



**Planning, Housing &
Environmental Health**

**Development Control
Gibson Building, Gibson Drive
Kings Hill, West Malling
Kent ME19 4LZ**

Telephone 01732 844522
Web Site <http://www.tmbc.gov.uk>
email planning.applications@tmbc.gov.uk

Kingswood Training
c/o Andrew Boakes Associates
Mr A Boakes
8 Tonbridge Chambers
Pembury Road
Tonbridge
Kent
TN9 2HZ

Your ref
Our ref TM/16/02228/FL
Contact Glenda Egerton
Direct line 01732 876362
email glenda.egerton@tmbc.gov.uk
Date 4 October 2016

APPLICATION: TM/16/02228/FL

VALIDATED: 25 July 2016

PARISH: Shipbourne

This was approved in accordance with the following submitted details: Existing Plans 655/SURV/01 received 25.07.2016, Proposed Plans 655/8 REV A site, roof, block and loc received 28.09.2016, Site Plan 655/01 Existing and Roof Plan received 20.07.2016, Existing Plans 655/02 and Sections received 20.07.2016, Existing Elevations 655/03 Site Sectional Elevation received 20.07.2016, Proposed Plans 655/09 Barn 1 received 20.07.2016, Proposed Elevations 655/10 And Section Barn 1 received 20.07.2016, Proposed Plans and Elevations 655/11 And Section Barn 2 received 20.07.2016, Design and Access Statement received 20.07.2016,

APPLICANT: Kingswood Training
c/o Andrew Boakes Associates Mr A Boakes 8 Tonbridge Chambers Pembury Road
Tonbridge Kent TN9 2HZ
PROPOSAL: Conversion of two forestry training buildings into three dwellings
LOCATION: Kingswood Tree Surgeons Back Lane Shipbourne Tonbridge Kent TN11 9PP

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015**

TAKE NOTICE that the TONBRIDGE AND MALLING BOROUGH COUNCIL, the District Planning Authority under the Town and Country Planning Acts, has **GRANTED PERMISSION** for the proposal as specified above, subject to the compliance of the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2. All materials used externally shall accord with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

Director of Planning, Housing & Environmental Health: Steve Humphrey MRTPI

3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

4. No external lighting be installed unless otherwise approved by the Local Planning Authority.

Reason: In the interests of the visual amenity of the locality.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no development shall be carried out within Class A, B, C, D and E, of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: In order to control the development and to ensure the retention of the character and appearance of the buildings.

6. No development shall commence until details of a scheme for the storage and screening of refuse has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the development is occupied and shall be retained at all times thereafter.

Reason: To facilitate the collection of refuse and preserve visual amenity.

7. The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the 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 hazardous on-street parking.

8. The second floor window on the east elevation of Barn 1 shall be fitted with obscured glass and, apart from any top-hung light, shall be non-opening. This work shall be effected before the extension is occupied and shall be retained thereafter.

Reason: To minimise the effect of overlooking onto adjoining property.

9. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the east elevation(s) of Barn 1 other than as hereby approved, without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property.

10. There shall be no buildings erected nor chattels stationed in the area marked as 'Gravel turning area, domestic log storage and access to rear of Wagoners' on plan no 655/08 Rev A date-stamped 28 September 2016, and no open storage except for domestic log storage, without the prior written approval of the Local Planning Authority.

Reason: To protect the openness of the Green Belt.


11. No trade or business shall be carried out in the area marked as 'Gravel turning area, domestic log storage and access to rear of Wagoners' on plan no 655/08 Rev A date-stamped 28 September 2016, without the prior written approval of the Local Planning Authority.

Reason: To protect the openness of the Green Belt.

Informatives:

1. During the construction phase, the hours of working (including deliveries) shall be restricted to Monday to Friday 07:30 hours - 18:30 hours. On Saturday 08:00 to 13:00 hours, with no work on Sundays or Public Holidays.
2. The proposed development is within a road which does not have a formal street numbering and, if built, the new property/ies will require new name(s), which are required to be approved by the Borough Council, and post codes. To discuss suitable house names you are asked to write to Street Naming & Numbering, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or to e-mail to addresses@tmbc.gov.uk. To avoid difficulties for first occupiers, you are advised to do this as soon as possible and, in any event, not less than one month before the new properties are ready for occupation.

In reaching this decision, the Local Planning Authority has had appropriate regard to the provisions of paragraphs 186 - 187 of the National Planning Policy Framework 2012.



Steve Humphrey
Director of Planning, Housing & Environmental Health

NOTE REGARDING PLANNING CONDITIONS

Please note that if conditions are attached to this permission, some of them may require the submission, pursuant to Article 27 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, of details for the formal approval of the Local Planning Authority prior to the development commencing. The Borough Council may consider it appropriate to carry out consultations and other procedures prior to giving a formal decision on these matters and it is unlikely that this will take less than 4 weeks. This should be taken into account when programming the implementation of the permission. Any development that takes place in breach of such conditions is likely to be regarded as unlawful.

THIS IS NOT A BUILDING REGULATION APPROVAL

It is the responsibility of the developer to ensure, before the development hereby approved is commenced, that approval under the Building Regulations, where required, and any other

necessary approval, have been obtained, and that the details shown on the plans hereby approved agree in every respect with those approved under such legislation.

IMPORTANT: Your attention is drawn to the Notes attached.

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months (12 weeks in the case of proposals relating to shopfronts) of the date of this notice, using a form which you can get from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- 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 you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application then you must do so within:

28 days of the date of service of the enforcement notice or six months in the case of a householder appeal of the date of this notice, whichever period expires earlier.
- In the event of an appeal being lodged one copy of the completed appeal form should be forwarded to the Chief Solicitor of the Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ.
- The Secretary of State can allow a longer period for giving notice of an appeal but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Borough Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

General Notes

- Your attention is drawn to the provisions of Section 76 of the Town and Country Planning Act 1990 relating to the need to provide adequate access and other facilities for the disabled.
- Section 53 of the County of Kent Act 1981 applies to an application for the erection/extension of a building.

This requires that adequate access for the fire brigade is provided for buildings. In view of these provisions, **YOU ARE ADVISED TO CONSULT THE KENT FIRE BRIGADE** at an early stage.