

Tunbridge Wells Borough Council
 Town Hall
 Royal Tunbridge Wells
 Kent TN1 1RS



planning comments@tunbridgewells.gov.uk

Application for Removal or Variation of a Condition following Grant of Planning Permission or
 Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation
 Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Lower Church Farm

Address Line 1

Speldhurst Hill

Address Line 2

Speldhurst

Address Line 3

Kent

Town/city

Tunbridge Wells

Postcode

TN3 0NJ

Description of site location must be completed if postcode is not known:

Easting (x)

555424

Northing (y)

141662

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

**** REDACTED ****

Secondary number

Fax number

Email address

**** REDACTED ****

Agent Details

Name/Company

Title

First name

Glenda

Surname

Egerton

Company Name

John Bullock Design

Address

Address line 1

11 -13 High Street

Address line 2

Address line 3

Town/City

Tunbridge Wells

County

Country

United Kingdom

Postcode

TN1 1UL

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Variation of Condition 1 of TW/03/00200 - to allow either agricultural or livery activities

Reference number

10/01201/FULL

Date of decision (date must be pre-application submission)

09/06/2010

Please state the condition number(s) to which this application relates

Condition number(s)

1

Has the development already started?

Yes

No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

This proposal is for the removal of the agricultural and livery occupancy condition attached to Lower Church Farm and its transfer to the proposed new 1-bed dwelling that has been granted planning permission under application 20/01115/FULL located within the northern section of Barn A.

It is contended that a 1-bed flat would be much more affordable for an agricultural worker and would still meet the criteria of providing an agricultural workers dwelling in the locality.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

The occupation of the flat (as granted planning permission under application 20/01115/FULL & 23/01411/FULL) shall be limited to a person solely or mainly employed or last employed in the locality in agriculture (as defined in Section 336 of the Town and Country Planning Act 1990) and/ or in the locality in forestry and/ or in the operation of a commercial horse livery enterprise undertaken at Lower Church Farm, Speldhurst, or a widow/ widower of such a person or a dependant of such a person residing with him or her.

Reason: The site is outside any area in which residential development would normally be permitted unless essential to the local needs of agriculture or forestry area in accordance with Policies LBD1 and H9 of the Local Plan.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes
 No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
 The applicant
 Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes
 No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

First Name

Surname

Reference

Date (must be pre-application submission)

Details of the pre-application advice received

This could be supported in principle. Details of the value of the dwelling (including rental value) are relevant to the arguments relating to its realistic affordability for rural works.

It is noted that the conversion of Barn A had not commenced at the time of our meeting and any subsequent approval to transfer this condition will need to ensure that the agricultural/ livery occupancy condition will remain attached to Lower Church Farm until such time as the dwelling within Barn A has been completed and is ready for occupation. This would then prevent the loss of an agriculture workers dwelling on this site should the new dwelling not be constructed.

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- Yes
 No

Is any of the land to which the application relates part of an Agricultural Holding?

- Yes
 No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- The Applicant
 The Agent

Title

First Name

Surname

Declaration Date

Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Glenda Egerton

Date

20/12/2023