

20251081for a Proposed Lawful Development Certificate - 7 The Turnstones

Dear Sir/Madam

I write to record my objection to the above Application for a Proposed Lawful Development Certificate.

I refer to the letter from Kent Police dated 7 November setting out the conclusions to their review of this application with regard to Crime Prevention Through Environmental Design and in accordance with the National Planning Policy Framework.:

The letter states:

‘Due to the proposed use of the site, we would recommend the applicant review current site security and boundary treatments. We advise boundary treatments to be a minimum of 1.8m in height with support beams facing inwards, any gates to a rear/side access must also be securely lockable from both sides. It is essential that there is no unauthorised access to the rear of the site either via the side access route or via neighbouring premises.’

The drawing submitted with the application appears to show trees only on the outer side of the boundary fence. This drawing, which has been submitted with previous applications, is inaccurate. While there are trees on the outer side of the boundary, as shown, there are also extremely large trees around the entire inner perimeter of the rear garden, which I believe may inhibit access to the fence in order to implement the required measures. However, I would add that the addition of inward facing support beams may in fact facilitate efforts to scale the fence. Previous unauthorised access over the existing 1.8m fence has already occurred, demonstrating deficiencies in the current boundary security, and additional possible points of entry on the boundary with our property would also prove problematic.

If approved, site security is required for the construction phase.

I do not understand this comment as the Planning, Design and Access Statement states that the proposal will not require any internal or external alterations to the bungalow. This is confirmed in the Description of Proposal section of the application. The Design and Access Statement states that ‘the bungalow has been extended previously with a single storey extension’. The description of a ‘single storey extension’ is misleading as this structure is an ageing conservatory predating the applicant’s purchase of the bungalow in 2007.

We recommend CCTV be installed at the main entrance doors to monitor the movements of the occupiers. In some circumstances, it can be advisable for staff to carry personal attack alarms and in some instances BWV cameras for safety purposes’.

These are not measures one would expect to suddenly be necessary in a quiet, long-established residential cul de sac such as ours and you cannot fail to understand the concerns this raises in the community.

I consider that these security measures, together with the recommended boundary security recommendations in the review, indicate a level of risk management significantly beyond that associated with normal C3(b) residential use and are indicative of supervised/specialist accommodation which should more accurately fall into Use Class 2 or sui generis, rather than C3(b).

This belief is further supported by the presence of 24-hour shift-based staff, where the operational model also resembles a care home, hostel or supported accommodation, inconsistent with domestic household life.

Previous applications relating to this site have lacked key operational information. For a lawful development certificate, the burden of proof lies with the applicant. I therefore seek confirmation that **all** relevant supporting evidence/documentation, eg tenancy, care provider, contracts, care plans, staffing schedules, and all other pertinent information has been, or will be, provided in full and in a timely manner. I would also seek your assurance that any inaccuracies have been/will be identified and not overlooked. Without complete, accurate and verifiable evidence the Planning Authority cannot conclude 'on the balance of probability' that the proposed use falls within C3(b) and I cannot see that permission can legitimately be granted.

Given the police recommendations and the inaccuracies in the submitted details, I am not satisfied that the proposal meets the requirements of NPPF para.97 (safe and accessible environments) or that the information supplied is sufficient for a lawful development determination.

For the reasons set out above I believe that the proposed use constitutes a material change of use requiring a full planning application and respectfully request that the Local Planning Authority refuse the application.

Over many years I have learned that the 'human element' plays no part in the Council's deliberations regarding planning applications, and the concerns which are so important to us as residents are simply not 'material considerations' in the process. You will be aware, from objections raised to numerous previous planning applications, that the applicant has never lived here and has absolutely no regard for our community. Nonetheless, we are at the mercy of whatever scheme he next decides to come up with. However, a duty of care is surely relevant in these circumstances and, given the history of our experience of his role as landlord, I truly believe that granting a Lawful Certificate for this latest venture could be deemed a dereliction of duty on many levels, not least safeguarding.

Yours faithfully

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