

Dalemarch (Sheppey) Ltd & Starnes PLC
C/O DHA Planning
Eclipse House
Eclipse Park
Sittingbourne Road
Maidstone
Kent
ME14 3EN



12 April 2018

PLANNING DECISION NOTICE

APPLICANT:	Dalemarch (Sheppey) Ltd & Starnes PLC
DEVELOPMENT TYPE:	Large Maj Dwellings
APPLICATION REFERENCE:	15/507059/OUT
PROPOSAL:	Outline application (with all matters reserved other than access into the site) for a residential development with associated landscaping, parking and public open space.
ADDRESS:	Land North Of Plover Road Minster-on-sea Kent ME12 3BT

The Council hereby **GRANTS OUTLINE** planning permission subject to the following Condition(s):

- (1) Details relating to the appearance, landscaping, layout and scale (the reserved matters) of the proposed buildings shall be submitted to and approved by the Local Planning Authority before any development is commenced.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

MKPS – Working in Partnership with: Swale Borough Council

Please Note: All planning related correspondence for SBC should be sent to:
Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ
Email: planningsupport@midkent.gov.uk
Access planning services online at: www.swale.gov.uk or submit an application via
www.planningportal.gov.uk

APPENDIX 1

- (2) Application for approval of reserved matters referred to in Condition (1) above must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (3) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (4) The development hereby approved shall be carried out in accordance with the following approved drawings in so far as it relates to access, and the site shall accommodate up to 97 dwellings as detailed on drawing nos:-

2279A-100A and 2279A-101A

Reason: For the avoidance of doubt and in the interests of proper planning.

- (5) The details submitted pursuant to condition (1) shall show not less than 0.29 hectares shall be reserved as public open space. No permanent development whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or not shall be carried out in the areas so shown without the prior written approval of the Local Planning Authority.

Reason: In accordance with the terms of the application and to ensure that these areas are made available in the interests of the residential amenities of the area.

- (6) The details submitted pursuant to condition (1) above shall provide full details of how the residential part of the development will meet the principles of 'Secure by Design'. The development shall be implemented in accordance with the approved details.

Reason: In the interests of public amenity and safety.

- (7) The details submitted pursuant to condition (1) above shall include cross-sectional drawings through the site, of the existing and proposed site levels. The development shall then be completed strictly in accordance with the approved levels.

Reason: In order to secure a satisfactory form of development having regard to the nature of the site.

- (8) The details submitted pursuant to condition (1) shall show a buffer strip of no less than 10 metres in width retained (for strategic planting) and a three metre high acoustic barrier where the site adjoins the boundary of the loading area for the retail unit proposed under planning application ref 15/505670/FULL.

Reason: In the interests of visual amenity and landscape quality.

APPENDIX 1

- (9) Prior to the commencement of the development hereby approved full details of the method of disposal of foul and surface waters as part of a detailed drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. This drainage strategy should be based on Sustainable Urban Drainage Systems (SUDS) principle and shall be based on the recommendations of the Flood Risk Addendum prepared by Rural and GTA Civils (January 2016) and shall demonstrate that both the rate and volume of run-off leaving the site post-development will be limited to 10.7l/s. No building shall be occupied until details of the implementation, maintenance and management of the SUDS have been submitted to and approved in writing by the Local Planning Authority and thereafter the scheme shall be implemented, managed and maintained in accordance with the approved details. Such details shall include:-

- 1) a timetable for its implementation
- 2) a management and a maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public or statutory undertaker, or any other arrangements to secure the operation of the SUDS throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

- (10) No development shall take place (including any demolition, ground works, site clearance) until a method statement for ecological mitigation, including (but not necessarily limited to) reptiles, invertebrates, bats, and nesting birds has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:

- a) Purpose and objectives for the proposed works;
- b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives, informed by detailed botanical (NVC), invertebrate, reptile and other update ecological surveys (as appropriate), carried out in accordance with good practice guidelines;
- c) Extent and location of proposed works (including identification of an appropriate reptile receptor site and RNR mitigation) shown on appropriate scale maps and plans;
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) Persons responsible for implementing the works, including times when specialist ecologists need to be present on site to oversee works.

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

Reason: In the interests of promoting wildlife and biodiversity in urban areas.

- (11) No development shall take place until details have been submitted to, and approved in writing by the Local Planning Authority, which set out what measures will be taken to ensure that the development incorporates sustainable construction techniques such as rainwater harvesting, water conservation, energy efficiency and, where appropriate, the use of local building materials; and provisions for the production of renewable energy

APPENDIX 1

such as wind power, or solar thermal or solar photo voltaic installations. Upon approval, the details shall be incorporated into the development as approved.

Reason: In the interest of promoting energy efficiency and sustainable development.

- (12) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that historic building features are properly examined and recorded.

- (13) 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 a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect groundwater which is a controlled water and comply with the NPPF.

- (14) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater and to comply with the NPPF.

- (15) No development shall take place until a programme for the suppression of dust during the construction of the development has been submitted to and approved by the Local Planning Authority. The measures shall be employed throughout the period of demolition and construction unless any variation has been approved by the Local Planning Authority

Reason: In the interests of residential amenity.

- (16) Prior to the commencement of development hereby approved, a report demonstrating how the proposal will incorporate measures to encourage and promote biodiversity shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out fully in accordance with those approved details and shall thereafter be retained.

Reason: In the interests of promoting wildlife and biodiversity in urban areas.

- (17) As an initial operation on site, adequate precautions shall be taken during the progress of the works to guard against the deposit of mud and similar substances on the public highway in accordance with proposals to be submitted to, and agreed in writing by the Local Planning Authority. The agreed details shall then be retained throughout the demolition of development.

APPENDIX 1

Reason: In the interests of amenity and road safety.

- (18) Prior to the works commencing on site details of parking for site personnel / operatives / visitors shall be submitted to and approved by the Local Planning Authority and thereafter shall be provided and retained throughout the construction of the development. The approved parking shall be provided prior to the commencement of the development.

Reason: To ensure provision of adequate off-street parking for vehicles in the interests of highway safety and to protect the amenities of local residents.

- (19) During construction provision shall be made on the site, to the satisfaction of the Local Planning Authority, to accommodate operatives' and construction vehicles loading, off-loading or turning on the site.

Reason: To ensure that vehicles can be parked or manoeuvred off the highway in the interests of highway safety.

- (20) The details submitted in pursuance of reserved matters shall show adequate land, reserved for parking or garaging in accordance with the Approved County Parking Standards and, upon approval of the details this area shall be provided, surfaced and drained to the satisfaction of the Local Planning Authority before any building is occupied and shall be retained for the use of the occupiers of, and visitors to, the premises. Thereafter, no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), shall be carried out on the land so shown or in such a position as to preclude vehicular access to the reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking and turning of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity.

- (21) No dwelling shall be occupied until space has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority for cycles to be securely sheltered and stored.

Reason: To ensure the provision and retention of adequate off-street parking facilities for cycles in the interests of sustainable development and promoting cycle visits.

- (22) The access details shown on the approved plans shall be completed prior to the occupation of any buildings hereby approved, and the access shall thereafter be maintained as such.

Reason: In the interests of highway safety

- (23) The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture shall be constructed and laid out in

APPENDIX 1

accordance with details to be submitted and approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that the roads are laid out and constructed in a satisfactory manner.

- (24) Before the first occupation of a dwelling the following works between that dwelling and the adopted highway shall be completed as follows:

(A) Footways and/or footpaths shall be completed, with the exception of the wearing course;

(B) Carriageways completed, with the exception of the wearing course, including the provision of a turning facility beyond the dwelling together with related:

- (1) highway drainage, including off-site works,
- (2) junction visibility splays,
- (3) street lighting, street nameplates and highway structures if any.

Reason: In the interests of highway safety

- (25) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:-

Monday to Friday 0730 - 1900 hours, Saturdays 0730 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (26) No external lighting shall be constructed at the site other than on private domestic residences or in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be designed in a manner that minimises impact on neighbouring residential amenity and bats.

Reason: In order to prevent potential harm to neighbouring residential amenity and the local bat population.

- (27) No clearance of the site shall take place in the months March to August inclusive, this being the breeding season for birds.

Reason: In the interests of biodiversity.

- (28) No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday or Bank Holiday, nor any other day except between the following times:-

Monday to Friday 0900-1700 hours unless in association with an emergency or with the written approval of the Local Planning Authority.

APPENDIX 1

Reason: In the interests of residential amenity.

- (29) All hard and soft landscape works shall be carried out in accordance with a landscaping scheme that should be submitted to and approved by the Local Planning Authority pursuant to condition (1) above. The approved works shall thereafter be carried out prior to the occupation of any part of the development.

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

- (30) 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 amenities of the area.

- (31) Notwithstanding the provisions of Class A, Part 2, Schedule 2, of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any order revoking and re-enacting that Order, no fences, gates walls or other means of enclosure shall be erected within the application site without the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (32) No development shall take place until a 3m high solid acoustic fence has been installed around the western boundary of the site as detailed in Appendix D of the submitted Noise Assessment dated 19th of June 2015 and prepared by Sharps Redmore.

Reason: In the interests of residential amenity.

- (33) The dwellings and connecting highways hereby approved shall incorporate broadband infrastructure to enable the development to receive broadband communications.

Reason: In the interests of ensuring appropriate provision for broadband infrastructure.

Informative(s):

- (1) The applicant may be required to apply for other consents directly from the Environment Agency and the applicant is advised to contact 03708506506 or to consult EA website to establish whether a consent will be required.
- (2) All nesting birds and their young are legally protected under the Wildlife and Countryside Act 1981 (as amended) and as such any vegetation must be removed outside the breeding bird season, and if this is not possible an ecologist must examine the site prior to works starting and if any nesting birds are recorded all works must cease within that area.

APPENDIX 1

- (3) The IDB's formal consent will be required for any works affecting any watercourse on this site, including drainage outlets, so further details would be appreciated in due course.
- (4) Any ditch or watercourse on this site (including the receiving Scrapsgate Drain) falls under the jurisdiction of the Lower Medway Internal Drainage Board.
- (5) Any works whatsoever in, under, over or within 8km of any ditch or watercourse will require the full, formal written Consent of the Medway IDB. They can be contacted at enquiries@medwayidb.co.uk.
- (6) Medway IDB should be consulted on the requirements for the ongoing maintenance of the existing and proposed ditch systems with regard to the two options presented (i.e. either having the title deeds make specific mention of the home-owner's responsibilities or having the ditch-line fenced and maintained by a third [party]). Whichever option is pursued, sufficient access should be provided for any machinery that may be required for any such works.
- (7) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement.
- (8) The applicant or developer should enter into a formal legal agreement with Southern Water to provide the necessary sewerage infrastructure required to service the development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 3030119 or www.southernwater.co.uk).
- (9) A formal application for connection to the public sewerage system is required in order to service the development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 3030119 or www.southernwater.co.uk).
- (10) This development is also subject to an agreement under Section 106 of the Town and Country Planning Act 1990.

Please note you must comply with all the conditions attached to this permission. Otherwise the permission may not be valid and any development may be unauthorised.

APPENDIX 1

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was considered to be acceptable without amendment.



James Freeman
Head of Planning Services
Swale Borough Council

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES