

September Planning Decisions

26/502662/FULL	Warren House Headcorn Road Sandway Kent ME17 2AG	In principle Lenham Parish Council does not object to this application. However, we would not wish this annex to become a separate dwelling in what is an unsustainable area within the Countryside – we note that there is no direct doorway between the annex and the main property. We would ask for a condition that if Planning permission is granted that there is a requirement that the annex will not be sold as a separate dwelling to the main property.
26/502493/FULL	Little Gaynes Faversham Road Lenham Kent ME17 2PU	Lenham Parish Council objects to the change of use of the existing commercial office to form a garden room. We would not wish to see another likely residential dwelling in what is part of the Kent Downs National Landscape area.
26/501928/FULL	The Brown Barn Bull Hill Lenham Heath Kent ME17 2JA	Lenham Parish Council objects to this application which would create a new residential property in what is an unsustainable area. We would point out that MBC planning has traditionally refused applications in the Lenham Forstall and Lenham Heath areas where they involve new residences. We would also point out that the original 2018 refusal by MBC to convert the Barn and its subsequent agreement subject to conditions, explicitly required the building to remain in appearance as a barn and be used in part for the storage of Hay or other agricultural use. As now proposed in this application, these conditions have been ignored, there is no agricultural storage nor are PVC picture windows conducive to the appearance of a barn. We would fully support the more detailed comments of the immediate neighbours in respect of this application.
26/503119/FULL	Annexe At Bracara Lenham Heath Road Lenham ME17 2BS	Lenham Parish Council objects to this application which would create a new residential property in what is an unsustainable area. We would point out that MBC planning has traditionally refused applications in the Lenham Forstall and Lenham Heath areas where they involve new residences. It would appear this is already being used as a

		separate residence, if that is the case this is, in fact, a retrospective application and so we would ask the Planning Officer to consider this application in the light of the new DM8 planning requirement published August this year, which states: Unauthorised development and enforcement (Policy DM8): Mandates that where development was carried out unauthorised and intentionally, decision-makers must give that intentional breach "substantial weight" in considering whether to grant planning permission. We also support the comments given in the "neighbour" comments that there is no detail given in the "neighbour" comments that there is no detail given in respect of lighting, sewage or independent water provision
26/503024/FULL	Bull Cottage Lenham Heath Road Lenham Heath ME17 2BP	Lenham Parish Council objects to this application which would create a new residential property in what is an unsustainable area. We would point out that MBC planning has traditionally refused applications in the Lenham Forstall and Lenham Heath areas where they involve new residences. The Planning Design and Access statement states that this is not a rural location given that it is within the "proposed" Heathlands development area. Heathlands however has not yet received full planning permission and we would suggest that this application is not in any way involved in the detail given so far for Heathlands. We would also point out that little has been given in the way of material specification to ensure that the rural character is maintained.
26/503199/FULL	Land Adjoining The Wishful Thinkers Lenham Kent ME17 2HY	See Appendix A September Planning Decisions
26/502880/EIHYB	Former Marley Works Dickley Lane Lenham Kent ME17 2DE	Lenham Parish Council in principle supports this application subject to conditional detail yet to be provided. In particular but not exclusively we would be looking for the following: 1. Noting the separate comments from K Miller we confirm that the old Marley site was a huge light polluter – the current application seems to be taking this into account but no calculations have been provided to show the effect on the National Landscape area which borders the site's Northern boundary.

		2. There does not appear to be a traffic management plan. Marley of old had a “just in time” transport system which left lorries queuing along Dickley Lane awaiting their time slot. At the very least this should be avoided. 3. There is no mention of protecting the existing Public Right of Way through the site. The applicant does hope to move the PROW to the Green space to the west but from experience this could take years with no guarantee of success – obviously LPC would support the new hoped for route. 4. The design and access statement page 27 says that foul sewage will be pumped from site – but no detail as to where. Both the Lenham and Harrietsham sewage works are overloaded with the additional housing already built and about to be built. Marley had two pumping stations one to the West pumping up to the junction of Dickley Lane and the Marley Road (hence to Harrietsham) and on the East along the A20 to the top of the Maidstone Road leading down to Lenham. This latter sewer also took the washings from the lorry wash. Agreement from Southern water will presumably be needed for either option as well as their acceptance of run off from any lorry wash on site. 5. There is no mention of protecting the Green space to the West of the site which we consider to be a necessary buffer between the Industrial activity and the housing along the Marley Road.
26/502855/FULL	The Old Woodyard Headcorn Road Sandway Kent ME17 2NE	See Appendix B September Planning Decisions
26/502473/SUB	Blackberry Acre Headcorn Road Sandway Kent ME17 2NE	No Comment
26/503394/PIP	Warren Lands Heath Road Sandway Kent ME17 2NB	Lenham Parish Council strongly objects to this application. The applicant is the ex wife of Mr King who is the subject of a court order to vacate the premises. Land registry issues as to the actual ownership of the land still exist but certainly we have no doubts that neither Mr King nor his ex wife currently own the land. In line with neighbours comments we urge the Council to activate removal of Mr King.

Appendix A

Lenham Parish Council objects to this application and we would ask the Planning Officer to consider this application in the light of the new DM8 planning requirement published August this year. Unauthorised development and enforcement (Policy DM8): Mandates that where development was carried out unauthorised and intentionally, decision-makers must give that intentional breach “substantial weight” in considering whether to grant planning permission.

We also repeat detailed objection to these sites which are springing up all around the Sandway hamlet.

Effect on Character and Appearance.

The application site lies in an area of attractive countryside outside both the village Lenham and the hamlet of Sandway. The application site is clearly visible from the public realm along the Lenham Heath Road. Whilst there is a scatter of development, including the Wishful Thinker Inn and some residential development in the vicinity, this area is clearly open and mainly undeveloped attractive countryside. It would appear that the current lawful use of the site is agriculture. The spread and form of the development proposed would have a significant harmful effect on the rural character and appearance of the countryside such that the proposal would clearly conflict with development plan policy LPRSP9 which aims to protect the countryside from inappropriate and intrusive development.

Whether sustainable location and accessibility.

Sandway has no facilities and residents turn to the villages of Lenham and Harrietsham, both rural service centres situated about 1 mile away, for their day-to-day needs. The characteristics of the intervening roads, which are at the national speed limit (60mph) are not conducive for walking or cycling. In particular the lane to Lenham is mostly unlit with no footway and has for a large part restricted forward visibility for all uses which makes it generally unsuitable for children and the elderly to walk or cycle along. There are no public transport services at Sandway. Mr David Murray, the Inspector appointed by the government to determine a recent appeal at Warren Lands also at Sandway and less than 100m metres from this proposed site, considered whether the Hamlet was a sustainable location suitable for a gypsy or traveller caravan site. In his decision letter dated as recently as eighth of October 2024 concluded as follows at paragraph 27, page 6. It is inherent that a Gypsy or Traveller way of life is dependent on a regular degree of travel probably by a vehicle. Nevertheless, the proposals are for a dwelling and /or a settled permanent base and this is likely to involve the families having to reach schools services and facilities even when a worker is travelling away. The location of the site away from services and facilities and the lack of practical alternatives to the use of the car means that the proposed dwelling or gypsy/traveller site would still be largely dependent on the use of the car. This would not help achieve a sustainable pattern of growth and both proposals conflict with the policy in the Framework to promote sustainable transport, together with Policy AT2(3) of the LNP (Lenham Neighbourhood Plan) . Lenham Parish Council believes that the above comment clearly indicates that Sandway is not a suitable or sustainable location in principle for development for Gypsy and Traveller sites. Such development proposals at Sandway are clearly contrary to both the development plan and government policy as set out in the Framework. The heart of the Sandway conservation area, which is very close to the

application site, comprises a narrow and dangerous road junction. Additional traffic generated by the proposal would have to navigate this junction which would be highly detrimental to highway safety.

The effect on protected species and biodiversity.

Policy LPRSP14(a) requires new development to deliver a minimum of 20% biodiversity net gain or if this is unviable the statutory minimum net gain provision. No information has been provided within the application which demonstrates that proposals to comply with this policy have been thought through and are proposed. As such the application is contrary to this important development plan policy. The proposal is within the Stodmarsh Marshes SAC affected area (there are tributaries to the Stour surrounding the site) that is also unclear.

Policy LPRHOU8.

The application conflicts with policy LPRHOU8 part (b) in terms of the sites accessibility to local services, part (c) because of the significant landscape impact and harm to rural character, part (d) the wider impact on highway safety including the very dangerous and congested junction which lies at the heart of the Sandway conservation area and part (f) the ecological impact on the Stodmarsh SAC.

Gypsy and Traveller development plan document

Maidstone Borough Council will make provision for sites to meet the needs of the Gypsy and Traveller community through the forthcoming development plan document (DPD). The short-term use of the current application site to accommodate the travelling community does not justify harm to rural and residential amenity on a permanent basis which would result from the approval of the proposals. The proposals clearly conflict with the guidance contained within the Framework and should therefore be refused in order that a more considered and balanced appraisal of suitable sites for the Gypsy and Traveller community can be considered through the forthcoming DPD.

Appendix B

Lenham Parish Council objects to this retrospective application and we would ask the Planning Officer to consider this application in the light of the new DM8 planning requirement published August this year.

Unauthorised development and enforcement (Policy DM8): Mandates that where development was carried out unauthorised and intentionally, decision-makers must give that intentional breach “substantial weight” in considering whether to grant planning permission.

We are aware that the existing MA/09/1652 approval granted permission for two touring caravans but from July this year at least one has been replaced by a static mobile Home in this proposed caravan Park.

We are extremely worried about the number of sites like this that are springing up all around the Sandway hamlet and we repeat below our detailed objection to these sites.

Effect on Character and Appearance.

The application site lies in an area of attractive countryside outside both the village Lenham and the hamlet of Sandway. The application site is clearly visible from the public realm along the Lenham Heath Road. Whilst there is a scatter of development, including the Wishful Thinker Inn and some residential development in the vicinity, this area is clearly open and mainly undeveloped attractive countryside. The spread and form of the development proposed would have a significant harmful effect on the rural character and appearance of the countryside such that the proposal would clearly conflict with development plan policy LPRSP9 which aims to protect the countryside from inappropriate and intrusive development.

Whether sustainable location and accessibility.

Sandway has no facilities and residents turn to the villages of Lenham and Harrietsham, both rural service centres situated about 1 mile away, for their day-to-day needs. The characteristics of the intervening roads, which are at the national speed limit (60mph) are not conducive for walking or cycling. In particular the lane to Lenham is mostly unlit with no footway and has for a large part restricted forward visibility for all uses which makes it generally unsuitable for children and the elderly to walk or cycle along. There are no public transport services at Sandway. Mr David Murray, the Inspector appointed by the government to determine a recent appeal at Warren Lands also at Sandway and less than 100m metres from this proposed site, considered whether the Hamlet was a sustainable location suitable for a gypsy or traveller caravan site. In his decision letter dated as recently as eighth of October 2024 concluded as follows at paragraph 27, page 6. It is inherent that a Gypsy or Traveller way of life is dependent on a regular degree of travel probably by a vehicle. Nevertheless, the proposals are for mobile Home dwellings and this is likely to involve a family having to reach schools services and facilities even when a worker is travelling away. The location of the site away from services and facilities and the lack of practical alternatives to the use of the car means that the proposed mobile Home dwellings would still be largely dependent on the use of the car. This would not help achieve a sustainable pattern of growth and both proposals conflict with the policy in the Framework to promote sustainable transport, together with Policy AT2(3) of the LNP (Lenham Neighbourhood Plan). Lenham Parish Council believes that the above comment clearly indicates that Sandway is not a suitable or sustainable location in principle for development for a caravan park. Such development proposals at Sandway are clearly contrary to both the development plan and government policy as set out in the Framework. The heart of the Sandway conservation area, which is very close to the application site, comprises a narrow and dangerous road junction. Additional traffic generated by the proposal would have to navigate this junction which would be highly detrimental to highway safety.

The effect on protected species and biodiversity.

Policy LPRSP14(a) requires new development to deliver a minimum of 20% biodiversity net gain or if this is unviable the statutory minimum net gain provision. No information has been provided within the application which demonstrates that proposals to comply with this policy have been thought through and are proposed. As such the application is contrary to this important development plan policy. The proposal is within the Stodmarsh Marshes SAC affected area (there are tributaries to the Stour surrounding the site) but the effect on the SAC is also unclear.

Policy LPRHOU8.

The application conflicts with policy LPRHOU8 part (b) in terms of the sites accessibility to local services, part (c) because of the significant landscape impact and harm to rural character, part (d) the wider impact on highway safety including the very dangerous and congested junction which lies at the heart of the Sandway conservation area and part (f) the ecological impact on the Stodmarsh SAC.