

**Tonbridge**  
Higham

**22 March 2023**

**TM/23/00364/FL**

Proposal: New bungalow to the rear of 15 Estridge Way (Revision to TM/20/00862/FL)  
Location: 1A Croft Close Tonbridge Kent TN10 4LA  
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**1. Description:**

- 1.1 Determination of this application was deferred on 22 June 2023 to allow for legal services to provide the committee with a report setting out the risks involved should the recommendation of officers to grant planning permission subject to conditions not being accepted, and planning permission refused.
- 1.2 This is in line with the Council's Constitution which sets out as follows:
- 1.3 If, contrary to a recommendation of the Director of Planning, Housing & Environmental Health, an Area Planning Committee is minded to determine an application in a way or on grounds which the Director does not consider can be substantiated, the application shall stand adjourned to the next meeting of the committee to enable the Director of Central Services and Monitoring Officer to submit a report on the possibility of costs or compensation being awarded against the Council in the event that the application is determined in that way.
- 1.4 If the Director of Central Services and Monitoring Officer's report indicates that there is likely to be a significant risk of costs being awarded against the Council at any appeal, or a potential liability to pay compensation, the committee may not determine the application in a manner contrary to the advice set out in the report, and a resolution by the committee to make such a determination will be a recommendation only and the application shall stand adjourned to Council for determination.
- 1.5 The June committee report can be found at Annexe 1. The report of the Director of Central Services and Monitoring Officer is contained within Part 2 of the agenda. This report should be read as a whole with both of those documents.

**2. Recommendation:**

2.1 Grant Planning permission

This was approved in accordance with the following submitted details: Location Plan dated 16.03.2023, Proposed Floor Plans 1000 dated 16.03.2023, Block Plan 5000 dated 16.03.2023, Perspective view 5100 dated 16.03.2023, Proposed Roof Plan 1200 dated 16.03.2023, Proposed Elevations 2201 dated 16.03.2023, Proposed Elevations 2202 dated 16.03.2023, Proposed

Elevations 2203 dated 16.03.2023, Proposed Elevations 2204 dated 16.03.2023, Drainage Layout dated 17.03.2023

### **Conditions / Reasons**

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Classes A, B, C and E of Part 1 of Schedule 2 of that Order.

Reason: To prevent an overdevelopment of the site.

2. The existing vehicle parking and turning area shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: In the interests of highway safety.

3. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed 'This was approved in accordance with the following submitted details'.

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

Contact: Maria Brown