



Mr & Mrs McLean
C/O Miss Zara Bloomfield
Studio Bloom Ltd
184 Powdermill Lane
Southborough
TN4 9DT

10 May 2022

PLANNING DECISION NOTICE

APPLICANT:	Mr & Mrs McLean
DEVELOPMENT TYPE:	Minor Dwellings
APPLICATION REFERENCE:	22/00169/FULL
PROPOSAL:	New 4 bed dwelling house on land to rear of Tanners, with vehicular access, separate garage and associated landscaping
ADDRESS:	Tanners, Pembury Grange, Royal Tunbridge Wells, Kent, TN2 4RP

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/documents:

Proposed block plan - Drg no. 2103/02B
Proposed site plan - Drg no. 2103/09G
Proposed ground floor plan - Drg no. 2103/10N
Proposed first floor plan - Drg no. 2103/11L
Proposed roof plan - Drg no. 2103/12K
Proposed north and south elevations - Drg no. 2103/P200A
Proposed east and west elevations - Drg no. 2103/P201C
Proposed sections 01 - Drg no. RBA-RTW-551 Rev C

Proposed sections 02 - Drg no. RBA-RTW-552 Rev C
Garage elevations - Drg no. 2103/P202
Arboricultural survey and impact assessment - Ref no. tr-1597-21 Rev A (April 2022)
Tree Protection Plan - Drg no. tr-1597-21 AIA Rev B
Landscape general arrangement plans - Drg no. RBA-RTW-101 Rev C
SuDS general arrangement plans - Drg no. RBA-RTW-201 Rev C
Planting plan layout - Drg no. RBA-RTW-301 Rev B
Preliminary Ecological Appraisal dated October 2019

Reason: To clarify which plans have been approved.

- (3) The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied without the prior written permission of the Local Planning Authority.

Reason: In the interests of visual amenity.

- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2015 (or any Order revoking and re-enacting that Order), no windows, or similar openings shall be inserted in the first floor of the eastern elevation of the building other than as hereby approved.

Reason: In the interests of the amenity of occupants of the adjacent property.

- (5) The approved landscape scheme shall be implemented during the first planting season (October to February) following first occupation of the development hereby permitted. Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first commencement of the development, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory setting and external appearance to the development.

- (6) The area shown on drawing number 2103/09G Site plan, as vehicle parking and garage space shall be provided, surfaced and drained in accordance with the details hereby approved 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 in perpetuity. No permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 the reserved parking spaces.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

- (7) The garage shown on drawing number 2103/09G Site plan, shall be kept available at all times for vehicle parking and no permanent development whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or

any Order revoking and re-enacting that Order), shall be carried out on the land shown or in such a position as to prevent the use of the garage for parking.

Reason: Development without the provision of adequate vehicle parking space is likely to lead to parking inconvenient to other road users.

- (8) The recommendations contained within the Preliminary Ecological Appraisal dated October 2019 shall be adhered to, and ecological enhancement measures outlined in the report shall be installed on the site prior to first occupation of the premises, and shall include the provision of bird and bat boxes, and hedgehog houses. These measures shall be retained in perpetuity.

Reason: In the interests of obtaining a net gain in biodiversity.

- (9) Notwithstanding the submitted arboricultural survey and assessment, no demolition, construction or ground works shall take place until an Arboricultural Method Statement in accordance with the current edition of BS 5837 has been submitted to and approved in writing by the Local Planning Authority. The AMS shall include phasing of works, a schedule of arboricultural supervision and an updated tree protection plan. The works shall be carried out in accordance with the approved details.

No equipment, machinery or materials shall be brought onto the site prior to the erection of approved barriers, trunk protection 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 the construction exclusion zone(s). No alterations shall be made to the siting of barriers or other tree protection measures, nor ground levels changed, nor excavations made within this zone without the prior written consent of the Local Planning Authority.

Reason: To safeguard existing trees to be retained and mitigate impacts from earthworks and construction which could lead to their early loss.

Informative(s):

- (1) 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. 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 road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>
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.

- (2) Once work begins on site please apply for Street Naming & Numbering at <http://www.tunbridgewells.gov.uk/residents/planning/street-naming-and-numbering>. Applying early to officially register new addresses will prevent delays with Council, utility, postal and emergency services.
- (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 <https://beta.southernwater.co.uk/infrastructure-charges>

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 application was acceptable as submitted and no further assistance was required.



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 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>