

Alleged Unauthorised Development

Wrotham
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12/00019/UNAUTU

561700 158622

Location: Pond Cottage White Hill Wrotham Sevenoaks Kent TN15 7RE

1. Purpose of Report:

- 1.1 To report the unauthorised stationing and residential occupation of two caravans within the residential curtilage of the building.

2. The Site:

- 2.1 The site is situated within the Green Belt . It is served from a private access track which also serves a number of other residential properties.

3. History:

- 3.1 None relevant.

4. Alleged Unauthorised Development:

- 4.1 The unauthorised change of use of the land for the stationing and residential occupation of two caravans.

5. Determining Issues:

- 5.1 In February 2011, two large residential caravans were moved on to the site by the owner of the property. It was claimed at this time that they were to be used by the owners of the site to live in whilst work was undertaken to make the existing dwelling habitable. Under certain circumstances the residential occupation of a caravan to provide accommodation for those who would otherwise occupy a dwellinghouse whilst work is being carried out to construct or maintain that dwellinghouse can be regarded as permitted development. In May 2012, a Planning Contravention Notice was issued to determine who was in occupation of the caravans and what work had been undertaken to complete the refurbishment of the house. The response suggested that the house was not habitable at the time and they requested a site meeting.
- 5.2 An inspection of the dwelling showed that very little work had been undertaken inside the house, that there was no heat source and that many of the rooms had no electrical supply. There were also no bathrooms within the house. In these circumstances, Officers took the view that the continued stationing of the caravans was development requiring planning permission from the Borough Council. The owner was given the opportunity to submit an application for the temporary stationing of the caravans or give an indication that the works to the house were continuing, thus potentially making the stationing of the caravans permitted development.

- 5.3 No application has been received and at this time two caravans remain on site. There is very little evidence that work has taken place within the main building and a further Planning Contravention Notice has been issued again requiring information with regard to what work has been undertaken to make the building habitable. At the time that this report was written no response has been received to the PCN. Should we receive any information this will be placed before the Committee via a Supplementary Report.
- 5.4 The caravans have now remained on site for three years and the Authority has no evidence that any substantial work has been or is being undertaken to the property. The use can be described as being a residential caravan site requiring the benefit of planning permission from this Authority.
- 5.5 The site falls with the Metropolitan Green Belt one key purpose of which is to safeguard the countryside from encroachment. The stationing and use of these caravans effectively results in the provision of two additional dwellings in the Green Belt. The development is a use of land that harms the openness of the Green Belt and conflicts with the purposes of the Green Belt. It is, therefore, inappropriate development in the Green Belt by virtue of paragraphs 87 - 90 of the National Planning Policy Framework. Inappropriate development should not be approved unless very special circumstances can be demonstrated to overcome the harm caused by inappropriateness and any other harm caused by the development. There appear to be no such very special circumstances that apply in this instance. The development is therefore contrary to Policy CP3 of the Tonbridge and Malling Local Development Core Strategy 2007 and the relevant provisions of the NPPF. Moreover this is not development that might be found acceptable in the countryside by virtue of the exceptions set in TMBCS policy CP14.
- 5.6 The site also falls within the Kent Downs Area of Outstanding Natural Beauty and because of the position of the caravans the development has a detrimental impact on the natural beauty of the area. For this reason the stationing of the caravans is contrary to policy CP7 of the Tonbridge and Malling Borough Core Strategy 2007.
- 5.7 For the above reasons, I believe that it is expedient to take enforcement action to seek the removal of the unauthorised residential caravans.

6. Recommendation:

An Enforcement Notice **BE ISSUED**, the detailed wording of which to be agreed with the Director of Central Services, requiring the removal of the unauthorised caravans.

Contact: Richard Edmonds