

Platt **TM/11/02257/FL**
Borough Green And
Long Mill

Demolition of existing bungalow and construction of new detached house and garage at White Court Long Mill Lane Platt Sevenoaks Kent TN15 8NA for Tanchester Development Ltd

Private Reps: A further neighbour representation relates to a discrepancy in the depiction on the plans of the south side boundary. It is stated that the building separations would be less than those specified in the report and that the excavation and foundation construction will damage the roots of the adjacent hedge. Reference has also been made to the previous refused application (TM/04/02445/FL) where it has been stated that that development had a lesser bulk than the current proposal.

DPTL: The general relationship between the proposed building elements and the hedge can be reasonably ascertained and does not alter my conclusion that the development can be implemented to accommodate the hedge as far as practicable.

The refused application TM/04/02445/FL did propose a dwelling of lesser bulk but, as explained in my main report, it was sited much closer to Long Mill Lane than the current scheme.

RECOMMENDATION REMAINS UNCHANGED

West Malling **TM/11/00671/FL**
West Malling And
Leybourne

Change of use from D2 use to D1 and D2 use to allow the building to be used as a day centre for adults with learning disabilities at West Malling Cricket Club Norman Road West Malling Kent ME19 6RN for Town Malling Cricket Club

No supplementary matters to report.

Ightham
Ightham

TM/11/01602/FL

Revised application for the erection of a detached dwelling house for occupation by the Horticultural Manager of the nursery at Planet Plants Back Lane Ightham Sevenoaks Kent TN15 0NY for R McKenna

Agent: The agent has submitted a letter and enclosed two appeal decisions relating to the use of stock valuations pending actual sales. These are appended in full but in summary:

- Stock value increases are a legitimate and acceptable accounting practice.
- Reliance on stock value uplifts suggests that a cautious approach be taken
- Whilst accounts will be available in May or June 2012, the Council does not need to be so cautious as to refuse the application now.

The Council's retained agricultural consultant has read the latest submission from the agent and his advice is unaltered:

- a business whose profits very much derive from an estimated valuation uplift, compared to actual cash sales, cannot be regarded necessarily as "well established" and "financially sound" nor can it necessarily support a relatively large and costly dwelling
- I do not agree it would be overly cautious to refuse the current application as being premature, at the very least, pending further clarification by way of the trading results for 2011/12.
- Planet Plants in 2010/11 had a net trading cash deficit of some £45,000.
- the Hillview Inspector noted that the element of "paper profit" from the valuation had been declining - at Planet Plants, the accounts to date show a continuing high reliance on the "paper profit" element
- the Inspector noted that Hillview Farm had "no long-term liabilities". This is not the case at Planet Plants.
- for specialist plant nurseries including many larger or unusual specimen plants, particular trade sales have to be negotiated, or direct retail sales achieved. Plants have to be sold as well as produced; in December 2010 the applicants estimated that sales for the year had exceeded £100,000, whereas the final results for 10/11 were actually some £77,000, which is only a small proportion of accumulated stock assumed to be worth over £700,000 in April 2011.

DPTL: On reflection, I suggest that the interrelated issues of the financial test and the size of the dwelling should form separate reasons for refusal.

AMENDED RECOMMENDATION:

Refuse planning permission for the following reasons:

- 1 The Local Planning Authority is not satisfied that the applicant has demonstrated that the financial test for permanent agricultural dwellings as set out in Annex A of PPS7: Sustainable Development in Rural Areas has been satisfied. Furthermore, the Local Planning Authority is not satisfied that the applicant has demonstrated that the size and construction costs of the dwelling is appropriate relative to the income that the enterprise can sustain in the long-term. The proposal therefore comprises inappropriate development which is harmful to the openness of the Metropolitan Green Belt and is therefore contrary to Tonbridge and Malling Borough Core Strategy Policy CP3: Green Belts and the guidance detailed in PPG2 (Green Belts). The proposal is also contrary to Tonbridge and Malling Borough Council Policy CP14 and the guidance detailed in PPS7 (Sustainable Development in Rural Areas).**
- 2 The Local Planning Authority is not satisfied that the applicant has demonstrated that the size of the dwelling is appropriate having regard to the functional requirements of the horticultural enterprise. The proposal therefore comprises inappropriate development which is harmful to the openness of the Metropolitan Green Belt and is therefore contrary to Tonbridge and Malling Borough Core Strategy Policy CP3: Green Belts and the guidance detailed in PPG2 (Green Belts). The proposal is also contrary to Tonbridge and Malling Borough Council Policy CP14 and the guidance detailed in PPS7 (Sustainable Development in Rural Areas).**

**Platt TM/11/03061/FLX
Borough Green And
Long Mill**

Extension of time limit on planning permission TM/07/01810/FL (Demolition of existing buildings and erection of 11 dwellings with car ports and access road) at Platt C Of E Primary School Maidstone Road Platt Sevenoaks Kent TN15 8JY for Rydon Homes Ltd

DPTL: Since the drafting of the report, application TM/11/02524/RD (Details pursuant to Conditions 2 (materials) and 17 (soft landscaping) of planning permission TM/07/01807/FL (erection of 8 dwellings with private access)) at the Grange Road Playing Fields has been issued. Conditions 2 (materials) and 17 (soft landscaping) of planning permission TM/07/01807/FL have therefore been discharged.

A response has also been received from the Kent and Medway NHS seeking a contribution of £11,088 in relation to health care need, particularly "to support Wrotham surgery and/or Milverton - WMGP in support of small upgrade". This request is based on the use of a standardised formula. The amount of information provided with the request is limited, and I am of the opinion that the tests as set out in Circular 05/2005 and the CIL Regulations, which provide advice and the statutory context for planning obligations, have not been fully satisfied.

RECOMMENDATION REMAINS UNCHANGED

Platt **TM/10/00875/FL**
Borough Green And
Long Mill

Engineering operation to extend the size of the archery field to the North East, resiting of existing catch netting, associated landscaping together with Variation of condition 9 of TM/05/01396/FL to amend the direction of shooting (retrospective) at Beechin Wood Farm Beechinwood Lane Platt Sevenoaks Kent TN15 8QN for Mr William Terry

Private Reps: Members will be aware that an email has been circulated enclosing a recent aerial photograph of the site. There have also been related complaints to the enforcement section regarding further changes to the size and shape of the archery arena and a request that the consideration of this application be deferred pending the submission of revised field layouts.

DPTL: The complaint has been investigated and it is the case that unauthorised engineering operations have taken place in the last month. It is understood that the newly levelled area is not yet grassed and so not completed.

Notwithstanding the assumption that the works are intended to further alter the archery field, I am of the view that the application as submitted now needs a formal determination from the Council and that any further such works related to the archery use should be viewed on their merits in due course.

I have suggested a change to condition 1 to clarify the degree of control:

AMENDED RECOMMENDATION:

Amend Condition 1:

- 1. Notwithstanding drawings WT/2010/03 and WT/2010/06, all archery activities practised pursuant to this consent shall involve shooting on the approved field only and towards the directions of West, West-North West and North West**

only. At all times there shall be a minimum of a 50 yd overshoot to the boundaries with the neighbouring properties of The Barn, Pigeons Green and Pigeons Green Cottage and a minimum 20 yd side safety margins to the boundary fence/hedge of the site with Boneashe Lane and to the neighbouring land at Beechin Wood Farm.

Reason: In the interests of the actual and perceived public safety of the area.

Alleged Unauthorised Development

Addington	11/00466/COND (landscaping)
Downs	10/00347/COND (HGV turning area)
	11/00028/UNAWKS (Lighting)
	10/00459/ADVERT (Pylon Sign)
	12/00012/COND (Drainage)

Big Motoring World (Former Valrosa) London Road Addington West Malling Kent ME19 5PL

Owner: The owner has advised that the Pylon sign has been amended to the approved scheme and he has stated that wash effluent from the valeting activity is recycled on site.

DPTL: The replacement of the sign removes the offence that was potentially the subject of the intended prosecution action. More information is needed on the drainage although the on-site recycling of the wash effluent such that it does not interfere with petrol interceptors is a key factor that needs to be secured.

The outstanding valeting bay conditions have not been complied with formally and these breaches will need to be included in the action(s) recommended.

RECOMMENDATION REMAINS UNCHANGED
