Bell 3: children's outdoor play including climbing frame attached to Bell 3 and jumping pillows
- NW of Bell 3: children's rides, Victorian carousel, driving school and little tykes track
- Bell 4: Historic displays and security cabin for CCTV
- North of Bell 4: stables and small animal farm
- Dray building - Family fun zone and conferences
- Bell 5 - Children's indoor play area, café and offices
- Dray marquee: conferences and weddings
- Red Big Top for indoor children's entertainment/shows
- Increase retail offer overall, garden centre and wedding themed retail services
- Tree jumping, orienteering and exploration trails, adventure activities and corporate leisure (archery, clay shooting, go-karting and fishing)
- New holiday lodges, new building for hotel/restaurant
- Purpose built conference centre on site of demolished Tyler building
- Improve existing Camping and caravanning facilities
- Improve facilities for walking, orienteering, cycling; introduce horse riding and canoeing.
- Focus on bigger but less frequent quality events (War and Peace, Christmas extravaganzas. Much of the control over these matters is dealt with under separate Licensing legislation.)

1.5 Since August 2009, I can confirm that planning and listed building applications have been submitted/determined as follows:

TM/09/01015/FL      Approved      9 December 2009

Retrospective application for the erection of stables and small animal enclosures including ground works sited behind Bell 4

TM/09/01016/LB      Approved      8 December 2009

Retrospective Listed Building Application for the erection of stables and small animal enclosures including ground works sited behind Bell 4

TM/09/01916/RD      Approved      23 September 2009

Details of flood attenuation (condition 3) and landscaping (condition 6) submitted pursuant to planning permission TM/09/00054/FL: Works to the existing reception/administration/retail building including reconfiguration of internal uses to accommodate reception area/offices retail/tea room, associated alterations to external elevations, and the erection of a pergola structure to facilitate the sale of plants and associated products on land to the front of the building

TM/09/02051/RD      Approved      25 November 2009

Reserved details of conditions 3 (Archaeological Watching Brief), 6 (scheme of landscaping and boundary treatment), 7 (landscape management plan), 8 (details of directional signage), 10 (badger survey) and 12 (scheme for protection and management of the southern ditch) of planning permission ref. TM/03/02493/FLEA (erection of 64 holiday let units and managers unit with associated walkways and access and parking areas)

TM/09/02173/FL      Approved      21 December 2009

Improvements to the existing first floor accommodation at Building 7 including alterations to 3 no. existing 1-bedroom/studio flats and the conversion of the existing HMO into 1 no. 3-bedroom flat.

TM/10/00759/FL      Pending

Development of a new conference facility to replace existing building and erection of a 60 bed hotel, restaurant and 16 holiday lodges

- 1.6 However, no progress has been made with regard to unauthorised works under timber decked platform (greenstage) of Bell 3 and this is reported earlier in this agenda. Similarly, the driving school retrospective planning application and the planning application for retention of the blue marquee have been reported earlier in this agenda following no satisfactory resolution with regard to discussions over the status of the hardstanding and the flood risk respectively.
- 1.7 Since the consideration of planning breaches at the Hop Farm last year, further breaches appear to have taken place and these are the subject of separate investigations by the enforcement section. Where these investigations reveal breaches of planning control on which action is considered to be expedient, these will be the subject of a further report to Members in due course.

## **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 or adjacent to the site in

the context of an approved Master Plan or Planning Brief. This policy area is tightly drawn around the main building complex.

2.2 The Oast buildings are Grade II\* Listed. The group of five oasthouses is considered to be an important and unique collection of heritage assets. There are a number of other buildings on the site which are not listed.

2.3 The site is within the designated Flood Zone 3 area.

### **3. Discussion:**

3.1 My report to the Area Committee in August 2009 referred to the driving school which was the subject of a retrospective planning application. This element has already been reported in this agenda with a recommendation for refusal and enforcement action. Members will recall that the other features that I recommended enforcement action against in that same report were those that adversely affect the Listed Buildings and/or their setting and harm the countryside/Green Belt listed A to F below, In addition, I consider that the large multi-coloured Jumping Pillows within the play area need to be added to the list of unacceptable unauthorised development on the site by reason of their size, siting and appearance causing harm for the same reasons.

**A.** the children's climbing frame and its attachment to the Oast Bell 3

**B.** the children's rides generally

**C.** the hardstanding upon which some of the rides and driving school stand

**D.** the red big top

**E.** the lorry bodies sited along the boundary with the highway and used for storage

**F.** the display of advertising on the lorry bodies

**G.** Children's Bouncing Pillows

3.2 A key factor that must be taken into account is the fact that the features set out in 5 of the 7 points above have become relatively well used facilities providing recreational/leisure facilities for younger children and would appear to be a valued facility for users, who it is suggested, make return visits 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.

3.3 However, I remain of the view that the historic, cultural and environmental value of the Hop Farm is focussed on a high quality set of distinctive Listed Buildings which, amongst other things, need strong commitment by the owner to long-term maintenance. However the play/leisure facilities have been installed without the benefit of planning permission in an ad hoc and piecemeal basis, not in accordance with any approved Master Plan and without due respect or sensitivity to the

significant planning constraints of the site. They have significantly altered and eroded the setting of these very buildings which are key attractions in their own right. Members will recall that, after careful consideration, it was my recommendation previously that facilities A, B, C, D above severely detract from the quality of the setting of these key listed buildings and that they should not be allowed to remain, notwithstanding that they appear to provide a well used set of facilities. I now add item G to that list (Jumping Pillows). It is my view that items A-D and G have also introduced an alien element which has a detrimental effect on the rural setting of the site in overall terms and are inappropriate in the Green Belt, detracting from the openness of the Green Belt and encroaching into the countryside. Developments C and D do not comply with flood risk advice due to unresolved concerns over the likely inadequacy of surface water drainage. The siting of the lorry bodies referred to at points E and F above detracts from the rural area and the openness of the Green Belt in my opinion. I therefore reiterate my previous recommendation that enforcement action is expedient.

#### **4. Recommendation:**

- 4.1 Enforcement Notices **BE ISSUED** in respect of the matters listed below with the detailed wording determined by the Director of Planning, Transport and Leisure in consultation with the Legal Services Partnership Manager (and subject to the Legal Services Partnership Manager being satisfied as to the evidence in respect of each breach).
1. **Climbing frame to the front of Bell 3:** Detrimental impact on special architectural, historic interest and setting of the Grade II\* Listed Building. Compliance period 1 month
  2. **Children's rides:** Inappropriate development within the in the Green Belt, having an adverse encroachment into the countryside and detrimental to rural amenities; detrimental impact on setting of Listed Buildings. Compliance period 1 month.
  3. **Creation of hardstanding to the west of Bells 1-4:** Inappropriate development in the Green Belt, having an adverse encroachment into the countryside and detrimental to rural amenities; detrimental impact on setting of Listed Buildings: inadequate surface water drainage. Compliance period 3 months.
  4. **Erection of Red big top/tent:** Inappropriate development in the Green Belt, having an adverse encroachment into the countryside and detrimental to rural amenities; detrimental impact on setting of Listed Buildings: inadequate surface water drainage. Compliance period 1 month.
  5. **Siting of storage containers including lorry bodies:** Inappropriate development in the Green Belt, having an adverse encroachment into the countryside and detrimental to rural amenities; detrimental impact on setting of Listed Buildings. Compliance period 1 month.

6. **Children's Bouncing Pillows:** Inappropriate development within the in the Green Belt, having an adverse encroachment into the countryside and detrimental to rural amenities; detrimental impact on setting of Listed Buildings. Compliance period 1 month.
- 4.2 Listed Building Enforcement Notices **BE ISSUED** in respect of the following matters with the detailed wording being agreed between the Director of Planning, Transport and Leisure in consultation with the Legal Services Partnership Manager (and subject to the Legal Services Partnership Manager being satisfied as to the evidence in respect of each breach).

**Breach of Planning Control Alleged and Reason for Issuing Notice.**

1. Climbing frame to the front of Bell 3: Detrimental impact on special architectural, historic interest and setting of the Grade II\* Listed Building. Compliance period 1 month
- 4.3 In respect of the unauthorised advertisements displayed on various lorry bodies around the site, I will be instructing the Legal Services Partnership Manager to bring prosecutions for breaches of the Advertisement Regulations where these have not been removed since the time of the last report or new unauthorised, and unacceptable signs are displayed. **Committee Is Asked To Note This Action.**

Contact: Lindsay Pearson/Marion Geary/ Richard Edmonds