



Mr George Barnes
C/O Mr Simon Milliken
Milliken & Co. Chartered Surveyors
1A The Pantiles
London Road
Tunbridge Wells
TN2 5TD

9 November 2020

PLANNING DECISION NOTICE

APPLICANT:	Mr George Barnes
DEVELOPMENT TYPE:	Minor Dwellings
APPLICATION REFERENCE:	19/505888/FULL
PROPOSAL:	Conversion / refurbishment of barns to provide 2 dwellings, new garage building; demolition of farmyard structures; and hard and soft landscaping works.
ADDRESS:	Queen Court Barns, Water Lane, Ospringe, Kent, ME13 8UA

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

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

MKPS – Working in Partnership with: Swale Borough Council

Please Note: All planning related correspondence for SBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: planningsupport@midkent.gov.uk

Access planning services online at: www.swale.gov.uk or submit an application via www.planningportal.co.uk

- (2) The development hereby approved shall be carried out in strict accordance with the following approved drawings:
19.031 51C, 19.031 52A, 13.031 53B, 19.031 54, 19.031 55, 19.031 56B, 19.031 57C, 19.031 58B, 19.031 59, 19.031 60, 19.031 61, 19.031 62B, 19.031 65 and 19.031 66.

Reason: In the interests of residential and visual amenity.

- (3) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times: Monday to Friday 0730 - 1900 hours, Saturdays 0730 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (4) Prior to first occupation full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (5) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (6) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (7) The garage building hereby approved shall be kept available for the parking of vehicles and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land or in such a position as to preclude vehicular access thereto.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users and in a manner detrimental to highway safety and amenity.

- (8) The development hereby permitted shall be carried out in its entirety in relation to each dwelling and the associated shared and private external areas (including the garage building/store) prior to first occupation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential and visual amenity.

- (9) Prior to the relevant works samples of the proposed slates and a section of weatherboarding in the proposed stain or paint finish to be used on the garage/store building shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with these approved details.

Reason: In the interests of visual amenity.

- (10) Prior to the relevant works details of the proposed cast iron rainwater goods to be used on the garage/store building shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with these approved details.

Reason: In the interests of visual amenity.

- (11) Prior to the relevant works the following key construction details for the garage/store building shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with these approved details.

- o 1:5 vertical section showing the weatherboard profile
- o 1:5 vertical section showing the eaves detailing (including guttering)
- o 1:5 vertical section showing the verge detailing
- o 1:20 elevation detail and 1:5 plan and vertical sections of external doors
- o 1:5 vertical section showing the ridge roof junction detailing
- o 1:5 vertical section showing the hip roof junction

Reason: In the interests of visual amenity.

- (12) The annexe accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling shown on the plans as Barn 2.

Reason: In the interests of residential amenity.

- (13) Upon completion, no further development, whether permitted by Classes A, B, C, D or E of Part 1 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out on the site including the garage building.

Reason: In the interest of preserving the special architectural or historic interest of the listed building.

- (14) The bat tiles, bat loft and owl boxes referred to in paragraphs 7.15, 7.16 and 7.18 of the Bat and Barn Owl Survey Report and Mitigation Strategy produced by Ecology Solutions dated October 2019 (ref: 7867.BatReport.vf) shall be provided before first occupation of the dwellings hereby approved.

Reason: In the interests of encouraging wildlife and biodiversity.

- (15) Prior to occupation of either dwelling hereby permitted details shall be submitted to the Local Planning Authority and approved in writing, which set out what measures have been taken to ensure that the development incorporates sustainable construction techniques such as water conservation and recycling, renewable energy production including the inclusion of 'Thermoslate' or similar solar tiles, energy efficiency, and sustainable drainage principles into the relevant dwelling. Upon approval, the details shall be incorporated into the development as approved.

Reason: In the interest of promoting energy efficiency and sustainable development.

- (16) The dwellings hereby permitted shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and neither dwellings shall not be occupied unless the notice for that dwelling of the potential consumption of water per person per day required by the Building Regulations 2015 (as amended) has been given to the Building Control Inspector (internal or external).

Reason: In the interests of water conservation and sustainability.

- (17) Prior to the first occupation of any dwelling unit hereby approved, at least one electric vehicle charging point per dwelling shall be installed and made ready for use of residents of the relevant dwelling.

Reason: In the interests of promoting sustainable development.

Informative(s):

- (1) This permission has only been granted after receipt of a financial contribution to the Strategic Access Management and Monitoring Strategy in respect of the nearby Special Protection Area.

The Council's approach to this application:

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

If your decision includes conditions that need to be discharged, please be advised that there is a separate application process to discharge them which includes a fee. For more information on this please visit

https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12 and to submit an application for approval of details (discharge conditions) please use this link <https://www.planningportal.co.uk/applications>



James Freeman
Head of Planning Services
Swale Borough Council

Please be advised that irrespective of whether your proposal requires planning permission or not, it may still require Building Regulation Approval. For more information on this please visit our website

<https://www.swale.gov.uk/building-control>

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

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 Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

- 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 LPAs 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 the LPA’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** or **minor commercial** application decision] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA’s 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 LPA’s decision, or any of the conditions imposed, 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority (planningappeals@midkent.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

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 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.