



Mr & Mrs O'Donoghue  
C/O Mr James Chapman  
Kent Design Studio Ltd  
The Workshop, Rose Cottage Farm  
North Street  
Biddenden  
Ashford  
Kent, TN27 8BA

16 June 2023

## PLANNING DECISION NOTICE

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<b>APPLICANT:</b>	<b>Mr &amp; Mrs O'Donoghue</b>
<b>DEVELOPMENT TYPE:</b>	<b>LBC (alterations/extensions)</b>
<b>APPLICATION REFERENCE:</b>	<b>23/01088/LBC</b>
<b>PROPOSAL:</b>	<b>Listed Building Consent - Proposed part conversion of attic space to extend and provide further accommodation and bathroom facilities at first floor, works to include removal of modern fabric and insertion of conservation roof lights to the rear elevation</b>
<b>ADDRESS:</b>	<b>Cherry Tree Cottage, Bodiam Road, Sandhurst, Cranbrook, Kent, TN18 5LR</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 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) 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:

Proposed block plan - Drg no. 4259 04  
Proposed plan and elevation - Drg no. 4259 05  
Proposed sections - Drg no. 4259 06

Reason: To clarify which plans have been approved.

- (3) The development shall be carried out in accordance with the details of materials specified in the application which shall not be varied without the prior written permission of the Local Planning Authority.

Reason: To preserve the character of the building.

- (4) Notwithstanding the submitted drawings and all supporting documentation, prior to the commencement of those areas of work referred to below, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Full detail section drawings through all external walls and sections of roof which are proposed to be altered to achieve better insulation, complete with specifications for all proposed works;
- b) Detailed plans of any new pipework runs;
- c) Details of any mechanical ventilation that may be required, including location, dimensions and colour;
- d) Manufacturer's details of the proposed roof lights.

The works shall be carried out in accordance with the approved details.

Reason: To safeguard the character and fabric of the listed building.

- (5) Prior to the commencement of any works to strengthen the floor structure of the second floor, detailed plans and a method statement for the works shall be submitted to and approved in writing by the Local Planning Authority.

The works shall be carried out in accordance with the approved details.

Reason: To safeguard the character and fabric of the listed building.

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 application was acceptable as submitted and no further assistance was required.
- The application was approved without delay.



**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 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>