

**Stansted**                        **TM/13/00734/FL**  
**Downs**

**Two storey side and single storey rear extension at Fairseat Lodge, Vigo Road, Fairseat, Sevenoaks, Kent, TN15 7LU for Mr Phillip Richards**

Private Reps: Two photographs have been received from a neighbouring resident as evidence for their objection to overlooking from the balcony.

DPHEH: As discussed in my report, revised plans have now been submitted which delete the balcony element of the scheme and condition 3. prevents any future balcony use without planning permission.

#### **AMENDED RECOMMENDATION**

**Grant planning permission as detailed by :** Site Plan 1217 AP(0) 12A Proposed dated 01.07.2013, Proposed Floor Plans 1217 AP(0) 13 A dated 01.07.2013, Proposed Roof Plan 1217 AP(0) 14A dated 01.07.2013, Proposed Elevations 1217 AP(0) 15 A dated 01.07.2013, Location Plan 1217 AP(0)00A dated 16.05.2013, Design and Access Statement dated 13.03.2013, Existing Elevations 1217 AP(0)04 dated 13.03.2013, Site Plan 1217 AP(0)01 existing dated 13.03.2013, Existing Plans 1217 AP(0)03 dated 13.03.2013, Existing Roof Plan 1217 AP(0)05 dated 13.03.2013, subject to the following:

**Conditions as Main report.**

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**Leybourne**                        **TM/13/01369/FL**  
**West Malling And**  
**Leybourne**

**Continued use of land for the stationing of a residential caravan/touring caravan and continued use of existing building for ancillary living accommodation at Land Known As Sunny Paddock Birling Road Leybourne West Malling Kent for Mr Gower**

DPHEH: Since the publication of the Committee report, a Ministerial Statement has been issued in entitled "Planning and Travellers" (02 July 2013)

It states:

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*“The SoS wishes to make clear that, in considering planning applications, although each case will depend on its facts, he considers that the single issue of unmet demand, whether for traveller sites or for conventional housing, is unlikely to outweigh harm to the Green Belt and other harm to constitute the “very special circumstances” justifying inappropriate development in the Green Belt.”*

It is necessary to consider this statement in relation to the application at Sunny Paddock, as it is situated in the Green Belt. The fact that the site is situated within the MGB and that this development is inappropriate development is clearly identified within my report. However, what is also set out in the report is a case of very special circumstances, based not only on the personal circumstances and respective health of two of the occupants, Mr Gower and one of his daughters but also the need for Mrs Gower to be close to and offer care to her father who needs specialist treatment. The site also contains a number of buildings, including a substantial “residential” structure, unlike many sites used for or proposed for a similar uses. These factors distinguish *this* case from the “single issue” proposal cited by the Minister

All of these considerations are discussed in some detail in my report and. Other issues raised by the two recent Inspector’s decisions and the character and circumstances of the application site are also discussed in terms of the impact on the MGB. All these issues, as a whole, amount to a case of facts that have informed this recommendation, irrespective of a case of unmet need (which still holds some weight in the determination of this application). It is my opinion that the facts of the case amount to a case of very special circumstances for permanent occupation of this site by this family.

In light of the latest Ministerial Statement and bearing in mind the recent appeal decisions, we have also reviewed the conditions to see if there is any need to review the wording. The latest two decisions have not been subject to personal controls and the Inspectors have apparently taken this view in light of the particular circumstances that applied. The wording in the Main report, at Condition 1, matches the controls applied by an Inspector in granting a permanent permission in the Green Belt some 10 years ago and there are no other later examples of permanent permissions in the Green Belt to draw upon.

The recent appeal decisions limit the numbers of caravans to that applied for and is reflected in an amended condition 3.

## **RECOMMENDATION AMENDED**

### **Amend condition 3**

**3 No more than one touring caravan shall be sited on the land and it shall generally be sited in the location shown on the Block Plan hereby approved dated 08.05.13. Any material change to the position of the touring caravan, or its replacement by a non-touring caravan in a different location shall only take place following the written approval of the Local Planning Authority.**

**Reason: To comply with site licence requirements and in the interests of the visual amenities and openness of the locality and in accordance with policies CP1 and CP20 of the Tonbridge and Malling Borough Core Strategy 2007, policy SQ1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010 and paragraphs 17, 50, 55 and 89 of the National Planning Policy Framework 2012.**

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**Addington                      TM/12/03635/OA  
Downs**

**Application for outline planning permission for the erection of a single 'Lodge' style dwellinghouse with details of landscaping and appearance reserved for future consideration at Sycamore Place Trottiscliffe Road Addington West Malling Kent ME19 5AZ for Mr And Mrs M Bor**

Applicant: Two additional emails have been received from the applicant. Accompanying the first email is an illustrative plan demonstrating how the provision of suitable car parking and turning facilities could be achieved on the site.

This plan indicates that two parking spaces could be achieved to the rear of the site, where tree T11 (Norway Maple) currently stands. This tree has been identified in the tree survey as needing removal. This plan is illustrative. It demonstrates that it is possible to provide 2 parking spaces and turning off site.

The second email asks for the following to be brought to the Committee's attention:

- Although the character of the area is decidedly mixed in terms of plot size, design and appearance it is important for Members to note that a similar style and type of 'lodge' property already exists within the village just a little to the north of the junction between Park Road and Trottiscliffe Road;
- The new dwelling would specifically take into account the plots, shape, size and that the density of the development equates to just 16.5 dwellings per hectare.
- The applicant suggests that given the relatively small scale of the new dwelling being proposed, the proposed high quality traditional 'lodge' style form and the low density of the development in terms of units per hectare, it is submitted that the proposals would be entirely acceptable in terms of visual impact and would be spacious, not appearing cramped or overdeveloped.

DPHEH: My recommendation remains unchanged to allow the applicant to finalise the layout for parking and turning provision.

**RECOMMENDATION REMAINS UNCHANGED**

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**Alleged Unauthorised Development**

**East Peckham                    12/00040/UNAWKS  
East Peckham And  
Golden Green**

**62 Pound Road East Peckham Tonbridge Kent TN12 5BH**

**NO SUPPLEMENTARY MATTERS TO REPORT**