

**Alleged Unauthorised Development**  
**Hadlow (Hadlow) 17/00361/WORKM**  
Hadlow And East  
Peckham

Location: Pear Tree Farm Matthews Lane Hadlow Tonbridge Kent TN11  
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**1. Purpose of Report:**

- 1.1 To report the alleged unauthorised construction of a new building within the grounds of Pear Tree Farm Matthews Lane Hadlow.

**2. The Site:**

- 2.1 The site comprises a large detached dwellinghouse surrounded by farmland, within the same ownership. It is located on the west side of Common Road.

**3. Relevant Planning History:**

TM/14/03862/FL      Approved 08 January 2015

Revision to planning permission TM/14/01255/FL (Demolition of the existing dwellinghouse and residential outbuilding and greenhouse and construction of replacement two-storey dwelling house and detached triple bay garage and log store, detached stable block and formation of revised pedestrian and vehicular access) including the re-positioning and enlargement of the approved garage and re-positioning of stable block

TM/14/02741/FL      Refused 27 October 2014

Amendment to planning permission TM/14/01255/FL for the demolition of the existing detached dwelling house together with the residential outbuilding and greenhouse and its replacement with a detached two-storey dwelling house with accommodation in the roofspace and a part basement together with a detached triple bay garage with tractor and log store, a detached home office block and the formation of a revised pedestrian and vehicular access

TM/14/01255/FL      Approved 06 June 2014

Demolition of the existing dwelling house and residential outbuilding and greenhouse and construction of replacement two-storey dwellinghouse and detached triple bay garage and log store, detached stable block and formation of revised pedestrian and vehicular access

**4. Alleged Unauthorised Development:**

- 4.1 Without planning permission the erection of an unauthorised building.

## 5. Determining Issues:

- 5.1 As set out in Section 3 of this report, planning permission was granted for the demolition of the existing dwellinghouse along with a residential outbuilding and greenhouse, and the construction of a replacement two-storey dwellinghouse and detached triple bay garage and log store, detached stable block and the formation of revised pedestrian and vehicular access (our reference TM/14/01255/FL).
- 5.2 Subsequently, an alternative, larger, scheme was put forward (our reference TM/14/02741/FL) but this was refused on the following grounds:

*“The home office block element of the proposed development is considered to be inappropriate development within the Metropolitan Green Belt, by definition and would also cause material harm to the open nature and function of the Metropolitan Green Belt by virtue of its overall size, bulk, mass and specific siting. No Very Special Circumstances have been demonstrated which outweigh the degree of harm arising from the inappropriateness and material harm identified within the development. Therefore, the proposal is contrary to Green Belt policy, having regard to paragraphs 87, 88 and 89 of the National Planning Policy Framework, 2012 and Policies CP3 and CP14 of the Tonbridge and Malling Borough Core Strategy, 2007.”*

- 5.3 Although a further revised scheme was subsequently granted under reference TM/14/03862/FL, it has become clear from our investigations that one of the buildings as constructed is similar in size, form and appearance to the building that formed part of the *refused* scheme and as such is unauthorised.
- 5.4 The remainder of the development on site accords with the planning permission granted under planning reference TM/14/03862/FL.
- 5.5 In an attempt to resolve the breach through informal means, officers have sought to negotiate changes to the building as built in order to bring it within the scope of the planning permission granted. Plans have been provided by the owner indicating alterations he would be prepared to make in an attempt to overcome the breach but those plans still would allow for a building larger than that approved and ostensibly indicating a different use from the approved stable building.
- 5.6 With this in mind, it is apparent that more formal action is required in order to require the owner to make the necessary changes to the building so that it falls within the terms of the otherwise implemented planning permission.

## 6. Recommendation:

- 6.1 An Enforcement Notice to **BE ISSUED** to seek all physical alterations to the unauthorised building to conform to the plans approved under planning reference TM/14/03862/FL.

Contact: Adam Wonnacott