



J&P Catt LLP
c/o Mr David Bedford
DHA Planning
Eclipse House
Eclipse Park
Maidstone
ME14 3EN

21 August 2023

PLANNING DECISION NOTICE

APPLICANT:	J&P Catt LLP
DEVELOPMENT TYPE:	Minor Dwellings
APPLICATION REFERENCE:	23/01611/FULL
PROPOSAL:	Demolition of existing farm shop, erection of 4-bedroom single-storey dwelling with associated parking and landscaping
ADDRESS:	Sandhurst Farm Shop, Queen Street, Sandhurst, Cranbrook, Kent, TN18 5HR

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:

- Proposed elevations (1 of 2), drawing number 3303 112 A
- Proposed elevations (2 of 2), drawing number 3303 113 A
- Proposed floor plan, drawing number 3303 111 B
- Proposed block plan, drawing number 3303 110 F
- Preliminary Ecology Appraisal dated 10/05/23.

Reason: To clarify which plans are approved.

(3) Written details including source/ manufacturer, of roofing material, timber cladding including any standing be used externally (including the retaining wall) shall be submitted to and approved in writing by the Local Planning Authority before any above ground construction and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity

(4) No above ground construction shall take place until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed. It shall include a planting specification, a programme of implementation and a 5 year management plan. The landscape scheme shall specifically address the new hedgerows including their species and shall include details of both hard and soft landscaping.

Reason: To ensure a satisfactory appearance to the development.

(5) All such landscaping shall be carried out in accordance with the implementation plan approved under condition (4). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, 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 as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: To safeguard the amenity and nature conservation value of the trees that have failed and to maintain, enhance the character and appearance of the local area and to ensure that the amenities of neighbouring properties continue to be protected.

(6) The ecological mitigation measures with chapter 4 of the submitted Preliminary Ecology Appraisal dated 10/05/23 shall be fully implemented in accordance with the approved details from the commencement of the development hereby approved.

Reason: To protect the existing populations of protected species and to improve habitat on the site.

- (7) Prior to the commencement of any above ground works, a scheme for the enhancement of biodiversity on the site shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall have regard to the enhancement of biodiversity generally. 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.

- (8) The area shown on the approved plan (drawing nos. 3303 110 F) as vehicle parking space and turning shall be provided, prior to the first occupation of the dwelling hereby approved, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

- (9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order), no development shall be carried out within Classes A, B, C and E of Part 1 of Schedule 2 of that Order.

Reason: In the interests of protecting the character and amenities of the area and nearby residents.

- (10) Prior to commencement of development (excluding the demolition of the existing building), the applicant, or their agents or successors in title, will secure the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

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/highway-permits-and-licences/highways-permissions-and-technical-guidance>

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) As the development involves demolition and/or construction, broad compliance with the Mid Kent Environmental Code of Development Practice document is expected.
- (3) All waste/recycling required bins/containers to be purchased through Tunbridge Wells Borough Council.
- (4) Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.
To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements
- (5) Once work begins on site please apply for Street Naming and Numbering at: <https://tunbridgewells.gov.uk/planning/support-services/street-naming-and-numbering>

Applying early to officially register new addresses will prevent delays with council, utility, postal and emergency services.


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.



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

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>