

**From:** [Stephenson, John](#)  
**To:** [adrian lynham](#)  
**Cc:** [Courtine, Paul](#); [Bord, David](#)  
**Subject:** RE: Lower Hockenden Farm Appeals (email 1 of 5)  
**Date:** 07 June 2023 14:52:24  
**Attachments:** [image001.png](#)

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Dear Mr Lynham,

Without prejudice save as to costs

I refer to your letter dated 16 May 2023 concerning Land at Lower Hockenden Farm, Swanley (Appeal 33112256)

I consider points (i) to (iv) are your methodology for complying with requirement (b) of the notice. Removing from the land all "other materials" is acceptable. Removing all "clean hardcore" from the land and not just from the western field is required. I am not in a position to comment on what your client proposes to do with the waste after it has been removed from the land, but I would encourage them to liaise with the Environment Agency and obtain any necessary permits.

Point (iii) says some of the waste would not be removed. This would be in breach of requirement (b). In relation to point (iv), any "clean soil" deposited on the land from the erection of fencing is waste and would need to be removed from the land.

There is likely to be other waste on the land which does not fall under any of your definitions, for example the residual shredded wood and other material referred to in paragraph 5.11 of the Council's statement of case. This would all need to be removed as well.

As for your client's future intentions to construct security bunds, what you describe is unlikely to be classed as an "other means of enclosure" under class A of part 2 of the GPDO by virtue of factors including its likely extent and means of construction. Should a planning application be submitted, I would question the appropriateness and visual impact of the proposed bunds within the Green Belt.

There is clear harm caused by the breach of planning control, which needs to be remedied. I would therefore not support a request to stay the appeal.

I hope this information is of some further assistance.

Kind regards

John Stephenson  
Head of Planning and Development Support Team  
Planning Division  
Housing, Planning and Regeneration Services  
London Borough of Bromley  
Stockwell Close, Bromley BR1 3UH  
T. 0208 313 4687. M. 07958 949 129  
[John.stephenson@bromley.gov.uk](mailto:John.stephenson@bromley.gov.uk)  
[www.bromley.gov.uk](http://www.bromley.gov.uk)