



Mr and Mrs Mayell
c/o Mrs Gallup-Judd
Kent Design Studio Ltd
The Workshop
Rose Cottage Farm, North Street
Biddenden
Ashford
TN27 8BA

22 May 2024

PLANNING DECISION NOTICE

APPLICANT:	Mr and Mrs Mayell
DEVELOPMENT TYPE:	Minor Dwellings
APPLICATION REFERENCE:	24/00838/FULL
PROPOSAL:	Demolition of barn and erection of new dwelling
ADDRESS:	Boxhurst Farm Boxhurst Sandhurst Cranbrook Kent

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

- (1) The development would cause significant harm to the rural character of the area, would have more than a minimal impact on the landscape character of the locality and would fail to conserve and enhance the special character of the High Weald National Landscape. The application site is only considered modestly sustainable at best, with limited services nearby and consequent heavy reliance on the use of private cars by the future occupants. It is therefore contrary to Policies LBD1, EN1 and EN25 of the Tunbridge Wells Borough Local Plan 2006, Core Policies 4 and 14 of the Tunbridge Wells Borough Core Strategy 2010, the aims and objectives of the Borough Landscape Character Area Assessment 2017 and the National Planning Policy Framework 2023.

Informative(s):

(1) The plans taken into consideration during the assessment of this application were:

- Drawing Number 4416-P2 04B - Proposed Block & Landscaping Plan (received 22/03/24)
- Drawing Number 4416-P2 05 - Proposed Floor Plans (received 22/03/24)
- Drawing Number 4416-P2 06A - Proposed Elevations (1 of 2) (received 22/03/24)
- Drawing Number 4416-P2 07 - Proposed Elevations (2 of 2) (received 22/03/24)
- Drawing Number 4416-P2 08A - Proposed Street Scene Drawings (received 22/03/24)
- Preliminary Ecological Appraisal (received 22/03/24)

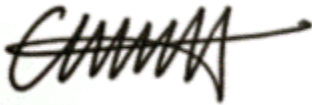
The Council's approach to this application:

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 considered to be fundamentally contrary to the provisions of the Development Plan and NPPF, and there were not considered to be any solutions to resolve this conflict. The agent was notified that the application would be recommended for refusal via email on 22/04/24, and they confirmed that they wished for the application to be determined via email on 30/04/24.



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.