



Mr & Mrs Hall  
C/O Maple Planning & Development Ltd  
FAO: Mr Paul Webster  
PO Box 573  
Tunbridge Wells  
TN2 9WF

4 December 2020

## PLANNING DECISION NOTICE

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<b>APPLICANT:</b>	<b>Mr &amp; Mrs Hall</b>
<b>DEVELOPMENT TYPE:</b>	<b>Minor Dwellings</b>
<b>APPLICATION REFERENCE:</b>	<b>20/504096/FULL</b>
<b>PROPOSAL:</b>	<b>Demolition of existing agricultural barn and erection of 1no. detached dwelling, to be built to Passivhaus standards.</b>
<b>ADDRESS:</b>	<b>Lodge Farm, Goudhurst Road, Marden, Tonbridge, Kent, TN12 9NW</b>

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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 three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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**MKPS – Working in Partnership with:** Maidstone Borough Council

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

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

Email: [planningsupport@midkent.gov.uk](mailto:planningsupport@midkent.gov.uk)

Access planning services online at: [www.maidstone.gov.uk](http://www.maidstone.gov.uk); or submit an application via [www.planningportal.co.uk](http://www.planningportal.co.uk)

- (2) The materials to be used in the development hereby approved shall be as indicated on the approved plans.

Reason: To ensure a satisfactory appearance to the development

- (3) No equipment, plant, machinery or materials shall be brought onto the site prior to the erection of the tree and ground protection specified in the Tree Survey, Arboricultural Impact Assessment & Tree Protection Plan (The Mayhew Consultancy Ltd August 2020 Ref AR/91020). 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. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- (4) The development hereby approved shall not proceed past ground level until a scheme for the enhancement of biodiversity on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through integrated methods into the design and appearance of the house by means such as swift bricks, bat tube or bricks. The development shall be implemented in accordance with the approved details prior to first occupation and all features shall be maintained thereafter.

Reason: To protect and enhance the ecology and biodiversity on the site in the future.

- (5) The development hereby approved shall not proceed past ground level until details of (a) the storage and screening of refuse bins, and (b) the collection of refuse bins has been submitted to and approved by the Local Planning Authority. The approved details shall be in place before first occupation of the development hereby approved, and maintained thereafter.

Reason: In the interests of amenity and the streetscene.

- (6) Prior to first occupation of the dwelling hereby approved a minimum of one electric vehicle charging point shall have been installed with the charging point retained thereafter for that purpose.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with the NPPF.

- (7) The development hereby approved shall not proceed past ground level until a landscape scheme designed in accordance with the principles of the Council's Landscape Guidelines (Maidstone Landscape Character Assessment Supplement 2012) has been submitted to and approved in writing by the local planning authority. The scheme shall use predominantly native or near-native species as appropriate and show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed. It shall also provide details of replacement planting to mitigate any loss of amenity and biodiversity value, the location

of any habitat piles of cut and rotting wood and include a plant specification, implementation details, a maintenance schedule and a [5] year management plan. The scheme shall specifically detail the species of new hedgerows and trees to be planted so these can be assessed by the Local Planning Authority.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

- (8) All planting, seeding and turfing specified in the approved landscape scheme shall be in place by the end of the first planting season (October to February) following first occupation. Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, 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.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

- (9) The development hereby approved shall not proceed past ground level until details of cycle storage have been submitted to and approved by the Local Planning Authority. The approved details shall be in place before first occupation of the development hereby approved, and maintained thereafter.

Reason: In order to promote sustainable travel choice.

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.

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed.

If your decision includes conditions, there is a separate application process to discharge them. You can apply online at, or download forms from, [www.planningportal.co.uk](http://www.planningportal.co.uk) (search for 'discharge of conditions').

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](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>

*R. L. L. Jarman*

**Rob Jarman  
Head of Planning Services  
Maidstone 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.maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/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 LPA'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 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>.

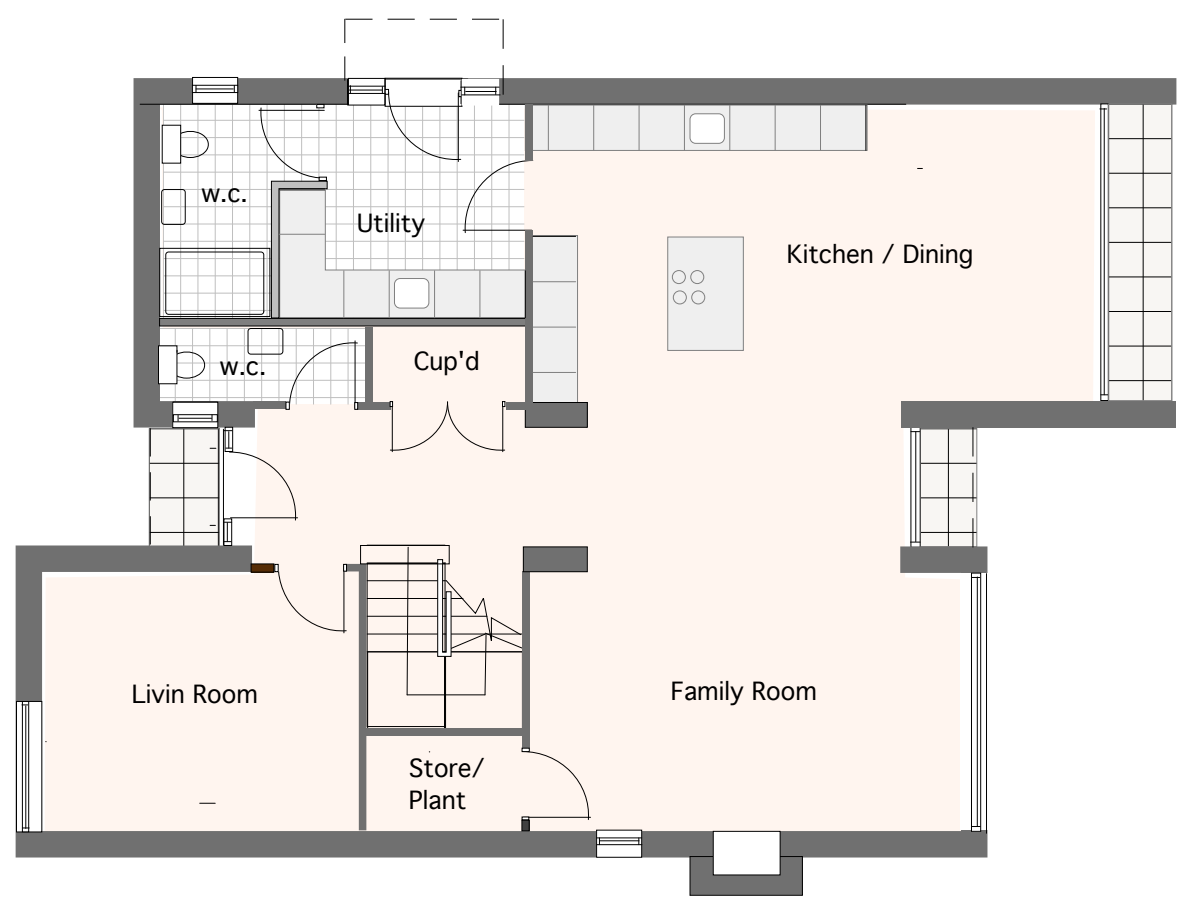
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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](mailto:planningappeals@midkent.gov.uk) ) 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.](#)

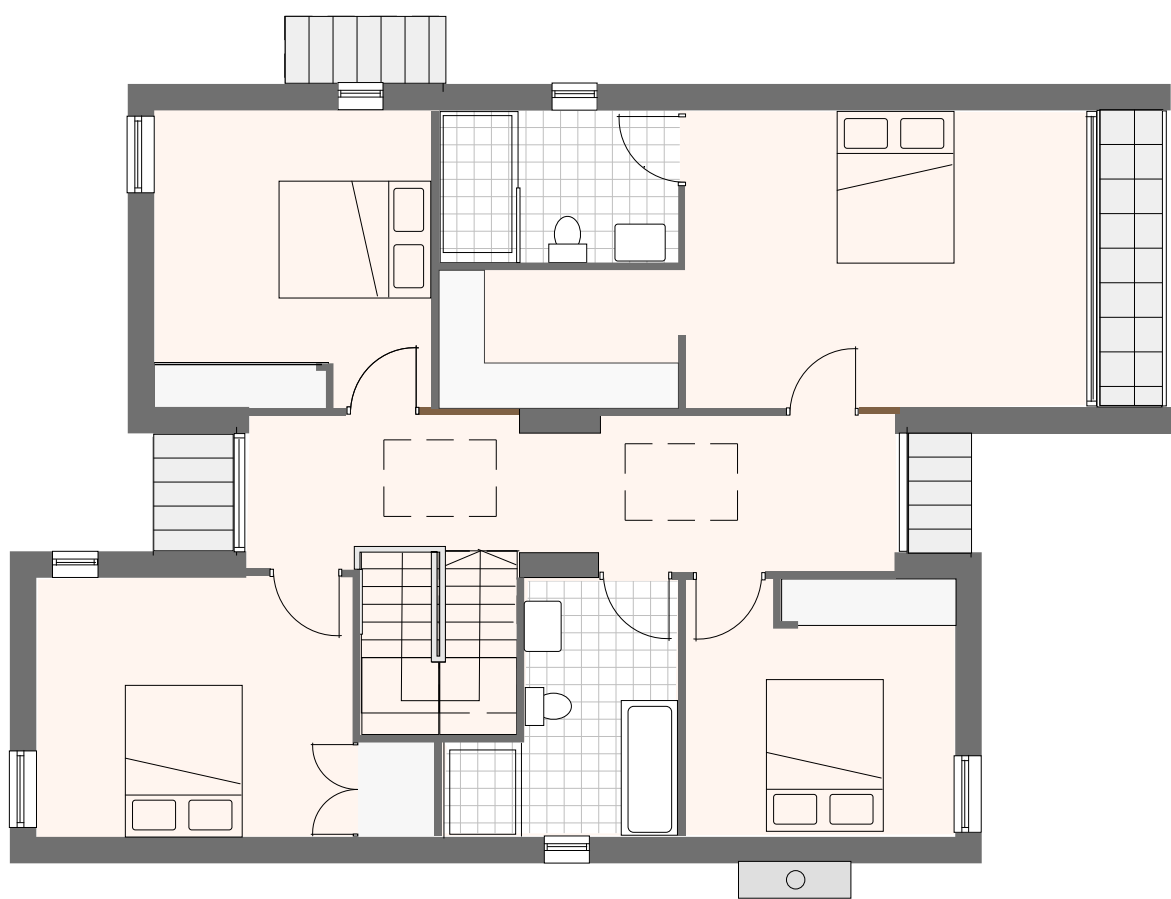
The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

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

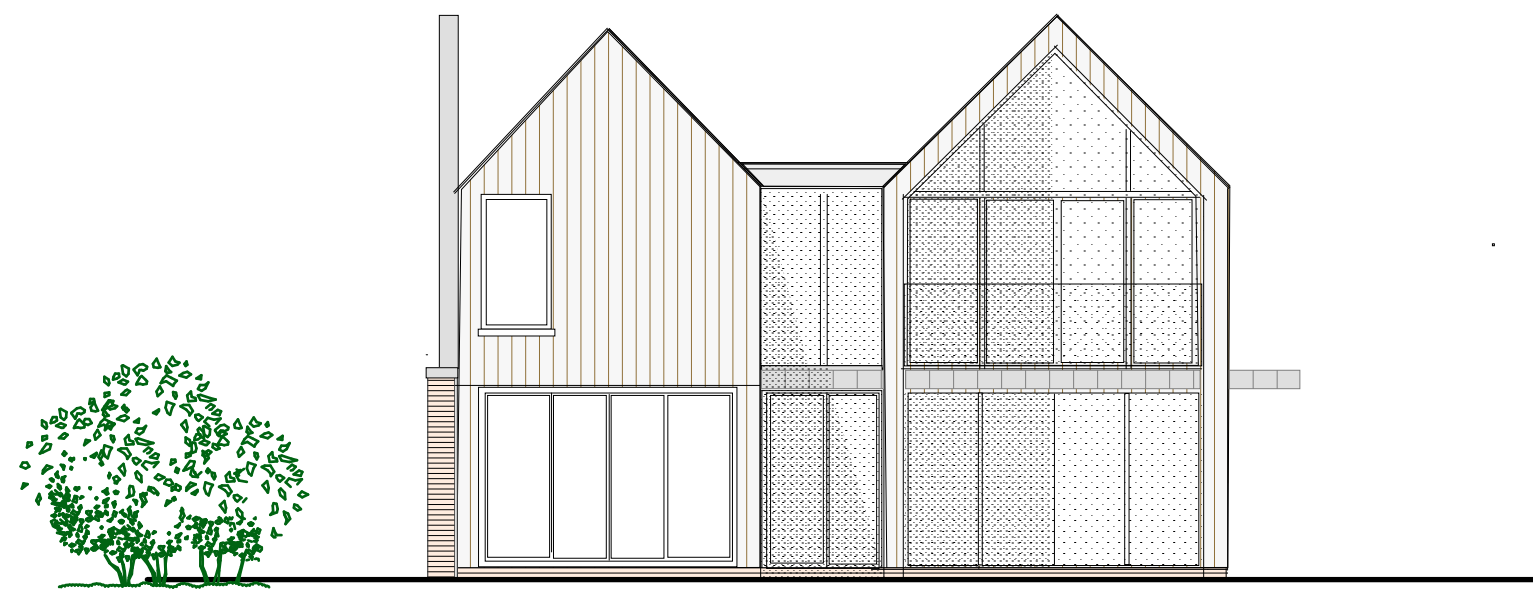
the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



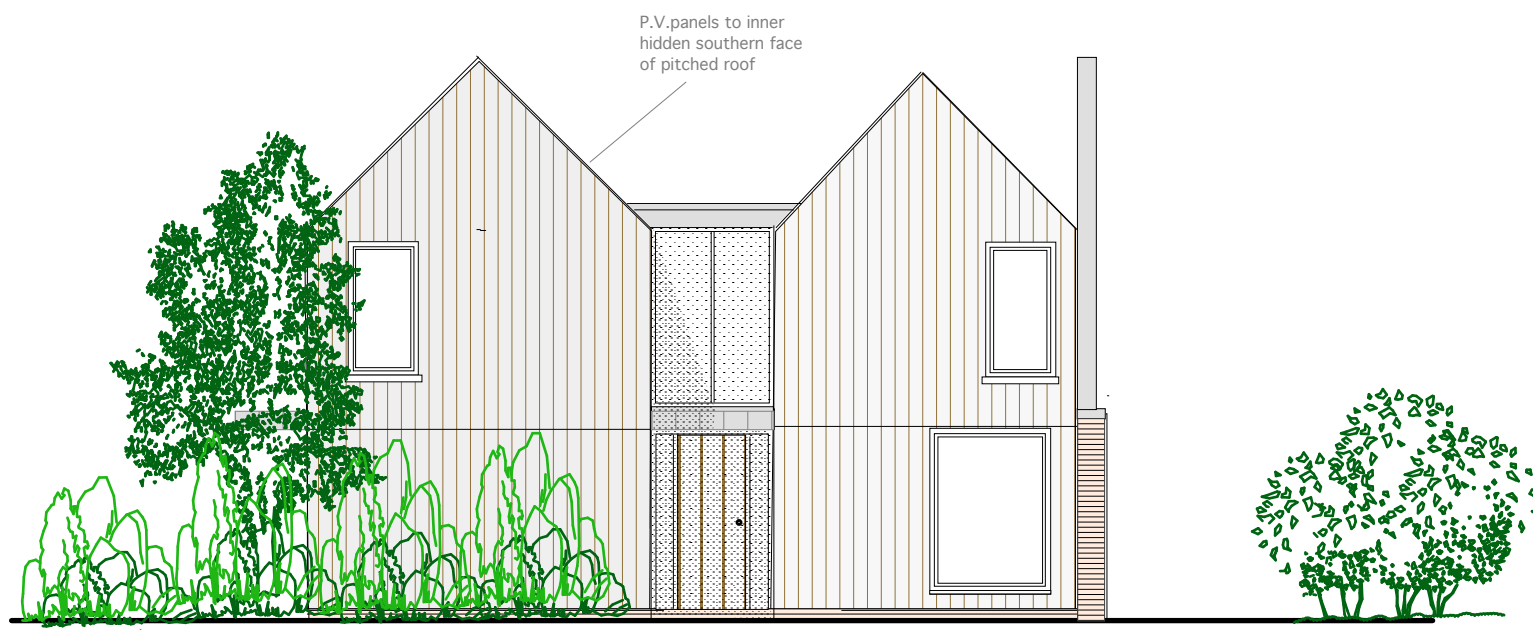
Ground Floor Plan (109 sq.m.)



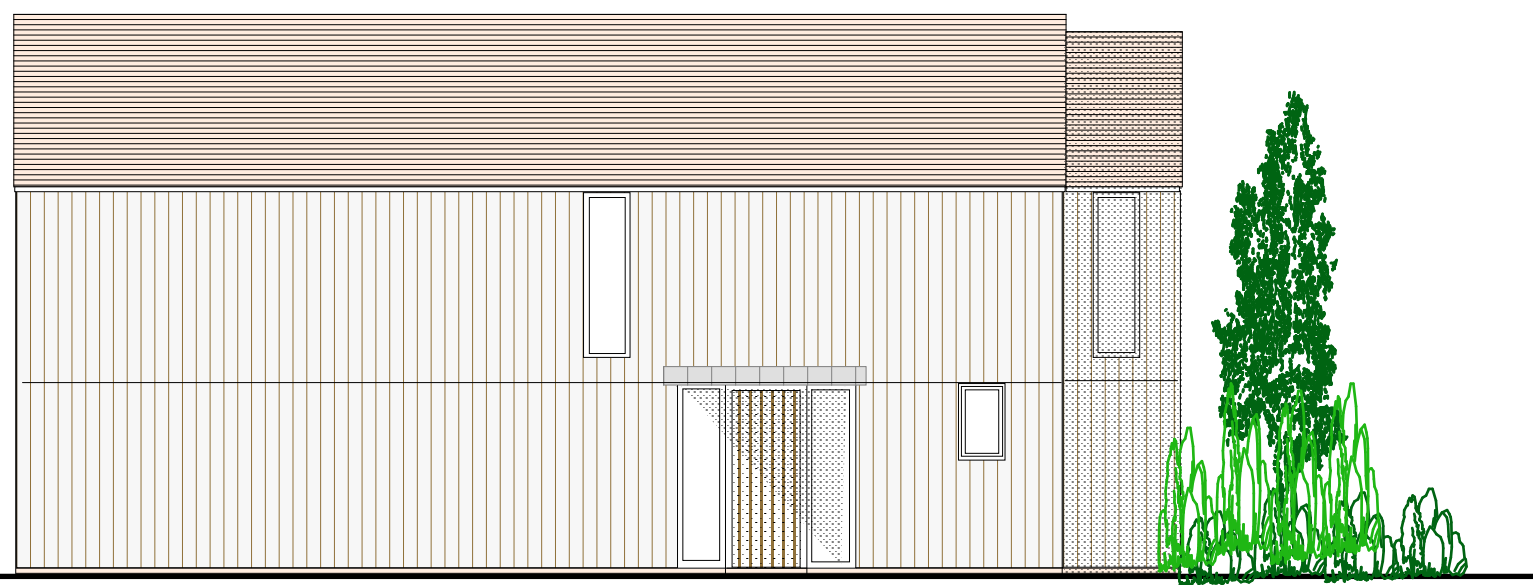
First Floor Plan (109 sq.m.)



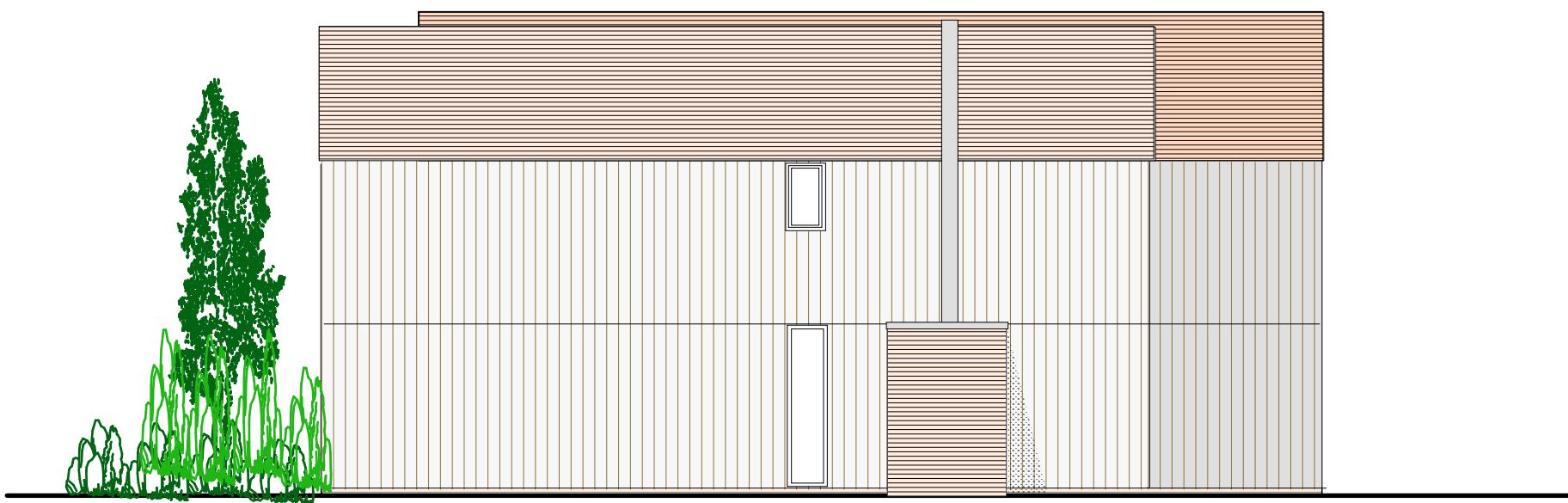
Rear Elevation



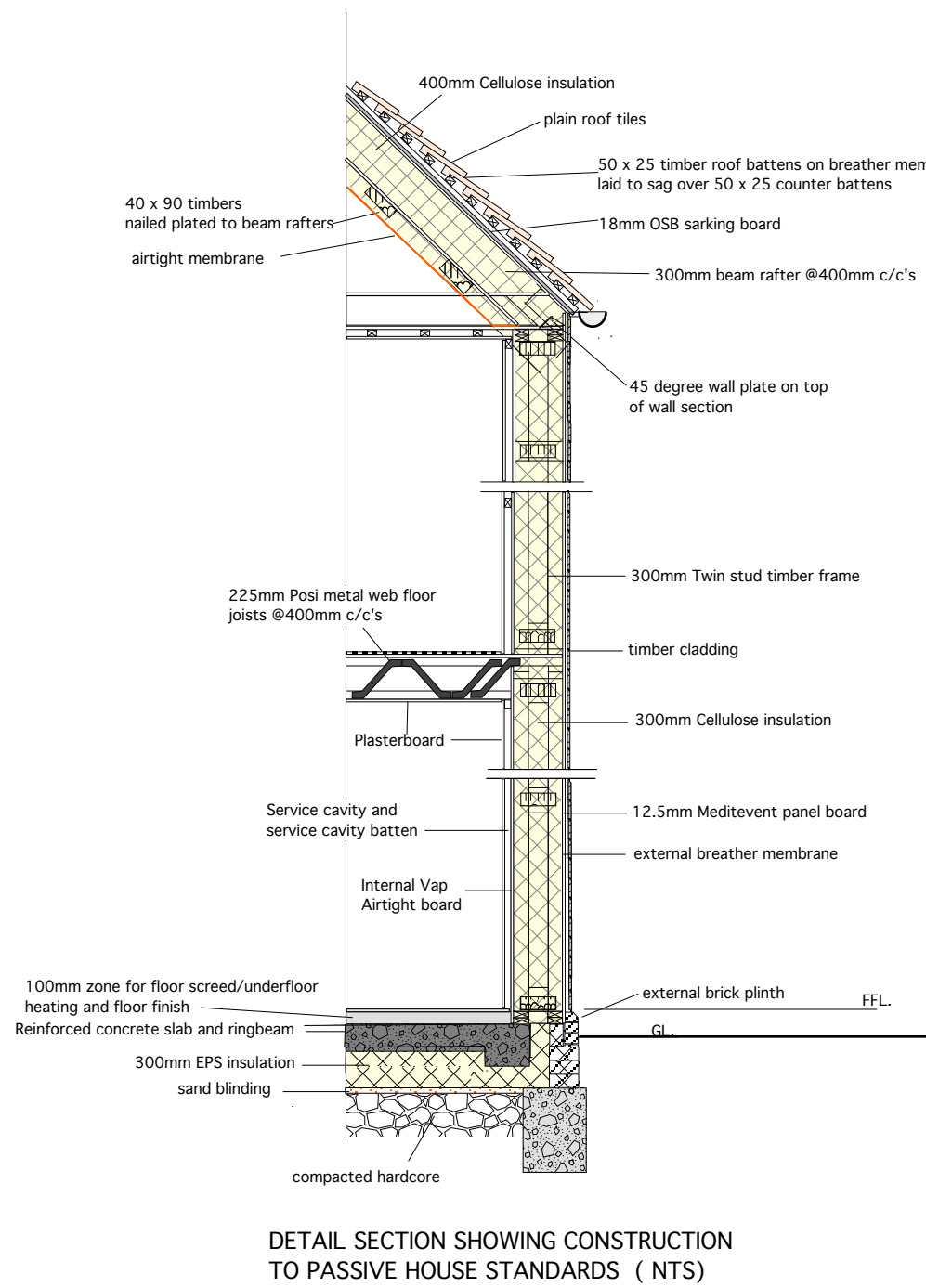
Front Elevation



Side North Elevation



Side South Elevation



Materials:

Plain Tiles to Roof

Zinc covering to flat roof section and canopies.

Vertical Larch timber cladding to external walls.

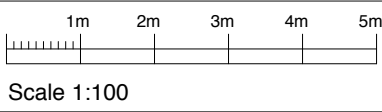
Timber / aluminium external joinery.

Galvanised metal r.w goods

For planning purposes only

Notes

- 1.No Dimension to be scaled from this drawing except for planning purposes.
2. All setting out dimensions and levels to be set out on site by contractor and agreed prior to commencement of building works.
3. All work to conform with the current editions of the Building Regulations, British Standards and Codes of Practice, the IEE Regulations and OFTEC Regulations.
4. All materials and components are to be installed in accordance with the relevant manufacturers instructions and recommendations.



Project :

LODGE FARM  
GOUDHURST ROAD  
MARDEN  
TN12 9NW

Client :

ADAM & GEMMA HALL

Drawing Title:

PROPOSED PLANS & ELEVATIONS

Date :

May 20

Checked :

Drawing No.

20/36/202

Revisio

n.

B

Revisions

- A. Aug 20. General Revisions  
B. Sep 20. Detail section added

Scale:

1:100

COLIN SHARP AA DIP. R.I.B.A..

SAYNDEN BARN  
FIVE OAK LANE  
STAPLEHURST  
KENT TN12 OHX

TEL.01580892515  
E. colinasharp@btconnect.com





<p>Notes</p> <p>1.No Dimension to be scaled from this drawing except for planning purposes.</p> <p>2. All setting out dimensions and levels to be set out on site by contractor and agreed prior to commencement of building works.</p> <p>3. All work to conform with the current editions of the Building Regulations, British Standards and Codes of Practice, the IEE Regulations and OFTEC Regulations.</p> <p>4. All materials and components are to be installed in accordance with the relevant manufacturers instructions and recommendations.</p> <p>AutoCAD THIS DRAWING IS AVAILABLE ON DISK</p>	<p>Project :</p> <p>LODGE FARM GOUDHURST ROAD MARDEN TN12 9NW</p>	<p>Client :</p> <p>ADAM &amp; GEMMA HALL</p>	<p>Date : JUNE 20</p> <p>Revisions A. AUG 20. General Revisions B. SEP 20. PV Panels added C. SEP 20. Scale corrected</p> <p>Drawing Title: PROPOSED SITE PLAN</p>	<p>Scale: 1:100</p> <p>Drawing No. 20/36/201/ C</p>	<p>COLIN SHARP AA DIP. R.I.B.A..</p> <p>SAYNDEN BARN FIVE OAK LANE STAPLEHURST KENT TN12 0HX</p> <p>TEL.01580892515 E. colinasharp@btconnect.com</p>
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Mr and Mrs Hall  
C/O Maple Planning & Development Ltd  
FAO: Mr Paul Webster  
PO Box 573  
Tunbridge Wells  
TN2 9WF

30 June 2023

## PLANNING DECISION NOTICE

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<b>APPLICANT:</b>	<b>Mr and Mrs Hall</b>
<b>DEVELOPMENT TYPE:</b>	<b>Certificates of Lawfulness</b>
<b>APPLICATION REFERENCE:</b>	<b>23/502035/LAWPRO</b>
<b>PROPOSAL/SCHEDULE 1:</b>	<b>Lawful development certificate to establish that planning permission 20/504096/FULL has been part implemented, and that the remainder of the development may be lawfully completed.</b>
<b>ADDRESS/SCHEDULE 2:</b>	<b>Lodge Farm Goudhurst Road Marden Tonbridge Kent</b>

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The Council hereby certify that on 05.05.2023 the use, operations or matter described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged red on the plan attached to this certificate would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s):

The reasons for approval are:

- (1) The applicant has submitted a series of photographs dated 6th April 2023 that show works being undertaken at the application site, including the digging of a trench. According to section 56 of the Town and Country Planning Act 1990, the works undertaken on site therefore represent a material operation and therefore the

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development has been initiated. It is therefore recommended that a certificate should be granted.

Informative(s):

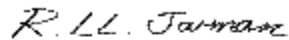
(1) The documents taken into consideration in reaching this decision were -

Application Form - Received 02/05/2023

Photographs - Received 26/04/2023

Location Plan - Received 02/05/2023

Cover Letter - Received 26/04/2023



Rob Jarman  
Head of Development Management  
Maidstone Borough Council

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## Notes:

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use, operations or matter specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful, on the specified date and, therefore would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use, operations or matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use, operations or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations are begun, in any of the matters relevant to determining such lawfulness.