

Alleged Unauthorised Development
Plaxtol 18/00146/WORKM
Borough Green And
Long Mill

Location: Land South West Of Claygate House Winfield Lane Borough
Green Sevenoaks Kent

1. Purpose of Report:

- 1.1 To report the construction of a building within the site without the benefit of planning permission

2. The Site:

- 2.1 The site forms an area of agricultural land, to the west of Winfield Lane, which is designated as Metropolitan Green Belt. Other unauthorised development across the site is the subject of separate ongoing proceedings to remove development and restore the condition of the land, details of which are summarised at Section 3 of this report.

3. Planning History:

- 3.1 Unauthorised Open Storage – Enforcement Notice Issued 8 September 2016;
- 3.2 Unauthorised Hard surface – Enforcement Notice Issued 8 September upheld on Appeal 12 September 2017;
- 3.3 Unauthorised Residential Caravan Site – Enforcement Notice Issued 8 September 2016: upheld on Appeal 12 September 2017;
- 3.4 In upholding the Enforcement Notices the Inspector amended the time period for compliance from three calendar months to six calendar months. The Notices have not been complied with and the Council is currently progressing these breaches separately through further legal action.

4. Alleged Unauthorised Development:

- 4.1 Without planning permission the erection of a new building within the Metropolitan Green Belt.

5. Determining Issues:

- 5.1 The site has recently been inspected to determine if there has been compliance with three enforcement notices issued in 2016. During this inspection it was noted that a new building had been erected on site subsequent to the serving of the previous notices. No planning application has been made for the building and no planning permission granted. The building was being used to store mechanical equipment

and for the repair/maintenance of vehicles. Crucially, the use of the site for this purpose should not be occurring in any event as open storage, including storage of vehicles, was the subject of one of the notices served, upheld on appeal.

- 5.2 The site lies within the Metropolitan Green Belt and, in the absence of any evidence that the building is in use for agricultural purposes, the development is inappropriate and by definition is harmful to the Green Belt. Its size and position within the site also causes material harm to openness, along with harm to the rural amenities of the locality. No very special circumstances have been identified that would outweigh this harm. As such, the development is contrary to the requirements of the NPPF (Section 9) and policies CP3, CP14 and CP25 of the TMBCS.
- 5.3 In light of these considerations, I recommend that it is appropriate to take Enforcement Action to seek the removal of the new building, with a period of three months for compliance.

6. Recommendation:

- 6.1 An Enforcement Notice **BE ISSUED** to seek the removal of the unauthorised building, the detailed wording of which to be agreed by the Director of Central Services.

Contact: Richard Edmonds