

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

Date of Decision: 16 August 2024



Email: planning@folkestone-hythe.gov.uk

Grovewell Folkestone Limited
C/o Rosie Dennis
DHA Planning
Eclipse House
Eclipse Park
Sittingbourne Road
Maidstone
ME143EN

TOWN AND COUNTRY PLANNING ACT 1990

Application Number: 23/0963/FH

Proposal: Hybrid application seeking full planning permission for the demolition of the existing greenhouses, store buildings and toilet block alongside the refurbishment of existing garden centre building and rear courtyard, erection of side extension to provide a café, kitchen and WC, a front extension to provide a new entrance building, the erection of a covered retail area to rear alongside a new delivery area and storage building with associated car parking, landscaping and other works.
Outline planning permission for the erection of a non-commercial stables and associated car parking, access and landscaping.

Site Location: Folkestone Garden Centre, Canterbury Road, Swingfield Minnis, Folkestone, CT15 7HX

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

Subject to the following conditions:

- 1 The detailed 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 Approval of the details of the scale, appearance and layout for the stables (outline aspect), hereinafter called "the reserved matters", shall be obtained from the Local Planning Authority in writing before any development is commenced on the hereby approved stables.

Reason: Such details are necessary for the full consideration of the proposal and have not, so far, been submitted.

- 3 Application for approval of the reserved matters referred to in condition (2) above must be made not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990

- 4 The outline development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended).

- 5 The development hereby permitted shall not be carried out except in complete accordance with the following approved drawings and documents:

Planning Statement MB/RD/GF/30046 DHA Planning
Transport Statement SM/AH/16713 DHA Transport
Location Plan 274026-INV-00-XX-DR-A-0001 Rev P02 INVVU
Construction Consultants Ltd
Existing Block Plan 274026-INV-00-XX-DR-A-0002 Rev P02 INVVU
Construction Consultants Ltd
Existing Site Plan 274026-INV-00-XX-DR-A-1000 Rev P02 INVVU
Construction Consultants Ltd
Proposed Site Plan 274026-INV-00-XX-DR-A-1001 Rev P09 INVVU
Construction Consultants Ltd
Proposed Masterplan 274026-INV-00-XX-DR-A-1002 Rev P13 INVVU
Construction Consultants Ltd
Parameter Plan 274026-INV-00-XX-DR-A-1004 Rev P07 INVVU
Construction Consultants Ltd
Garden Centre Proposed Floor Plans 274026-INV-00-XX-DR-A-1003 Rev
P01 INVVU Construction Consultants Ltd
Garden Centre Existing Elevations 274026-INV-00-XX-DR-A-2500 Rev
P01 INVVU Construction Consultants Ltd
Garden Centre Proposed Elevations 274026-INV-00-XX-DR-A-2501 Rev
P02 INVVU Construction Consultants Ltd
Store Building Proposed Plans and Elevations 274026-INV-00-XX-DR-A-
2502 Rev P02
Structural Condition Report 274026-INV-00-XX-RP-S-0001 Rev P02
INVVU Construction Consultants Ltd
Design and Access Statement Addendum 274026-INV-00-XX-RP-A-0002
Rev P01 INVVU Construction Consultants Ltd
Proposed Electric Vehicle Charging Layout 274026-INV-00-00-DR-E-0931
Rev P02 INVVU Construction Consultants Ltd

Incoming Services Strategy Report 274026-INV-00-XX-RP-M-0001 Rev
 P01 INVVU Construction Consultants Ltd
 Proposed Incoming Electricity Supply Layout Sheet 1 of 2 274026-INV-00-
 00-DR-E-0991 Rev P02 INVVU Construction Consultants Ltd
 Proposed Incoming Electricity Supply Layout Sheet 2 of 2 274026-INV-00-
 00-DR-E-0992 Rev P02 INVVU Construction Consultants Ltd
 Proposed Incoming Water Supply Layout 274026-INV-00-00-DR-P-0991
 Rev P02 INVVU Construction Consultants Ltd
 Flood Risk Assessment and Drainage Strategy 274026 Rev C RCD
 Consultants Ltd
 Drainage Strategy Layout 247026-INV-CP-XX-DR-C-6000 Rev P04 INVVU
 Construction Consultants Ltd
 Impermeable Area Plan 274026-INV-CP-XX-DR-C-6001 Rev P03 INVVU
 Construction Consultants Ltd
 Flood Exceedance Plan 274026-INV-CP-XX-DR-C-6002 Rev P04
 External Lighting Strategy Report 274026-INV-00-XX-RP-E-0001 Rev P05
 INVVU Construction Consultants Ltd
 External Lighting Layout 274026-INV-00-00-DR-E-0911 Rev P05 INVVU
 Construction Consultants Ltd
 Outline Energy Strategy Report 274026-INV-00-XX-RP-M-0002 Rev P01
 INVVU Construction Consultants Ltd
 Archaeological Desk Based Assessment JAC28032 RPS
 Badger Walkover Survey 5912-LLB-CO-EC-0001 Lloydbore
 Preliminary Ecological Appraisal 5912-LLB-RP-EC-0002 Lloydbore
 Biodiversity Metric 3.1 Calculation 5912-LLB-MC-Ec-0003-S4- P01_Metric
 Lloydbore
 Biodiversity Net Gain Plan 5912-LLB-RP-EC-0008 Rev P01 Lloydbore
 LVA Report 5912-LLB-RP-L-0001 Rev P07 Lloydbore
 Landscape Master Plan 5912-LLB-XX-XX-DR-L-0002 Rev P10 Lloydbore
 Arboricultural Impact Assessment 5912-LLB-ZZ-ZZ-RP-AB-0001 Rev P02
 Lloydbore
 Tree Protection Plan 5912-LLB-XX-XX-DR-Ab-0002 Rev P04 Lloydbore
 Preliminary Ground Contamination Risk Assessment Report R15236 Rev 2
 Ashdown Site Investigation Limited
 Ecological Impact Assessment 5912-LLB-RP-Ec-0006-S4 Rev P01 Lloyd
 Bore
 Reptile Report 5912-LLB-RP-Ec-0004-S4 Rev P01 Lloyd Bore
 Bat Report 5912-LLB-RP-Ec-0005-S4 Rev P01 Lloyd Bore
 Hazel Dormice Survey Report 5912-LLB-RP-Ec-0007-S4 Rev P01 Lloyd
 Bore
 Planning Statement Addendum 30046 DHA Planning

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.

Garden Centre Conditions (Garden Centre area as defined on the approved Parameter Plan - 274026-INV-00-XX-DR-A-1004 Rev P07)

- 6 The premises shall be used for the purpose of a garden centre with ancillary retail and a café and for no other purpose whatsoever, including any other purposes in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and any other use

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.

Reason: In the interests of the amenities of the area.

- 7 The premises shall not be open to the public except between the following times:

Monday to Saturday 09.00 – 18.00 hours
Sunday 10.00 – 16.30 hours

With the exception of up to 30 days per year where the premises can remain open to the public for ancillary events outside of these hours, between Monday to Saturday from 09.00 – 21.00.

Reason: In the interests of residential amenity.

- 8 Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Plan shall include the following:

(a) Provision of parking facilities for site personnel and visitors on site and for the duration of construction.

(b) Provision of wheel washing facilities on site and for the duration of construction. Details should also be provided of contingency working protocol for action taken should the wheel washing be ineffective, and spoil is dragged onto the highway.

(c) Provision of construction vehicle loading/unloading and turning facilities on site and for the duration of construction.

(d) Provision of measures to prevent the discharge of surface water onto the highway.

Reason: To prevent obstruction of the highway, to protect the residential amenity of the occupiers of neighbouring properties.

- 9 The parking area shown on the submitted plan (274026-INV-00-XX-DR-A-1001-S2 rev P09) shall be provided and made available prior to the first use of the garden centre building extension hereby approved, shall be kept available for such use at all times 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 so shown or in such a position as to preclude vehicular access thereto.

Reason: In the interests of highway safety and convenience.

- 10 Prior to the first use of the development hereby approved, the electric vehicle charging points detailed on drawing number 274026-INV-00-00-DR-E-0931 Rev P02 must be provided to Mode 3 standard (providing a 7kw output) and SMART (enabling Wifi connection). Approved models are

shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:

<https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>. The charging points shall be retained in working order in perpetuity.

Reason: In the interest of sustainable development and reducing carbon emissions.

- 11 Prior to the first use of the garden centre extension, the vehicle loading/unloading and turning facilities as shown on the submitted plan (274026-INV-00-XX-DR-A-1001-S2 rev P09) shall be provided and shall be kept available for such use at all times.

Reason: In the interests of highway safety and convenience.

- 12 Prior to the first use of the garden centre building extension, details shall be submitted to and approved in writing by the Local Planning Authority for the provision of secure, covered cycle storage spaces. The cycle storage shall be implemented in accordance with the approved details and shall be made available in good working order in perpetuity for the use of visitors to the development.

Reason: In the interests of encouraging the use of sustainable modes of transport.

- 13 Prior to the installation of any extract ventilation system; full details including a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority. The extraction ventilation system should incorporate carbon and pre filters to deal with cooking smells, fumes, grease, and steam produced by cooking and be designed to prevent or minimise any nuisance caused to neighbours.

Reason: To protect the amenities to nearby residential properties

- 14 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.

Stables Conditions (Stables and Paddock area as defined on the approved Parameter Plan - 274026-INV-00-XX-DR-A-1004 Rev P07)

- 15 The proposed new access shall include the use of a bound surface for the first 5 metres of the access from the edge of the highway.

Reason: In the interests of highway safety

- 16 The visibility splays detailed on the submitted plan (16713 H-01 Revision P2) shall be provided prior to the first use of the development with no obstructions over 1.05 metres above carriageway level within the splays.

The visibility splays shall thereafter be maintained in perpetuity for the lifetime of the development.

Reason: In the interests of highway safety

- 17 The stables hereby permitted shall only be used for the stabling of horses or ponies for private use and for no other purpose, including any commercial use.

Reason: In the interests of visual amenity and highway safety and convenience.

- 18 No burning of straw or manure shall take place on the site.

Reason: In the interests of residential and visual amenity

- 19 Application for the approval of reserved matters shall include full details of the means of storage prior to disposal and the method of disposal of waste arising from the animals housed within the development. Such waste shall only be disposed in accordance with the approved details and no waste shall be burnt.

Reason: In the interests of visual and residential amenity.

- 20 No development shall take place until details have been submitted to and approved in writing by the local planning authority demonstrating that requirements for surface water drainage for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be accommodated within the proposed development layout.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and that they are incorporated into the proposed layouts

Site Wide Conditions:

- 21 All mitigation for hazel dormouse will be carried out in accordance with the details contained in the Ecological Impact Assessment, Lloyd Bore, March 2024, unless additional measures are required by Natural England following application for an EPS Licence. Should Natural England require less mitigation than that detailed within the method statement submitted as part of the licence application, then all outstanding measures will be included as enhancements under NPPF 2023. Hazel dormouse mitigation, and any enhancements, will be implemented and retained thereafter.

Reason: To ensure the adequate protection for protected species and habitats.

- 22 No development shall take place (including any ground works, site or vegetation clearance) until a construction environment management plan for biodiversity has been submitted to and approved in writing by the local planning authority. The CEMP (biodiversity) shall be based on the Ecological Impact Assessment, Lloyd Bore, March 2024 and will include the following:

a) An update site walk-over completed no earlier than 3 months prior to commencement to:

- confirm that the condition/management of the onsite habitats is consistent with that recorded during the ecological assessment, such that the potential for protected species to occur has not changed. The CEMP will state that where potential for additional impacts on protected species is noted, all required surveys and mitigation/licensing will be implemented prior to any works (including site clearance) being undertaken;
- identify any badger setts. The CEMP will state that if new setts are identified during the pre-works walk over, all required surveys and mitigation/licensing will be implemented prior to further works being undertaken in the vicinity of the sett/s;
- identify the presence of non-native/invasive plant species.

b) Details of the purpose and objectives of proposed mitigation works during construction;

c) The identification of biodiversity protection zones and proposed use of protective fences, exclusion barriers and warning signs;

d) Details of methods, timing, extent and location of proposed mitigation works including appropriate scale maps and plans, with reference to: standard pollution prevention and control measures; protection of the priority habitat woodland, retained trees and hedgerows; and precautionary mitigation measures for reptiles, breeding birds including ground-nesting species, hazel dormouse, badgers, amphibians and hedgehog;

e) Details of all working measures needed to comply with the terms of the EPS licence for hazel dormouse;

f) Timetable for implementation, demonstrating that mitigation works are aligned with the proposed phasing of construction;

g) Persons responsible for implementing the mitigation works, including any times during construction when specialist ecologists need to be present on site to undertake / oversee works;

h) Initial aftercare and reference to a long-term maintenance plan (where relevant);

i) Disposal of any wastes for implementing work

The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

Reason: In the interest of biodiversity and protected species and habitats.

- 23 No development shall commence (including site clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP will be based on the outline information within the Ecological Impact Assessment and Biodiversity Metric spreadsheet (Lloyd Bore,

March 2024) and Landscape Masterplan (Lloyd Bore, April 2024) and will include the following:

- Details of a diverse native-species only planting scheme to protect the integrity of the priority habitat woodlands, hedgerows and proposed hay meadow;
- Reference to an updated and submitted Biodiversity Metric calculation for the final development and landscaping proposals;
- Details of additional biodiversity enhancements to be provided including type, number and location of habitat boxes as proposed. In addition, additional hole nesting opportunities will be provided for hazel dormouse in the form of nest boxes located within the canopy of suitably tall, mature trees;
- Aims and objectives of management, in alignment with the Biodiversity Net Gain habitat and condition targets;
- Appropriate management prescriptions for achieving aims and objectives;
- Description and evaluation of all features to be managed;
- Constraints on site that might influence management;
- Proposals regarding remedial measures;
- Preparation of a work schedule including an annual work plan capable of being rolled forward over a five-year period, for the lifetime of the development;
- A timetable for habitat monitoring surveys, in alignment with the Biodiversity Net Gain habitat and condition targets;
- Details of the body or organisation responsible for implementation of the plan.

The LEMP will include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer, with details of the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of biodiversity net gain

- 24 Prior to the commencement of the development, a detailed sustainable surface water drainage scheme for the site shall be submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be based upon the latest revision of the Flood Risk Assessment as prepared by Invvu Construction Consultants dated 16th December 2022 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

The detailed drainage scheme will also be required to demonstrate that any existing surface water flow paths can be accommodated and disposed of without increase to flood risk on or off site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- 25 Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

- 26 No building of the development hereby permitted shall be occupied or brought into use until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 175 of the National Planning Policy Framework.

- 27 (A) The required further investigation and risk assessment identified in the approved Preliminary Ground Contamination Risk Assessment Report, 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 any development above ground level. 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:

i) A survey of the extent, scale, and nature of contamination including clarification on the radon status of the site based on the latest radon mapping;

(ii) 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

(iii) 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).

(B) If investigation and risk assessment shows that remediation is necessary, no development shall take place until 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 has been submitted to and approved in writing by the Local Planning Authority. 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.

(C) No development shall take place until a verification report demonstrating completion of the works set out in the approved remediation scheme and the effectiveness of the remediation has been 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.

(D) If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority, details of how this unsuspected contamination shall be

dealt with. 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.

- 28 The development hereby permitted may not commence until a foul water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved and completed prior to the development being brought into use.

Reason: To ensure that the proposed non-mains drainage system does not harm groundwater resources in line with paragraph 180 of the National Planning Policy Framework and Position Statements G1, G3 and G9 of the 'The Environment Agency's approach to groundwater protection'.

- 29 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of

i. archaeological field evaluation works in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority; and

ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

- 30 External lighting shall be installed in accordance with the approved details and no further external lighting shall be installed without the prior written consent of the local planning authority.

Reason: In the interests of visual and residential amenity and biodiversity.

- 31 No development beyond the construction of foundations shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenity of the area and encouraging wildlife and biodiversity.

- 32 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 in writing with the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and encouraging wildlife and biodiversity.

- 33 Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenity of the area and encouraging wildlife and biodiversity.

- 34 The development hereby permitted shall be carried out in such a manner as to avoid damage to existing trees that are identified for retention in the approved drawings including their root systems, and other planting to be retained by observing the following:

(a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, and in accordance with the approved Tree Protection Plan and any approved Arboricultural Method Statement. Such tree protection measures shall remain throughout the period of construction;

(b) No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;

(c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;

(d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;

(e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, unless otherwise agreed in writing by the Local Planning Authority.

(f) No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

Informatives and notes

- 1 The applicant's attention is drawn to the advice and informatives set out in the Kent Highways and Transportation consultation response dated the 10th May 2024.
- 2 The applicant's attention is drawn to the advice and informatives set out in the Environment Agencies consultation response dated the 30th May 2024.

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 14 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.