

# MAIDSTONE BOROUGH COUNCIL

## PLANNING COMMITTEE

21<sup>ST</sup> APRIL 2022

### REPORT OF HEAD OF PLANNING AND DEVELOPMENT

Report prepared by Sue King

#### **1. FORMAL ENFORCEMENT ACTION TRACKER**

##### 1.1 Report content

1.1.1 The Enforcement tracker report is intended to be brought to Planning Committee each quarter. The report provides the current status of enforcement cases that have had formal notices served.

1.1.2 The report sets out the case reference, address and brief description of the breach. The notice type column indicates the type of formal action carried out and three key dates:

**Issue date** – Date Notice was served

**Effective date** – Date the Notice takes effect from

**Compliance date** – Date the Notice is due to be complied with. This may change according to an appeal being lodged, which if the appeal is dismissed and the Notice is upheld the Inspector will impose a new compliance period from the date of the decision. This is also held in abeyance if a planning decision is pending.

1.1.3 A legend is supplied which shows five levels of status, being:

**Blue** – Decision reached - case closed

**Red** – Assessment or preparation for the next step of formal action;

**Amber** - Awaiting planning application/appeal decisions

**Green** - Awaiting set compliance

**White** - Contentious cases that are being monitored i.e. sites with injunctions and Temporary Stop Notices.

1.1.4 Table showing QTR 4 cases received/closed/live cases for 2021 and 2022 comparison.

1.1.5 Chart showing QTR 4 formal notices for 2021 and 2022 comparison

## FORMAL ENFORCEMENT ACTION TRACKER

Case No	Officer	Parish/Ward	Address	Breach	Notice Type	Issue Date	Date Effective	Compliance status	Action
ENF/8320	SK	Marden	Monk Lakes, Staplehurst Road, Marden, Kent	Unauthorised development consisting of engineering, mining and building operations and unauthorised COU of land to recreational fishing lakes	EN	30.4.08	30.4.08	appeal in progress	
15/500852	JB	Yalding	The Three Sons, Hampstead Lane, Nettlestead, ME18 5HN	Unauthorised G & T deveelopment in Green Belt	EN	02.10.15	06.11.15	01.06.17	
					INJ	24.04.19	24.7.19	Ongoing	Injunction remains on the land
15/500852	SK	Yalding	The Three Sons, Hampstead Lane, Nettlestead, ME18 5HN	The laying of hardstanding and the construction of fences and gates	EN	13.09.21	26.10.21	appeal in progress	
ENF/11798	SK	Marden	Monk Lakes, Staplehurst Road, Marden, Kent	Erection of new dwelling in the woodland	EN	19.05.16	23.06.16	23.01.17	
16/500815	SK	Yalding	Green Tops Symonds Lane Yalding	PP expired - 10/0504 for occupation of the site for 3 years only. Further planning application at appeal	EN	27.04.17	01.06.17	appeal in progress	
17/500611	SK	Headcorn	Acers Place, Lenham Road	Unauthorised change of use G&T site	EN	04.10.17	15.11.17		complied with - CLOSED
15/501259	SK	Otham	Bramley, Otham Street, Otham, ME15 8RL	Extension on North Elevation not being built in accordance with planning permission.	EN	06.11.17	11.12.17		planning decision issued - CLOSED
15/500395	SK	Detling	Roseacre, Scragged Oak Road, Detling	Unauthorised change of use G&T site	EN	26.01.18	02.03.18	planning app in progress	
14/500560	PDV	Yalding	The Stables, Wagon Lane, Paddock wood, Tonbridge	Breach of personal occupancy condition	EN	03.07.18	07.08.18	07.11.18	
16/501199	SK	Headcorn	Land rear of The Meadows Lenham Road Headcorn	Expired temporay permission and expansion of G&T site	EN x 4	16.08.18	20.09.18	appeal in progress	5 day Inquiry 28th March 2022
18/500572	PDV	Ulcombe	Caravan 2 Hawthorn Farm, Pye Corner, Ulcombe	Unauthorised change of use G&T site	EN	11.10.18	15.11.18	15.5.19	
18/500001	SK	Headcorn	Smiths Cottage, Lenham Road, Headcorn, Kent, TN27 9LG	Unauthorised siting of two additional caravans	EN	16.10.18	20.11.18		Notice withdrawn - CLOSED
16/501147 16/501251 17/500291	SK	Marden	Tanner Farm Caravan Park Goudhurst road Marden, TN12 9ND	Change of use of land for holiday/residential	EN	17.10.18	24.01.22		Notice withdrawn - re-issued below
19/500384	SK	Ulclombe	Land to the rear of Neverend Farm, Ulcombe	Unauthorised change of use G&T site.	INJ	21.05.19	21.5.19		granted at appeal - CLOSED
					TSN	07.05.19	07.05.19		
					EN	27.11.19	08.01.20		

Case No	Officer	Parish/Ward	Address	Breach	Notice Type	Issue Date	Date Effective	Compliance status	Action
19/500346	SK	Fant Ward	Plot 12 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
19/500347	SK	Fant Ward	Plot 13 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
19/500350	SK	Fant Ward	Plot 15 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
19/500351	SK	Fant Ward	Plot 16 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
19/500352	SK	Fant Ward	Plot 17 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
19/500354	SK	Fant Ward	Plot 19 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
19/500356	SK	Fant Ward	Plot 20 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
19/500357	SK	Fant Ward	Plot 21 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	1 month	
19/500361	SK	Fant Ward	Plot 24 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
19/500366	SK	Fant Ward	Plot 26 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
19/500367	SK	Fant Ward	Plot 27 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
19/500369	SK	Fant Ward	Plot 28 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
19/500370	SK	Fant Ward	Plot 29 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
19/500371	SK	Fant Ward	Plot 30 Riverside Area Off Unicumes Lane Maidstone Kent	Unauthorised change of use to a leisure use including the erection of various structures and moorings.	EN	20.06.19	25.07.19	22.07.22	Notice upheld
18/500234	SK	Coxheath & Hunton	Riverside Hse, West Street, Hunton	Unauthorised raised platform	EN	28.08.19	13.11.21	2 months	Complied- CLOSED
19/500330	SK	Harrietsham	Chestfields, Marley Road, Harrietsham	Unauthorised change of use G&T site	EN	17.09.19	18.10.19	appeal in progress	Hearing set 18.06.22

Case No	Officer	Parish/Ward	Address	Breach	Notice Type	Issue Date	Date Effective	Compliance status	Action
16/500477	SK	Boxley	Cosington Farm North, Bell Lane Boxley	Unauthorised building	EN	19.02.20	24.03.20	28.03.21	
19/500452	SK	Coxheath	S&B car & van hire, Forstal Farm, Forstal Lane, East Farleigh	Change of use of the land to car & van hire	EN	01.06.20	07.07.20	01.07.22	Notice upheld
19/500073	DAPR	Bearsted	Lested Farm, Plough Wents Road, Chart Sutton ME17 3SA	Breach of Conditions re an Anaerobic digester - Planning app submitted.	BCN	20.10.20	20.10.20	14.12.20	
19/500469	SK	East Farleigh	Land at Benover Paddocks, Benover Road, Yalding, Kent, ME18 6AZ	Unauthorised building	SN	06.12.20	06.11.20	06.11.2020	Site being monitored
19/500469	SK	East Farleigh	Land at Benover Paddocks, Benover Road, Yalding, Kent, ME18 6AZ	Unauthorised change of use G&T site	EN	06.12.20	11.12.20	appeal in progress	Hearing set 24.05.22
20/500334	SK	East Farleigh	Land at Benover Paddocks, Benover Road, Yalding, Kent, ME18 6AZ	Unauthorised change of use G&T site	EN	06.12.20	11.12.20	appeal in progress	Hearing set 24.05.22
18/500016	SK	Collier St	Land at Tanner Farm park, Goudhurst Rd, Marden	Multiuse building not in accordance	EN	24.02.21	24.01.22	24.09.22	Notice upheld
21/500040	SK	Collier St	Land at Tanner Farm park, Goudhurst Rd, Marden	unauthorised operational works in preparing land for development	TSN	24.02.21	24.02.21	24.03.21	Site being monitored
21/500338	DAPR	High Street	The Barge Riverside Restaurant, River Medway R/O Archbishops Palace, Undercliff, Maidstone,	Construction of a hoarding and pergola on the quayside, COU of site to use for the storage of a barge and floating pontoon	EN	12.07.21	16.08.21		Notice complied with - CLOSED
21/500443	SK	Detling & Thurnham	Land at Land South Of Sutton Road, Langley, Kent	Breach of condition re landscaping - Application submitted.	BCN	30.07.21	30.07.21	10.09.21	
19/500819	JB	Yalding	The Three Sons, Hampstead Lane, Nettlestead, ME18 5HN	The construction of two outbuildings	EN	13.09.21	26.10.21	Appeal in progress	
21/500328	DAPR	Marden	Land to the North of Copper Lane, Marden Tonbridge, Kent, TN12 9DH	COU of the land to use as a permanent motocross track, including practicing, with integral operational development consisting of earthworks to alter levels and gradients	EN	24.09.21	29.10.21	29.11.21	notice complied with - CLOSED
21/500869	SK	Ulcombe	Water Lane, Ulcombe, Maidstone	Removal of TPO trees and COU of land for G&T residential site.	TSN	06.11.21	06.11.21	06.11.21	Injunction breached - 2 month committal success, £5000 fine, LPA costs & further 6 mth suspended sentence for 18 mths. Further Formal action continuing
					INJ	08.11.21	08.11.21	08.11.21	
19/500944	DP	Harrietsham	Willow Banks, (Formerly Lake House) Church Road Harrietsham ME17 1AP	The development having commenced and progressed beyond slab levels the following conditions not complied with	BCN	17.01.22	17.01.22	14.02.22	
16/501147	SK	Collier St	Tanner Farm Caravan Park, Goudhurst Rd, Marden TN12 9ND	Breach of condition (v) of 87/1718 and condition 07. of 97/1450 - no permanenantly stationed caravans	EN	04.02.22	09.03.22	Appeal in progress	Inquiry date 11.10.22
18/500016	SK	Collier St	Tanner Farm Caravan Park, Goudhurst Rd, Marden TN12 9ND	Without planning permission, the change of use of land to a recreational use (Sui Generis)	EN	04.02.22	09.03.22	Appeal in progress	Inquiry date 11.10.22

Case No	Officer	Parish/Ward	Address	Breach	Notice Type	Issue Date	Date Effective	Compliance status	Action
				Decision reached - case closed					
				Awaiting compliance					
				Awaiting planning application/appeal start dates/decisions/court hearings/- out of Enforcement control					
				Next step of formal action being considered					
			XXXXXXXXXX	Cases that are being monitored i.e. sites with injunctions and BCNs					

Month	Cases Closed	Cases received	Live Cases
Jan 2021	29	43	301
Feb 2021	26	39	314
March 2021	36	41	319
Jan 2022	29	27	408
Feb 2022	40	32	400
March 2022	75	48	379

