



Paul Gladman Developments Ltd
c/o Gladman Developments Ltd
Gladman House
Alexandria Way
Congleton Business Park
Congleton
CW12 1LB

Town and Country Planning Act 1990 (As Amended)

APPLICATION NUMBER 21/01822

NOTIFICATION OF GRANT OF OUTLINE PERMISSION

Proposal: Outline planning application for the erection of up to 140 dwellings including affordable housing, with public open space, landscaping, and vehicular access (all matters reserved except for access)

Location: Land On The West Side Of, Cross Road, Deal, CT14 9LA,

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

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

- 1 Approval of the details of the appearance, landscaping, layout and scale (hereafter called "the Reserved Matters") shall be obtained from the local planning authority in writing before development commences and the development shall be carried out as approved.
Reason: To comply with the provisions of the Town and Country Planning (General Development Procedure) Order and the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any Order/legislation revoking or re-enacting that Order/ legislation with or without modification).
- 2 Application for approval of the Reserved Matters shall be made to the local planning authority not later than the expiration of 3 years from the date of this permission.
Reason: To comply with the provisions of the Town and Country Planning (General Development Procedure) Order and the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any Order/legislation revoking or re-enacting that Order/ legislation with or without modification).
- 3 The development hereby permitted shall be begun not later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.
Reason: To comply with the provisions of the Town and Country Planning (General Development Procedure) Order and the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any Order/legislation revoking or re-enacting that Order/ legislation with or without modification).

4 The development hereby permitted shall be carried out in accordance with the following approved plans:

- 7572-L-10
- 2243-F10 (included within the submitted Transport Assessment, July 2021, Croft)

The development shall be carried out in general accordance with the following approved plan:

- 7572-L-12 Rev E

Reason: For the avoidance of doubt.

5 No development shall take place until full details of existing and proposed finished ground levels, including levels of thresholds, have been submitted to and approved in writing by the local planning authority. The works shall be carried out as approved.

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.

6 No development shall 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: These details are required prior to commencement to protect and enhance existing species and habitat on the site in the future.

7 The details submitted pursuant to condition 2 (the Reserved Matters) shall include the details of how development will achieve a biodiversity net gain of at least 10%. This will include the provision of integrated bat bricks, bird nest boxes and bee bricks within the walls of the buildings, use of native species within the landscaping scheme and provision of holes for hedgehogs (13cm x 13cm) within every close boarded fence. The approved details shall be implemented and thereafter retained and managed in accordance with the details.

Reason: To protect and enhance existing species and habitat on the site in the future.

8 No development shall take place above ground level until a lighting design strategy for biodiversity for the site has been submitted to and approved in writing by the local planning authority. The lighting strategy shall:

- Identify those areas/features on and around the 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 8/18 Bats and Artificial Lighting in the UK' (Bat Conservation Trust and Institute of Lighting Professionals)

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and shall be maintained thereafter in accordance with the strategy.

Reason: To protect existing species and habitat on the site in the future.

- 9 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The said plan shall include details of: areas for the loading and unloading of plant and materials; on-site parking for construction workers; any temporary access arrangements; hours of construction working; any machine operated plant to be used; temporary lighting which, for the avoidance of doubt shall be specified, located and installed in accordance with 'Guidance Note 8/18 Bats and Artificial Lighting in the UK' (Bat Conservation Trust and Institute of Lighting Professionals); measures to control the emission of dust and dirt during construction; details of groundwater protection measures; and any temporary hoarding/fencing. The approved Construction Management Plan shall be fully complied with throughout the construction period.
Reason: These details are required prior to the commencement of the development in the interests of minimising the impact of the development during the construction phase with regard to impacts on highway safety, contamination, ecology and residential amenity.
- 10 No dwelling shall be occupied until the vehicular parking spaces, turning facilities, visitor and communal parking spaces and access road to serve it, have been constructed in accordance with details provided in the reserved matters application. These shall be permanently retained as approved thereafter.
Reason: In the interests of highway safety and the free flow of traffic.
- 11 No development above ground level shall take place until details of the construction of all proposed roads within the site together with a timetable for the implementation of the roads 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 and timetable. For the avoidance of doubt, the submitted details shall comprise cross sections through roadways.
Reason: In the interests of highway safety and the free flow of traffic.
- 12 No dwelling shall be occupied unless that dwelling has been provided with covered cycle parking facilities. Full details of the covered cycle parking facilities shall be submitted with the reserved matters application. These facilities shall be retained thereafter.
Reason: In the interests of sustainability and reducing the need for car travel.
- 13 The application(s) for the approval of Reserved Matters shall include full details of forward visibility to roads and the pedestrian and vehicular visibility splays to all junctions and vehicular accesses. The approved visibility splays shall be provided prior to the first occupation of the dwellings to which they relate and shall thereafter be maintained.
Reason: In the interests of road safety and convenience.
- 14 The development hereby approved shall not be occupied until a landscaping scheme for the site has been submitted to and approved in writing by the local planning authority. The said scheme shall include hard and soft landscaping; tree/hedge/shrub planting plans, including details of the community orchard; written specifications; schedules of species, sizes and proposed numbers/densities of planting where appropriate; details of all play equipment, surfacing, means of enclosure and any other minor artefacts to be provided within the Local Equipped Area for Play (LEAP); details of all boundary treatments, including their locations, design and materials; and a timetable for the implementation of the scheme. Thereafter, the approved landscaping scheme shall be carried out in accordance with the approved timetable. Any trees or other plants which within a period of five 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 unless the local planning authority give prior written consent to any variation. No boundary treatments other than those which have been approved shall be erected or installed.
Reason: In order to protect and enhance the visual amenity of the area, protect trees and to provide for the Open Space needs of future occupiers of the development.
- 15 No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority. All tree works shall be carried out in accordance with BS 3998:2010 (or as may be subsequently amended). If any retained tree or shrub is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and

species, and shall be planted at such time, as may be specified in writing by the local planning authority. In this condition a "retained tree or shrub" is an existing tree or shrub which is to be retained in accordance with the approved plans and particulars; and the above paragraphs shall have effect until the expiration of 5 years from the date of the (occupation of the building/commencement of use of the approved development) for its permitted use.

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.

16 No development shall take place until a scheme to deal with contamination of land and groundwater has been submitted and approved in writing by the local planning authority and until the measures approved in that scheme have been implemented. An investigation report shall be conducted and presented in accordance with the guidance in CLR11 "Model Procedures for the Management of contaminated land" published by the Environment Agency. The scheme shall include all of the following measures unless the local planning authority dispenses with any such requirement specifically and in writing:

- A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land, sources of groundwater contamination, ground gas, and its implications. The site investigation shall not be commenced until the requirements of the local planning authority for site investigations have been fully established, and the extent and methodology have been agreed in writing by the local planning authority.
- A written method statement for the remediation of land and/or groundwater contamination affecting the site, including a timetable, shall be approved in writing by the local planning authority prior to commencement of such works. No deviation shall be made from this scheme without the express written agreement of the local planning authority.
- A Certificate shall be provided to the local planning authority by a suitably qualified or otherwise competent person stating that remediation has been completed as approved and the site is suitable for the permitted end use.

Reason: These details are required prior to commencement to ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems.

17 No development shall take place until a surface water drainage scheme for the site has submitted to and approved in writing by the local planning authority. The scheme shall include: details of the site investigation and remediation method statement required by condition 16; details of the foundation designs required by condition 25; an updated Hydrological Risk Assessment which considers karst flows; details for all works both on and, if necessary, off site; an implementation timetable for the works; and a maintenance plan. The development shall be carried out in accordance with the approved details and the approved timetable and shall thereafter be maintained in accordance with the approved maintenance plan. Prior to the first occupation of the development, verification report shall be submitted to demonstrate that the approved works have been implemented. There shall be no infiltration of groundwater, other than that which is approved.

Reason: To reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development.

18 All dwellings shall be designed to ensure that the internal unoccupied noise levels in living rooms and bedrooms accord with British Standard 8233:2014 - 'Guidance on sound insulation and noise reduction for buildings' (or any equivalent replacement guidance) in accordance with details to be submitted to and approved in writing by the local planning authority. The approved details shall be completed before the dwellings are first occupied, and thereafter shall be retained in that form.

Reason: In order to protect the occupiers of the dwellings from undue disturbance by noise.

19 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of archaeological field evaluation works in accordance with a specification and written timetable which has previously been submitted to and approved in writing by the local planning authority. The specification shall include: any safeguarding measures, identified in the evaluation as necessary, to ensure preservation in situ of important

archaeological remains and/or further archaeological investigation in accordance with a timetable which has previously 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. These details 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.

- 20 No development shall take place until a foul water drainage scheme for the site has submitted to and approved in writing by the local planning authority. The scheme shall include details for all works both on and, if necessary, off site, an implementation timetable for the works and a maintenance plan. The development shall be carried out in accordance with the approved details and the approved timetable and shall thereafter be maintained in accordance with the approved maintenance plan. Prior to the first occupation of the development, a verification report shall be submitted to demonstrate that the approved works have been implemented.
Reason: To reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development.
- 21 No development shall take place until the exact position of the water main crossing the site has been identified and details of the measures which shall be undertaken to protect the water main 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 in order to reduce the impact of the development on flooding, protect water quality and avoid contamination.
- 22 No development shall take place until the off-site highway works have been completed. For the avoidance of doubt, unless otherwise agreed in writing, the off-site highway works are shown on drawings: 2243-F10; 2243-F11; 2243-F01 Rev. O; 2243-F02 Rev. I; 12-015-108 B; 12-015-108_TR1 B; 12-015-108_TR2 B; 12-015-108_TR3 B; and 12-015-108_TR4.
Reason: In the interests of highway and pedestrian safety.
- 23 No development above ground level shall take place until samples of materials to be used in the construction of the external surfaces of the building 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 details.
Reason: In the interests of visual amenity.
- 24 The application(s) for the approval of Reserved Matters shall include scale plan, elevation and section drawings of all windows and doors, together with details of the depth of reveals to all windows and doors.
Reason: To ensure a high quality of design and in the interests of enhancing the quality and enjoyment of the environment.
- 25 No development shall take place until details of foundations designs and any other development involving below ground excavation 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: To ensure that the development does not cause contamination to groundwater and the supply of potable water.
- 26 The application(s) for the approval of Reserved Matters shall include details of refuse/recycling storage. Such details, as are approved, shall be provided before the dwelling(s) to which the details relate are/is first occupied and shall thereafter be kept available for their approved purpose at all times.
Reason: In order to ensure satisfactory provision of on site storage for refuse/recycling facilities.

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: 12th September 2024

| | |
|---|--|
| <p>DISTRICT COUNCIL OFFICES WHITE CLIFFS BUSINESS PARK DOVER, KENT CT16 3PJ TEL: (01304) 821199</p> | <p>Signed:</p>  <p>Sarah Platts Head of Planning & Development</p> |
|---|--|

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 applicant was updated of any issues and provided the opportunity to submit additional information to address issues.
2. The application was considered by the Planning Committee where the applicant had the opportunity to speak to the committee and promote the application.

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.

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.