

COMMITTEE DATE: 21/07/22

APPLICATION NO: RR/2020/1613/P**ADDRESS:**

Land on the East side of Kingwood Hill
Broad Oak
Rye
TN31 6DX

PROPOSAL

Change of use of the land for the stationing of one mobile home and one touring caravan for Gypsy / Traveller occupation. Removal of existing mobile home. Associated hard and soft landscaping and proposed erection of a 'Day Room'. (Part retrospective)

CONSULTATIONSPlanning Notice

One additional objection received containing the following comments:

I wish to object very strongly to this and raise the following issues which I hope will be discussed openly at the meeting since you have not had the courtesy to answer any of my questions throughout the 22 months the people have been in residence in the field in breach of the current planning application.

(a) Regarding the children being in local schools I would like to ask why the family moved to a field for which they had no permission to live, taking the children out of the schools they were in? They were obviously in schooling beforehand so how was this beneficial to their schooling? Why should their schooling now be a factor in a planning matter when the parents made the decision to move in the first place?

(b) There are two addresses that the planning applicant is associated with so I do not agree that the family have nowhere to move to. I have raised this with the planning department before so it must be known to you.

The two addresses are:

1 An application made by Mr Danny Penfold (the applicant), in 2017 in the Borough of Swale for 'Change of use of land to gypsy residential site for the stationing of two static caravans, two tourers, one day room - to make permission permanent.' was approved in October 2017.

The planning application is 17/501399/FULL and it can be found here:

[https://pa.midkent.gov.uk/online-](https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMR9YPTY0XI00)

[applications/applicationDetails.do?activeTab=documents&keyVal=OMR9YPTY0XI00](https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMR9YPTY0XI00)

2 The trading address of Mr Penfold's roofing business (DP Roofing) on CheckaTrade is Lees Paddock, High Halden, Ashford, Kent TN26 3HJ. This address is also a Traveller site and is the same address as the one for Miss Stacey Penfold who was the person who

applied for the original planning for the stable block in Cackle Street in 2009. (This is planning application RR/2009/1763/P).

(c) Why has there been such a delay in dealing with this application? How is it right that this delay can be used to argue that the children are established in schools and use this argument to ignore all the other factors about the planning application which would normally be used to refuse such an application? I have constantly asked why there has been such a delay in dealing with this matter and no matter who has caused the delay: the planning office, the applicant or a combination of both, the delay should not be used as a primary reason for granting the application. How is this fair to the local people who have concerns?

(d) In the report you state there are 58 objections. There are over 70.

(e) In your report you state the caravan and mobile home are screened by hedging. The hedging is deciduous so for 6 months of the year the caravan and mobile home are not screened and are easily visible from neighbouring properties, the pavement to the west and the footpath to the east.

(f) The 'authorised modern stable block' you allude to in your report is not built in accordance with the original planning application RR/2009/1763/P. I have sent in detailed comments about the many ways the planning application is not adhered to (though I did not get a response from anyone in the planning department). I can resend this if you do not have a copy. One of the breaches of the original planning is that there is a dog pen and storage area built on the south side of the stable block bring it very close to the boundary with Kingwoodland and being very visible especially when the trees and hedges are not in leaf.

(g) You say in your report that the Environmental Health state there are no issues regarding disposal of waste water or issues evidenced from the keeping of animals. However, I have reported the smell from the disposal of the applicant's waste water and the nuisance noise from the dog kept in the dog pen attached to the stable block. The smell and noise have continued throughout the past 22 months but I have not continued to report incidents to the Environmental Health department because of the way I was intimidated by two of the officers after making my first complaint. I have not been assured that if I were to report further nuisance, that I would be treated with courtesy and professionalism from the department and hence have not made further complaints.

In summary I feel the actions of officers from both the planning and environmental health departments in Rother District Council have directly impacted the decision on this planning matter to the detriment of myself and other local residents. I therefore ask that the queries, questions and facts I have listed above be raised at the planning committee and discussed.

RECOMMENDATION: AS REPORT