
Alleged Unauthorised Development

Addington **17/00314/WORKM and**
Downs And Mereworth **17/00315/WORKM**

Location: Littlefields Plaxdale Green Road Stansted Sevenoaks Kent
 TN15 7PE

1. Purpose of Report:

- 1.1 To report the unauthorised erection of a summer house building and tree house/raised platform within the residential curtilage of the property.
- 1.2 The summer house measures 7.5m x 6m with 2.1m high eaves and a 4m ridge height. The enclosed floor area is 4m x 6m and includes a shower, toilet and kitchenette. It is inset 0.39-0.9m from the southwest boundary and about 9.5m from the northwest boundary. The external materials include horizontal natural timber to walls and artificial slate roof tiles.
- 1.3 The raised platform comprises a freestanding timber platform 5m high which has been erected in a large oak tree situated within the western corner of the site. It has been constructed of timber with log uprights. The platform is set around 3 limbs of the tree. External timber stairs have also been erected that provide access to the tree house/platform and to the loft space of the summer house.

2. The Site:

- 2.1 The site is located on the northwest side of Plaxdale Green Road, about 230m to the southwest of Parsons Green Lane in the countryside to the southeast of Stansted. The plot is regular in shape and is occupied by a two-storey detached dwelling that has recently been extended. A brick garage is situated close to the northeast side boundary. An outbuilding and tree house have been erected within the western corner of the site. The adjacent field to the northeast is also under the ownership of the applicant. A static caravan and a shipping container are currently positioned on the northeast boundary of the site. The boundary fencing separating the application site from the adjoining field to the northeast has been removed. A small timber shed/stable is located on this adjacent land close to the site boundary. The vehicle access to the site is located at the northern end of the frontage and is defined by splayed brick and flint walls and timber gates set back from the edge of the highway.
- 2.2 The site is in the Green Belt and Countryside and within a Groundwater Source Protection Zone 3 and an aquifer designation.
- 2.3 The semi-detached dwellings of Hilden House and Hollands Farm House are situated to the east. The Grade II listed building of The Old Manor lies to the northeast beyond the adjoining field. A meadow lies to the northwest and agricultural land lies to the south.

3. Relevant Planning History:

18/00071/FL

Littlefields Plaxdale Green Road Stansted Sevenoaks Kent TN15 7PE

Retention of summer house and tree house/raised platform (Retrospective)

Refused 18 April 2018

4. Alleged Unauthorised Development:

- 4.1 Without planning permission the erection of an unauthorised summer house and treehouse/raised platform within the curtilage of the main dwellinghouse.

5. Determining Issues:

- 5.1 Retrospective planning permission for both the building and structure was refused under one planning reference - TM/18/00071/FL - under delegated powers on 18 April 2018. Permission was refused for the following reasons:

- 1 *The proposal, due to the height and size of the tree house/raised platform, would constitute a new building that would be inappropriate development which by definition is harmful to the Green Belt. It would also result in countryside encroachment. The Local Planning Authority does not consider that Very Special Circumstances exist that would outweigh the harm from the development's inappropriateness. The proposed development is therefore contrary to Policy CP3 of the Tonbridge and Malling Borough Core Strategy 2007 and Paragraphs 80, 87, 88 and 89 of the National Planning Policy Framework (2012).*
 - 2 *The proposed development, by reason of the size, scale and position of the tree house/raised platform on the site, would result in a highly visible and intrusive feature within the landscape that would demonstrably harm the character of the area and visual amenity of the surrounding rural locality. The proposed development is therefore contrary to Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007, Policies SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment DPD 2010 and paragraphs 56, 60, 61 and 64 of the National Planning Policy Framework 2012.*
- 5.2 As such, both the building and tree house do not have planning permission and the decision to refuse on a retrospective basis for the reasons above indicates that they are not acceptable in planning terms. It is therefore necessary to serve an Enforcement Notice to seek the removal of both structures. As they are interconnected, this can be achieved through a single notice. I would suggest that a reasonable period of time to remove them would be three calendar months from the notice taking effect.

5.3 Members should note that the time period in which the owner has to appeal the refusal of planning permission has not yet lapsed. In the circumstances I can see no reason to delay the commencement of enforcement proceedings through the serving of the notice, of which there is also a right of appeal in any event.

5.4 In light of the above, the following recommendation is put forward.

6. Recommendation:

6.1 An Enforcement Notice **BE ISSUED** to seek the removal of the development in its entirety (namely the unauthorised summer house and tree house/raised platform), the detailed wording of which to be agreed by the Director of Central Services.

Contact: Adam Wonnacott