

Wrotham Parish CouncilLesley Cox
ClerkPO Box 228
Sevenoaks
TN13 9BYTelephone 01732 886139
Email – wrothampc@btinternet.comRef: Planning Consultation
Date: 21 August 2017

Planning Application Reference 17/01793/FL

Address
ProposalRosador London Road Wrotham TN15 7RR
Demolition of the residential bungalow and
the erection of 6x B1/B8 units and a 2 storey
office building with new estate road and
associated parkingDecision
Comments :

Objection

INDEXED

WPC has significant concerns about this application regarding contamination issues at Rosador. WPC has raised numerous enforcement issues regarding the use of this domestic garden as a waste recycling centre for the applicants waste skip business within the AONB. The last and most comprehensive complaint to enforcement is attached. The Agent for the applicant commented that the 'site appears to be immune from enforcement' and WPC has to agree based on the lack of enforcement to date.

It is apparent that although the site is heavily polluted the Application Officer has not been informed of this relevant site history and consequently the Environment Agency has no knowledge of it either and has replied to consultation that they have no objection to the proposal. It is regrettable that colleagues that deal with Planning Enforcement have not informed the front line Officer of the previous history.

WPC is of the opinion that the Environment Agency, a statutory consultee, has not been properly informed and should be reconsulted and provided with a full record of planning violations and the LPA's response to these.

The DAS states the following.

4.13 It is noted that on the adjoining sites at Nepicar Park and Oakdene, a search of potential risk of contamination arising from other activities within the surrounding area was found to be low.

This is incorrect. Nepicar Park was heavily contaminated when a previous owner laid down bitumen road scalping as a hard surface across the site. Gallagher's, as part of their development of the site, had to remove the complete top surface prior to development.

The applicant asserts that they have run an ancillary metal fabrication business for 13 years. WPC has evidence that this is factually incorrect. We have supplied evidence that the nature of the business was only partly related to metal fabrication, but was an unlicensed waste recycling centre which hired out skips and then processed the contents. Then briefly the area was used for storage of scrap cars, possibly for the car breakers down the road and the house was rented out.

This activity ceased for a couple of years when the house and garden was rented to another party who kept racing cars on site. The agent implies there is established use but has not applied for a Lawful Development Certificate to that effect. WPC has evidence that, in our opinion, such an application would fail with the provision of our information and photographs.

WPC is very concerned about the safety of the additional proposed access and new egress onto A20 London Road. We commissioned a Highways Technical Appraisal of the proposal to provide evidence of those concerns. That document is attached and states that a new access should be accompanied by a "Stage 1 Road Safety Audit of the access design". It is therefore "not possible to confirm the adequacy of the proposed access arrangement in highway safety terms." The report goes on to state the following.

1.3.2 Furthermore, from the plans submitted, the overall access strategy for the site is unclear. Whilst it is indicated that HGVs will utilise the northern access to enter the site and the proposed new southern access to exit, it is unclear whether this arrangement is also to apply for smaller vehicle types. As is indicated by the submitted swept path drawings, it is apparent that on entry, HGVs will utilise the whole of the carriageway, leaving no space for opposing vehicle movements. Ref: DHA Transport Technical Note

It is considered that if only one HGV can use the access at a time then this could lead to queuing on the A20. The access is also very close to the Nepicar Roundabout where there are two approaching lanes, the inside one being for vehicles joining the M20 East and the outside one for vehicles going elsewhere. Drivers will have very little opportunity to get to their correct lane after egressing from the site.

The site is within the Green Belt where the openness of the area is valued. Clearly this application will be contrary to Green Belt Policy because the amount of proposed development, some 1,829m² is substantial compared to the existing modest bungalow and therefore the applicant needs to demonstrate special circumstances that outweigh the harm cause to the Green Belt

National guidance states that the circumstances must be "very special" and not just common or garden planning considerations. The absence of harm rarely amounts to very special circumstances.

The applicant has advanced what they consider to be 8 VSP's and WPC would comment as follows. Rosador remains a perfectly viable modest dwelling. The intentions of another developer are not a VSC. The applicant would be required to mitigate it's own proposals for development and as such a line of trees are not a VSC. The provision of commercial development space should take place in an alternative location that is external to the AONB and as such cannot be described as a VSC. The absence of harm, whether one agrees with it or not, cannot be considered a VSC. It is perfectly possible to improve the appearance of Rosador without building in a highly constrained location. The two residences would not require an additional access. The AONB should not be considered an 'outstanding transport location'.

WPC is of the opinion that the applicant has failed to advance a case of VSC's that could outweigh the substantial harm that building in the MGB and on AONB will cause.

In conclusion the application is missing a Stage 1 Road Safety Audit and an intrusive Contamination Survey and the applicant has failed to advance sufficient Very Special Circumstances to overcome the severe harm proposed in this MGB and AONB location.

TECHNICAL NOTE

Site: "Rosador", London Road, Wrotham, Kent

Client: Wrotham Parish Council

Prepared by: DHA Transport
Eclipse House
Eclipse Park
Sittingbourne Road
Maidstone ME14 3EN

Date: August 2017

1.1 Introduction

1.1.1 This Technical Note (TN) has been prepared on behalf of Wrotham Parish Council in respect to the proposed B1/B2/B8 development at "Rosador" on London Road, Wrotham, Kent (Planning Application Reference: 17/01793/FL). The development comprises three industrial units, providing a total Gross Floor Area (GFA) of 1,688sqm, with associated access and parking.

1.1.2 This TN considers the development proposals and the specifically the Transport Statement (TS) that accompanies the planning application.

1.2 Trip Generation

1.2.1 The proposed development vehicular trip generation has been identified on the basis of average trip rates for 'Industrial Estate' uses contained within the TRICS trip rate database. In practice, the proposed development comprises a mix of uses, including B1, B2 and B8. The use of 'Industrial Estate' comparator sites in TRICS may not therefore provide an accurate representation of the development's likely vehicular trip generation.

1.2.2 On this basis, the overall trip generating potential of the site has been reassessed, taking each proposed land use class in turn. As per the original assessment, the TRICS database has been interrogated, utilising the categories '02-EMPLOYMENT, A-OFFICE', '02-EMPLOYMENT, C-INDUSTRIAL UNIT' and '02-EMPLOYMENT, F-WAREHOUSING (COMMERCIAL)'. Only sites within England have been considered within Edge of Town locations, as per the submitted TS. For the B1 and B2 uses, a GFA of up to 2,500sqm has been selected, with a GFA of up to 5,000sqm considered for the B8 use to provide for a sufficiently large TRICS sample size. Only weekday periods have been considered to provide a robust assessment of the site's vehicular trip generation potential.

1.2.3 The resulting TRICS trip rates are shown below in Table 01, with the full TRICS output reports included at **Appendix A**.

B1 Office Use			
Period	Arrivals	Departures	Total
0800-0900	2.637	0.213	2.850
1700-1800	0.267	3.492	3.759
0700-1900	12.434	12.967	25.401
B2 Industrial Use			
Period	Arrivals	Departures	Total
0800-0900	0.313	0.137	0.450
1700-1800	0.000	0.471	0.471
0700-1900	2.409	2.354	4.763
B8 Storage and Distribution			
Period	Arrivals	Departures	Total
0800-0900	0.495	0.194	0.689
1700-1800	0.088	0.378	0.466
0700-1900	2.541	2.580	5.121

Table 01: TRICS Trip Rates – B1/B2/B8 Uses

1.2.4 Based on the above trip rates, it is possible to ascertain the resulting vehicular trip generation for each unit. Table 02 below highlights the trip generating potential for Unit A (300sqm), assuming a single use is provided for the unit as a whole.

B1 Office Use			
Period	Arrivals	Departures	Total
0800-0900	8	1	9
1700-1800	1	10	11
0700-1900	37	39	76
B2 Industrial Use			
Period	Arrivals	Departures	Total
0800-0900	1	0	1
1700-1800	0	1	1
0700-1900	7	7	14
B8 Storage and Distribution			
Period	Arrivals	Departures	Total
0800-0900	1	1	2
1700-1800	0	1	1
0700-1900	8	8	15

1.2.5 This exercise has also been undertaken for Unit B based on its potential B1/B8 use. The above trip rates have been factored by the total GFA for this unit (788sqm), providing the figures shown in Table 03.

B1 Office Use			
Period	Arrivals	Departures	Total

0800-0900	21	2	22
1700-1800	2	28	30
0700-1900	98	102	200
B8 Storage and Distribution			
Period	Arrivals	Departures	Total
0800-0900	4	2	5
1700-1800	1	3	4
0700-1900	20	20	40

Table 03: Unit B – Trip Generation for B1/B8 Use

1.2.6 Finally, Unit C has been assessed based on its proposed B1 use. The total GFA for the unit (600sqm) has been factored against the above trip rates, with the resulting trips shown below in Table 04.

B1 Office Use			
Period	Arrivals	Departures	Total
0800-0900	16	1	17
1700-1800	2	21	23
0700-1900	75	78	152

Table 04: Unit C – Trip Generation for B1 Use

1.2.7 Taking the above, the maximum trip generating potential of the site can be ascertained, as shown in Table 05.

Maximum Development Trip Generation			
Period	Arrivals	Departures	Total
0800-0900	45	4	48
1700-1800	5	59	64
0700-1900	210	219	428

Table 05: Maximum Development Trip Generation for Development Proposals

1.2.8 Taking the above trip generation assessment, a residual impact can be identified relative to the trip generation outlined within the submitted TS. Table 06 below highlights the difference between the two assessments.

Maximum Development Trip Generation - Residual			
Period	Arrivals	Departures	Total
0800-0900	+30	-4	+25
1700-1800	-3	+47	+44
0700-1900	+96	+105	+199

Table 06: Residual Trip Generation

- 1.2.9 It is noted that the development proposals have the potential to generate an extra 199 vehicular trips across the 12-hour weekday than are forecast by the submitted TS. Whilst it is acknowledged that this presents a 'worst case' scenario in terms of trip generation, it is inherently possible that significant proportions of the proposed units could be utilised as office space, which are a greater trip generator than either B2 or B8 uses. As such, the trip generation assessment outlined within the submitted TS is considered to be unrepresentative of the potential trip generation of the site and a more robust assessment should be undertaken.

1.3 Access Strategy

Vehicle Access

- 1.3.1 It is noted that the 'exit only' element of the proposed site access forms a new junction with the primary route network (the A20 London Road) and that a Stage 1 Road Safety Audit of the access design has not been submitted by the applicant. As such, it is not possible to confirm the adequacy of the proposed access arrangement in highway safety terms.
- 1.3.2 Furthermore, from the plans submitted, the overall access strategy for the site is unclear. Whilst it is indicated that HGVs will utilise the northern access to enter the site and the proposed new southern access to exit, it is unclear whether this arrangement is also to apply for smaller vehicle types. As is indicated by the submitted swept path drawings, it is apparent that on entry, HGVs will utilise the whole of the carriageway, leaving no space for opposing vehicle movements.
- 1.3.3 If other vehicle types are to follow the same access strategy as HGVs, enforcement issues may persist, with some drivers likely to disobey the 'entry only' element when seeking to access the A20 northbound.

Pedestrian Access

- 1.3.4 An existing footway is provided on the A20 along the site frontage, measuring approximately 1.5 metres in width. From the submitted site access plans, it is not clear how this footway will be incorporated into the design.

1.4 Conclusion

- 1.4.1 This Technical Note (TN) has been produced on behalf of Wrotham Parish Council in relation to the proposed commercial development at "Rosador", London Road, Wrotham, Kent (Planning Application Reference: 17/01793/FL). It has been demonstrated that the planning application contains inadequate information in relation to vehicular trip generation and the proposed site access arrangements, which at this stage give rise to significant highway safety concerns.

Rosador, a History of Development Control

London Road, Wrotham, TN15 7RR

Planning Constraints

Rosador is a residential property with a large garden located within countryside, within the Kent Downs Area of Outstanding Natural Beauty (AONB) and the Metropolitan Green Belt (MGB) and as such is highly protected in development terms. The garden extends up to a natural 'drain' (stream) and it would appear that north of that is agricultural land.

Location

Rosador is to the north of the A20 and south of the M20. The access is off a small drive into an area owned by the National Trust named the 'Water Meadows'.

To the east is a small residential bungalow named Excel with a modest garden surrounded by agricultural lands that extend up to a motorway interchange.

To the north the National Trust Water Meadows infills between the motorway and both Rosador and Excel and many other adjacent properties.

To the East of Rosador is a property known as 'The Poplars' that has industrial consents for a business park to the south west and agricultural AONB to the northeast. The consented development has not at present been implemented.

Planning History

Apart from some unconsented modifications to the residential bungalow there have been no significant applications. In particular there have been no applications to the extended garden of Rosador that is the subject of this report.



Rosador Garden in 8 February 2009

Site History

Unconsented development was first apparent when Members of WPC visited the Poplars site with a Planning Officer on the 16 February 2008 to take photographs of the Poplars site prior to Marley's temporary occupation to build a pipeline.



Reference: Two photographs taken on 16/2/2008

The photographs are taken of an area of Rosador's garden and WPC felt it was extremely likely that a breach of planning consents was taking place and as such was reported to Development Control Enforcement (TMBC DCE).

WPC was later informed that an Officer had visited the site, investigated the matter and concluded there was no breach of development control because 'the site contained mobile shipping



containers' and therefore this was not permanent development. The clear evidence of a "recycling" business activity, the use of skip lorries on site and the accumulation of building waste was ignored.



Reference: All photographs on this page taken on 8/2/2009

The above photograph is of the initial pollarding and felling of trees and the erection of a substantial and high fence to hide the accumulation of building skip debris. Below is clearly building debris and equipment to handle the waste materials, before the fence is built.



Various business activities continued through 2009 and onwards including skip hire, metal fabrication and the hiring of a Unimog vehicle with a HIAB crane.

It is understood that additional evidence of this has been provided by the local Member who frequently flew over the dwelling, took photographs and sent them to Development Control. WPC also has evidence of local people hiring skips and the UNIMOG.

In 2012 the owners of the site experienced marital problems that resulted in separation and divorce proceedings in 2013. A significant asset was the dwelling, which changed the nature of the business activities carried out.

The site was used in 2013 for the storage of around fifty old or wrecked vehicles, presumably for rental income from a local car breakers.

The Situation in 2014



Reference: Photograph taken on 15 July 2014



Reference: Photograph taken on 8/2/2009



Reference: Photograph taken on 15 July 2014

Most of the wrecked vehicles have been removed and the burning of plastics has resumed. This burning was a constant feature during the dwellings use as an unregulated 'recycling' centre.

What is clearly building rubble has raised the height of the 'garden' by around 1.5m compared to surrounding properties. It is clear that the use of the term 'recycling' is misleading. Unregulated burning and dumping is the reality.

These activities have made life unbearable for the residential neighbours who constantly endure noise and pollution.

One of the owners of the dwelling emailed Development Control on 4 February 2013. "In relation to the above statement please can you advise me on the planning policy in relation to the area?" She also went on to make the following statement.

*"As you are already aware there have been many issues at Rosador where upon the properties garden has been used for the following. Storage of many 20 ft containers (six of these containers contained our company Fitness Engineering Limited's work equipment), one office container and one 10ft container on wheels (without planning permission)
One of the above 20ft containers he part rented to his cousin (without planning permission)
The garden was used as a workshop for the fabrication of steels for Fitness Engineering Limited (without planning permission)
The storage of steels left over from projects carried out by Fitness Engineering Limited (without planning permission)
The running of a skip business in the garden of which Paul Clark from the Environment Agency is very aware (without planning permission)
The storage of a quantity of skips (without planning permission)
The dumping of rubbish from the skip business in the garden of which Paul Clark from the Environment Agency is very aware. (without planning permission)
The storage of two skip lorries reg no. AY53 HGJ & X845 EKR (without planning permission)
The storage of a Mercedes Benz Unimog with a PM Crane attached reg no. FE57 MOG (without planning permission)
Laying of hard surface of which covers large percentage of garden (without planning permission)*

There have been many letters sent to Mr D Fitness (my estranged husband) by Tonbridge and Malling Borough Council Enforcement Team in relation to issues at Rosador of which he miss-lead the council officers when they attended the property ..."

Reference: Email to Marion Geary from Anita Fitness sent on 4 February 2013

Development control replied that the property is in the countryside, located in the Green Belt and in an Area of Outstanding Beauty (AONB) and adjacent to a Major Development Site (MDS).

"In the absence of a detailed proposal it is impossible to say if the site could be used independently or in association with the MDS for commercial purposes."

"I note the list of planning and environmental issues at Rosador that you consider relevant. I can advise you that there have been a number of planning enforcement investigations of the site in the last 10 years. In none of these did the Council establish that a breach of planning control had occurred. We hold a current case open on a possible skip hire activity but it is yet to be concluded."

Reference: Extracts from letter referenced PTLs/TM/09/00429/UI, Marion Geary 11/2/2013.

Although the reply is entirely accurate it is very apparent that there has been a complete failure of development and environmental control with the following results:

1. Various business activities have been conducted from the garden of Rosador since 2008.
2. The skip business was unregulated and has resulted in various aspects of environmental damage.
3. Skip material has been separated into inflammables and hard waste. The inflammables have been burned over many years and the hard waste has been dumped in the garden, raising the ground level by approximately 1.5m above neighbouring properties.
4. Noise and toxic fumes have made life for residential neighbours intolerable over a number of years.
5. The unregulated waste in the garden is almost certainly polluted and a fresh water stream flows through the site into a network of streams that contribute potable water to local villages via the Trosley pumping Station.

The Countryside and Rights of Way Act 2000 (CRoW Act 2000)

This act is primary legislation that places a 'duty of care' on LPA's and local authorities to protect the AONB. There is significant evidence that Tonbridge and Malling Borough Council have contravened this legislation by allowing continued uncontrolled dumping of waste into a garden within the AONB.

Best Practise by LPA's

A similar situation was encountered by an LPA whereby it was proven that uncontrolled dumping had polluted land within the AONB. In this case the land had been sold on but the LPA took legal action to enforce the removal of the polluting materials by the new owners who then had to relay approved topsoil.

The LPA who achieved this was Tonbridge and Malling Borough Council and the unfortunate new site owners were Kent County Council and the polluted site was The Poplars, London Road, TN15 7RR, which is next door to Rosador.

It is essential that the LPA upholds its duty of care to the AONB under the CroW Act by enforcing the removal of polluted materials from Rosador's garden with out delay.

**Report by WPC
18 July 2014**

✓PB

Stephanie Richardson

From: wrothampc <wrothampc@btinternet.com>
Sent: 12 March 2018 15:29
To: Planning Applications
Subject: Planning Application Response TM/17/01793/FL
Attachments: 18 03 12 Rosador Safety Review Report.v01.pdf

Paul

Views of Wrotham Parish Council on the following application:

TM/17/01793/FL Rosador London Road
Demolition of the residential bungalow and the erection of 6x B1/B8 units and a 2 storey office building with new estate road and associated parking.

Road safety audit received.

Attached report refers

Regards

Lesley

Lesley Cox
Wrotham Parish Council
PO Box 228
Sevenoaks
Kent TN13 9BY
01732 886139

INDEXED

Your ref:

Our ref: 00000/ASH/TW/SH/6946



12th March 2018

Parish Clerk
Wrotham Parish Council
PO Box 228
TN13 7BU

Peter Brett Associates LLP
Calgarth House
39-41 Bank Street
Ashford TN23 1DQ
T: +44 (0)1233 651740
F:
E: ashford@peterbrett.com

Attn: Parish Clerk

Dear Sir/Madam

Land at Rosador, London Road, Wrotham. TMBC Planning ref: 17/01793/FL

Peter Brett Associates LLP (PBA) are instructed by Wrotham Parish Council to undertake a road safety and access review in relation to a planning application for B1/B8 development at Rosador, London Road, Wrotham, submitted to Tonbridge and Malling Borough Council (TMBC) under planning reference 17/01793/FL. The description of the proposals is given as:

17/01793/FL | Demolition of the residential bungalow and the erection of 6x B1/B8 units and a 2-storey office building with new estate road and associated parking | Rosador London Road Wrotham Sevenoaks Kent TN15 7RR

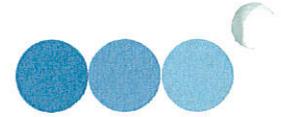
The purpose of this report is to review the access elements of the proposals and to provide our professional opinion on the information presented in terms of the relevant standards that apply to access arrangement proposals, and what is reasonably expected from an applicant in terms of road safety review and audit.

Appreciation of the proposals

The proposals comprise the creation of 600 square metres internal floorspace B1(a) office, and 1,229 square metres B1/B8 warehousing units (6 No.). These units replace a single bungalow and land, which it is noted in the D&A Statement has been used for some years for commercial uses.

The proposals are accompanied by a design showing a new access arrangement, the latest iteration of which (dated 3 January 2018) is attached at Appendix A of this report. This shows the existing access to Rosador and the substation to the east used as an entry only, with a new left-out only exit from the site and substation further to the east.

The proposals are accompanied by a Stage 1 Road Safety Audit (RSA), carried out by Capital Traffic on 9 January 2018 and submitted and shown on the TMBC planning website. A Designer's Response is provided by MLM Group, dated 26 February 2018.



Road safety review

It is acknowledged that both the Audit Team Leader and Audit Team Member hold appropriate qualifications in terms of the stipulations in the Design Manual for Roads and Bridges HD 19/15. The documentation notes that an Audit Brief was produced by MLM Group and issued to Capital Traffic on 2 January 2018. Paragraph 2.1.6 of the RSA states:

'The procedure has been followed as far as is practicable given that the audit has not been commissioned by or carried out directly for Highways England.'

Paragraph 2.2.2 states:

'This audit is concerned only with the proposed access arrangements from the A20 London Road, which effectively constitute the modification of an existing access.'

It is apparent that the Audit Brief is not submitted for review by the Authority. The essential information for a formal Stage 1 Road Safety Audit was not included in the submission for review, e.g.:

- Topographic survey data;
- Traffic speed data;
- Traffic flow and queue data;
- Visibility splays applicable to the proposed site exit point (none are shown on the Auditor marked up plan in the RSA Appendix B);
- Highway and third-party land ownership constraints;
- Development traffic flows;
- Development expected vehicle types;
- Accident data for the latest available 3-year period as a minimum;
- Vehicle swept path analysis;
- Design Team declaration of standards used and any relaxations or departures from standards applied.

The above points are examined in more detail as follows:

Access Layout Base Data

Review of the TMBC planning web site for application 17/01793/FL highlights the existence of a topographic survey. This survey is limited only to the site and its immediate frontage, and does not include the entire width of London Road nor does it extend west and east to include the distance influenced by visibility splay requirements. It is therefore assumed that the scheme drawing 618252/SK07 Revision D is based on Ordnance Survey (OS) mapping for the public highway elements of the layout drawing, and we note that OS mapping can sometimes be out of date and suffer inaccuracies. It would be expected that the access scheme plans would also include an overlay of the highway definition plan for the section of London Road impacted by the scheme, which is not supplied or included on any of the scheme drawings. No access visibility splays are provided for the proposed junction.

The implication of these omissions is that proper and full consideration cannot be given as to the safety consequences of the access proposals, such as:



- compliance with visibility standards and any constraints from third party land,
- certainty over the road markings for the London Road carriageway fronting the site, including right turn lanes and junction ghost marking;
- the potential for large vehicles to be positioned incorrectly prior to turning in or out of the site, therefore having to undertake secondary manoeuvres resulting in subsequent safety impacts;

The access design implications are extensive and wide ranging and there are many issues that cross-over with points made further below.

Vehicle Swept Path Analysis

The Transport Statement produced by MLM Group and submitted with the planning application, dated June 2017, includes an earlier iteration of the abovementioned scheme layout plan 618252/SK07 Revision A. Also shown are drawings 618252/SK07, 08 and 09 showing vehicle swept path analysis for a 16.5m articulated HGV and 12m rigid HGV.

There is no evidence that these vehicle swept path drawings have been superseded to show vehicle tracking for the updated scheme. It is therefore unclear if the latest proposals would be adequate to cater for the largest vehicles envisaged to require access to the site. This omission is further exacerbated by the relative lack of quality of the baseline data, as mentioned above.

There is no indication of the size of vehicles likely to regularly require access to either the proposal site or the substation. With respect to the latter, it is entirely feasible that access for larger wide load and special vehicles (mobile cranes etc.) could be required on an infrequent basis, which would need to be tested through the layout or at the very least covered off in the RSA.

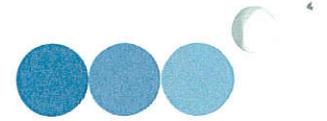
Of greatest concern is the way that the vehicle swept path analysis has been carried out using the computer software. The swept path for the 16.5m articulated HGV turning left into the site from the north west clearly shows that the vehicle becomes stationary in the main carriageway, then turning full lock to the left before then moving off into the side road. At the point where the entry alignment changes from left to right within the site, the tracking again shows a stationary or slow lock-to-lock steering change which would mean that the back of the vehicle trailer is stationary within the A20 London Road carriageway.

This is a highly unrealistic and unsafe scenario, as all vehicles following the HGV would have to wait in the main carriageway for the HGV to complete its manoeuvre comprising two stationary lock-to-lock steering changes. The safety risk is that vehicles would be expecting the HGV to carry on into the junction and not to stop fully in the carriageway, therefore such practice is likely to give rise to rear end shunts.

It is concluded from this that the proposed side road entry junction cannot adequately cater for a 16.5m HGV entering the site from the west bound direction without having to first stop in the carriageway to apply full lock. Given the setting of the junction on a 50mph downhill section of A-class principal route, this would be a point that should be covered in the Road Safety Audit.

Vehicle speeds on London Road

It is known that London Road in the vicinity of the site is on a downhill gradient in the south east bound traffic direction, and that this can result in excessive traffic speeds above the 50mph speed restriction. It is essential where a new junction is being formed onto a Principal Route the designer gives full consideration to the



speed of traffic on all approaches, and that visibility splays in particular are designed to the correct standard. In the north west bound direction, leaving M26 Junction 1a, speeds are also likely to be high by virtue of traffic having just left a motorway and taking time to adjust to surroundings.

The lack of traffic flow data on the A20 London Road does not allow the Auditor to properly appreciate the classified traffic flow and vehicle type proportions passing by the proposed access points. This is exacerbated by the Audit site visit having taken place during the school holiday period immediately after the New Year.

Auditor site visit in untypical conditions

The Road Safety Auditor site visit is noted to have taken place on 3rd January 2018. Review of the KCC School Term Dates for January 2018, available on the KCC web site, confirms that the January term did not commence until 4th January 2018. The Road Safety Audit therefore took place during the school Christmas/New Year holiday period.

Traffic conditions at the time of the audit may not have been typical of the normal working week applicable to the type of commercial and employment development proposed. Many working parents take annual leave during school holidays, and the week immediately after New Year can see much reduced traffic conditions. In our opinion the Road Safety Audit should've been undertaken on a working weekday during school term time to be more representative of typical conditions.

Pedestrians

The auditors raise a problem in 4.2 with pedestrian facilities into the development site, from the A20. The issue here is that once pedestrians have entered the site via the short footway link to the site's south west boundary, they are then required to walk in the carriageway northwards to respective business units.

The Designer's Response states that land constraints are the reason for the lack of on-site pedestrian provision. As noted above there is a lack of land ownership detail provided in the audit submission, however the access scheme plans appear to show a wide area of verge to the east side of the internal north/south access route that could feasibly be used to position a new section of footway.

Accident data

It is unclear whether any Personal Injury Accident (PIA) data was provided to the Auditor for review as part of the audit. Appendix 4 of the Transport Statement includes output from the crashmap.co.uk web site, however we note that KCC no longer accept this data source, and ask applicants to use KCC's own data resource.

There is the potential that the crashmap.co.uk PIA data does not include the latest up to date road safety/PIA records, and therefore the Designer and Road Safety Auditor may not be aware of road safety situations that could give rise to different outcomes in the Road Safety Audit. It would therefore be reasonable to expect the applicant to provide the latest PIA data, from the reliable KCC source, for Road Safety Audit purposes.

General Audit points

The Auditor has not given any statement in respect of the design standards that have been applied at the time of the Audit. This may be as a result of the extent of the Audit Brief, which again is not supplied.



We note from the correspondence available that the information relates to a "pre-planning enquiry" and as there are several significant safety issues relating to the concept of access, we suggest the feasibility for development has yet to be satisfactorily confirmed.

Yours sincerely



Steve Hagreen
Associate

For and on behalf of
PETER BRETT ASSOCIATES LLP

✓PB

Wrotham Parish Council

Lesley Cox
Clerk

PO Box 228
Sevenoaks
TN13 9BY

Telephone 01732 886139
Email – wrothampc@btinternet.com

Ref: 17/01793/FL
Date: 06 September 2018

Address Rosador London Road Wrotham TN15 7RR

Proposal To build an office and multiple Business Units on a residential plot within the Green Belt and in the setting of, and adjacent to, an Area of Outstanding Natural Beauty

Decision Strong objection

Comments :

Site Designation

The site is identified within the Metropolitan Green Belt (MGB) and immediately adjacent to the Kent Downs Area of Outstanding Natural Beauty (AONB). It is located outside of any defined settlement boundaries, and therefore is in the open countryside; and adjacent to a business park.

Site History

The site was a residential house with no history of industrial use, in common with the residential property next-door 'Excel' that remains in said use. That was the case when the applicant purchased the property.

Subsequently it has been used as an unregistered waste 'recycling' centre whereby skips with unknown contents have been processed in an uncontrolled manner. There has previously been evidence supplied to the LPA of the burning of waste that generated large plumes of acrid smoke and the ground level is now elevated substantially compared with the residential property next door.

Failure to Protect the Kent Downs Area of Outstanding Natural Beauty

Tonbridge and Malling Borough Council has been aware of the change of use throughout the history of the site. Wrotham Parish Council has provided significant evidence over many years, including a cessation of use amid that period. The Local Member has flown over the site and provided ariel photographic evidence of the use.

Having been provided with all the evidence of misuses of the site, Tonbridge and Malling Borough Council did nothing to prevent it occurring, disregarding it's legislative powers to intervene. This has occurred contrary to primary legislation in the CROW ACT that tasks Borough Councils with a duty to protect Areas of Outstanding Natural Beauty..

Inappropriate Development In the Green Belt

INDEXED

The applicant seeks to build a business park in the Green Belt that will massively impact the openness for which the MGB is valued and should be protected from.

In order for that to be acceptable in planning terms it requires a case of Very Special Circumstances to justify what amounts to the very significant harm caused to the openness of the Green Belt

The applicant has advanced what they consider to be a case of Very Special Circumstances (VSC) and WPC comments as follows on each.

1. Rosador remains a perfectly viable modest dwelling. The intentions of another developer are immaterial to this proposal.
2. The applicant would be required to mitigate it's own proposals for development and as such a line of trees are not a VSC.
3. The absence of harm, whether one agrees with it or not, cannot be considered a VSC. It is perfectly possible to improve the appearance of Rosador without building in a highly constrained location.
4. Rosador and Excel have perfectly adequate access to the primary road network at present and do not require additional modification.
5. The AONB and Green Belt are highly protected areas and should not be considered an 'outstanding transport location'.

Ministerial Statement: Intentional unauthorised development within the Green Belt

The Government Minister of State for Housing and Planning made a Written Ministerial Statement on 17 December 2015, bringing into effect changes to National planning policy to make intentional unauthorised development a (negatively weighted) material consideration, and to provide stronger protection for the Green Belt.

This follows previous policy updates whereby the Government has sought to increase controls on development within the Green Belt.

The Statement notes that the Government is particularly concerned about the harm that is caused where the development of land has been intentionally undertaken in advance of obtaining planning permission. This is plainly the case here as the applicant has conducted unconsented business activities that has materially changed the ground levels and caused unknown consequences to the previously uncontaminated land,

Summary of Objections

In summary, it is evident that:

- the Applicant has not demonstrated 'Very Special Circumstances' to justify the building of development of significant size and massing in the Green Belt.
- the building of a Business Park immediately adjacent to the AONB area does not justify the harm caused to the setting of the AONB.
- The intentional destruction of residential garden land should not be considered a means to seek justification for the above proposed development of a business park.

Conclusion

This proposal would require a case of VSP's to overcome the harm to the Green Belt and Exceptional Circumstances to overcome the harm to the AONB and non have been advanced. In Wrotham Parish Councils opinion consenting this application would be unlawful given the lack of planning merit.

WPC has significant concerns regarding the multiple entrances of 'Business Parks' onto the A20 that is detrimental to highway and pedestrian safety. A holistic approach is required to the area. The comments of our Highways Advisers are attached.

Your ref:

Our ref: 43587/001/ASH/TW/SH/7108



17th August 2018

Parish Clerk
Wrotham Parish Council
PO Box 228
TN13 7BU

Peter Brett Associates LLP
Calgarth House
39-41 Bank Street
Ashford TN23 1DQ
T: +44 (0)1233 651740
F:
E: ashford@peterbrett.com

Attn: Parish Clerk

Dear Sir/Madam

Land at Rosador, London Road, Wrotham. TMBC Planning ref: 17/01793/FL

Peter Brett Associates LLP (PBA) are instructed by Wrotham Parish Council to undertake a road safety and access review in relation to a planning application for B1/B8 development at Rosador, London Road, Wrotham, submitted to Tonbridge and Malling Borough Council (TMBC) under planning reference 17/01793/FL. The description of the proposals is given as:

17/01793/FL | Demolition of the residential bungalow and the erection of 6x B1/B8 units and a 2-storey office building with new estate road and associated parking | Rosador London Road Wrotham Sevenoaks Kent TN15 7RR

Further to our previous review (12th March 2018) the purpose of this report is to review the updated access as outlined and published 6th August 2018.

Appreciation of the proposals

The proposals comprise the creation of 600 square metres internal floorspace B1(a) office, and 1,229 square metres B1/B8 warehousing units (6 No.). These units replace a single bungalow and land, which it is noted in the D&A Statement has been used for some years for commercial uses.

The proposals are accompanied by a design showing a new access arrangement, the latest iteration of which (dated 24 July 2018) is attached at Appendix A of this report. This shows the previous layout has been modified and the existing sub-station access is no longer to be utilised for site entry. The previous site exit has been replaced by a conventional (entry/exit) T junction arrangement, albeit with the existing Rosador service route forming a junction with the new access road. Substation access will be maintained via a vehicular cross over facility on the new access road.

These updated proposals are accompanied by a Stage 1 Road Safety Audit (RSA), carried out by Capital Traffic on 19 July 2018, submitted and shown on the TMBC planning website in conjunction with a Designer's Response provided by MLM Group, dated 31 July 2018.



Road safety review

Generally, we note the proposals have been modified to enable the “pre-planning enquiry” to continue and therefore, the majority of issues raised within our previous review, the essential information (Topo. Survey; Swept Path Analysis; Vehicle Speeds; Accident Data), warranting review within a more formal Audit have still to be appropriately considered.

With respect to the revised layout we note the following in association with the issues raised within the RSA and the related Designer's Statement:

Location A: Strategic Signing

Recommendation and Response appears reasonable.

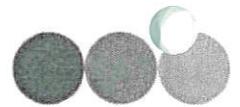
Location B: Access on to the A20 -

Problem previously identified and, whilst the recommendation is deemed reasonable, the Designer's Response warrants further substantiation to justify the current proposal i.e.

- The following image dated 2015 appears to show that the right turn manoeuvre was not positively discouraged and was feasible.



- The splitter island was subsequently removed as evidenced below right turn manoeuvres are being undertaken, however it would be inappropriate to assume that the previous RSA undertaken in association with the provision of the Nepicar Park access proposals considered the current access to be appropriate for any future material change in use.



- Trip generation and associated movements yet to be substantiated.

LOCATION C: Exit from existing properties onto the new site access road and A20

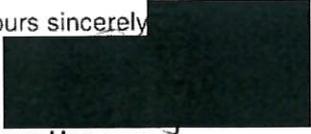
The revised "K" Type layout with the substantial overrun facility for vehicles exiting the service route enhances the risk of conflict and incidents for all users within the proposed junction area. The proposals warrant consideration with respect to the pedestrian crossing facility and the vehicular swept path manoeuvres, which do not appear to have been submitted for review.

LOCATION D: Proposed egress onto the A20

The provision of the Keep Clear appears reasonable, however with reference to the comments noted above the A20 northbound traffic flows and site entry right turns could result in obstruction to the proposed right turn egress from the site, with a residual risk of side swipes and rear end shunts.

With respect to this latest submission we suggest the feasibility for access to this proposed development has yet to be satisfactorily resolved.

Yours sincerely


Steve Hagreeen
Associate

For and on behalf of
PETER BRETT ASSOCIATES LLP

+ Enclosure: Drg 618252/SK14 Rev C (as annotated within the Stage 1 Road Safety Audit 19 July 2018)

✓PB

17/01793 Rosador: Demolition of a small bungalow and the erection of 5x B1/B8 units and a 2-storey office

The applicant sites the following paragraph as justification.

145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
e) limited infilling in villages; Ref : NPPF 2018

Five B1/B8 units and a 2-storey office could not be described as 'limited infilling'.

The proposed development involves filling a gap between the development at Nepicar Park and the adjacent property Excel and should therefore be regarded as infilling within the context of the NPPF.

Ref : Agent letter of 14 Jan 201

There is a residential unit between Nepicar Park and Excel called Rosador, which occupies the alleged 'gap'. Both Rosador and Excel are dwellings in the Green Belt and wholly within the Kent Downs AONB unlike Nepicar Park, which is within a Major Industrial Redevelopment Area.

The proposal remains inappropriate and requires a 'special circumstance' case to overcome the harm to the openness of the MGB and 'extra special circumstance' case to overcome the harm to the AONB and no such case has been made.

Before Nepicar Park was built on the industrial area of that site next door KCC granted themselves permission to build the 'Wrotham Super Highways Depot' on the site with development stretching back into the land protected by AONB status. CPRE judicially reviewed that decision and the judge upheld their arguments that insufficient consideration had been given to planning balance of harm, stating that there is a significant presumption against development within highly protected areas of the AONB. As a result KCC withdrew the consent and sold the site and the AONB area of that site remains undeveloped.

WPC considers that the applicant has not put forward a compelling case of Special or extra special circumstances.

We also asked Peter Brett to consider the highways safety implications of this revised access proposal and their response is attached. WPC remains concerned by the multiple accesses that would be created onto the Highways Network so close to the junction of the M26 and A20. There ought to be a more holistic approach to development in this area.

WPC also notes that the applicant has used intentional unauthorised development in the Green Belt to seek a planning advantage to develop against Green Belt constraints.

Refer to Appendix A where HLWS404 confirms changes to national planning policy to make intentional unauthorised development a material consideration, and also to provide stronger protection for the Green Belt.

INDEXED

Green Belt protection and intentional unauthorised development:Written statement - HLWS404

WS Department for Communities and Local Government **Made on: 17 December 2015**
 Made by: Baroness Williams of Trafford (Parliamentary Under Secretary of State for Communities and Local Government)

HLWS404

Green Belt protection and intentional unauthorised development

My hon. Friend the Minister of State for Housing and Planning has made the following Written Ministerial Statement.

This Statement confirms changes to national planning policy to make intentional unauthorised development a material consideration, and also to provide stronger protection for the Green Belt, as set out in the manifesto.

The Government is concerned about the harm that is caused where the development of land has been undertaken in advance of obtaining planning permission. In such cases, there is no opportunity to appropriately limit or mitigate the harm that has already taken place. Such cases can involve local planning authorities having to take expensive and time consuming enforcement action.

For these reasons, we introduced a planning policy to make intentional unauthorised development a material consideration that would be weighed in the determination of planning applications and appeals. This policy applies to all new planning applications and appeals received since 31 August 2015.

The Government is particularly concerned about harm that is caused by intentional unauthorised development in the Green Belt.

For this reason the Planning Inspectorate will monitor all appeal decisions involving unauthorised development in the Green Belt to enable the Government to assess the implementation of this policy. In addition we will consider the recovery of a proportion of relevant appeals in the Green Belt for the Secretary of State's decision on whether the harm caused by the development would like his policy to apply in practice. Such appeals will be considered for recovery under the criterion set out in 2008: "There may on occasion be other cases which merit recovery because of the particular circumstances."

After six months we will review the situation to see whether it is delivering our objective of protecting land from intentional unauthorised development.

The National Planning Policy Framework makes clear that most development in the Green Belt is inappropriate and should be approved only in very special circumstances. Consistent with this, this Statement confirms the government's policy that, subject to the best interests of the child, personal circumstances and urgent need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.



now part of



Peter Brett Associates LLP
Unit 10, Connect 38
1 Dover Place
Ashford TN23 1FB
T: +44 (0)183 352 7250
E: ashford@peterbrett.com

Your ref:

Our ref: 43587/001/ASH/TW/SH/7268

04 February 2019

Parish Clerk
Wrotham Parish Council
PO Box 228
TN13 7BU

Attn: Parish Clerk

Dear Sir / Madam

RE: Land at Rosador, London Road, Wrotham. TMBC Planning ref: 17/01793/FL

Peter Brett Associates LLP (PBA) are instructed by Wrotham Parish Council to undertake a road safety and access review in relation to a planning application for B1/B8 development at Rosador, London Road, Wrotham, submitted to Tonbridge and Malling Borough Council (TMBC) under planning reference 17/01793/FL. The description of the proposals is given as:

17/01793/FL | Demolition of the residential bungalow and the erection of 6x B1/B8 units and a 2-storey office building with new estate road and associated parking | Rosador London Road Wrotham Sevenoaks Kent TN15 7RR

Further to our previous review (17th August 2018) the purpose of this report is to review the updated access details as outlined and published on the TMBC web site dated 15th January 2019.

Appreciation of the proposals

The proposals comprise the creation of 600 square metres internal floorspace B1(a) office, and 1,229 square metres B1/B8 warehousing units (6 No.). These units replace a single bungalow and land, which it is noted in the D&A Statement has been used for some years for commercial uses.

The proposals are accompanied by a design showing a new access arrangement; the latest iteration of which (drawings 619054-ZZ-XX-DR-TP-0001 and 0005 Revision P01 dated 10 December 2018) is attached at Appendix A of this report. This shows the previous layout, which made use of the existing site access arrangement in part, has been modified to provide an all movements 'conventional' priority junction. Access to the small substation adjacent to Nepicar Park will be maintained via a vehicular cross over and turning facility on the new access road, whilst access to the larger sub-station to the south will be via a new access side road just 8 metres to the east and within the new A20 junction. Modifications are proposed to the roundabout 'splitter island' to provide a longer right turn lane reservoir on the A20 northbound.

These updated proposals are accompanied by Technical Note by MLM Group dated December 2018, along with updated block plans and a proposed access-general arrangement.

Road Safety Review

A Stage 1 Road Safety Audit (RSA), carried out by Capital Traffic on 19 July 2018, submitted and shown on the TMBC planning website in conjunction with a Designer's Response provided by MLM Group, dated 31 July 2018. It is noted that these documents are contained in the MLM Group Technical Note dated December 2018, however both the RSA and designer's response have not been updated to accord with the latest scheme plans, which differ significantly from the scheme that was originally audited. Given the significance of the scheme changes it would not be unreasonable to expect a new RSA and Designer's Response to be provided.

It is of note that MLM state they have designed this scheme in accordance with the Design Manual for Roads and Bridges (DMRB), however they rely upon Manual for Streets parameters in terms of visibility splays, which is contradictory and out of keeping with the setting.

With respect to the revised layout we note the following in association with the issues raised within the latest scheme drawing:

Proximity of side road within the site

The existing access to the large sub-station and single dwelling to the south of the proposal site is shown to be retained via a side road located approximately 8 metres north of the give way of the new junction with the A20 – enough space for only a single car leaving the proposal site not to interact with vehicles entering the existing side road. The side road is 5.0 metres wide and includes an over-run area for larger vehicles.

The proximity of the access to the sub-station and dwelling to the proposed A20 junction is of concern in itself, but is exacerbated by the use of the sub-station access by commuters using it as a 'park and ride' facility. The level of traffic using the side road could result in interaction issues from exiting vehicles from the proposal site clashing those entering the southern sub-station side road. In our experience KCC normally requires a minimum distance of 20 metres in such situations where a minor driveway or access within a site is located close to a main A or B class road, so as to avoid such interaction problems knocking back into the main carriageway. At this particular location A20 traffic flows are high, therefore exacerbating the concern.

No PICADY junction assessment work has been provided by the applicant to demonstrate queueing within the site, which is normally required where interaction issues could result.

Visibility Splays

The applicant has provided a visibility splay drawing (No. 619054-ZZ-XX-DR-TP-0005/Rev P01) showing splays southwards towards the M26 junction roundabout; tangentially to the splitter island and towards the nearside kerb line adjacent to the roundabout gyratory, with the latter measuring 2.4m by 93 metres. This splay is supported by a manual radar speed survey, undertaken on a single morning on Wednesday 14th November 2018 recording 85th percentile speeds from the roundabout at 37mph. The splay accords with the Manual for Streets calculation requirement of 91-92 metres.

However, there are factors locally which give rise to concerns over this 'snapshot' speed survey, for instance traffic travelling to Brand Hatch for race meets mostly on weekends and the frequent motorcycle meets weekends and evenings at the layby and café just to the north. These regular meets can generate a lot of enthusiast car and motorcycle traffic that is known to travel more quickly in the area, which if not properly considered could give rise to concerns over the proximity of the junction to the M26 roundabout and in particular forward visibility towards the site access. Given the regularity of meets it should not be unreasonable to expect an Automatic Traffic Count

(ATC) speed survey to have been carried out over a period of at least one week, preferably in finer weather coinciding with a Brands Hatch meet.

Motorcycle crashes feature three times in the MLM PIA data review, one of which was a fatality at Nepicar roundabout. Clearly motorcycle safety is a significant issue locally.

The proposals visibility splay drawing shows the splay crossing what is assumed to be highway verge, which as can be seen Google Street View is heavily wooded. The KCC consultation response dated 30 January 2019 notes the scheme drawing 'shows that some cutting back of highway vegetation will be required at the outside of the western side of Nepicar Roundabout (Junction 2a)'. It is not clear if there are any environmental considerations associated with this vegetation removal, and any potential implications of maintaining a clear line of sight in perpetuity particularly where the land dips away significantly from the highway. On the assumption that this duty would fall to the highway authority, either KCC or Highways England, such a programme of perpetual maintenance is not confirmed or guaranteed.

Taking account of the potential for enthusiast car and motorcycle traffic regularly in the area, and uncertainties over maintenance of a clear line of site on the A20 approach from the south, the forward visibility splay if not properly maintained could be as low as 70 metres which accords with a travelling speed of 30mph. The implication is that right turning vehicles leaving the site would become obscured from the view of a driver approaching at a higher speed from the M26 direction, only becoming visible at a point around the bend that may not leave adequate braking distance to avoid a collision. Visibility would be further obscured by vehicles turning right into the site.

It should be recommended that either right turns are banned from the access, reinforced by central islands on the side road and roundabout splitter, or permanent means of keeping vegetation clear on the verge are implemented that reduce the need for maintenance.

With respect to this latest submission we suggest the feasibility for access to this proposed development has yet to be satisfactorily resolved.

Yours sincerely

Steve Hagreen
Associate



For and on behalf of
PETER BRETT ASSOCIATES LLP

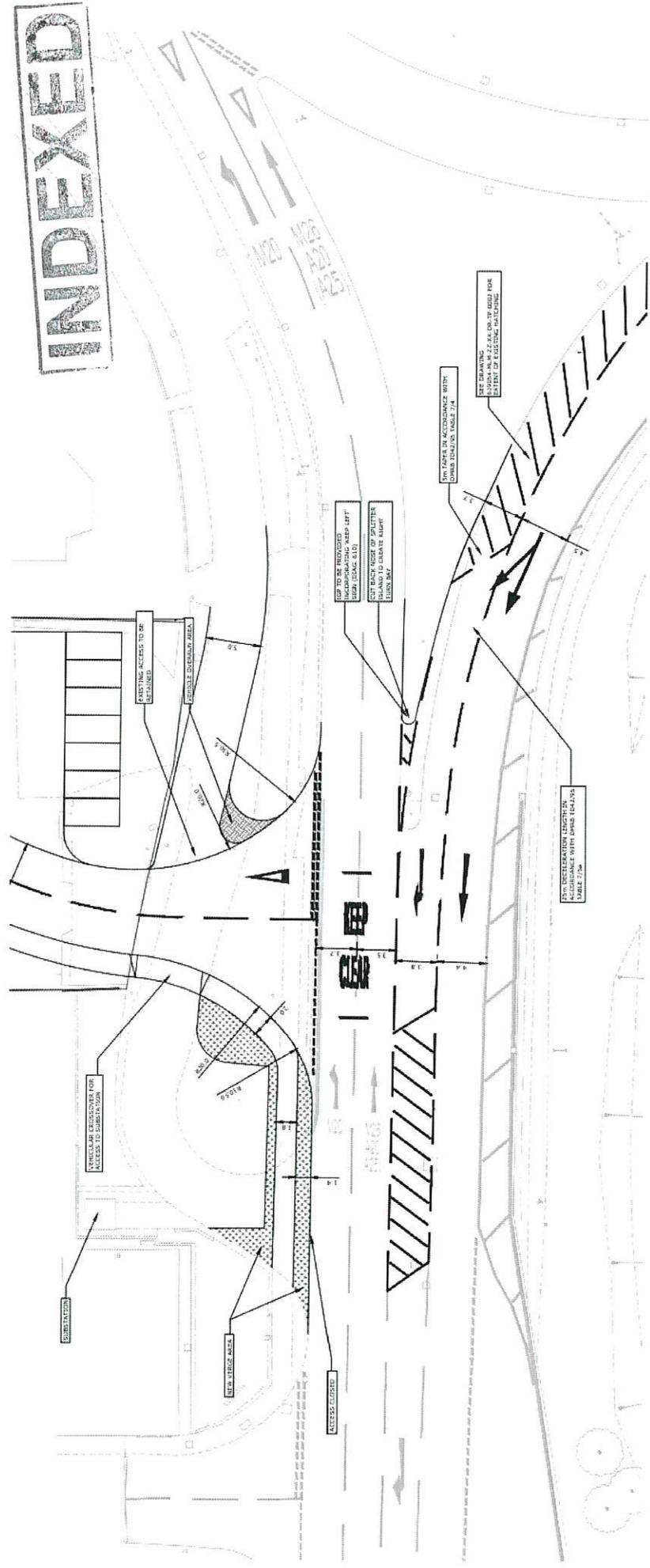
+Enclosure: Drg 619054-ZZ-XX-DR-TP-0001 and 0005 Rev P01

VAB

WPC Comments on Rosador, Ref:17/01793/FL Demolition of the residential bungalow and the erection of 5x B1/B8 units and a 2 storey office building with new estate road

The latest, highly technical, Highway Engineer response is obscure to lay people and the costs of continually referring to specialists are becoming prohibitive for the Parish. Our objection on highway grounds is however maintained.

Common sense informs Wrotham Parish Council that the safety of several accesses onto the A20 so close to the M20 junction, each used by multiple business units, is an undesirable outcome in terms of Highway Safety. In particular the site access mixes adjacent residential and Electricity Sub Station use that is tangential to the direction of the business units use.



This is certainly a sub-optimal solution and a better way forward could be found in a holistic approach to the A20 development in this area that rationalised a planned access and egress to the whole commercial development area.

This is complicated by the fact that the proposed site is wholly a residential unit within the AONB and Green Belt and is therefore outside of the remit of Policy M1.m) that is adjacent and pertains to Major Green Belt Development Site at Nepicar Area East.

It is clear that this proposal is a significant departure from Policy with an undesirable access arrangement.

In addition the Parish maintains it's previous objections regarding the lack of VSCs to overcome the harm to the openness of the Green belt and exceptional circumstances needed to overcome the harm to the AONB. The applicant has failed to establish a 'need' for the proposed business units that can't be met in alternative locations outside of the Green Belt and AONB. In deed the application fails to even consider any alternative locations.

The intentional and unauthorised development of this Green Belt location is a materially negative consideration that Officers are advised to consider in decision taking by Written Statement HLWS404.

Green Belt protection and intentional unauthorised development:Written statement - HLWS404

WS

Department for Communities and Local Government

Made on: 17 December 2015

Made by: **Baroness Williams of Trafford** (Parliamentary Under Secretary of State for Communities and Local Government)

 HLWS404



Green Belt protection and intentional unauthorised development

For these reasons, we introduced a planning policy to make intentional unauthorised development a material consideration that would be weighed in the determination of planning applications and appeals. This policy applies to all new planning applications and appeals received since 31 August 2015.

The Government is particularly concerned about harm that is caused by intentional unauthorised development in the Green Belt.

For this reason the Planning Inspectorate will monitor all appeal decisions involving unauthorised development in the Green Belt to enable the Government to assess the implementation of this policy.

In addition we will consider the recovery of a proportion of relevant appeals in the Green Belt for the Secretary of State's decision to enable him to illustrate how he would like his policy to apply in practice. Such appeals will be considered for recovery under the criterion set out in 2008: "There may on occasion be other cases which merit recovery because of the particular circumstances."

WPC notes that the Planning Inspectorate is monitoring decisions involving 'unauthorised development in the Green Belt' and will consider a call in for further consideration, if the Planning Inspectorate disagrees with the outcome.

WPC maintains its objection to the proposal for all of the above reasons and it's previous comments remain relevant.