



J&P Catt LLP
C/O Mr Ben Eames
Kent Design Studio Ltd
The Workshop, Rose Cottage Farm
North Street
Biddenden
Ashford

24 October 2022

PLANNING DECISION NOTICE

APPLICANT:	J&P Catt LLP
DEVELOPMENT TYPE:	All other minor development
APPLICATION REFERENCE:	21/04207/FULL
PROPOSAL:	Replacement farm shop (class E use) with associated parking and outdoor seating/display areas (including part change of use of land)
ADDRESS:	Sandhurst Farm Shop, Queen Street, Sandhurst, Cranbrook, Kent, TN18 5HR

The Council hereby **REFUSES** Planning Permission for the above for the following Reason(s):

- (1) The application fails to demonstrate that safe and suitable access to the site can be achieved for all users and that there would be an acceptable impact on highway safety. It is thereby in conflict with Part 9 of the National Planning Policy Framework 2022, and saved policy TP4 of the Tunbridge Wells Local Plan 2006.

Informative(s):

- (1) The plans taken into consideration in reaching the decision to refuse planning permission are:

Application form
Planning Statement and attached appendices
Preliminary Ecological Appraisal
E-mail from agent 01/03/22 agreeing to farmshop condition
Great Crested Newt District Level Licensing Impact Assessment & Conservation
Payment Certificate
Transport Statement Rev B
01A Site Location Plan and Existing block plan
02 Existing Elevations
03 Existing Elevations
04D Proposed Block Plan
05C Proposed Ground Floor Plan
06C Proposed SE Elevation
07B Proposed North East Elevation
08B Proposed South West Elevation
09C Proposed NW Elevation
10 Existing Sections
11 Existing Sections 2
12B Proposed SE Elevation (section D-D
13 Proposed South West Elevation Section EE
5385 01 Rev C Site Plan with visibility splays
5385 02 Rev B Junction layout
5385 03 Rev B Vehicle tracking

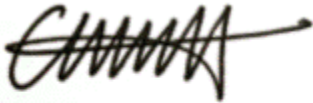
The Council's approach to this application:

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:

- This application was not considered to comply with the provisions of the Development Plan and NPPF as submitted, and would have required substantial changes such that a new application would be required.
- The applicant is advised to seek pre-application advice on any resubmission.



Carlos Hone
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 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.