

Ref: Y17/0029/PA / PAH
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Date: 5th February 2018

Mr Tom Pearsall
C/o Mr Kingsley Hughes
1A The Landway
Bearsted
Maidstone
Kent
ME14 4BD

Dear Mr Tom Pearsall,

**THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015**

APPLICATION NO: Y17/0029/PA

LOCATION: 39 BOUVERIE SQUARE FOLKESTONE KENT CT20 1BA

PROPOSAL: DETERMINATION AS TO WHETHER THE PRIOR APPROVAL OF THE LOCAL PLANNING AUTHORITY IS REQUIRED UNDER CLASS O OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 FOR THE CHANGE OF USE OF A BUILDING AND ANY LAND WITHIN ITS CURTILAGE FROM A USE FALLING WITHIN CLASS B1(A) (OFFICES), TO PROVIDE 8 MICRO-APARTMENTS.

This decision notice relates to your application received in this office on 11th December 2017 relating to these works.

The Local Planning Authority hereby determines that prior approval is required for the proposed development and prior approval is hereby given subject to the following conditions:

CONDITIONS

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

Reason:

As required by The Town and Country Planning (General Permitted Development) (England) Order 2015 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 275/75, 275/76, 275/77 and 275/102.

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 1. Prior to commencement of the development a desk top study shall be undertaken and submitted to and approved in writing by the Local Planning Authority. The study shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall also be included.

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.

- 4 Facilities for the covered, secure parking of 8 bicycles shall be provided prior to the first occupation of any units and retained for the use of the occupants of the properties thereafter.

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 policy TR5 of the Shepway District Local Plan Review.

INFORMATIVES

- 1 The applicant is advised that replacement of the windows in the building would require planning permission, and would therefore require a separate planning application.

You may proceed without further reference to the authority providing the works are carried out strictly in accordance with the details which you provided with your application hereby approved and the above conditions. Any material deviation from these details will be a breach of planning control which will render you liable to enforcement proceedings. If you wish to change your plans in any way, you will need to reapply.

Please note that this letter does not give clearance or approval under any other legislation including the Building Regulations. It relates only to the notification under The Town and Country Planning (General Permitted Development) (England) Order 2015.

Yours sincerely

A handwritten signature in black ink, appearing to be 'BG' with a horizontal line extending from the end.

Ben Geering
Head of Planning