

TOWN AND COUNTRY PLANNING ACT 1990

Notification of Grant of Planning Permission to Develop Land

Mrs Yvonne Lake
C/o Mr Tim Parrett
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One Step Beyond
Westfield Lane
Etchinghill
Folkestone
CT18 8BT

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

situate at: **LAND ADJACENT 11 MILLFIELD HAWKINGE FOLKESTONE KENT**

and being: **ERECTION OF A BUNGALOW WITH ASSOCIATED PARKING AND PROVISION OF A PARKING SPACE FOR 11 MILLFIELD, HAWKINGE.**

referred to in your application for permission for development received on 7th July 2017.

This Approval is subject to the following conditions:

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: site Location Plan, 1735.01

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 No work on the construction of the house hereby permitted shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. 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.

- 4 No development shall commence above foundation/slab level until details of the driveway and parking areas (for both the new dwelling and 11 Millfield), including construction, drainage, and surfacing have been submitted to and agreed in writing with the Local Planning Authority. Prior to the occupation of the dwelling hereby approved the parking areas and driveway shall be constructed in accordance with the agreed details and maintained thereafter for parking purposes respectively for the occupiers of the dwelling hereby approved and no. 11 Millfield and their visitors.

Reason:

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

- 5 1. Notwithstanding the submitted EnviroSmart report (ref 66346R1 dated July 2017) prior to commencement of the development an updated desk top study shall be undertaken and submitted to and approved in writing by the Local Planning Authority. In addition to the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information a site walkover shall be carried out by a suitably qualified person. A diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall also be included taking into account the findings of the walkover study.

2. If a desk top study shows that further investigation is necessary, an investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. It shall include an assessment of the nature and extent of any contamination on the site, whether or not it originates on the site. The report of the findings shall include

- A survey of the extent, scale and nature of contamination
- An assessment of the potential risks to
- Human health
- Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- Adjoining land,
- Ground waters and surface waters,

- Ecological systems,
- Archaeological sites and ancient monuments and
- An appraisal of remedial options and identification of the preferred option(s).

All work pursuant to this Condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

3. If investigation and risk assessment shows that remediation is necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme shall include details of all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

4. Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation scheme and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer-term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

5. 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 protect the environment and human health against contamination and pollution, in accordance with saved Local Plan Review policies SD1 and U10a and the NPPF: 2012.

- 6 In relation to the dwelling hereby approved, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) (with or without modification) no development falling within Classes A, B and C of Part 1 of Schedule 2 of the said Order shall be carried out without the prior consent in writing of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to retain control over future development given the small areas of garden and close proximity of the house to neighbours' boundaries.

- 7 Prior to the first occupation of the dwelling hereby permitted, details of the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority and the approved boundary treatment shall be completed before the the dwelling is first occupied.

Reason:

In the interests of visual amenity and the amenity of residents.

INFORMATIVES

- 1 Your attention is drawn to the requirements of the Building Regulations 2000 and the possibility of the need to obtain consent under such regulations.

Prior to implementing this permission, you should seek advice from Building Control as to whether or not to make an application. Advice and application forms are available from the Civic Centre, Folkestone (telephone numbers 01303 853538). Alternatively another building control body may be able to assist.

- 2 Please view the Considerate Constructors Scheme at <http://www.ccscheme.org.uk/index.php/company-registration/how-to-be-very-considerate/company-code-of-considerate-practice>.

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Shepway 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 application was determined within the relevant timescales.

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, HO1, BE1, CO4, TR12, CO11, U10a, U15

Shepway Core Strategy Local Plan - DSD, SS1, SS3, SS5, CSD4 and CSD5.

National Planning Policy Framework 2012 - particularly paragraphs 7, 9, 14, 15, 17, 42, 49, 50, 56, 57, 58, 109, 118, 120 and 121.



Dated this 1st day of September 2017

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

Ben Geering
Head of Planning

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.