

06 January 2026

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**NOTIFICATION OF DECISION OF THE LOCAL PLANNING AUTHORITY: Town and Country Planning Act 1990 (as amended)**

**Case Reference**      **PA/2025/2088**

**Site Address**        **Old Elmstone Cottage, 98 North Street, Biddenden, TN27 8AE**

**Proposal**            **Change of use of land to extend the residential garden (Retrospective)**

**DECISION: PLANNING PERMISSION IS GRANTED** in accordance with the application and plans subject to the following conditions:

**Conditions:**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

<b>Description</b>	<b>Date</b>
Site Location & Existing Block Plans - 5250 - 01A	7 November 2025
Proposed Block Plan - 5250 - 10A	7 November 2025

**Reason:** For the avoidance of doubt and in the interests of proper planning.

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

**Reason:** In order to protect the visual amenity of the locality

**Informatives:**

- In accordance with paragraph 39 of the NPPF, Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions.

ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,

- as appropriate updating applicants/agents of any issues that may arise in the processing of their application,
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision.

In this instance

- the application was acceptable as submitted and no further assistance was required.
- The application was dealt with/approved without delay.

**Signed**



Simon Cole  
Assistant Director - Planning and Development

## **Important Notes**

### **1 Limitation of Permission**

This decision is for planning purposes only and for no other purpose including Building Regulations. Separate approval may be required for these works.

**Advice is available from the Building Control Section** - 01233 330282 Email [building.control@ashford.gov.uk](mailto:building.control@ashford.gov.uk)

Where plans for the erection or extension of a building are submitted for Building Regulations approval, Section 53 of the County of Kent Act 1981 requires that the Plans are rejected unless they show;

- a. adequate means of access for the Fire Brigade to the building or buildings as extended and;
- b. that the building and extension will not render inadequate, existing means of access for the Fire Brigade to a neighbouring building.

**The Fire Prevention Officer** can be contacted at Ashford Fire Station Henwood, Ashford, Kent TN24 8YF

This grant of planning permission does not give any legal right to carry out the development on, over or under the land of another person or contrary to the rights of any such person. If there is any doubt the applicant should seek his/her own independent legal advice before implementing the planning permission. Your attention is also drawn to the Party Walls Act

### **2 Appeals to the Secretary of State**

If you are unhappy with the disclosed Decision to grant permission subject to conditions, you may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Details of how to appeal can be obtained from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or via their website at <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>

### **3 Beneficial Use**

If permission to develop land is granted subject to conditions, whether by the Borough

Council or by the Secretary of State and you, as owner of the land, claim that it has become incapable of reasonable beneficial use, you may serve on the Borough Council a Purchase Notice requiring the Borough Council to purchase your interest in the land in accordance with the provision of Part IV of the Town and Country Planning Act 1990.

Before following this course of action it is suggested that you seek the advice of a Planning Consultant or a Solicitor.

#### 4 **Discharging of Conditions**

Some conditions attached to the grant of permission may require you to submit details and/or information before you start work. The necessary forms can be found on the Council's website. Please note that we aim to deal with these requests within 8 weeks.

There is a fee for 'Approval of details reserved by a condition'. These fees are set by Government and the current level can be found at <https://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1>