

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)*.

(2) If an investigation and risk assessment shows that remediation is necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development on that phase or sub-phase. 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. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

(3) Where a remediation scheme has been required, and has been approved by the Local Planning Authority, prior to commencement of development on that phase or sub-phase, a verification report demonstrating completion of the works set out in the approved remediation scheme and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer-term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. Any material imported to the site shall be laboratory certified as suitable for use.

(4) In the event that, at any time while the development on a phase or sub-phase is being carried out, contamination is found that was not previously identified, work shall cease and it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be prepared. The results shall be submitted to the Local Planning Authority and approved before work recommences. Following

completion of measures identified in the approved remediation scheme a verification report shall be prepared and submitted to the Local Planning Authority in the manner identified within para 3 above.

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

WASTE MANAGEMENT & RECYCLING: POST OCCUPATION

49 No development of a phase or sub-phase other than the "256 Roundabout" and the "the Primary Street" shall take place until a detailed Waste Management & Recycling Scheme (WMRS) has been submitted to and approved by the Local Planning Authority for that phase or sub-phase, which shall include:

- measures to be taken to encourage users and occupiers of the completed development to manage their waste effectively and sustainably;
- details of storage within individual properties of recyclable, non-recyclable and green waste;
- readily accessible community recycling facilities details;
- timing for the provision of the facilities; and details of the management and maintenance of the facilities.

The measures set out shall be implemented and carried out in accordance with the approved scheme.

Reason: To ensure satisfactory and sustainable provision is made for management of waste and refuse

SURFACE AND FOUL WATER DISPOSAL

Surface water

50 No development other than the new A256 Roundabout and the Primary Street of a phase or sub-phase shall take place until details of a surface water drainage/disposal scheme for that phase or sub-phase, to serve all new development within that phase or sub-phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, and details of timing for provision has been submitted to and approved in writing by the Local Planning Authority in consultation with the Kent County Council Highway Authority and Environment Agency. The scheme shall:

- Incorporate the use of Sustainable Urban Drainage Systems (SUDs)

using infiltration techniques and swales, and the use of porous and permeable surface materials (subject to detailed design and consultation with any adopting authorities).

- Demonstrate that the surface water run-off generated by rainfall events of various intensities and durations (up to and including the 100yr critical storm) will not exceed the run-off from the undeveloped site following the corresponding rainfall event, and where discharging off-site, will be restricted to a rate to be agreed with the Local Planning Authority.
- Be accompanied by all appropriate calculations to demonstrate that sufficient storage will be provided.
- Include a timetable for its implementation.
- Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- Show, where applicable, how the drainage scheme will connect to or provide connection services outside the phase or sub-phase.
- Works shall be carried out in accordance with the approved scheme and details. No infiltration of surface water drainage into the ground shall be permitted, other than in accordance with the approved details and express written consent of the Local Planning Authority.

Reason: To prevent increased risk of flooding off-site, and to ensure that flood risk on-site will be suitably managed to prevent harm to the water environment

Sewerage and foul drainage

51

None of the dwellings within each phase or sub-phase shall be occupied until works for the disposal of sewage and foul water have been provided on the site to serve that phase or sub-phase and pipework shall be sized to serve 1933 units in accordance with details including a schedule and programme of works that shall be submitted to and approved in writing by the Local Planning Authority prior to the development of that phase taking place. The development shall be carried out in accordance with the agreed schedule and programme.

Reason: To ensure adequate measures are made for the disposal of sewage and foul drainage and sewage.

Suitability of soakaways

52

No development other than the new A256 Roundabout and the Primary Street of any

phase or sub-phase shall take place until details of the results of ground investigation to assess the suitability of soakaways without increasing risk of pollution to groundwater and any mitigation measures for that phase or sub-phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be fully implemented in accordance with the approved details prior to the first occupation of any unit within the particular phase or sub-phase to which the details relate.

Reason: To safeguard the water environment

Sewer protection

- 53 No development other than the new A256 Roundabout and the Primary Street of a phase or sub-phase including any site clearance shall take place until a schedule and programme for details of measures to be undertaken to protect the public sewers throughout the course of the development of that phase or sub-phase has been submitted to and approved by the Local Planning Authority, in consultation with any adopting Authority. Measures shall be put in place and maintained in accordance with the approved schedule and programme.

Reason: To ensure satisfactory sewerage treatment provision is made

OTHER UTILITIES

Underground ducting

- 54 All telephone, electricity and communal television services to the residential and business/live-work units permitted on each phase or sub-phase shall be via underground ducts.

Reason: In the interests of visual amenity

Electricity sub-stations

- 55 No development other than the new A256 Roundabout and the Primary Street on a phase or sub-phase shall take place until details of the location, design, appearance, means of enclosure to, and the timing for provision of any above ground electricity substation or operations to facilitate the additional capacity which may be required to serve the development, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.

Reason: In the interests of visual and residential amenity

Broadband

- 56 Before development commences details shall be submitted (or as part of reserved matters) for the installation of fixed telecommunication infrastructure and High Speed

Fibre Optic (minimal internal speed of 100mb) connections to multi point destinations and all buildings including residential, commercial and community. This shall provide sufficient capacity, including duct sizing to cater for all future phases of the development with sufficient flexibility to meet the needs of existing and future residents. The infrastructure shall be laid out in accordance with the approved details and at the same time as other services during the construction process

Reason: In the interests of sustainability

Drawing and Document Schedule

DOV/10/01010 - Application Contents

Documents as originally submitted, December 2010

- Arboricultural implications assessment summary September 2010
- Waste Management Statement October 2010
- Masterplan response statement November 2010
- Addendum; Description of Development
- Energy Strategy R001/rev02 November 2010
- Planning Statement November 2010
- Phase 1 Ground Condition report 23304 Rev 2 & technical note July 2010
- Statement of Community Engagement November 2010
- Infrastructure Statement November 2010
- Design Code November 2010
- Travel Plan October 2010
- Parking Strategy October 2010
- Environmental Statement November 2010

Drawings/documents/assessments and addendums:

- Supplementary Air Quality Report R001/rev00 December 2010, as received 10th February 2011
- Supplementary Noise report R001/rev00 December 2010, as received 10th February

2011

- ES Chapter 9.0 Transport and Access (amended) 17 January 2011, as received 10th February 2011
- ES Chapter 10 Air Quality (amended) 17 January 2011, as received 10th February 2011
- ES Chapter 11 Noise and Vibration (amended) 17 January 2011, as received 10th February 2011
- ES Appendix 8.5 Appropriate Assessment (amended) 1 February 2011, as received 10th February 2011
- Environmental Statement Technical Appendix - Transport Assessment (amended) 22 December 2010, as received 10th February 2011
- ES Chapter 8.0 Ecology and Nature Conservation (amended) 1 February 2011, as received 22nd February 2011
- Affordable Housing Statement M10/0804 June 2011, as received 30th June 2011
- ES Appendix 9.1 to Chapter 9 Phase 1 Transport Assessment (including Phase 1a Transport Assessment) (amended) June 2011, as received 4th July 2011
- Whitfield Phase 1 Proposed Access Junction 0088-GA-02, as received 7th July 2011
- Landscape and Biodiversity Management Strategy July 2011, as received 8th July 2011
- Landscape Strategy Plan 18379 Rev A, as received 8th July 2011
- Whitfield Roundabout Phase 1/1A proposed solution 11560088/SK/010 rev E, as received 11th July 2011
- Landscape strategy plan – SAC mitigation with sub-phasing Sub Phase 4 links 18379 L233-4, as received 19th July 2012
- Design and Access Statement July 2012, as received 7th August 2012
- Environmental Statement Preamble August 2012, as received 7th August 2012
- Landscape Strategy Plan – SAC Mitigation 18379 L231 C, as received 7th August 2012
- Landscape strategy plan – SAC mitigation with sub-phasing Sub Phase 1 links

18379 L233-1 A, as received 7th August 2012

- Landscape strategy plan – SAC mitigation with sub-phasing Sub Phase 2 links 18379 L233-2 A, as received 7th August 2012
- Landscape strategy plan – SAC mitigation with sub-phasing Sub Phase 3 links 18379 L233-3 A, as received 7th August 2012
- Phase 1 Public realm and open space strategy plan L218 Rev C, as received 7th August 2012
- Phase 1 Childrens play strategy plan L217 Rev B, as received 7th August 2012
- Phase 1 Landscape character zones L216 Rev C, as received 7th August 2012
- Landscape Strategy Plan 18379 L213 B, as received 7th August 2012
- Landscape and Biodiversity Management Strategy Plan L214 B, as received 7th August 2012
- Supplement to Submitted Planning Statement 7 August 2012, as received 7th August 2012
- Figure 4.1 Parameter Plan Land use Access and Landscaping 5498 SK 22 C, as received 7th August 2012
- Figure 4.1 Phase 1 Parameter Plan Land Use 5498 SK 39 I, as received 7th August 2012
- Figure 4.2 Parameter Plan Building Height (mAOD) 5498 SK 23 A, as received 7th August 2012
- Figure 4.3 Parameter Plan Building Height (storeys) 5498 SK 27 A, as received 7th August 2012
- Figure 4.4 Parameter Plan Land Use Access and Landscape 5498 SK 31 B, as received 7th August 2012
- Figure 4.5 Parameter Plan Wider Masterplan Area Building Height (storeys) 5498 SK 32 A, as received 7th August 2012
- Site Location for Phase 1 and 1a 5498 003 A, as received 7th August 2012

INFORMATIVES:

- The application is for outline planning permission which has been subject to an

Environmental Impact Assessment (EIA). It should be noted that as this is a multi-stage EIA application, the submission of reserved matters will be screened to determine whether a fresh EIA is required. In the interests of expediency it is advised that a formal screening opinion request is submitted to the Local Planning Authority to determine prior to the submission of any reserved matters applications.

- Layout: In determining future layouts due regard must be had to the proximity and relationships of development with Listed Buildings and Heritage Assets at Church Whitfield in particular, the residential amenities of existing and future occupants and the topography and natural features of the site and adjacent landform and uses
- The application is for outline planning permission with the principle means of access to the site to be determined at this stage as part of the application. The location of the principle access from the A256 and the initial section of the primary access road within the site will be fixed.
- DDC & KCC do not support the use of parking courts. Garages must meet minimum standard size requirements if they are to be considered for accommodating a vehicle at 5.6 x 2.6m OR 5.0 x 3.2m. If cycle parking is to be accommodated within the garage, then minimum sizes need to be increased to 5.5m x 3.6m (single) or 5.5m x 6.0m (double). Provision for parking should be a design led process based upon the characteristics of the site, the locality, the nature of the proposed development and its design objectives, in accordance with Core Strategy policy DM13.
- Any access to a parking area that is height restricted must accommodate a minimum head room of 2.5m
- Where possible communal car parking should be shared by different non-residential facilities in order to reduce the overall parking requirement. Account should be taken of the timing of different uses and of linked trips. In addition, it should be noted that non-residential use during the day could also provide residential or visitor parking during the evenings or overnight.
- Reasonable endeavours must be used to ensure Travel Plans are provided to occupants prior to occupation of any dwelling
- A formal application for connection to the water supply is required in order to service this development. To initiate a Water Capacity Check, please contact the water provider
- Waste & Recycling Management Strategy: domestic waste collection has implications for the streetscape and character and appearance of an area. The scheme design must be developed to meet the requirements of DDC Kerbside Collection arrangements. The applicant states that both the both the commercial and residential properties will have sufficient waste storage areas for collection apparatus and bins as a minimum as well as adequate access for waste collection vehicles and operatives. Bin storage facilities and refuse/recycling strategies will influence the site, design and layout of the final scheme and these issues will be considered and determined at the reserved matters stage.
- The developer must agree with utility providers, prior to the commencement of the development of a phase or sub-phase, all necessary works and charges, including preparation and completion of any legal agreements, associated with the provision of potable water supply, gas, electricity and telephone/broadband connections
- There is a high potential for archaeology to be present within the development site. Such remains could be found close to the surface and would therefore be vulnerable to most forms of ground modification involved with development. The applicant should ensure

that the archaeological field evaluation works are completed and reported on in consultation with KCC before the design, layout, groundworks and impacts of the development are finalised. The results of the evaluation should be used to inform the design and layout of the development to ensure that meaningful preservation of archaeological remains in-situ is achieved.

- Should any bats, badgers or other such protected species, or evidence of such protected species be found prior to or during works, works must stop immediately and Natural England and the Local Planning Authority contacted for further advice before works can proceed. This is a legal requirements under the 1981 Wildlife and Countryside Act (as amended) and applies to whoever carries out the work. All contractors working on this site should be made aware of this and provided with Natural England's details.
- Travel Plans referred to by this decision notice should contain SMART (specific, measurable, achievable, realistic and time-bound) targets. Targets should include output targets which relate to specific actions and outcome targets. A monitoring framework must be included that includes an annual travel survey of the site users (SPD 5.16).
- Waste and Recycling Management : domestic waste collection has implications for the streetscape and character and appearance of an area. The developed scheme must meet the requirements of DDC Kerbside Collection arrangements. The applicant states that both commercial and residential properties will have sufficient waste storage areas for collection apparatus and bins as a minimum as well as adequate access for waste collection vehicles and operatives. Bin storage facilities and refuse/recycling strategies will influence the design and layout of the final scheme and these matters will be considered at the detailed reserved matters stage
- No development shall be carried out within 3 metres either side of the centre line of any public sewer. All existing infrastructure must be protected during the course of construction. No habitable rooms should be located closer than 15 metres to the boundary of a pumping station site boundary. You are advised to seek further advice on these requirements from SWA.
- The BT GPON system is currently being rolled out in Kent by BDUK. This is a laid fibre optical network offering a single optical fibre to multi point destinations i.e. fibre direct to premises

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.

In accordance with paragraphs 186 and 187 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 processing of their application. In this instance:

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION

1 Land Use The CS allocation and SPD identifies Whitfield as a strategically suitable Urban Expansion location, for the release of fresh land to provide about 5,750 dwellings along with a new village centre. The development proposes some 1250 dwellings as well as additional physical and social infrastructure. This proposal contributes significantly to the Council's aims and aspirations for the Whitfield Urban Expansion. The development proposals are broadly in accordance with the NPPF, CC1 CS policies CP1 and CP2 and the WUE SPD

2 Masterplan and Design Principles

The development would, on the whole, address and incorporate the aspirations of the CS and WUE SPD. The indicative and illustrative design principles that have been developed through the application are considered to be sufficiently suitable in terms of content, form, scale, layout and detailing to support the application. Connectivity and permeability are key requirements which would contribute towards the success of the new village centre. Detailed supporting documents will be required which show how this will be achieved as well as showing how the existing features and characteristics of the village will inform high standards of design quality to streets and buildings, as part of any reserved matters applications. Due care is to be given to ensure the development proposals would be suitably treated to ensure there would be no adverse impact on the existing village and wider landscape. Detailed mitigation measures will be identified within a masterplan, design code and other detailed documents. These detailed proposals will ensure continuity and connectivity in visual and physical terms between the development and the existing village throughout the estimated lifetime of the expansion and beyond. New routes and links would be provided and existing routes and paths that are likely to be affected would be improved and enhanced. The grant of planning permission is therefore in accordance with the NPPF, CS Policies CP1,2,3,4,5,6,7, DM 2,5,11,12,13,15,16,17,20,22 the WUE SPD and the Kent Design Guide.

3 Amount, Density, House Types (including affordable housing) and Uses

The dwelling numbers proposed would ensure the best use is made of allocated land for the provision of dwellings. There is no affordable housing proposed as sufficient evidence has been submitted by the applicant which shows its provision would render the entire development unviable. This lack of affordable housing is acceptable in this instance as the contribution will be off-set by the significant level of other infrastructure being provided for by this initial phase of the WUE. The indicative mix of house types is not in accordance with the Council's CS policy, however this matter can be reviewed in more detail during consideration of detailed reserved matters applications for the various phases. On balance the grant of planning permission would therefore be in accordance with the objectives of the NPPF, CS policies CP4, 11 and DM5, and the WUE SPD.

4 Highways, Transport and Access

The proposals include provision for off-site infrastructure and surrounding highways as well as identifying necessary improvements to existing accesses, routes and junctions. Public transport provision will be enhanced through an initial expansion to the existing bus service to the village, and a new public transport hub will be created at the village centre to which the phase 1 development would be connected. In the future the expansion of the WUE and highway network that serves it will be expected to serve an express bus service between the expanded village to the Dover town centre one of the Councils primary aspirations for the District with regards to town centre and district wide regeneration. Car parking provision within the application site is to be controlled to limit the impact of car borne journeys. Electric car charging points are included throughout the development area and a Travel Plan will be required. Travel packs will be distributed to new home-owners. Enhancement of existing footways and pedestrian links is proposed as well as the provision of new footpath and cycle routes, to encourage walking and cycling. Connectivity between the phase 1 development area and village centre and surrounding development areas is a high priority. The grant of planning permission would be in accordance with the NPPF, CS policies CP1, 6, and 11, DM12 and 13 and the WUE SPD.

5 Green Infrastructure, Play Space, Sports Provision and Public Realm Management and Maintenance

The proposals include provision for considerable expanses of GI (design, layout and location to be agreed at the reserved matters stage), which will include public realm spaces SAC mitigation ensures, play and recreation facilities and school with playing fields. Detailed measures for the protection and enhancement of existing trees and hedgerows will be achieved through reserved matters applications in the future. New tree and hedgerow screening and planting will be provided throughout the development and will be used as screening where appropriate between new and existing buildings and properties. Provision is made for the management and maintenance of the public realm areas. All these components contribute towards an acceptable level of green infrastructure provision for the existing and expanded village. It is considered that the development proposals will bring wide ranging environmental benefits to the village. The application is therefore acceptable and in accordance with the NPPF, CS policies CP6, 7 and 11 the WUE SPD and Habitats Regulations.

• Sustainability, Renewables and Utilities

The buildings would be sustainable and durable and would be sustainable home code compliant. SUDs is incorporated into the scheme. Public transport is to be enhanced and private car use and activity is to be generally controlled by limitations on the number of car parking spaces being available. The Design Code would also ensure that suitable monitoring and adherence to current guidance is achieved throughout the lifetime of the development to minimize any environmental impacts as far as possible. Although renewable energy measures are indicative at this stage future phases may be likely to include renewable energy measures as government requirements become more rigorous. Buildings will be constructed in accordance with current Code for Sustainable Homes and BREEAM requirements. There are indicative outline proposals for ground heat source

complexes and energy centres in some cases. There is an over provision of utility infrastructure proposed by this phase of the WUE (the cost of which is off-setting the requirements for some other social infrastructure provision – see above and below). The proposals are on balance considered to be generally in accordance with sustainability aims and objectives in accordance with the NPPF, CS policy CP6, 7 and 11, DM 11 and 17 and the WUE SPD.

6 Pollution and Contamination

The proposals include mitigation measures to deal with the impacts and effects of development to ensure that potential risks from land and controlled waters contamination, noise, vibration etc and light pollution are satisfactorily mitigated. The development is therefore in accordance with the NPPF,; CS Policy DM17 and the WUE SPD.

7 Infrastructure

The development proposes contributions towards a range of community facilities and provisions which would benefit the existing and expanded population into the future. The legal agreements accompanying this application, and associated application for the village centre, combine to ensure adequate provision of infrastructure will be made. This development is unable to provide some of what would otherwise be development generated social infrastructure, the cost of this is being off-set by overprovision of utility infrastructure. It is expected, through the monitor, and adjust process as identified in the SPD that other future developments will be able to make up some of the shortfall as they will not have to contribute towards all utility infrastructure in some cases. This situation will be the subject of ongoing review by the LPA. The proposals are therefore in accordance with the NPPF, CS policy CP6 and 11 and the WUE SPD.

8 SAC Mitigation and the requirements of European Legislation

The development includes sufficient SAC mitigation measures to satisfy the European Directives and Habitats Regulations.

10 Environmental Statement

The decision to grant planning permission has been made in full cognisance of the accompanying Environmental Statement.

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 NPPF, the policies set out in the Development Plan, the WUE SPD and all other material considerations. Relevant policies are referred to above where appropriate.

In dealing with this application the Local Planning Authority have worked with the applicant in a positive manner based on seeking solutions to problems arising in considering the application.

Dated: 30/04/2015

DISTRICT COUNCIL OFFICES
WHITE CLIFFS BUSINESS PARK
DOVER KENT CT16 3PJ
TEL:DOVER (01304) 821199

Signed: 
For Mike Ebbs
Head of Regeneration & Development

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.

YOUR ATTENTION IS ALSO DRAWN TO THE NOTES AND ANY LETTER ACCOMPANYING THIS NOTICE

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 1995, 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, and Conservation Area Consent 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.