



Planning, Housing &  
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Date 27 May 2020

APPLICATION: TM/20/00765/FL

VALIDATED: 7 April 2020

PARISH: Snodland

This was approved in accordance with the following submitted details: Site Layout 14063 - C201A received 07.04.2020, Site Plan P201 received 07.04.2020, Proposed Floor Plans P210 B received 07.04.2020, Proposed Elevations P211 A received 07.04.2020, Parking Provision P212 building received 07.04.2020, Parking Layout P213 A pergolas received 07.04.2020, Existing Site Layout S202 received 07.04.2020, Location Plan S201 received 07.04.2020, Letter received 07.04.2020, Supporting Information res/dwelling units received 07.04.2020, Design and Access Statement received 07.04.2020.

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

PROPOSAL: Erection of a pair of semi-detached cottages and undertakers garage with associated residential and cemetery visitor parking

LOCATION: Plot Adjoining Snodland Cemetery Former Holborough Quarry And Adjoining Land Parcel Holborough 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. No development, other than site clearance or ground investigations or site survey works, shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. This must include details of all boundaries including those to the PROWs adjacent to and crossing the site. The details must also include details of all the proposed planting species and their provenance to ensure an enhancement to the biodiversity of the site. 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.

Reason: To protect and enhance the appearance and character of the site and locality.

3. All materials used externally shall accord with the approved plans referenced P212 and P211A received 7 April 2020.

Reason: To ensure that the development does not harm the character and appearance of the locality.

4. 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.

5. The garage shown on the submitted plan shall be kept available at all times for the parking of Hearses and the parking area to the southern end of the site shall be kept available at all times for the provision of parking bays for the Cemetery.

Reason: To ensure adequate parking provision for cemetery users and visitors.

6. The proposed hardstanding shall be constructed of porous materials or provision made to direct surface water run-off from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouses and vehicle parking areas hereby permitted.

Reason: Development of hardstanding without the suitable disposal of surface water is likely to lead to unacceptable surface water run-off onto land outside the ownership of the applicant.

7. (a) If during development work, significant deposits of made ground or indicators of potential contamination are discovered, the work shall cease until an investigation/ remediation strategy has been agreed with the Local Planning Authority and it shall thereafter be implemented by the developer.

(b) Any soils and other materials taken for disposal should be in accordance with the requirements of the Waste Management, Duty of Care Regulations. Any soil brought onsite should be clean and a soil chemical analysis shall be provided to verify imported soils are suitable for the proposed end use.

(c) A closure report shall be submitted by the developer relating to (a) and (b) above and other relevant issues and responses such as any pollution incident during the development.

Reason: In the interests of amenity and public safety.

### **Informatives:**

1 The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate postal address(es) to the new property/ies. To discuss the arrangements, you are invited to e-mail to [addresses@tmbc.gov.uk](mailto: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.

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.

3 In the interests of good neighbourliness the hours of construction, including deliveries, should be restricted to Monday to Friday 07.30 - 18.30 hours, Saturday 08.00 - 13.00 with no work undertaken on Sundays or Public/Bank Holidays.

4 The disposal of waste by incineration is contrary to Waste Management Legislation and could lead to justified complaints from local residents.

5 The Byway to the east of the site and the public footpath crossing the site must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

6 The applicant is strongly encouraged to consider opportunities for incorporating renewable energy technologies into the approved development, including the provision of electric car charging points and for measures to support biodiversity within the construction of the buildings.

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](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).