



Mrs Nicola Holland  
20 High Street  
Biddenden  
TN27 8AH  
United Kingdom

8 March 2022

## PLANNING DECISION NOTICE

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<b>APPLICANT:</b>	<b>Mrs Nicola Holland</b>
<b>DEVELOPMENT TYPE:</b>	<b>All other minor development</b>
<b>APPLICATION REFERENCE:</b>	<b>20/03754/FULL</b>
<b>PROPOSAL:</b>	<b>Change of use of land comprising a meadow at Scurms Farm, just off Stone Pit Lane, to create a glamping site of 5 x 1 bed Shepherds Huts with associated sewage treatment plant and amenities including connection to mains water and electricity, and a parking area adjacent to the meadow. Proposal includes enhancement of the surrounding area with additional hedge and tree planting as well as comprehensive Landscape and Woodland Management Plan for surrounding meadows and woodland.</b>
<b>ADDRESS:</b>	<b>Stone Pit Meadows, Stone Pit Lane, Sandhurst, Cranbrook, Kent,</b>

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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 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 be carried out in accordance with the following approved plans:

L05 Landscape Masterplan received 8 December 2021

Shepherd Huts Elevations and Plans  
SK/SR/101C Access Design

Reason: To clarify which plans are approved.

- (3) The development hereby approved shall not be occupied by the same person for a period longer than six weeks. The same person shall not occupy the unit within a period of three months of vacating the accommodation.

For the avoidance of doubt the premises shall not be used at any time as a sole and principal residency by any occupants, and the premises shall not be used as a second home by any person.

Reason: In the interests of controlling and regulating development on this site. To retain tourist accommodation and to preclude the use of the premises for permanent residential purposes.

- (4) The use hereby permitted is for the shepherd's huts identified on the approved plans only and there shall be no substitution for any other temporary accommodation without prior written planning permission from the Local Planning Authority.

Reason: To protect the character and appearance of the countryside

- (5) If the development hereby approved is not used for its authorised holiday accommodation purpose during two consecutive calendar years, or if at any time it is no longer required for that purpose, the shepherd's huts and all associated development shall be permanently removed from the site and the land upon which it was sited restored within 3 months to its previous condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the retention of unnecessary redundant buildings and development in the countryside and because the development has only been permitted for a specific purpose

- (6) Notwithstanding the details submitted, no external lighting shall be installed until details have been submitted to, and approved in writing by the Local Planning Authority prior to its installation. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written permission to the variation.

Reason: To protect the appearance of the area, the environment and wildlife from light pollution

- (7) No development shall take place until details of tree protection in accordance with the current edition of BS 5837 have been submitted to and approved in writing by the local planning authority. All trees to be retained must be protected by barriers and/or ground protection.

Reason: These details are required prior to commencement to safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

- (8) Prior to commencement of the development hereby approved a landscaping scheme for the site, which shall include a planting specification and may include entirely new planting, retention of existing planting or a combination of both, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. 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: This is required prior to commencement in order to protect and enhance the amenity of the area

- (9) Prior to commencement of the development hereby approved, a scheme of ecological mitigation and enhancement shall be submitted to and approved in writing by the Local Planning Authority. The 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 to ensure biodiversity net gain. It shall be implemented in accordance with the approved proposals within it and shall be carried out in perpetuity.

Reason: To protect and enhance existing species and habitat on the site in the future. This is a pre-commencement condition as the mitigation measures will need to apply from the commencement of works on site.

- (10) The enhancements to the ancient woodland shall be carried out in accordance with the Ecology, Landscape and Ancient Woodland Management Plan dated April 2020 and Method Statement for Clearance of Pond (P4) in Ancient Woodland unless the local planning authority gives written consent to any variation.

Reason: To safeguard the amenity and nature conservation value of the trees on site to maintain and enhance the character and appearance of the local area.

- (11) Should the hedgerow along Stone Pit Lane need to be relocated to comply with the approved visibility spays at the entrance to this site this shall be carried out in accordance with the submitted Method Statement of Transplantation of Portion Of Existing Hedgerow. Any plants that fail to establish or within five years from planting die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size unless the local planning authority gives written consent to any variation.

Reason: In the interests of ecology and biodiversity, and to protect the rural character of the locality

- (12) Prior to first use of this development and in consultation with KCC Public Rights of Way & Access Service, the existing stile at the site boundary on Public Right of Way WC303 shall be removed to leave a gap and shall thereafter be retained as such.

Reason: To improve accessibility to the public right of way network for existing and future visitors to this site.

- (13) As an initial operation on site, before any other work commences, the area of land within the vision splays shown on the approved plan shall be reduced in level as necessary and cleared of any obstruction exceeding a height of 0.6 metres above the level of the nearest part of the carriageway and be so retained in accordance with the approved plan

Reason: In the interests of highway safety.

- (14) No gates or barriers shall be erected across the access within 5.5 metres from the back of the carriageway used by vehicular traffic.

Reason: In the interests of highway safety.

- (15) Before first use of this site, details for the storage and screening of refuse shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To facilitate the collection of refuse, preserve visual amenity and to reduce the occurrence of pests

Informative(s):

- (1) 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.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

- (2) This proposal does not give permission for the proposed signage at the entrance to the site and the need for consent would be considered under the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), and may require an advertisement application to be submitted.
- (3) As advised by the Public Rights of Way and Access Service:

- No furniture, fence, barrier or other structure may be erected on or across Public Rights of Way without the express consent of the Highway Authority.
  - There must be no disturbance of the surface of the Public Right of Way, or obstruction of its use, either during or following any approved development without the express consent of the Highway Authority.
  - No hedging or shrubs should be planted within 1 metre of the edge of the Public Right of Way.
  - Planning consent given confers no consent or right to close or divert any Public Right of Way at any time without the express permission of the Highway Authority.
- (4) Please note that consent may be required from the Environment Agency for the sewage treatment plant and the applicant should contact 03708 506 506 or consult the website <https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit> to establish whether any consent will be required.

**The Council's approach to this application:**

In accordance with paragraph 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 applicant/agent was advised of changes required to the application and these were agreed.



**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 to the Planning Inspectorate and further details can be found at <https://www.planningportal.co.uk/info/200207/appeals>.

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.

## SGN Advisory note

**There are a number of risks created by built over gas mains and services; these are:**

1. Pipework loading – pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
2. Gas entry into buildings – pipework proximity increases risk of gas entry in buildings.
3. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
4. Occupier safety – lack or no fire resistance of pipework, fittings, or meter installation.
5. Means of escape could be impeded by an enclosed meter.

**Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:**

1. Check your proposals against the information held at <https://www.linerearchbeforeudig.co.uk/> to assess any risk associated with your development **and**
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone 0800 912 1722 / Email [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk)

**In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.**

Further information on safe digging practices can be found here:

<https://www.sgn.co.uk/damage-prevention>

Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work

Further information can also be found here:

<https://www.sgn.co.uk/help-and-advice/diggingsafely>