

**Alleged Unauthorised Development**  
**Hadlow (Hadlow) 16/00309/WORKM**  
Hadlow And East  
Peckham

Location: Land West Of Laxton Farm Common Road Hadlow Tonbridge  
Kent

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**1. Purpose of Report:**

- 1.1 To report the alleged breach of planning control being the unauthorised use of the land for the storage of a touring caravan and without planning permission the erection of a building.

**2. The Site:**

- 2.1 The site is located on the north side of Common Road and south of the cricket ground in Hadlow. There is a public footpath to the western side of the site. There are mature hedgerows to the south and west of the site. The site is located within the Metropolitan Green Belt.

**3. History:**

- 3.1 Enforcement Notice issued 21 March 2012 requiring the cessation of the use for the storage of caravans and removal all caravans from the Land. Appeal allowed and Enforcement Notice quashed.

**4. Alleged Unauthorised Development:**

- 4.1 Without planning permission the storage of a caravan on the land not used in connection with any agricultural use and without planning permission the erection of a building on the land.

**5. Determining Issues:**

- 5.1 As Members will be aware the Council served an Enforcement Notice in March 2012 in connection with the use of the site for storage of caravans. In determining the appeal lodged against this Notice, the Planning Inspector concluded that the one caravan on site was not being stored but was being used for the legitimate use of the site for agriculture. The caravan was used for the storage of feed for the animals and as shelter for the agricultural worker. As such, at that time the Inspector concluded that a breach of planning control had not occurred.
- 5.2 More recently, the site has been inspected initially as a result of concerns raised in respect of the condition of the land and whether or not it was causing harm to amenity. Inspections have indicated that, whilst the caravan subject to the previous appeal remains in situ, a touring caravan has also been brought onto the site, a

building is under construction and various other items are being stored in the open. Additionally, there appeared to be no obvious signs of agricultural activity at the site, which of course formed the basis for the Inspector's previous conclusions concerning the first caravan.

- 5.3 Having identified potential breaches of control, officers recently served a Planning Contravention Notice on the last known registered owner of the land. The Notice was also served on the site. The Notice sought to obtain certain information as to why there were two caravans on site, why a new building was being constructed on the site and what the current use of the land was. To date, there has been no response to the Notice and a further site inspection has shown that the additional touring caravan and building remain on the site. Again, no obvious signs of agricultural use were identified.
- 5.4 At this time, no planning permission exists for the stationing of the touring caravan or the construction of the new building on the land. The site lies within the Metropolitan Green Belt and, in the absence of any response to the PCN or evidence that the caravan or building are in use for agricultural purposes, the development is inappropriate and by definition is harmful to the Green Belt. In the absence of any further information coming forward, no very special circumstances have been demonstrated that would outweigh this harm, contrary to the requirements of the NPPF (Section 9). Furthermore, the development is causing more general harm to the rural amenities of the locality, contrary to policy CP24 of the TMBCS.
- 5.5 As the agricultural use of the site would appear to have ceased, there is no legitimate need for the original caravan approved by the Planning Inspector to remain on site. It is appropriate to also seek the removal of this caravan for these reasons set out above.
- 5.6 In light of these considerations, I recommend that it is appropriate to take Enforcement Action to seek the removal of the additional touring caravan and the new building. As there separate breaches occurring, I would suggest that it would be appropriate to serve two Notices: the first to seek the cessation of the use of the site for the storage of the caravan and a second Notice to seek the removal of the unauthorised building.

## 6. Recommendation:

- 6.1 Enforcement Notices **BE ISSUED** to seek the cessation of the use of the site for the storage of caravans and a further Notice to seek the removal of the unauthorised building along with any arisings from its demolition and the land restored to its former condition thereafter.

Contact: Richard Edmonds