



Mr Andy Wylie
C/O Mr Peter Payne
P.O Payne Architects
Bluebel Cottage
Down Lane
Frant
Tunbridge Wells

30 September 2020

PLANNING DECISION NOTICE

APPLICANT:	Mr Andy Wylie
DEVELOPMENT TYPE:	Householder
APPLICATION REFERENCE:	20/01915/FULL
PROPOSAL:	Extend existing residential pond within site boundaries (Retrospective)
ADDRESS:	Fuggles Cottage, Crouch Lane, Sandhurst, Cranbrook, Kent, TN18 5PD

The Council hereby **GRANTS** permission/consent for the proposal referred to above subject to the following Condition(s):

- (1) The development hereby permitted shall be carried out in accordance with the following approved plans:

22004/01 Rev 1

Reason: To clarify which plans are approved.

- (2) A landscaping and tree planting scheme for the development shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the development. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the first use of the development. The scheme shall include details of fencing around the pond.

Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written permission to any variation.

Reason: In order to protect and enhance the amenity of the area

- (3) Within 3 months of the date of this decision details to profile the edges of the pond hereby approved shall be provided, details of this work along with details of spoil disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In order to protect and enhance the amenity of the area

- (4) The development shall only be used for either attenuation or wildlife/biodiversity/ecological enhancement purposes; and not for any other purpose without the express written planning permission of the Local Planning Authority, whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any subsequent Order revoking or re-enacting that Order, or whether the alternative use is permitted by virtue of Article 3 and Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting that Order.

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

- (5) Prior to the first use of the development hereby approved, details of an ecology and biodiversity enhancement scheme along with a management plan shall be submitted to and approved in writing by the Local Planning Authority and the development shall then be carried out in accordance with the approved details.

Reason: In the interests of ecology and biodiversity.

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

A handwritten signature in black ink, consisting of a large 'S' followed by a stylized, cursive name.

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.