

QW Developments 4 Ltd
C/O Hedley Clark Ltd
Yew Tree House,
Sandy Lane
Kingsley
GU35 9NH

Application number: 19/03436/MMA

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Grant of planning permission

Site : Boons Park Toys Hill Brasted KENT TN8 6NP

Development : Minor material amendment to 19/02064/FUL.

Sevenoaks District Council, as the local planning authority has **granted planning permission** for the above development,

SUBJECT TO THE CONDITIONS set out below:

1) The development hereby permitted shall be begun before the expiration of the time limit imposed on application SE/19/02064/FUL.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) For the avoidance of doubt, the information to which this decision relates is as follows: Hedley Clark Planning Statement, Mka architects Proposed Massing Model, Motion Transport Statement July 2019, Ecological Impact Assessment - Lloyd bore, July 2019, Letter from Lloyd bore dated September 2019, Chartwell Tree Consultants Ltd Arboricultural Report The following Plans: Landscape Strategy Plan 4998-LLB-XX-XX-DR-L-001 P03, Tree Survey and Constraints Plan - 001, Draft Tree Phase 1 Protection Plan 001, Site Location Plan, Drawing Nos. 2150/110/C, 111/C, 112/B, 112/A, /SK-01, SK-02, SK-03/A, SK-04/A and proposed drawings: 2250-115, 116, 120 Rev.B, 121 Rev.A, 122 Rev.A, 123 Rev.A and 125.

For the avoidance of doubt and in the interests of proper planning.

3) Before any equipment, machinery or materials are brought on to the land for the purposes of the development, the means of protection for any retained tree shall be

19/03436/MMA

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undertaken in accordance with the details set out within the Chartwell Tree Consultants Arboricultural Report and drawing entitled Draft Tree Phase 1 Protection Plan 001. Also:
A) The means of protection shall be maintained until all equipment, machinery and surplus materials have been removed from the land. B) Within a retained tree protected area: -Levels shall not be raised or lowered in relation to the existing ground level; -No roots shall be cut, trenches cut, or soil removed; -No buildings, roads, or other engineering operations shall be constructed or carried out; -No fires shall be lit; -No vehicles shall be driven or parked over the area; -No materials or equipment shall be stored.

To secure the retention of the trees and to safeguard their long-term health as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

4) Prior to any works commencing on site an ecological mitigation strategy must be submitted to the LPA for written approval. The strategy must include the following: - Updated Preliminary Ecological Appraisal (if over two years old) - Recommended specific species surveys - Bat emergence surveys - Details of the mitigation required - Methodology to implement the mitigation - Details of any other specific ecological enhancement measures - Interim management plan to be implemented until the Landscape and Ecology Management Plan (LEMP) is in place. The strategy must be implemented as approved.

In the interest of preserving protected species and preserving the landscape character of the site as supported by policies EN1 and SP11 of the Sevenoaks District Council's Allocations and Development Management Plan and policy SP1 of the Council's Core Strategy.

5) Construction of the dwellings shall not commence until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

6) Prior to first occupation of any of the dwellings a scheme of proposed landscaping based upon the Landscape Strategy Plan 4998-LLB-XX-XX-DR-L-001 P03 and including planting adjacent to the boundary along Toys Hill Road, including type and size of species, shall be submitted to the Council for approval in writing. The new soft landscaping shall be carried out in accordance with the approved details the first planting season following first occupation of any of the dwellings. If within a period of five years from the completion of the development, any of the trees or plants indicated as being retained on the Draft Tree Phase 1 Protection Plan or new planting that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To safeguard the visual appearance of the area as supported by EN1 of the Sevenoaks Allocations and Development Management Plan.

7) The development hereby permitted shall not be used or occupied until a 2.4m x

55m visibility splay to the south and a 2.4m by 120m visibility splay to the north at the exit of the driveway onto Toys Hill Road has been provided. The visibility splay shall be retained in situ thereafter with no obstruction higher than 1.05m above the height of the adjacent road.

In the interest of highway safety as supported by policies EN1 and T1 of the Sevenoaks District Council's Allocations and Development Management Plan.

8) No part of the vehicular access within 5.5m of the carriageway of Toys Hill Road shall be finished other than in a bound material details of which shall have first been submitted to and approved in writing by the District Planning Authority. The vehicular access shall be made up as approved prior to first occupation or use of the dwelling hereby approved.

In the interest of highway safety as supported by policies EN1 and T1 of the Sevenoaks District Council's Allocations and Development Management Plan.

9) No gate or means of enclosure shall be erected across the vehicular access/driveway within 5.5m of the carriageway of Toys Hill Road.

In the interest of highway safety as supported by policies EN1 and T1 of the Sevenoaks District Council's Allocations and Development Management Plan.

10) No extension or external alterations shall be carried out to the dwellings hereby approved, despite the provisions of any Development Order.

To prevent inappropriate development in the Green Belt as supported by Government guidance in the form of the National Planning Policy Framework.

11) No building or enclosure other than those shown on the approved plans, shall be erected within the curtilages of the dwelling hereby approved, despite the provisions of any Development Order.

To prevent inappropriate development in the Green Belt as supported by Government guidance in the form of the National Planning Policy Framework.

12) No existing hardsurfacing on the site as identified on drawing Draft Tree Phase 1 Protection Plan 001 shall be removed other than in accordance with an Arboricultural Method Statement which shall first be submitted to and approved in writing by the District Planning Authority, such details to specify how these works will be undertaken whilst preserving the adjacent trees.

To safeguard the visual appearance of the area as supported by EN1 of the Sevenoaks Allocations and Development Management Plan.

13) Within 6 months of works commencing on site a Landscape and Ecological Management Plan shall be submitted to the District Planning Authority for written approval. It must include the following: - Details of the habitats to be managed (including map) - Overview of the management to be implemented - Timetable to implement management of the site - Details of who will implement the management of the site - Details of continuing monitoring and management plan review The Landscape and Ecological Management Plan shall be implemented as approved.

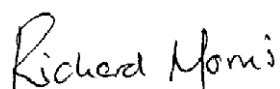
In the interest of preserving protected species and preserving the landscape character of the site as supported by policies EN1 and SP11 of the Sevenoaks District Council's Allocations and Development Management Plan and policy SP1 of the Council's Core Strategy.

14) Unless the District Planning Authority in writing agrees to any variation, the curtilages to the dwellings shall be as set out on plan 2150 110 C and shall be defined by estate railings or open post and rail fencing.

To define the extent of the development and to ensure a satisfactory impact on the character and visual amenities of the area as supported by policy EN1 of the Sevenoaks District Council's Allocations and Development Management Plan.

15) Prior to commencement of development a scheme to show the provision of electric vehicle charging points, including their proposed locations, type and specifications shall be submitted to and approved by the Local Planning Authority. The charging points shall be installed in accordance with the approved details prior to first occupation of the relevant phase of the development.

To ensure the sustainability of the site in accordance with policy T3 of the Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.



Richard Morris
Chief Officer - Planning & Regulatory Service

Dated: 5 February 2020

Notes for the applicant

Conditions

If permission has been granted you will see that it may be subject to a number of planning conditions. They are an integral part of our decision on your application and are important because they describe how we require you to carry out the approved work or operate the premises. It is YOUR responsibility to comply fully with them. Please pay particular attention to those conditions which have to be met before work commences, such as obtaining approval for the siting and levels of buildings and the protection of trees on the site. If you do not comply with all the conditions in full this may invalidate the permission.

There is a fee required when submitting an application to discharge conditions to the District Council, unless the application relates solely to conditions on a listed building consent. Further information on how to submit an application or the fee required can be found at:

https://www.sevenoaks.gov.uk/info/20013/planning_applications/282/apply_for_plan

[ning_permission.](#)

Further information about how to comply with planning conditions can be found at: https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12

Please note that there is a right of appeal against a planning condition. Further information can be found at:

https://www.planningportal.co.uk/info/200207/appeals/108/types_of_appeal

Community Infrastructure Levy (CIL)

This proposal may be liable for the Community Infrastructure Levy (CIL). This may be payable to the District Council, as the local collecting authority, on commencement of application 19/03436/MMA.

If CIL is liable, we will contact all relevant interested parties once we have issued a decision notice and serve them with a liability notice. This will identify the parties, the scale of liability, how it was calculated, when it will be due for payment and the opportunities to claim relief. Should you wish to claim relief from CIL you must make an application to us before any work starts on site. There is no automatic exemption from the CIL and it is not possible to make a retrospective claim once work has started.

Any party liable to pay CIL must assume liability before any work starts; they must provide us with a valid [Commencement Notice](#). If this is not provided we can impose surcharges and require immediate payment.

Please email planning.information@sevenoaks.gov.uk quoting 19/03436/MMA if you have any questions about CIL, before work commences.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Building Control

This permission relates to planning permission. Applicants are advised to contact our Building Control service on 01732 227376 for further information on whether it is necessary for permission to be given under the building regulations.

Please remove any site notice that was displayed on the site pursuant to the application.

