



Venerable Stephen Taylor
C/O Robert Stevenson
Bishops Planning
The Old Rectory
Cowper Road
Deal
Kent, CT14 9TW

3 August 2023

PLANNING DECISION NOTICE

APPLICANT:	Venerable Stephen Taylor
DEVELOPMENT TYPE:	Minor Dwellings
APPLICATION REFERENCE:	23/01079/FULL
PROPOSAL:	Erection of four dwellings, alterations to existing dwelling
ADDRESS:	The Vicarage, Waterloo Road, Cranbrook, Kent, TN17 3JQ

The Council hereby **GRANTS** permission/consent for the proposal referred to above subject to the following Condition(s):

- (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:

Proposed layout drawing, drawing number, A1606-10 rev P5
Proposed units 1 & 2 - Plans and elevations, drawing number A1606-100 rev P2
Proposed dwelling 3 - Plans and elevations, drawing number A1606-101 rev P2
Proposed dwelling 4 - Plans and elevations, drawing number A1606-102 rev P2
Proposed ground floor plans, drawing number A1606-20 rev P3
Proposed first floor plans, drawing number A1606-21 rev P3
Proposed second floor plans, drawing number A1606-22 rev P3
Proposed roof plans, drawing number A1606-25 rev P3
Existing and proposed side section A-A, drawing number A1606-50 rev P3
Existing and proposed side section B-B, drawing number A1606-51 rev P3
Existing and proposed side section C-C, drawing number A1606-52 rev P3
Existing and proposed side section D-D, drawing number A1606-53 rev P3
Existing and proposed side section E-E and F-F, drawing number A1606-54 rev P3
Existing and proposed side section G-G, H-H and I-I, drawing number A1606-55 rev P3
Proposed Vicarage plans and elevations, drawing number A1606-61 rev P1

Reason: To clarify which plans have been approved.

- (3) Written details including source/manufacturer, of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before any above ground construction takes place and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity and to ensure the proposed materials are in keeping with the character of the local area.

- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 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, E and F of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order) to either the existing dwelling or the new dwelling hereby permitted, without prior permission from the Local Planning Authority.

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

- (5) No equipment, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the local planning authority. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority.

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 the whole permission due to the potential harm to trees which form the boundary with neighbouring properties which may occur without such protection.

- (6) Prior to any above ground construction of the development hereby approved, details at 1:20 of all boundary treatments including elevations and sections of all gates, fences etc. shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area.

- (7) The mitigation and enhancement measures shall be fully implemented in accordance with chapter 12 and 13 of the supporting ecological survey dated 23rd November 2022. Any enhancement measures shall be retained in perpetuity.

Reason: To protect the existing populations of protected species and to improve habitat on the site.

- (8) Before any building is occupied, details for the storage and screening of refuse 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 facilitate the collection of refuse, preserve visual amenity and to reduce the occurrence of pests.

- (9) Notwithstanding the submitted details, prior to the commencement of any above-ground works hereby approved, written and illustrative details for renewable energy technologies within the development shall be submitted to, and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: In order to ensure that energy efficiency through sustainable design and construction is achieved.

Informative(s):

- (1) Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in 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 the relevant 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.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

- (2) As the development involves demolition and / or construction, the developer should take account of the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected.
- (3) A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link:
www.southernwater.co.uk/developing-building/connection-charging-arrangements.

- (4) Once work begins on site please apply for street naming and numbering at: <https://tunbridgewells.gov.uk/planning/support-services/street-naming-and-numbering>. Applying early to officially register new addresses will prevent delays with council, utility, postal and emergency services.


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.



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 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 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.

SGN Advisory note

There are a number of risks created by built over gas mains and services; these are:

1. Pipework loading – pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
2. Gas entry into buildings – pipework proximity increases risk of gas entry in buildings.
3. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
4. Occupier safety – lack or no fire resistance of pipework, fittings, or meter installation.
5. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. Check your proposals against the information held at <https://www.linerearchbeforeudig.co.uk/> to assess any risk associated with your development **and**
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone 0800 912 1722 / Email plantlocation@sgn.co.uk

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

<https://www.sgn.co.uk/damage-prevention>

Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work

Further information can also be found here:

<https://www.sgn.co.uk/help-and-advice/diggingsafely>