
Appeal Decision

Site visit made on 2 April 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 April 2025

Appeal Ref: APP/H2265/W/24/3352709

Clements Oast, Forge Lane, West Peckham, Kent ME18 5JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Graham Campbell against Tonbridge and Malling Borough Council.
 - The application Ref. is 24/01089/PA.
 - The development proposed is for the conversion of the Oast to a single detached house.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of the Oast to a single detached house at Clements Oast, Forge Lane, West Peckham, Kent ME18 5JP in accordance with the terms of the application Ref. TM/24/01089/PA, subject to the conditions in the attached schedule.

Procedural Matters

2. Although the Council has issued a delegated report, this was not until after the appeal was received. Accordingly, I have proceeded on the basis that the appeal is against the failure of the Council to determine the planning application within the prescribed period. Nevertheless, the Council's report makes its views on the proposal clear and confirms that the application would have been approved subject to conditions.
3. From the evidence before me, there are no substantive grounds of dispute between the appellant and the Council, and no concerns or objections have been raised by any interested parties such as statutory consultees or local residents. Consequently, I am satisfied that there are no main issues for me to consider and no reasoning is necessary. The scheme is in accordance with the Development Plan, and I shall allow the proposal subject to conditions.

Conditions

4. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. In addition to the standard implementation condition, the approved plans are listed for certainty. Conditions requiring boundary treatments to be submitted together with details of refuse storage would provide for a satisfactory appearance.
5. A condition in relation to archaeology would ensure that features of interest are properly examined and recorded. I consider that restricting Permitted Development Rights is unnecessary, as the property is sufficiently distant from the Grade II listed building at Clements Cottage such that any extensions would not adversely impact upon its setting, and the location in the Green Belt does not justify such limitation.

Conclusion

6. Given the above and having regard to all other matters, the appeal is allowed.

C Hall

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: M24-5987:01B, M24-5987:02, M24-5987:03A, M24-5987:04, M24-5987:05.
- 3) No part of the dwelling hereby permitted shall be occupied unless and until full details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided in accordance with the approved details prior to occupation of the dwelling, and thereafter retained and maintained.
- 4) The use shall not be commenced, nor the premises occupied, until details of a scheme for the storage and screening of refuse has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the development is occupied and shall be retained at all times thereafter.
- 5) Prior to the commencement of development the applicant, or their agents or successors in title, will secure:
 - i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority;
 - ii) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority; and
 - iii) a programme of post excavation assessment and publication.