

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

Date of Decision: 19 March 2024



Email: planning@folkestone-hythe.gov.uk

Mr Christopher Muspratt
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The Tramway Stables
Rampart Road
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CT21 5BG

TOWN AND COUNTRY PLANNING ACT 1990

Application Number: 23/2036/FH

Proposal: Detached new dwelling

Site Location: 76-78 St Leonards Road, Hythe, CT21 6HW

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

Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason:

In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the following approved drawings and documents: 01 Rev A, 04, 05, 06 and 07

Reason:

For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of Places and Policies Local Plan.

- 3 The development hereby approved shall be carried out in accordance with the details of materials as specified in the application, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity.

- 4 No development beyond the construction of foundations shall take place until details to demonstrate that the dwellings hereby permitted shall use no more than 110 litres of water per person per day have been submitted to and approved in writing by the Local Planning Authority. The details shall be implemented as agreed.

Reason:

In the interest of sustainable development and minimising water consumption.

- 5 Prior to the first occupation of any dwelling hereby permitted, one electric vehicle charging point per dwelling shall be provided, in accordance with specifications and in location(s) that have been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interest of sustainable development and reducing carbon emissions.

- 6 Notwithstanding the provisions of Class B, Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no dormer windows shall be inserted in the dwelling house hereby permitted.

Reason:

In the interests of residential amenity.

- 7 Before the development hereby permitted is first used, the rooflight window within the north facing roof slope shall be obscure glazed to not less than the equivalent of Pilkington Glass Privacy Level 3, and these windows shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such.

Reason:

To prevent overlooking of adjoining properties and to safeguard the privacy of neighbouring occupiers.

- 8 No development shall commence until an Ecological Enhancement Management Plan (EEMP) has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide detailed mitigation measures and ecological enhancements to be carried on site, together with a timetable for implementation. The development shall be carried out in accordance with the approved details.

Reason:

To protect habitats and species identified in the ecological surveys from adverse impacts during construction.

- 9 The area shown on the approved plans for the parking of vehicles shall be kept available as such and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land or in such a position as

to preclude vehicular access thereto.

Reason: In the interests of highway safety and convenience.

Informatives and notes

- 1 As the core bird breeding season has now commenced (March to August inclusive), an ecologist should be present on site for any clearance works to ensure no nests are disturbed or destroyed at any point. Under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built.
- 2 The applicant is advised to consider the Butterfly Conservation's recent, succinct advice note on moths and light pollution which contains a simple guide to minimising light spill and light pollution for homeowners to minimise impacts to moths.

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



Issued by the Chief Planning Officer

This decision notice consists of 4 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.