



Messrs Barnes
c/o Mrs - Welch Hobbs Parker
Romney House
Monument Way
Orbital Park
Ashford
TN24 0HB

Town and Country Planning Act 1990 (As Amended)

APPLICATION NUMBER 23/00546

NOTIFICATION OF GRANT OF FULL PLANNING PERMISSION

Proposal: Erection of 8 dwellings with associated access and landscaping
Location: Land East Side Of Short Lane, Alkham, CT15 7BZ

TAKE NOTICE that Dover District Council, the District Planning Authority under the Town and Country Planning Act, **HAS GRANTED** Full Planning Permission for the proposal in accordance with the application and accompanying plans received.

SUBJECT TO SUCH CONDITIONS AS ARE SPECIFIED hereunder together with the reasons for their imposition:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.
Reason: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any legislation revoking or re-enacting that legislation with or without modification).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - 22_114_02 Rev B - Sketch Layout Plan - Received 24th July 2023
 - 22_114_03 Rev E - Site Ground Floor Plan - Received 24th July 2023
 - 22_114_04 Rev D - Parking Strategy - Received 24th July 2023
 - 22_114_05 Rev D - Refuse Strategy - Received 24th July 2023
 - 22_114_06 Rev D - Boundary Plan - Received 24th July 2023
 - 22_114_07 Rev D - Biodiversity Enhancement Plan - Received 24th July 2023
 - 22_114_10 Rev A - Plans and Elevations Units 1 - 2 - Received 24th July 2023
 - 22_114_11 Rev A - Plans and Elevations Units 3 - 7 - Received 24th July 2023
 - 22_114_12 Rev A - Plans and Elevations Units 3 - 7 - Received 24th July 2023
 - 22_114_13 Rev A - Plans and Elevations Unit 8 - Received 24th July 2023
 - 22_114_14 Rev A - Street Elevations - Received 24th July 2023

- 22_114_15 Rev A - Proposed Cycle Store - Received 24th July 2023
- 0606/23/B/1A - Short Lane, Alkham Landscape Strategy, Issue 3 - Received 24th July 2023
Preliminary Ecological Appraisal Land at Short Lane - Received 19 April 2023
Flood Risk Assessment for Development at Short Lane - Received 19 April 2023.
Reason: For the avoidance of doubt.

- 3 No development above ground level shall commence until samples of materials to be used in the construction of the external surfaces of the dwellings 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 samples. For the avoidance of doubt, samples of the materials to be submitted shall include: bricks; knapped flint; roof tiles; vertical and horizontal boarding; clay tile hanging; timber louvres; rain water goods.
Reason: In the interests of visual amenity.
- 4 All external windows and doors shall be aluminium framed/aluminium-clad framed, colour grey as detailed in the schedule of materials annotated on the approved plans and set within reveals of no less than 100mm.
Reason: In the interests of visual amenity.
- 5 The development hereby approved shall not commence above slab level until a detailed public open space and landscaping scheme which accords with the approved Landscape Strategy numbered 0606/23/B/1A received 24th July has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the following:
 - The area to be made available as public open space.
 - The species, size and location of new trees, shrubs, hedges and grassed areas to be planted.
 - The treatment proposed for all hard surfaced areas beyond the limits of the highway.
 - All walls, fences and other means of enclosure proposed. For the avoidance of doubt no further boundary treatments shall be erected, other than those which have been approved.
 - The landscape buffer areas to the south and east of the developed area, which shall be outside of the curtilages of the dwellinghouses
 - Details for the long term maintenance of the areas, including details of the person(s) or company responsible for managing and maintaining the hard and soft landscaping of the development which, for the avoidance of doubt, shall include the separate landscape buffer areas to the south and east of the development.
 - A timetable for the carrying out of the hard and soft landscaping and the provision of the public open space. Public access shall be afforded to the public open space in perpetuity thereafter.The approved landscaping scheme shall be provided in accordance with the approved details and the approved timetable, and shall thereafter be retained, managed and maintained in accordance with the approved details in perpetuity and in accordance with the habitat management and monitoring plan. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.
Reason: In order to protect and enhance the amenity of the area, to mitigate the impact of the development on the AONB and to ensure the development provides the open space upon which it would rely.
- 6 No development shall take place until full details of existing and proposed finished ground levels and sections through the building, including levels of thresholds, 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: These details are required prior to the commencement of the development to ensure that the development is carried out at suitable levels in relation to adjoining land and buildings and in the interests of amenity and highway requirements.
- 7 Prior to the first occupation of the development hereby permitted the windows at first floor level in the northern elevation of Unit 3 shall be fitted with obscure glazing sufficient to prevent clear through views and be non-opening up to a minimum height of 1.7m above internal floor level and shall thereafter be retained in that form.
Reason: In the interests of the residential amenities of nearby properties.

- 8 The approved development shall be carried out in such a manner as to avoid damage to the existing trees adjacent to the northern boundary of the site, including their root systems, and other planting to be retained by putting in place the following measures prior to commencement of the development: All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2005 (or as may be subsequently amended). Such tree protection measures shall remain throughout the period of construction.
No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;
No materials or equipment shall be stored within the spread of the branches or root protection area of the trees and other vegetation;
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 at any time;
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.
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 as might be approved shall be carried out to National Joint Utilities Group recommendations.
These measures shall be retained as such for the duration of the construction period.
Reason: These details are required prior to commencement to allow the proper consideration.
- 9 Prior to the first occupation of the development, the refuse and cycle storage facilities as shown on the approved drawings 22_114_04 Rev D - Parking Strategy and 22_114_05 Rev D - Refuse Strategy and 22_114_15 Rev A - Proposed Cycle Store received 24 July 2023 shall be provided and thereafter retained and maintained for that purpose.
Reason: In order to ensure satisfactory provision of on site storage for refuse and cycle facilities.
- 10 No development shall commence (including site clearance or preparation) until the details of a Construction Environmental Management Plan have been submitted to and approved in writing by the local planning authority. The Construction Environmental Management Plan shall include amongst other matters details of:
(a) Parking and turning areas for construction and delivery vehicles and site personnel
(b) Timing of deliveries
(c) Temporary traffic management / signage
(d) Measures to control noise affecting nearby residents
(e) Dust control measures
(f) Hours of construction working
(g) Lighting control measures
(h) Pollution incident control
The construction works shall thereafter be carried out in accordance with the approved details.
Reason: In the interest of highway safety and amenity.
- 11 Prior to the construction of any dwelling above ground, full details of the specification and materials of highway works to include carriageways, visibility splays, footways, highway drainage, street lighting, manoeuvring areas, parking areas and highway structures together with a timetable for their implementation, shall be submitted to and approved in writing by the local planning authority. The plans shall show all the areas that would be publicly accessible and parts of the road that would be adopted. The timetable shall ensure that no dwelling in the development (or phase of development) is occupied prior to the completion of the approved highway works that provide access to that dwelling up to, but not including, the wearing course. The programme shall also ensure that the wearing course, including any markings and signage, shall be completed prior to the occupation of each dwelling and thereafter be maintained to the approved specification.
Reason: In order to ensure that the development is served by an adequate standard of highway in the interests of highways safety and the visual quality of the development.
- 12 Prior to the first occupation of the development hereby permitted, the vehicle parking spaces as shown on the approved plan numbered 22_114_04 Rev D - Parking Strategy - Received 24th July 2023 shall be provided and shall thereafter be retained and maintained for this purpose.
Reason: Development without provision of adequate parking of vehicles is likely to lead to highway safety issues to other road users.

- 13 Prior to the first occupation of the development hereby permitted, the vehicular access to the site shall be provided with 2.4 x 43m x 43m visibility splays as shown on approved plan numbered 22_114_04 Rev D - Parking Strategy - Received 24th July 2023 with no obstructions over 0.9m above carriageway level within the splays. The visibility splays shall thereafter be maintained and retained for this purpose. Reason: In the interests of pedestrian and highway safety.
- 14 Prior to the first occupation of the development, the first 5 metres of the each private driveway/access adjoining the public highway shall be surfaced in a bonded material, which shall be thereafter maintained. Reason: In the interest of highway safety and to prevent loose material spilling on to the public highway.
- 15 Prior to the first occupation of the development, the hardsurfaced areas beyond the limit of the highway shall incorporate measures to prevent the discharge of surface water on the public highway, which shall be thereafter maintained. Reason: In order to prevent the discharge of surface water on the public highway in the interests of highway safety.
- 16 Prior to the commencement of development, details of flood resistance and resilience measures to be incorporated, based upon the recommendations of the submitted Flood Risk Assessment received 19 April 2023 shall be submitted to and approved in writing by the Local Planning Authority. The approved flood resistance and resilience measures shall be fully implemented in accordance with the approved details and thereafter retained and maintained. Reason: In order to safeguard the amenities of the occupants in the event of flooding.
- 17 No development shall take place in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The detailed drainage scheme 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 drainage scheme shall also demonstrate (with reference to guidance): that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters and 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: These details are required prior to the commencement of the development in order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality, safeguard against pollution, improve biodiversity and the appearance of the development pursuant to the requirements of the NPPF.
- 18 No dwelling shall be occupied (or the first occupation in a phase) until a Verification Report, pertaining to the SUDS scheme and prepared by a suitably competent person, has been submitted to and approved by the local planning authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that 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. There shall be no infiltration other than that which is approved. Reason: The verification report is required 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 the NPPF.
- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (as amended) (or any Order revoking or re-enacting that Order with or without modification), no development shall be carried out within Class A, AA, B, D, E, G and H of Part 1,

Schedule 2 and Class A of Part 2, Schedule 2 of that Order within the curtilage of the dwellinghouses hereby permitted without the prior permission of the local planning authority.

Reason: To enable the local planning authority to regulate and control the development of land in the interests of protecting the character and amenities of the locality in accordance with the objectives of the NPPF.

- 20 No development will take place (including any ground works, site or vegetation clearance), until a method statement for the protection of nesting birds, reptiles, and hedgehogs during site, vegetation clearance and construction works has been submitted to and approved in writing by the local planning authority. The content of the method statement will be informed by up-to-date ecological surveys of the site (if necessary), and will include:
- Purpose and objectives of the method statement.
 - Working method, including timings, necessary to achieve stated objectives
 - Extent and location of all features with potential ecological interest shown on appropriate scale plans.
 - Provision for species translocation and / or rescue, as necessary.
 - Persons responsible for implementing works, including times during site clearance / construction when specialist ecologists need to be present on site to undertake / oversee works.
 - 'Toolbox talk' information regarding protected species encounters that will be provided to contractors prior to works commencing.
- The works will be carried out in accordance with the approved details.
- Reason: In the interests of protecting and enhancing the biodiversity of the site in accordance with Paragraph 174 of the NPPF.
- 21 No development will take place (including any ground works, site or vegetation clearance), until an updated badger survey of the application site and surrounds has been undertaken. Where the survey results indicate that badgers are present and will be impacted by the approved scheme, mitigation proposals and a timetable for their implementation will be submitted to and approved in writing by the local planning authority. The works will be carried out in accordance with the approved details.
- Reason: In the interests of protecting and enhancing the biodiversity of the site in accordance with Paragraph 174 of the NPPF.
- 22 Prior to first use of the development hereby permitted, a "lighting design strategy for biodiversity" for the site will be submitted to and approved in writing by the local planning authority. The lighting strategy will:
- Identify those areas/features on site that, due to their potential for use by bats, are particularly sensitive to lighting impacts (including any biodiversity enhancement features)
 - Show how and where external lighting will be installed in accordance with 'Guidance Note 08/23 Bats and Artificial Lighting at Night' (Bat Conservation Trust and Institution of Lighting Professionals)
- All external lighting will be installed in accordance with the specifications and locations set out in the strategy and will be maintained thereafter in accordance with the strategy.
- Reason: In the interests of protecting and enhancing the biodiversity of the site in accordance with Paragraph 174 of the NPPF.
- 23 No development above ground level will take place until a landscaping and ecological design scheme (EDS) has been submitted to and approved in writing by the local planning authority addressing:
- Landscape buffers, comprising structural tree planting, along the southern and eastern boundaries.
 - Landscaping specifications.
 - Biodiversity enhancement measures for the site in accordance with the recommendations in section 5.3 of the Preliminary Ecological Appraisal prepared by David Archer Associates and dated April 2023, including native species, a hibernaculum for herpetofauna and invertebrates, 13cm x 13cm hedgehog highways for walls and fences, and the inclusion of building-integrated bat and bird boxes and a biodiverse sustainable drainage system.
- The landscaping and ecological design scheme will include the following:
- Purpose and conservation objectives for the proposed ecological design works.
 - Detailed design(s) and specifications to achieve stated objectives.
 - Extent and location/area of proposed measures on appropriate scale maps and plans.
 - Type and source of materials to be used where appropriate, e.g. native species of local provenance.
 - Timetable for implementation.

- f) Persons responsible for implementing the works.
- g) Details of initial aftercare.

The EDS will be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interests of protecting and enhancing the biodiversity of the site in accordance with Paragraph 174 of the NPPF.

- 24 Prior to first use of the development hereby approved, a habitat management and monitoring plan (HMMP) will be submitted to and approved in writing by the local planning authority. The content of the HMMP will ensure the management of on-site habitats for wildlife, and will include the following:


- a) description and evaluation of features to be managed
- b) aims and objectives of management
- c) prescriptions for management actions, together with a plan of management compartments
- d) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- e) details of the body or organisation responsible for implementation of the plan
- f) ongoing monitoring and remedial measures.

The HMMP will also 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 the management body(ies) responsible for its delivery. The plan will also set out (where the results from monitoring show that conservation aims and objectives of the HMMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity and landscape objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of protecting and enhancing the biodiversity of the site in accordance with Paragraph 174 of the NPPF.

In reaching the decision to grant planning permission, the Local Planning Authority has taken into account the requirement in Section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan, the policies of the Development Plan and all other material considerations. Policies are referred to in conditions where appropriate.

Dated: 2nd February 2024

<p>DISTRICT COUNCIL OFFICES WHITE CLIFFS BUSINESS PARK DOVER, KENT CT16 3PJ</p> <p>TEL: (01304) 821199</p>	<p>Signed:</p>  <p>Sarah Platts Head of Planning & Development</p>
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YOUR ATTENTION IS DRAWN TO THE REQUIREMENTS OF THE CONDITIONS SET OUT IN THIS DECISION NOTICE. THE PLANNING PERMISSION IS CONDITIONAL ON COMPLIANCE WITH THESE REQUIREMENTS. SOME CONDITIONS MAY REQUIRE THE SUBMISSION AND APPROVAL OF FURTHER DETAILS BEFORE ANY WORK IS COMMENCED AND SUCH SUBMISSIONS WILL BE SUBJECT TO A FURTHER FEE.

ANY CHANGE TO THE APPROVED PLANS IS LIKELY TO REQUIRE A FURTHER PLANNING PERMISSION.

FAILURE TO COMPLY WITH THESE REQUIREMENTS MAY LEAD TO LEGAL ACTION BY THE DISTRICT COUNCIL AND /OR MEAN THAT THE PERMISSION IS VOID.

In accordance with paragraph 38 of the NPPF, Dover District Council (DDC) takes a positive and proactive approach to development proposals focused on solutions. DDC works with applicants/agents in a positive and proactive manner by: Offering a pre-application advice service; where possible, suggesting solutions to secure a successful outcome; and, as appropriate, updating applicants/agents of any issues that may arise in the process of their application.

YOUR ATTENTION IS ALSO DRAWN TO THE FOLLOWING NOTES/INFORMATIVES WHICH FORM PART OF THIS NOTICE.

1. The application was considered by the Planning Committee where the applicant/agent has the opportunity to speak to the committee and promote the application
2. Development Low Risk Area - Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

Appeals to the Secretary of State

- * If you are aggrieved by the decision of the Council to refuse permission for the proposed development, or to grant permission subject to conditions, you may wish to discuss with the Council whether a revised proposal would be likely to succeed; the District Council is likely to charge for such discussions. Otherwise you may appeal to the First Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you wish to appeal, you must do so within 6 months of the date of this notice or within 12 weeks of this date if your application concerned is householder development or minor commercial. Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, Tel: 0303 444 5000, or online at www.planningportal.gov.uk/pcs.

The Secretary of State has power to allow a longer period for giving notice of an appeal, but he will not be prepared to use this power unless there are extraordinary 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 Council could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Council based its decision on a direction given by him.

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Purchase Notices

- * If either the Council 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 render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- * In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Environmental Statements

- * If you submitted an Environmental Statement, the Local Planning Authority has taken that environmental information into consideration in reaching its decision.

Other Matters

- * Any planning permission or approval granted is confined to permission under the Town and Country Planning Act and the Town and Country Planning (General Development Procedure) Order 2015, and does not negate the need for compliance with any other enactment, bylaw, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be required. This includes the need to apply for Listed Building Consent should the proposal involve the demolition or alteration (internal or external) of, or extension to, a building listed as being of Architectural or Historic Interest, or of any structure built before July 1948 within the curtilage of a listed building, for the total or substantial demolition of any unlisted building if it is situated within a designated conservation area.
- * You are advised particularly to contact the Building Control Officer at the District Council Offices, White Cliffs Business Park, Dover (01304 821199) to ascertain whether permission is necessary under the Building Regulations. Attention is also drawn in particular to the provisions of Section 53 of the County of Kent Act 1981, which may be applicable, the requirements of the Party Wall Etc Act 1996 concerning notifying affected neighbours and the Housing Act 2004 concerning the adequacy of lighting to habitable rooms. Many species of wildlife and their habitat are protected by law.
- * Should any change be required to your proposal, however minor, in connection with other legislation or otherwise, a further planning permission is likely to be required to ensure that the development is authorised.