

## Appendix 6 to Item D5

**Our Ref:** DC/sm/JNP1641B  
**Your Ref:**

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**Date:** 16 October 2006

Paul Hopkins  
Planning Applications Group  
Kent County Council  
First Floor  
Invicta House  
County Hall  
Maidstone  
Kent ME14 1XQ

Dear Mr Hopkins

### **Proposed Highways Depot at the Poplars Business Park, Wrotham: Further Information from Wrotham PC**

I received a copy of the letter dated 7 October 2006 to Kent CC councillors and officers from Wrotham PC, and its attachments, at a meeting in Maidstone on 11 October.

Dealing first with the letter, I do not consider the alleged criminal activities on or associated with the site are material to the consideration and determination of the planning application.

The third paragraph refers to the rear of the site as a "green field". None of the historic maps we possess show any boundary between the rear part of the site and the rest, and it cannot in my view be regarded as a separate entity. The site should be regarded as a single unit for planning purposes.

I am not sure whether the depth of the "hard core" deposited on the rear of the site is relevant in the circumstances. On the day of the Committee site visit (17 January), some weed growth was apparent, and this leads me to consider that "two foot" is an exaggeration. I am also far from certain that these deposits extend to 0.9 hectare, as the letter suggests.

The letter quotes three paragraphs from the Planning Supporting Statement, and then describes them as "assertions". As you know, RPS went to considerable lengths to establish the planning history of the site, and in the circumstances, the withdrawn application was bound to be considered important. Far from being assertions, these paragraphs recognise uncertainties, indicated by the use of phrases such as "as far as can be ascertained" and "it is inferred that".

I fully support the paragraph from your report to Committee on the definition of previously developed land which is quoted in the letter.

I disagree with the Parish Council's view that the proposed development is "totally in contravention with this definitive advice", referring to PPG3 Annex C. This is not definitive advice, as "the local authority should make a judgement". As already indicated, we concur with the view you have reached about the status of this site as previously developed land.

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In respect of the fifth bullet point, the statements of Mr Nokes may or may not be “extravagant” and “fallacious”. RPS did not rely on these “in order to gain advantage”; the application for the certificate of lawful use was included in the Planning Supporting Statement to provide part of the background and planning history. What we relied on is either incontrovertible fact – that there is significant built development on the site and extensive hardstanding other than the allegedly unauthorised deposit of scalplings – or what we consider to be the correct interpretation of planning guidance.

Appendix B, Site History, refers to the “failed application for lawful development”. As far as I am aware, the application for the certificate of lawful development did not fail; rather, it was withdrawn. The uses for which the certificate was sought are not the same as those for which Kent Highways Services have applied.

I have examined carefully the sworn statement of Mrs Dunn and the further sworn statement of Mr Rayner. I do not think either raises any issues material to the consideration and determination of the planning application for the highways depot.

Please telephone if you wish to discuss any matters arising.

Yours sincerely  
For RPS

**David Crofts**  
Associate