

Alleged Unauthorised Development
Stansted 15/00381/WORKM
Wrotham, Ightham And
Stansted

Location: Oak Tree Stable Vigo Road Fairseat Sevenoaks Kent

1. Purpose of Report:

- 1.1 To report the unauthorised engineering operation to create an area of hardstanding on the site without the necessary planning permission.

2. The Site:

- 2.1 The site comprises a field of approximately 2.20ha. It is located within the MGB, to the east of Fairseat, outside any rural settlement confines. The site is screened by tall mature hedging. To the north of the site lies a Public Right of Way. Dwellings lie to the west of the site and to the east. The site is relatively flat.

3. Planning History:

TM/12/02922/FL Approved 7 December 2012

Change of use of agricultural land to paddock for keeping horses and the erection of a new stable block providing four stable bays and a tack room/feed store together with ancillary access and vehicle parking area

TM/14/01159/FL Approved 12 June 2014

Change of use of agricultural land to paddock for keeping horses and the erection of a new stable block providing four stable bays and a tack room/feed store together with ancillary access and vehicle parking (Resubmission of TM/12/02922/FL)

TM/14/02099/RD Approved 9 September 2014

Details pursuant to condition 4 (lighting) and 6 (waste storage/disposal) of TM/14/01159/FL (Change of use of agricultural land to paddock for keeping horses and the erection of a stable block providing 4 stable bays and a tackroom/feed store together with ancillary access and vehicle parking)

TM/16/00657/FL Pending Consideration

Variation of condition 2 of planning permission TM/14/01159/FL to amend the approved materials (Change of use of agricultural land to paddock for keeping horses and the erection of a new stable block providing four stable bays and a tack room/feed store together with ancillary access and vehicle parking (Resubmission of TM/12/02922/FL))

4. Alleged Unauthorised Development:

4.1 Without planning permission the unauthorised engineering operation to create an area of hardstanding on the site.

5. Determining Issues:

5.1 The site is in the Green Belt and therefore Section 9 of the NPPF applies. Paragraph 90 advises that engineering operations are a certain form of development that is not inappropriate in the Green Belt provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt.

5.2 The engineered hard surfacing that has been constructed on the site covers a substantial area. It appears from investigations that the hardstanding area has been provided in order to provide for open storage.

5.3 The significant amount of engineered hard surfacing constructed and the machinery and associated paraphernalia that could be stored on the hardstanding area would have a harmful effect on the openness of the site. The proposed development would therefore not preserve the openness of the Green Belt and, accordingly, the development amounts to inappropriate development.

5.4 Paragraph 87 of the NPPF advises that “as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.” Paragraph 88 follows by stating that “when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.

5.5 In this case, ‘very special circumstances’ sufficient to outweigh the harm to the Green Belt do not exist. The development is therefore contrary to policy CP3 of the TMBCS and paragraphs 87-88 and 90 of the NPPF.

5.6 Policies CP24 of the TMBCS and SQ1 of the MDE DPD require development to be well designed and, through its scale, density, layout, siting, character and appearance, respect the site and its surroundings. It should also protect, conserve

and, where possible, enhance the character and local distinctiveness of the area, including its setting in relation to the pattern of the settlement, roads and surrounding landscape.

- 5.7 The hard surfacing that has been constructed is substantial in area and is visible from neighbouring properties, and is considered to have an adverse impact on the appearance of the site which is otherwise open and grassed. Accordingly, the development is harmful to the character and visual amenity of the area and therefore is contrary to policies CP24 of the TMBCS and policy SQ1 of the MDE DPD.
- 5.8 In light of the above considerations, it is recommended that enforcement action be taken to seek the removal of the unauthorised development and the restoration of the land to its former condition.

6. Recommendation:

- 6.1 An Enforcement Notice **BE ISSUED** to seek the removal of the unauthorised hardstanding and the land restored to its former condition, the detailed wording of which to be agreed with the Director of Central Services.

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