

TOWN AND COUNTRY PLANNING ACT 1990

Notification of Grant of Planning Permission to Develop Land

Mr D Briault
C/o Mr Matt Judge
Judge Architects Ltd
21 Oxenturn Road
Wye
Ashford
Kent
TN25 5BH

Take notice that The Folkestone & Hythe District Council, the Local Planning Authority under the Town and Country Planning Acts has **GRANTED PERMISSION** for the development of land

situate at: CLAVERLEY, 145 QUEENS ROAD, LITTLESTONE KENT TN28 8NA

and being: VARIATION OF CONDITION 2 AND REMOVAL OF CONDITIONS 7 AND 8 OF PLANNING PERMISSION Y13/1206/SH AS SUBSEQUENTLY AMENDED UNDER PLANNING APPLICATION Y16/0559/SH, TO ENABLE CREATION OF ADDITIONAL GROUND FLOOR RESIDENTIAL UNITS, TOGETHER WITH OTHER MINOR ALTERATIONS.

referred to in your application for permission for development received on 1st May 2018.

This Approval is subject to the following conditions:

CONDITIONS

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbered 14.11.01, 14.11.02 Rev D, 14.11.03 Rev A, 14.11.04 Rev A, 14.11.05 Rev A, 14.11.06 Rev A, 14.11.07 Rev B, 14.11.08 Rev B, 14.11.09 Rev A, and 14.11.10 Rev A

Reason:

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

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the submitted document 14.11.DO1 'details of materials to be used in the construction of external surfaces of the development'. The development shall be carried out in accordance with the approved details.

Reason:

To ensure the satisfactory appearance of the completed development and in the interests of visual amenity in accordance with saved policies BE1 and SD1 of the Shepway District Local Plan Review.

- 3 The area shown on the approved plans for vehicle access, as vehicle parking spaces and turning space shall be adequately surfaced before the dwellings are occupied and kept available for parking purposes in association with the dwellings at all times.

Reason:

It is necessary to make provision for adequate off street parking to prevent obstruction of the neighbouring highway, to safeguard the amenities of adjoining areas and to ensure adequate parking is available which will be used for the parking of cars for occupiers and visitors to service the development in accordance with saved policies SD1 and TR12 of the Shepway District Local Plan Review.

- 4 Bicycle parking provision shall be provided as shown on the approved plans and shall be made available for use prior to first occupation of any individual residential units and retained as such at all times.

Reason:

To ensure that facilities are available for the parking of bicycles so as to encourage access to the site by means other than private motor car in accordance with saved policies SD1 and TR5 of the Shepway District Local Plan Review.

- 5 The facilities for storage and collection of refuse in the submitted document MJ/14.11 'details of the facilities for storage and collection of refuse' shall be provided prior to the dwellings being first occupied, and shall be maintained as such thereafter.

Reason:

To ensure adequate means of refuse collection in the interests of the amenities of residents in accordance with saved policy SD1 of the Shepway District Local Plan Review.

- 6 Construction shall be carried out in accordance with the Construction Method Statement (Drawing 14.11.21).

Reason:

In the interests of the amenities of the locality and highway safety in accordance with saved policies SD1, BE1 and TR11 of the Shepway District Local Plan Review.

- 7 The approved drainage scheme shall be carried out in accordance with Drawing 14.11.30 and shall be implemented prior to the occupation of the buildings and maintained in a functional condition thereafter.

Reason:

To ensure proper drainage and avoid pollution of the area surrounding the site in accordance with saved policies SD1, U2 and U4 of the Shepway District Local Plan Review.

- 8 In the event that, at any time while the development is being carried out, contamination is found that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be prepared. The results shall be submitted to the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared and submitted to the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land, together with those to controlled waters, property and ecological systems, are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the requirements of saved policy U10a of the Shepway District Local Plan Review.

- 9 At the time of construction, the flood proofing and mitigation measures as recommended by the FRA shall be incorporated into the proposed development and shall be fully implemented and subsequently maintained in accordance with the recommendations.

Reason:

To reduce the risk of flooding for the proposed development and future occupiers.

- 10 The building levels shall be in accordance with Drawing 14.11.15 Building Levels.

Reason:

To ensure control over the ground levels and height of the development when constructed and to minimise the impact on the neighbouring residential properties and the locality generally in accordance with saved policies SD1 and BE1 of the Shepway District Local Plan Review.

- 11 Prior to the first occupation full details of both hard and soft landscape works (expanding on Drawing 14.11.20 Landscape Strategy Plan and submitted Soft Landscaping Strategy) shall be submitted to and approved in writing by the Local Planning Authority including an implementation programme and maintenance schedule. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. The soft landscape works shall be maintained in accordance with the agreed maintenance schedule.

Reason:

In order to protect and enhance the appearance of the area in accordance with saved policies SD1 and BE16 of the Shepway District Local Plan Review.

- 12 Prior to the first occupation a schedule of landscape maintenance for all communal areas and responsibility for such areas, for a minimum period of 5 years shall have been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and a landscaping management plan, including long term design objectives, management responsibilities and maintenance schedules for the landscape areas. Development shall be carried out in accordance with the approved schedule.

Reason:

In order to protect and enhance the appearance of the area in accordance with saved policies SD1 and BE16 of the Shepway District Local Plan Review.

- 13 The boundary treatment shall be in accordance with the details shown on drawing 14.11.20 and shall be completed before the dwellings hereby permitted are first occupied. Development shall be carried out in accordance with the approved details and thereafter the boundary treatment shall be retained and maintained.

Reason:

In the interests of visual amenity and the amenity of residents in accordance with saved policies SD1 and BE1 of the Shepway District Local Plan Review.

INFORMATIVES

- 1 This decision is also conditional upon the terms of the Planning Agreement which has been entered into by the developer and the Local Planning Authority under Section 106 of the Town and Country Planning Act 1990. The Agreement runs with the land and not with any particular person having an interest therein.

In accordance with paragraph 38 the National Planning Policy Framework 2018, Folkestone & Hythe District Council, as local planning authority, has taken a positive and proactive approach to the proposed development, focusing on finding solutions.

The applicant/agent was advised of any issues during the processing of the application and additional information has been submitted to address these.

The development proposed has been considered against the National Planning Policy Framework, Local Plan policy and relevant material planning considerations and it is the view of the Local Planning Authority that planning permission should be granted.

In coming to this decision regard has been had to the following policies:

Shepway District Local Plan Review saved policies: SD1, BE1, BE16, HO1, TR5, TR11, TR12

Shepway Core Strategy Local Plan: DSD, SS1, SS3, SS5, CSD1, CSD2, CSD5
NPPF



Dated this 5th day of October 2018

Folkestone & Hythe District Council,
Civic Centre, Castle Hill Avenue,
Folkestone, Kent CT20 2QY

Lisette Patching
Development Management Manager

APPEAL GUIDANCE NOTES

Note:

This permission is confined to permission under the Town and Country Planning Act 1990 (as amended) and does not obviate the necessity for compliance with any enactment, bye-law or other provision whatsoever or of obtaining from the appropriate authority any permission, consent, approval or authorisation which may be required.

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 six 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.