



Mr T La Dell  
C/O Peter Court Associates  
FAO: Mr Peter Court Associates  
Cleaveland  
Chart Road  
Chart Sutton  
Maidstone  
Kent  
ME17 3RB

26 September 2024

## PLANNING DECISION NOTICE

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<b>APPLICANT:</b>	Mr T La Dell
<b>DEVELOPMENT TYPE:</b>	N/A
<b>APPLICATION REFERENCE:</b>	24/503157/PNQCLA
<b>PROPOSAL:</b>	<p>Prior notification for the change of use of a building and any land within its curtilage from agricultural to one residential dwellinghouse and associated operation development. For its prior approval to: - Transport and Highways impacts of the development. - Noise impacts of the development. - Contamination risks on the site. - Flooding risks on the site. - Whether the location or siting of the building makes it otherwise impractical or undesirable for the use of the building to change from agricultural use to C3 (dwellinghouses). - Design and external appearance impacts on the building. - Provision of adequate natural light in all habitable rooms of the dwellinghouses.</p>
<b>ADDRESS:</b>	The Barn Staplehurst Road Marden Tonbridge Kent

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The Council hereby **GRANTS** Prior Approval for the above subject to the following Condition(s):

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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)

- (1) If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: To ensure the risks associated with contamination of the site have been considered in full and dealt with appropriately.

- (2) Prior to first occupation of the dwelling hereby approved foul sewage and surface water disposal measures long with details regarding the provision of potable water shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the local planning authority. All measures shall be maintained permanently thereafter. Information provided should specify exact locations on the site and any pertinent information as to where each system will discharge to, (since for example further treatment of the discharge will be required if a septic tank discharges to a ditch or watercourse as opposed to sub-soil irrigation). If a method other than a cesspit is to be used the applicant should also contact the Environment Agency to establish whether a discharge consent is required and provide evidence of obtaining the relevant discharge consent to the local planning authority.

Reason: To ensure adequate foul sewage and surface water disposal arrangements.

- (3) Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The details shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The approved details shall be in accordance with bat conservation trust guidelines and the Institute of Lighting Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E1. The scheme of lighting shall be installed, maintained and operated thereafter in accordance with the approved scheme.

Reason: In order to prevent undue light pollution and to protect wildlife.

Informative(s):

- (1) The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25th October 2017 and began charging on all CIL liable applications approved on and from 1st October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.
- (2) The applicant is advised that the following plans and documents were considered as part of the application:  
0209/24/B/1 Rev A Site Location and Application Area  
402\_PL\_111 Rev P3 Proposed Plans and Elevations  
R402\_PL\_110 Rev P3 Existing Plans and Elevations  
Planning Statement  
Structural Report

Your attention is drawn to the provisions of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which requires that any works notified to the Council under these provisions must be completed within three years of the date of this decision and must be carried out strictly in accordance with the details given on the forms and accompanying drawings. If at any time you decide to change the plans further notification will be required.

Please note that this notice does not give clearance or approval under any other legislation. It relates only to the notification under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed above.

*R. L. L. Jarman*

Rob Jarman  
Head of Development Management  
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 PRIOR APPROVAL OR GRANT OF PRIOR APPROVAL SUBJECT TO CONDITIONS

### Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse prior approval for the proposed development, or 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.

- If this is a decision to refuse prior approval for a **Larger Householder Extension** (PNEXT) 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 must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).

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.