

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

Date of Decision:



Email: planning@folkestone-hythe.gov.uk

Mr Edmund Drewelus
Kent Project Partnership Ltd
Boarmans Farm
Boarmans Lane
Brookland
Kent
TN29 9TS

TOWN AND COUNTRY PLANNING ACT 1990

Application Number: Y19/0958/FH

Proposal: Construction of access road and the provision of 5 static mobile homes and a community hall to provide accommodation as a travellers site.

Site Location: Land Adjoining The Retreat, Lydd Road, Old Romney, Kent

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

Subject to the following conditions:

- 1 Within 3 months of the date of this grant of planning permission the development hereby permitted shall be laid out in accordance with the approved site plan received 04 June 2020 and shall be retained throughout the lifetime of the development.

Reason:

In the interests of the safety of the occupants in the event of flooding

- 2 Within 3 months of the date of this grant of planning permission the development shall be adapted to ensure finished internal floor levels of all caravans are set at a minimum of 600mm above the design flood level of 2.58m above Ordnance Datum (AOD) and retained as such throughout the lifetime of the development.

Reason:

To reduce the risk of flooding to the proposed development and future occupants

- 3 Within 3 months of the date of this grant of planning permission the development shall adhere to the recommendations of the submitted Flood Warning and

Reason:

In the interests of the safety of the occupants in the event of potential flooding in the area.

- 4 The site and caravans hereby permitted shall not be occupied by any persons other than gypsies and travellers as defined in Planning Policy for Traveller Sites (August 2015) or as may be defined in any subsequent Circular or Government guidance published as a replacement for it.

Reason:

The site is outside any area in which residential development would normally be permitted and in granting this permission the Local Planning Authority has had regard to the need identified by the Folkestone & Hythe District Council Gypsy, Traveller and Travelling Showpersons Accommodation Assessment 2018.

- 5 The use of the site hereby permitted shall be restricted to the stationing of no more than five static caravans and one community hall at any one time.

Reason:

For the avoidance of doubt and in order to safeguard the character, appearance and visual amenity of the countryside location.

- 6 The community hall shall be used by residents of the site only in connection with the use of the site as a caravan site for gypsies and travellers and shall not be used for sleeping accommodation at any time.

Reason:

In the interests of neighbouring residential amenity and flood risk.

- 7 Within three months of the date of this planning permission, full details of the means of foul and surface water disposal from the development shall be submitted to the Local Planning Authority for approval in writing, together with a timetable for their implementation, with such details as approved, implemented and/or maintained in a functional condition thereafter in accordance with the approved timetable.

Reason:

To ensure proper drainage and avoid pollution and flooding of the area.

- 8 Within three months of the date of this permission, details of how the development will enhance biodiversity shall be submitted to the Local Planning Authority for approval in writing, together with a timetable for their implementation. This shall include recommendations as set out in section 4.10 of the submitted Ecological Scoping Survey (Martin Newcombe March 2020). The approved details shall be implemented in full in accordance with the approved timetable.

Reason:

In the interests of securing enhancements for biodiversity.

- 9 Within three months of the date of this permission, a landscaping scheme for the site, including an implementation programme and maintenance schedule, incorporating the recommendations of the Ecological Scoping Survey (Martin Newcombe March 2020) shall be submitted to the Local Planning Authority for approval in writing. The landscaping scheme shall be carried out in accordance with the approved details and implementation programme unless an alternative timescale has first been agreed in writing with the Local Planning Authority. The soft landscape works shall be maintained in accordance with the agreed maintenance schedule. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.

Reason:

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

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting that Order) (with or without modification) no development falling within Class A of Part 2 of Schedule 2 to the said Order shall be carried out without the prior consent in writing of the Local Planning Authority.

Reason:

In the interests of visual amenity.

- 11 No external lighting shall be installed on the land, the subject of this application, without the prior submission to and approval in writing of details by the Local Planning Authority. The installation of any external lights shall only be in accordance with the approved details.

Reason:

In order to reduce light pollution and maintain the undeveloped character of the countryside.

- 12 Within three months of the date of this permission, the first five metres of the access from the back edge of the highway shall be finished in a bound material and thereafter retained and maintained as such.

Reason:

In the interests of highway safety

- 13 There shall be no discharge of surface water onto the highway.

Reason:

In the interests of highway safety.

- 14 The parking and turning areas shown on the approved plans shall be retained

at all times in association with the approved development.

Reason:

In the interests of amenity and highway safety.

- 15 The visibility splays shown on the approved plans shall be maintained with no obstructions over 1.05 metres above carriageway level within the splays.

Reason:

In the interests of highway safety.

Informatives and notes

- 1 The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are present on the application site and are assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.
- 2 Romney Marsh Area Internal Drainage Board consent under Section 23 of the Land Drainage Act 1991 will be required for the proposed surface water outfalls and for any outfalls serving package treatment plants.

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 'Hypu' or similar, with a stylized, cursive script.

Issued by the Chief Planning Officer

This decision notice consists of 6 pages

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority then you may be able 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 promptly.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.gov.uk/government/organisations/planning-inspectorate.

The Inspectorate's website also gives details of timescales and the processes which would apply to this type of application.