



Planning, Housing &
Environmental Health

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Berkeley Homes (Eastern Counties) Ltd
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Your ref Cemetery Road Full
Our ref TM/19/02743/FL
Contact Paul Batchelor
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Date 18 March 2020

APPLICATION: TM/19/02743/FL

VALIDATED: 21 November 2019 PARISH: Snodland

This was approved in accordance with the following submitted details: Site Plan CEM-100-P01 received 21.11.2019, Site Plan CEM-110-P01 Proposed received 21.11.2019, Proposed Elevations CEM-200-P01 received 21.11.2019, Proposed Plans and Elevations CEM-210_P01 House type A received 21.11.2019, Proposed Plans and Elevations CEM-211_P01 House type B received 21.11.2019, Topographical Survey S17/6162/01 A received 21.11.2019, Location Plan CEM-001-P01 received 21.11.2019, Other Heads of Terms received 21.11.2019, Ecological Assessment received 21.11.2019, Planning Statement received 21.11.2019, Design and Access Statement received 21.11.2019, Tree Report received 21.11.2019, Drawing 1907-049 VS03 VISIBILITY SPLAY received 15.01.2020, Drawing VS01 received 10.01.2020, Drawing VS02 received 10.01.2020,

APPLICANT: Berkeley Homes (Eastern Counties) Ltd Miss Jessica Hampson Berkeley House 7 Oakhill Road Sevenoaks TN13 1NQ

PROPOSAL: Erection of 6 three bedroom houses and associated car parking, access and landscaping
LOCATION: Development Site Cemetery Road Snodland Kent

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.

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

3. The residential units hereby approved shall not be 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: In the interests of highway safety

4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.

5. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

6. Prior to the first occupation of the dwellings hereby approved the visibility splays as shown on drawings no 1907-49 VS01, VS02 & VS03 shall be provided in accordance with those details. Thereafter they should be retained in perpetuity.

Reason: Development without provision of adequate access arrangements is likely to give rise to hazardous conditions in the public highway.

7. Prior to the first occupation of the dwelling hereby approved the ecological enhancement outlined within Ecological Appraisal dated November 2019 shall be implemented in accordance with those details.

Reason: In the interest of ecology.

8. Prior to any above ground works to construct the dwellings hereby approved, an assessment must be undertaken to assess the impact of the noise and light from the adjacent sports ground on the residential amenity of the future occupants of the dwellings. This assessment should be submitted to the Local Planning Authority for approval and include any mitigation measures deemed necessary to achieve a suitable residential environment. Works should be undertaken in accordance with the approved details.

Reason: In the interest of the residential amenity of the future occupants.

In reaching this decision, the Local Planning Authority has had appropriate regard to the provisions of paragraph 38 of the National Planning Policy Framework 2019.

Louise Reid

Head of Planning

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 Secretary of State under section 78 of the Town and Country Planning Act 1990.
- 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, 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 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 within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- In all other cases if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State 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 Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission 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.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).