



Mr & Mrs M Russell
C/O Mr Andrew Gerken
Pump House Designs
Pump House Yard
The Green
Sedlescombe
Battle, TN33 0QA

20 April 2020

PLANNING DECISION NOTICE

APPLICANT:	Mr & Mrs M Russell
DEVELOPMENT TYPE:	Change of use
APPLICATION REFERENCE:	20/00545/FULL
PROPOSAL:	Change of use of part of Exempted Caravan Site to allow for stationing of 3 static caravans for holiday lets, together with associated works including formation of caravan bases and extension to existing access track.
ADDRESS:	Oaklands Farm, Bodiam Road, Sandhurst, Cranbrook, Kent, TN18 5LE

The Council hereby **GRANTS** permission/consent for the proposal referred to above subject to the following Conditions:

- (1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

- (2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

6311-20 - Location Plan and Block Plans

6311-200 - Site Plan

Reason: To clarify which plans have been approved.

- (3) Should the use of the hereby approved caravans for the purposes of tourist accommodation cease within 10 years from the date on which the development is subsequently completed then, unless otherwise the Local Planning Authority have otherwise agreed in writing, the caravans, hardstanding and associated works must be removed from the land and the land must, so far as is practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing between the Local Planning Authority and the land owner/developer.

Reason: In the interest of visual amenity and to protect the character and appearance of the countryside

- (4) Details on the proposed method of foul sewage treatment, along with details regarding the provision of potable water and waste disposal must be submitted to and approved by the Local Planning Authority prior to occupation of the site. These details should include the size of individual cess pits and/or septic tanks and/or other treatment systems. Information provided should also specify exact locations on site plus any pertinent information as to where each system will discharge to, (since for example further treatment of the discharge will be required if a septic tank discharges to a ditch or watercourse as opposed to sub-soil irrigation). If a method other than a cesspit is to be used the applicant should also contact the Environment Agency to establish whether a discharge consent is required and provide evidence of obtaining the relevant discharge consent to the local planning authority.

Reason: To avoid additional water off site and to avoid pollution of the surrounding area

- (5) Prior to the first use of the development hereby permitted, details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority. External lighting shall be installed in accordance with the approved details, and no further external lighting shall be submitted at any subsequent time.

Reason: In the interest of protecting the character and amenities of the locality.

- (6) Prior to any above ground works commencing on site a scheme for the enhancement of biodiversity in accordance with the recommendation's set out in the Ecological Appraisal provided shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall take account of any protected species that have been identified on the site, and in addition shall have regard to the enhancement of biodiversity generally. It shall be implemented in accordance with the approved proposals within it and maintained thereafter.

Reason: To protect and enhance existing species and habitat on the site in the future

Informatives:

- (1) It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
- (2) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.
- (3) The public right of way must remain open and available at all times. No materials or waste arising from the development may be stored on the public right of way.

The Council's approach to this application:

In accordance with Paragraphs 38 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

- Offering pre-application advice.
- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- The application was acceptable as submitted and no further assistance was required.



Stephen Baughen
Head of Planning
Tunbridge Wells Borough Council

IMPORTANT: YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF CONSENT OR GRANT OF CONSENT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 or Control of Advertisements Regulations 1989.

Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant for the following:

- If this is a decision to refuse planning permission for a Householder application or a Minor Commercial application and you want to appeal the decision, or any of the conditions imposed, then you must do so within 12 weeks of the date of this notice.
- In all other cases, you will need to submit your appeal against the decision, or any of the conditions imposed, within 6 months of the date of this notice.

For applications relating to Enforcement Notices:

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is subsequently served and relates to the same or substantially the same land and development and if you want to appeal against the decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder or minor commercial application decision] of the date of this notice, whichever period expires earlier.

Appeals must be made using a form which you can get from The Planning Inspectorate, Room 3/13, Temple Quay House , 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted advertisement consent for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.