

**Alleged Unauthorised Development**  
**Borough Green 15/00388/WORKM**  
Borough Green And  
Long Mill

Location: Land Rear Of 19-29 Station Road Borough Green Sevenoaks  
Kent

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**1. Purpose of Report:**

- 1.1 To report the development of the site, not in accordance with the approved landscaping details. Planning permission for the development itself was granted under planning reference TM/12/02970/FL, with details of landscaping reserved by condition. The condition was subsequently formally discharged under planning reference TM/14/03394/RD.

**2. The Site:**

- 2.1 The application site is situated close to the central area of Borough Green which is defined as a rural service centre. The site is surrounded by residential properties.
- 2.2 The application site is currently at a higher ground level than most of these dwellings and the access road to the south and west of the site.

**3. Planning History (most relevant):**

TM/12/02970/FL      Approved      2 May 2013

Proposed construction of two 3 bedroom semi detached dwellings and associated walls (Resubmission of TM/12/02034/FL)

TM/14/03394/RD      Approved      1 April 2015

Details pursuant to condition 4 (landscaping), 6 (garden sheds), 13 (energy, waste and water) and 14(a and b) (soil contamination) of planning permission TM/12/02970/FL (Proposed construction of two 3 bedroom semi detached dwellings and associated walls)

21 July 2016 Enforcement Notice and Stop Notice requiring removal of unauthorised development.

**4. Alleged Unauthorised Development:**

- 4.1 Without planning permission the unauthorised development of the site, otherwise than in accordance with the approved landscaping scheme as approved under application reference TM/14/03394/RD.

**5. Determining Issues:**

- 5.1 Through investigation, it is clear that a wall has been constructed on the eastern boundary of the site at a height of 1.8m. On top of this wall, a 1m fence has been erected. The approved plans indicated the installation of a 1m high retaining wall and 1.8m high fence to be erected. It would also appear that the gardens to the rear of the site are at a level which is higher than shown on the approved plans.
- 5.2 Although the total height of the boundary treatment at this point approximately mirrors the approved details, the much more substantial brick wall element has a far greater visual impact and is significantly more imposing on the locality than what was approved under condition 4 of planning permission TM/12/02970/FL.
- 5.3 As such, the development as constructed does not respect the appearance of the locality and is therefore detrimental to the amenity of the area. For these reasons the development as constructed is contrary to policy CP12 and policy CP24 of the TMBCS. Furthermore, the higher level gardens could give rise to the possibility of overlooking of adjoining properties which are set at a lower level.
- 5.4 For the above reasons I believe it is expedient to take enforcement action to seek the removal of the existing boundary treatment, and the construction of the boundary treatment in accordance with the previously approved landscaping details.

**6. Recommendation:**

- 6.1 An Enforcement Notice **BE ISSUED** to seek the removal of the unauthorised wall and fence and to require the landscaping and boundary treatment to be undertaken in accordance with the plans approved under planning references TM/12/02970/FL and TM/14/03394/RD, the detailed wording of which to be agreed with the Director of Central Services.

Contact: Richard Edmonds