



Sarah Mason
C/O Mr Matthew Woodhead
DHA Planning Ltd
Eclipse House
Eclipse Park
Sittingbourne Road
Maidstone
Kent, ME14 3EN

26 March 2021

PLANNING DECISION NOTICE

APPLICANT:	Sarah Mason
DEVELOPMENT TYPE:	Minor Dwellings
APPLICATION REFERENCE:	18/02621/FULL
PROPOSAL:	Erection of 9 No. new dwellings with associated car parking and landscaping.
ADDRESS:	Land North Of Cobnut Close, Sissinghurst, Cranbrook, Kent

The Council hereby **GRANTS** permission/consent for the proposal referred to above subject to the following Conditions:

- (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:-

Plan numbers - 3589/sk03e, 3589/sk04c, 3589/sk05b, 3589/sk06b, 3589/sk09b, 3589/sk10b and 3589/sk12a.

Reason: To clarify which plans have been approved.

- (3) Written details including source/ manufacturer, of bricks, tiles, cladding materials and paving materials to be used externally 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 and to enable a high quality development. Such details are fundamental to the application and are therefore required prior to its commencement.

- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order revoking or re-enacting that Order with or without modification), no development shall be carried out within Classes A, B, C, D or E of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order) without prior permission from the Local Planning Authority.

Reason: In the interests of protecting the character and amenities.

- (5) No development shall take place until an Arboricultural method statement (AMS) to include Arboricultural supervision and phasing construction works, as well as method of working within the RPAs of trees, in accordance with the current edition of BS 5837 has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the approved details.

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development. It is considered that the timing requirements of the condition are so fundamental to the development permitted that it would have been otherwise necessary to refuse permission due to the potential harm to trees which form the boundary with Common Road which may occur without such protection.

- (6) No development shall take place, and no materials, or demolition construction equipment shall be brought onto the site until details of tree protection in accordance with the current edition of BS 5837 and a suitable 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. All trees to be retained must be protected by barriers and/or ground protection and the landscaping details 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 and include a planting specification, a programme of implementation and a 5 year management plan.

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development. It is considered that the timing requirements of the condition are so fundamental to the development permitted that it would have been otherwise necessary to refuse permission due to the potential harm to trees which form the boundary with Common Road which may occur without such protection.

- (7) No works shall, within 5 years from the first occupation of a property be carried out to trees identified in the approved landscape scheme other than in compliance with approved landscape details unless the local planning authority gives written consent to any variation;

Reason: To safeguard the amenity and nature conservation value of the trees on site to maintain and enhance the character and appearance of the local area.

- (8) Prior to development commencing, 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 include bird boxes within the development site, and in addition 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 and enhance such provision is incorporated in to the development prior to construction. Such details are fundamental to the application and are therefore required prior to its commencement.

- (9) Prior to the first occupation of the development hereby permitted, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details provided should include the style of lighting as well as the intended luminance level. The scheme shall be implemented in accordance with the approved details and thereafter no additional external lighting shall be installed without the written consent of the local planning authority

Reason: In the interests of ecology with regard to the impact upon bats.

- (10) The area shown on plan 3589/sk03e as vehicle parking space and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, 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) Order 2015 (England)(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.

- (11) Prior to the commencement of development, details of surface water drainage designed in accordance with the principles of sustainable urban drainage, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid additional water off site and to avoid pollution of the surrounding area. Such details are fundamental to the application and are therefore required prior to its commencement.

- (12) Prior to the commencement of the development, details of the finished land levels (relative to existing points outside the site) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure suitable land levels are achieved relative to the locality.

- (13) Prior to the commencement of any above ground works on site, details of the off site highway works comprising the provision of a bus border kerb to the eastern side of Common Road, shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be fully implemented prior to the occupation of the development on site and thereafter retained.

Reason: In the interests of highway safety and to improve usability of the existing bus service.

- (14) Prior to the commencement of development, the applicant or their agents or successors in title will secure and implement:

- i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- ii. further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable 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.

Informatives:

- (1) You are advised of the need to enter into an Agreement under S38 of the Highways Act 1980 with the highway authority for approval of plans for adoption of the footways and associated works to tie in with existing highway. Please contact the Agreements Engineer Brian.claydon@kent.gov.uk.
- (2) 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. 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. The applicant should also be aware that a 278 agreement is required in order to facilitate the off site works.

- (3) Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband. We understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer. For advice on how to proceed with providing access to superfast broadband please contact broadband@kent.gov.uk.
- (4) As the development involves demolition and / or construction, the applicant should be aware of the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected.

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 applicant/agent was advised of minor changes required to the application and these were agreed.
- The applicant/agent was provided formal pre-application advice.



Stephen Baughen
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 using a form which you can get from The Planning Inspectorate, Room 3/13, Temple Quay House , 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.

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.