

**NOTIFICATION OF DECISION OF
THE LOCAL PLANNING AUTHORITY**

Date of Decision: 21 May 2020



Email: planning@folkestone-hythe.gov.uk

Guy Hollaway Architects Ltd
The Tramway Stables
Rampart Road
Hythe
CT21 5BG

TOWN AND COUNTRY PLANNING ACT 1990

Application Number: 20/0343/FH

Proposal: Application for the demolition of an existing rear single storey extension and the erection of a new single storey rear extension. New window openings at first floor level and erection of a new carport.

Site Location: UPPER MAXTED STREET FARM, MAXTED STREET, STELLING MINNIS, CANTERBURY, CT4 6DH

DECISION: APPROVE WITH CONDITIONS in accordance with the planning application and plans.

Subject to the following conditions:

- 1 The development must be begun within three years of the date of this permission.

Reason:

As required by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 19.03_001, 100, 101, 200, 201, 202 & 204, The Design & Access Statement and Heritage Statement, received 6 March 2020 and drawing no's 19.031_203. P1, and 205 and the 200219 Design Concept Rev.C, received 15 May 2020.

Reason:

For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of saved policy SD1 of the Shepway District Local Plan Review.

- 3 The materials to be used in the construction of the external surfaces of the rear extension and car port hereby permitted shall be those agreed in writing by the Local Planning Authority under the Listed Building Consent reference 20/0513/FH.

Reason:

To ensure the satisfactory appearance of the completed development and in the interests of the building's historic integrity in accordance with policies SD1, BE1, BE5, and CO4 of the Shepway District Local Plan Review.

- 4 The scheme of landscaping and boundary treatment shown on the approved plans and contained within approved document 200219 Design Concept RevC (received 15 May 2020) shall be carried out within the first planting season following substantial completion of the works to the extension and carport hereby approved, the hard and soft landscape works as shown in the approved plans shall be implemented in full.

If within a period of three years from the date of planting of any tree/shrub, or any tree/shrub planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective) another tree/shrub of the same species and size as that originally planted shall be planted in the same place, unless the Local Planning Authority gives written consent for variation.

Reason:

In order to protect and enhance the appearance of the area and accord with policies SD1, CO1, CO4 and CO11 of the Shepway Local Plan Review.

- 5 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs a) and b) below shall have effect until the expiration of 5 years from the date of occupation of the building for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such a time as may be specified in writing by the Local Planning Authority;

c) Tree protection fencing shall be erected for the protection of any retained tree as identified on the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purpose of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.

Reason:

Pursuant to condition 197 of the Town & Country Planning Act 1990 and to

protect and enhance the appearance and character of the site and locality, in accordance with Local Plan Policy BE16.

- 6 No construction work above slab level of the extension and car port hereby approved shall take place until full details of the hard standing materials to be used in the construction of the driveway, turning circle and footpaths within the site have been submitted to and approved in writing by the local planning authority. The details shall include the use of permeable materials. Construction shall thereafter be carried out and maintained in accordance with the approved details.

Reason:

To ensure that the hard standing areas are sympathetic to the character and appearance of the listed dwelling and to ensure reduce flooding, in the interests of highway safety in accordance with policy TR11 of the Shepway District Local Plan Review.

- 7 At the time of development of the hard standing, measures shall be installed to prevent the discharge of surface water onto the public highway.

Reason: To reduce surface water flooding and in the interest of highway safety in accordance with saved Local Plan Review policies SD1, U4 and TR12

- 8 No construction work above the slab level of the extension hereby permitted shall take place until full details of the construction and planting of the living roof (sedum roof) have been submitted to and approved by the local planning authority including an implementation programme and maintenance schedule. The details shall include planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and watering and drainage methods. Construction and planting of the living roof shall be completed before the first occupation of the development and in accordance with the approved details unless an alternative timescale has been agreed with the local planning authority. The living roof shall be maintained in accordance with the agreed maintenance schedule.

Reason:

In order to protect and enhance the appearance of the development and the area.

Informatives and notes

- 1 The proposal the subject of this planning application has been considered under the provisions of the NPPF; NPPG; Shepway District Local Plan (2006): SD1, BE1, BE5, BE8, BE16, TR12 & U4; Shepway Local Plan Core Strategy (2013): DSD; Places & Policies Local Plan Submission Draft (2019): HB1, HB8, NE3 & HE1, and having regard to the impact of the listed building, proximity to

neighbouring properties and the siting, design and appearance of the proposed new development, the submitted application is considered to be in accordance with the above mentioned Development Plan Policies.

In determining this planning application, the Council has had due regard for all relevant matters and particularly the National Planning Policy Framework. This includes the duty to work positively with the applicant to resolve potential issues and seek acceptable solutions.

This decision relates ONLY to the requirements of Town and Country Planning Act 1990. Separate determinations are required for other aspects of the planning regime, building regulations and environmental legislation. Any other permissions must be obtained separately from the relevant body.

The Council as Local Planning Authority expects the above Conditions to be complied with promptly. Where Conditions require details or other matters to be approved by the Council prior to commencement or occupation of the development, these must be submitted to the Council for its consideration well in advance, to ensure that there is no delay or loss to your project. Failure to observe the Conditions may result in enforcement action by the Council

Approved Documents

A handwritten signature in black ink, appearing to read 'H. G. G.', is positioned above the 'Issued by' text.

Issued by the Chief Planning Officer

This decision notice consists of 5 pages

NOTIFICATION TO APPLICANT APPEALS TO THE SECRETARY OF STATE If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or the grant of it, subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you want to appeal, then you must do so within three months of the date of the notice, using a form which you can get from Initial Appeals, The Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provision of a development order and to any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which had been or would be permitted. In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interests in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.