

Decision Maker: PLANS SUB-COMMITTEE NO. 4

Date: Thursday 14 November 2013

Decision Type: Non-Urgent Non-Executive Non-Key

Title: SHELLEEN VALLEY FARM, LAYHAMS ROAD, KESTON

Contact Officer: Tim Bloomfield, Development Control Manager
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Chief Officer: Chief Planner

Ward: Darwin

1. Reason for report

- 1.1 The site is situated to the east of Layhams Road and south of Layhams Farm. It falls within the Green Belt. The buildings are located close to the western side of the valley with the land running eastward to the valley floor. The site is used for equestrian purposes and historically contained a mobile home whose lawful status has been established.
- 1.2 The site is the subject of an extensive planning history. Of most relevance, under references 08/01729 and 09/00193 Certificates of Lawfulness were granted at appeal in respect of the existing lawful status of the "use of [the] existing mobile home for residential occupation with side and rear extension to mobile home" and for a "replacement mobile home".

2. **RECOMMENDATION(S)**

- 2.1 Enforcement action be authorised to seek removal of:
1. raised platform and blockwork enclosure
 2. second mobile home
 - 3 detached outbuilding;
 - 4 concrete steps to mobile home

3. COMMENTARY

- 3.1 Following recent inspections it is noted that a replacement mobile home has been constructed, to the north-east of the existing cluster of outbuildings occupying the site and over a sloping area of land. A substantial concrete hardstanding has been constructed to provide a level base upon which the mobile home has been placed.
- 3.2 Irrespective of the status of the mobile home, and whether it falls within the legal definition of a caravan, the enabling work which has been undertaken – namely the construction of a raised platform over the sloping land - involves extensive engineering operations which require planning permission, under the terms of the 1990 Planning Act. Whilst a Certificate of Lawfulness has been granted for a replacement mobile home this did not include the carrying out of engineering works which require planning permission. Concerns are raised in respect of the visual impact of the development on the wider Green Belt setting and on local landscape character.
- 3.3 It also appears that the original “mobile” home remains on the site which conflicts with the terms of the Lawful Development Certificate outlined above.
- 3.4 A retrospective application for the operational development has been requested but none has so far been received. In the absence of a planning permission it is considered expedient to pursue enforcement action in respect of the removal of the concrete base and the original mobile home which remains on the site. Other development has been carried out without planning permission including a detached outbuilding and concrete steps which add to the built-up appearance of the site and detract from the rural character of the area and should also be removed.