

Application No: Y19/0272/FH

DCL/19/08

Location of Site: Hillcroft, School Road, Saltwood, Hythe, Kent, CT21 4PP

Development: Section 73 application for variation of conditions 2 and 9 of planning permission Y15/0514/SH (Erection of a detached two storey dwelling) to enable an increase in ridge height, additional fenestration, revisions to the ground floor layout and external materials.

Applicant: Mr Aldo Sassone-Corsi

Agent: Mr Paul Noad

Date Valid: 07.03.2019

Expiry Date: 02.05.2019

PEA Date: N/A

Date of Committee: 23.07.19

Officer Contact: Katy Claw

SUMMARY

This application seeks planning permission for alterations to the previously approved planning permission (Y15/0514/SH) including an increase in ridge height, a change in design of the fenestration and additional fenestration to the front and rear roofslope, alterations to the position of fenestration on the ground floor front elevation, side elevation and rear elevation. There are also revisions to the internal floor layouts and external materials. Additionally the applicant proposes fully opening windows to the bathroom window at first floor to allow for it to be classified as an egress window in accordance with Building Control requirements. The amenities of neighbours and future occupants of the proposed dwelling are considered to be safeguarded, external materials can be controlled by condition and there are no highway safety issues.

RECOMMENDATION: That planning permission be granted subject to the conditions set out at the end of the report and that delegated authority be given to the Head of Planning to agree and finalise the wording of the conditions and add any other conditions that she considers necessary.

1.0 THE PROPOSAL

- 1.1 At its meeting on 29th July 2016 the Planning and Licensing Committee resolved to grant planning permission was granted under reference Y15/0514/SH for the erection of a detached dwelling within the garden of Hillgay. Construction of the dwelling has been taking place on site but it is not in accordance with the approved plans. The purpose of this application is to gain planning permission for the dwelling as it is being constructed.
- 1.2 The siting of the proposed dwelling is as per the planning permission and the overall footprint, floor area and position of the proposed dwelling within the site is not shown to increase or alter as part of this application. The dwelling would still be set back from School Road by some 10.7m, it would sit alongside White Brick Cottage and its associated garage and would be located wholly behind Hillgay.

- 1.3 The application seeks an increase of the ridge height of the dwelling by approximately 1m, taking the overall height from 6.3m to 7.3m.
- 1.4 A change in the finished design of the fenestration throughout is now proposed. Where the original application proposed mock grilles on the windows to give the appearance of multiple panes of glass. These grilles are now omitted.
- 1.5 Additional fenestration is proposed within the roof form to include two additional roof light windows in the rear roof slope, increasing the number from three to five in total, and one additional roof light window to the front roof slope. An increase in size of the dormer window on the front roof slope is also sought.
- 1.6 Alterations to the front elevation include changes to the position and size of the fenestration at ground and first floors. On the south eastern elevation facing Hillgay, it is proposed to have one door and one window in place of two windows, whilst to the rear elevation the previously approved door and two windows are now proposed to be a six-panel full length sliding door.
- 1.7 The application also seeks to vary condition 9 of Y15/0514/SH. That condition sought to ensure that obscure glazing was used in the windows serving the bathroom and shower room of the proposed dwelling. The bathroom was to be located at the ground floor rear elevation and the shower room was to be located at the first floor front elevation (partly within the proposed front dormer). The current application proposes to relocate the bathroom at ground floor to the middle of the dwelling with its associated window to the south east elevation. At first floor the bathroom would still be located within the front dormer window.
- 1.8 There are also minor revisions to the internal floor layouts although the overall layout remains the same with living space and one bedroom at ground floor and two bedrooms and a bathroom at first floor.
- 1.9 Finished materials for Y15/0514/SH were approved under conditions monitoring application Y18/1469/FH as white render and mixed brindle clay plain tiles and white uPVC fenestration. Changes have been made to the proposed materials and they are now proposed to be a roof tile in natural Spanish slate with grey uPVC fenestration. The current application also proposes white render to the walls, timber horizontal cladding to the front dormer window and white uPVC fascia boarding and rainwater goods. Hard landscaping to the front elevation would be Tegula block paving of mixed sizes in 'Autumn Gold'.

2.0 SITE DESIGNATIONS

2.1 The following apply to the site:

- Within the settlement boundary

3.0 LOCATION AND DESCRIPTION OF SITE

- 3.1 The site lies on the south western side of School Road (which is a classified road) some 100m south east of the junction with Brockhill Road and opposite the pedestrian access to Saltwood Primary School. School Road appears to have no parking restrictions generally, but there are yellow keep clear markings in front of pedestrian walkway to the school and a sign which prohibits parking within the marked area Mondays to Fridays within the hours of 8am to 5pm.
- 3.2 The area is predominantly residential in character but with no uniform design or scale of property. Plot sizes also vary along the road, as does the location of the properties with their plots. There are large detached houses within large plots such as Beckley Cottage and 49

School Road which is a corner plot. There are also other much smaller plots along School Road where the width of the plot is essentially taken up by the dwelling. These include White Brick Cottage, its neighbour Tythe Cottage and several plots on the opposite side of School Road.

- 3.3 The main part of the application site is roughly rectangular (approximately 16m by 7m) and measures some 135sqm.

4.0 RELEVANT PLANNING HISTORY

- 4.1 Y03/1489/SH - Outline application for the erection of a detached dwelling.
Withdrawn 10th May 2004.
- Y04/0600/SH - Outline application for the erection of a detached dwelling.

Refused 1st July 2004. Reason for refusal "*The proposed development would result in the intensification of a substandard access with restricted visibility to the south onto a classified road and as such is contrary to policy TR3 of the Shepway District Local Plan and TR11 of the Shepway District Local Plan Review (Revised Deposit Draft), which only permit the intensification of use of an existing use where the access would not be detrimental to highway safety*".
- Y04/1605/SH - Erection of a detached dwelling. Withdrawn from the statutory register 2nd April 2013.

This application was a resubmission of Y04/0600/SH and sought to overcome the reason for refusal on that application by including visibility splays to the east and west of School Road. The application was considered at Planning Committee on the 31st July 2007 Members resolved to grant planning permission subject to a S106 agreement to secure the required sightlines (as part of the splay would be on an adjoining neighbours' land) in perpetuity. The agreement was never signed and in 2013 the Council wrote to the applicant advising that given the length of time that elapsed since the submission of the original application, the application would be withdrawn from the statutory register.
- Y15/0514/SH - Erection of a detached two storey dwelling. Approved with conditions at the Planning and Licensing committee held on 26th July 2016. The decision was formally issued on 29th July 2016.
- Y18/0051/NMA - Non material amendment for planning application Y15/0514/SH to incorporate a single storey flat roof extension to the rear elevation, revision of the floor layouts and fenestration, and the installation of additional roof lights.

Refused on 15th October 2018 on the grounds that the proposed changes were 'material considerations' that required the submission of a planning application.
- Y18/1488/FH - Section 73 application for variation of conditions 2 and 9 of planning permission Y15/0514/SH (Erection of a detached two storey dwelling) to enable additional fenestration, revisions to the ground floor layout and the inclusion of a single storey extension to the rear.

Withdrawn on the advice of the planning officer who indicated that the application would be refused on the grounds that the proposed rear extension would compromise the usability of the rear garden.

5.0 CONSULTATION RESPONSES

5.1 Consultation responses are available in full on the planning file on the Council's website.

<https://searchplanapps.shepway.gov.uk/online-applications/>

Responses are summarised below.

5.2 Hythe Town Council

Offered no objection to the proposal

5.3 Saltwood Parish Council

Application Y15/0514/SH was approved subject to precise conditions that the building must be constructed in "complete accordance" with the submitted plans. The Parish Council cannot condone putting the neighbouring properties to any further disadvantage.

6.0 PUBLICITY

6.1 Neighbours notified by letter. Expiry date 11.04.2019

7.0 REPRESENTATIONS

7.1 Representation responses are available in full on the planning file on the Council's website.

<https://searchplanapps.shepway.gov.uk/online-applications/>

Responses are summarised below:

7.2 4 letters/emails received objecting on the following grounds:

- Application has been made for three independent rooms, these could each involve parking of a car, potentially up to six cars and lead to increased parking on the road which is dangerous.
- School Road is a busy thoroughfare and often blocked with parking cars waiting to pick up children
- Approval for seven flats down the road will cause extra cars near the school entrance.
- Cars travel at speed along the road despite being a 20mph zone, perhaps pinch points, road humps or cameras should be introduced to the road
- Illegal parking by parents during school hours, more cars parked overnight will hinder access to neighbours driveways
- The proposed scheme conflicts with conditions placed upon Y15/0514/SH. Condition 11 refers to no additional windows and condition 12 removes permitted development rights. These steps were taken by the Council due to the sensitive relationship of the development with the neighbouring properties.
- Development should be carried out in complete accordance with the approved plans of Y15/0514/SH
- The proposed materials are not acceptable given the significant visual impact of the property and its location in the setting of a conservation area. Original proposal was designed to blend seamlessly with the surrounding properties

- The applicant is now proposing windows without bars. All-bar casement windows fit the traditional architecture. Removal of the window bars is not minor in nature, in combination with the other amendments.
- The proposed amendments are so substantial that this is not a 'minor' material amendment and therefore the S73 route cannot be used.
- The application must be determined in the light of the conditions attached to the original permission.
- The emerging local plan is a very relevant change in material consideration.
- Additional rear facing windows at ground and first floor would increase overlooking and loss of privacy.
- Proposed rear windows would be 13 metres from the first floor habitable room window of properties in Brockhill Road.
- No changes in circumstances that warrant this amendment being approved.
- Large bi-fold doors would lead to significant light spill onto the rear garden. Kent Wildlife Trust state in their original ecology survey that additional lighting to the rear is likely to negatively affect the foraging behaviour of bats. A significant line of trees beyond the site boundary acts as a functional corridor and would be harmed.
- It is not clear if the cill height remains at 1.8m. This is important in terms of overlooking and privacy.
- The proposed dwelling is less than 1m from the side boundary and is contrary to policy BE8.
- The footprint of the building has increased generally, meaning the amenity space is reduced on this very tight plot.
- No details on daylight and sunlight have been submitted.
- The dwelling would be 1.125m taller than the approved dwelling and the increase in height would result in overbearing development upon neighbours, not in accordance with policy HB1.
- No details provided as to whether the revised floor plans meet the technical requirements for space standards.
- The 'proposal as previously approved' plan on the current file is incorrect. The public must be clear what the approved baseline is before they consider proposed variations
- The location plan submitted under the current application is larger than approved under Y15/0514/SH, particularly at the site entrance.
- Request that all conditions (on Y15/0514/SH) remain as stated
- The current application is significant with regards the increase in size of the development

8.0 RELEVANT POLICY GUIDANCE

- 8.1 The full headings for the policies are attached to the schedule of planning matters at Appendix 1.
- 8.2 The following saved policies of the Shepway District Local Plan Review apply: SD1, HO1, BE1, BE16, U1, TR5, TR11, TR12
- 8.3 The following policies of the Shepway Local Plan Core Strategy apply: DSD, SS1, SS2, SS3, CSD2, CSD4, CSD5
- 8.4 The Submission draft of the PPLP (February 2018) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between February and March 2018. The Plan was submitted to the Secretary of State for independent examination in September 2018. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, and given the relative age of the

saved policies within the Shepway Local Plan Review (2006), the policies within the Submission Draft Places and Policies Local Plan (2018) may be afforded weight where there has not been significant objection.

The following policies of the Places and Policies Local Plan Submission Draft apply: HB1, HB3, HB8, HB10, T2, T5

- 8.5 The Submission draft of the Core Strategy Review was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, the policies within the Core Strategy Review Submission Draft may be afforded weight where there has not been significant objection.

The following policies of the Core Strategy Review Submission Draft 2019 apply: DSD, SS1, SS2, SS3, SS4

- 8.6 The following paragraphs of the National Planning Policy Framework 2019 apply: 8, 11, 38, 47, 48, 58

9.0 APPRAISAL

Background

- 9.1 Planning permission has been granted for a single detached dwelling on this site under Y15/0514/SH, therefore the principle of a residential dwelling on the site has been established.

Procedural Matters

- 9.2 Concern has been raised by residents about the process, as they consider that the proposed changes are so substantial that they cannot be considered via a minor material amendment application.
- 9.3 The application has been made under Section 73 of the Town and Country Planning Act 1990, which can be used to vary or remove conditions associated with a planning permission. Where an application under Section 73 is granted, the effect is granting of a new planning permission, sitting alongside the original permission, which remains intact and unaltered. The government introduced the minor material amendment procedure under S73 of the Planning Act in order to enable such changes to be made, where the original planning permission includes a condition requiring the development to be built in accordance with the approved plans.
- 9.4 There is no statutory definition of a 'minor material amendment' but it is generally taken to mean any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. This has been established in planning case law.
- 9.5 In this case the proposal is still seeking planning permission for a single dwelling, the overall scale, form and design of which is similar to that previously approved. As such it falls within the accepted definition of a S73 application. The only matters for consideration are whether the changes being proposed are acceptable. No other matters, including the principle of the development on the site, can be considered.
- 9.6 Concern has also been raised that planning permission should be refused because the dwelling has not been built in accordance with the planning permission previously granted. This is not a

valid planning reason for refusing planning permission and this cannot be taken into account when assessing the application. Neither is it unlawful to carry out works not in accordance with a planning permission.

Relevant Material Planning Considerations

9.7 Given the above, the relevant issues for consideration with regard to this application are design, visual amenity and neighbouring amenity.

Design and visual impact

- 9.8 Beginning with the proposed increase in height by approximately one metre, the proposed dwelling is set back from the highway by approximately 15.8m. Whitebrick Cottage (to the immediate northwest) is a two storey property, as are the immediate neighbours to the rear of the site. Hillgay (to the southeast) is single storey in appearance but has rooms in the roof. Drawing number 18.27.01A shows the proposed ridge height of the dwelling in relation to Hillgay, with Hillgay shown to be marginally taller when compared. Overall it is considered that the proposed dwelling would sit comfortably within the context of the street scene and that the increase in height would have minimal visual impact over and above what has already been approved.
- 9.9 The enlarged front dormer has been positioned lower on the roof slope to that previously approved but would still sit approximately one metre above the eaves. Whilst the dormer is large it does not dominate the front roof slope to such a degree as to be considered unacceptable due to the catslide design of the main roof presenting a larger roof area to the street. The dormer itself and the use of timber cladding as an external material adds interest to what could otherwise be a large expanse of plain roof.
- 9.10 The changes to the fenestration are as detailed in section 1.0 above, with the most noticeable from the public realm being those within the front elevation. However, these changes are considered minor and would not impact significantly or detrimentally upon the finished appearance of the front elevation, or compromise the finished appearance of the building as a whole to such a degree as to warrant a reason for refusal on the grounds of poor design. The use of clear glass is acceptable and would mirror that of a number of other properties in the nearby vicinity. Overall, the fenestration changes are considered to be acceptable in terms of design and visual impact.
- 9.11 With regard to materials, those proposed differ to those approved as set out under section 1.9 above. The extant permission (Y15/0514/SH) proposed off-white painted render and red clay tiles with a condition requiring samples of these subsequently approved. The applicant wishes instead to use a darker grey tile and following discussion with the planning officer, it was agreed that the use of a real Spanish slate with dark grey ridge tiles would be acceptable.
- 9.12 The houses in the area all differ in external finish, with properties finished in white render and slate roofs to be found in the wider area. Consequently, the proposed external materials are considered to be acceptable and would not appear incongruous within the context of the wider street scene.
- 9.13 In respect of the hardstanding, proposed to be block paving, the areas of hardstanding associated with the neighbouring dwellings include the use concrete, tarmac and paving stones within a few metres of the application site and the proposed materials are considered unlikely to appear incongruous in this context. For the rear garden area, whilst the lack of grass is not ideal, it is accepted that a small garden area may present maintenance issues and that a hard patio would be easier to maintain. This has no impact on the visual amenity of the streetscene and no objections are therefore raised to this change.

Neighbouring amenity

- 9.14 With regard to the increased ridge height, given the position of the application property to the north west of Hillgay, there would be no significant shadow cast toward this property. Any additional loss of light to Whitebrick Cottage to the north west would extend to the side elevation of the main dwelling of which there is only one obscure glazed window at ground floor level, with no significant additional harm over and above the approved scheme considered likely. The space separation between the proposed dwelling and the neighbours to the rear, fronting Brockhill Road, would ensure that any impact to these neighbours through loss of light is negligible. The additional overall height would also result in additional mass being added to the roof form. However, given that the roof form is tapering, the additional height and mass is not significantly greater than that approved. It is not considered that the increase in roof height will result in any impacts on neighbours significant enough to justify refusing planning permission when assessed against the approved development.
- 9.15 The roof light in the front roof slope at first floor would serve the hallway and stairwell, with no impact upon neighbouring amenity given the window would look out over School Road, with views toward Hillgay precluded by the presence of the dormer window and views toward Whitebrick Cottage being over the front parking area.
- 9.16 The enlarged dormer would propose a fully opening window to comply with Building Regulation requirements. This window was originally conditioned to be non-opening up to a minimum of 1.8m above the internal finished floor level. It is accepted that there does need to be suitable fire safety escape measures at first floor. The window is to a bathroom and the likely positioning of a basin and toilet on this wall will make leaning out of the window difficult. Furthermore the plans show that the opening window would open on the left hand side (as you face the property), this, together with obscure glazing would reduce the perception of overlooking to the neighbour of Hillgay but still allow egress in line with Building Regulations requirements. The window can still be required by condition to be obscure-glazed.
- 9.17 The window and door at ground floor level in the south east side elevation would result in no overlooking, with the 1.8m high boundary fence ensuring no loss of privacy.
- 9.18 The rear sliding patio doors at ground floor would have no detrimental impact upon the neighbours with regards to overlooking as they are at ground floor and would be separated from the neighbours by the 1.8m high close boarded fence.
- 9.19 Four of the first floor roof light windows in the rear roof slope would serve the two bedrooms and one a bathroom. Three roof light windows to bedrooms have already been approved under Y15/05148/SH and these window cills, along with the cills of the proposed additional roof lights, would be set at the same height as previously approved in order to preclude ready views from these. Concerns with neighbouring amenity have already been addressed and considered to be acceptable under the approved scheme and this proposal does not represent a departure from this position, with the imposition of a suitably worded condition. It is noted that there are windows in the upper floor of the rear of Hillgay and White Brick Cottage which look towards the rear gardens of the properties in the Brockhill Road and such a situation in a built up area is not uncommon. It would therefore be unreasonable to refuse this application with reference to the additional first floor windows given that three of the windows were in the previous approved development. It is noted that the foliage that was present during the assessment of the approved scheme has since been removed, but the proposal has been assessed without this vegetation and considered to be acceptable due to the distances from the properties to the rear and the existing level of overlooking between existing properties.
- 9.20 The removal of the vegetation was investigated by Council Officers and was found to have taken place prior to formal commencement of works on site, so was not in breach of any condition. The trees that were removed were not covered by a Tree Preservation Order and the

site is not within the conservation area. Therefore the removal of the trees and vegetation was not a breach of planning control.

9.21 A condition on the 2015 planning permission required a tree survey setting out what trees were to remain or be lost. Those details were submitted which showed the trees in question to be removed. The Council's Arboriculture Manager had no objections to this. It is understood that the trees were removed prior to the report being agreed by the LPA and whilst no objections were raised by the Arboricultural Manager to the loss of the trees, officer have agreed with the current owner to plant a heavy standard Holly tree which was not part of the original plan, as part of the conditional approval of the 2015 application. This condition will be repeated on this proposal, with a suitable 'trigger point' in the wording to ensure that the tree is planted at the next available planting season.

Amenity of Occupants

9.22 The proposal still shows 3 usable bedroom spaces as per the original scheme, although it is noted that one of the rooms on the original scheme was labelled as a study/bedroom. Since the previous approval the policy HB3 of the Places and Policies Local Plan (PPLP) has become a material consideration (see section 8.0) and sets out internal and external space standards. The proposed floor space of the dwelling overall would comply with the policy and the bedroom spaces equate to 1 double (at ground floor) and 2 single bedrooms at first floor. Externally the policy sets out that the rear garden should be at least 10m in depth. The proposed rear garden for the dwelling is 7m and so fails to meet the external space standards set out the policy in this regard. Normally this would not be considered to be acceptable but given that planning permission has already been granted for a dwelling with a garden of this depth (as the PPLP was not in place at that time), and that planning permission is still extant and could in theory still be implemented by reverted to the approved plans, it is considered that, in this specific case, it would be unreasonable to now refuse planning permission for that reason alone, as the application is considered acceptable in all other respects.

Highway safety

9.23 The access and parking provision for the dwelling has already been considered and approved under Y15/0514/SH. The access, site layout and parking provision has not been altered as part of this proposal and remains as previously approved. Whilst it is noted that some residents have raised concerns regarding increased traffic and highway safety concerns due to the proximity of the nearby primary school, these issues have already been addressed and deemed acceptable as part of the original scheme. The policy position regarding parking provision and safe access has not altered in its aims since the original scheme and therefore it would be inappropriate to object to the application on the grounds of highway safety.

Environmental Impact Assessment

9.24 In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1& 2 of the Regulations and it is not considered to fall within either category and as such does not require screening for likely significant environmental effects.

Local Finance Considerations

9.25 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, that will, or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

9.26 In accordance with policy SS5 of the Core Strategy Local Plan the Council has introduced a Community Infrastructure Levy (CIL) scheme, which in part replaces planning obligations for infrastructure improvements in the area. The CIL levy in the application area is charged at £111.15 per square metre for new residential floor space.

Other Issues

9.27 Concern has been raised by residents that the dwelling is not being constructed in the position or to the size originally approved and that part of the land on which the parking spaces are to be located is not within the applicant's ownership. The submitted plans for the dwelling as constructed show it be in the same position on the plot the approved dwelling and the signed ownership certificate on the application form states that the applicant is the sole owner of the land. The applicant has also confirmed that the land in question is under their ownership and. Boundary disputes are a civil matter between the parties concerned and are not a material planning consideration.

9.28 Concern has been raised by residents that some of the works that have been carried out on site are in connection with this current application and the applicant does not have consent. It is not an offence to carry out works without planning permission and this is not a material consideration when determining the application.

9.29 Some of the details required by conditions under Y15/0514/SH have already been approved and some of the conditions on that planning permission are no longer wholly relevant as the development has already commenced. The conditions proposed at the end of this report take account of this.

9.30 This application is reported to Committee at the request of Cllr Treloar on the grounds of neighbouring impact.

Human Rights

9.31 In reaching a decision on a planning application the European Convention on Human Rights must be considered. The Convention Rights that are relevant are Article 8 and Article 1 of the first protocol. The proposed course of action is in accordance with domestic law. As the rights in these two articles are qualified, the Council needs to balance the rights of the individual against the interests of society and must be satisfied that any interference with an individual's rights is no more than necessary. Having regard to the previous paragraphs of this report, it is not considered that there is any infringement of the relevant Convention rights.

Public Sector Equality Duty

9.32 In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

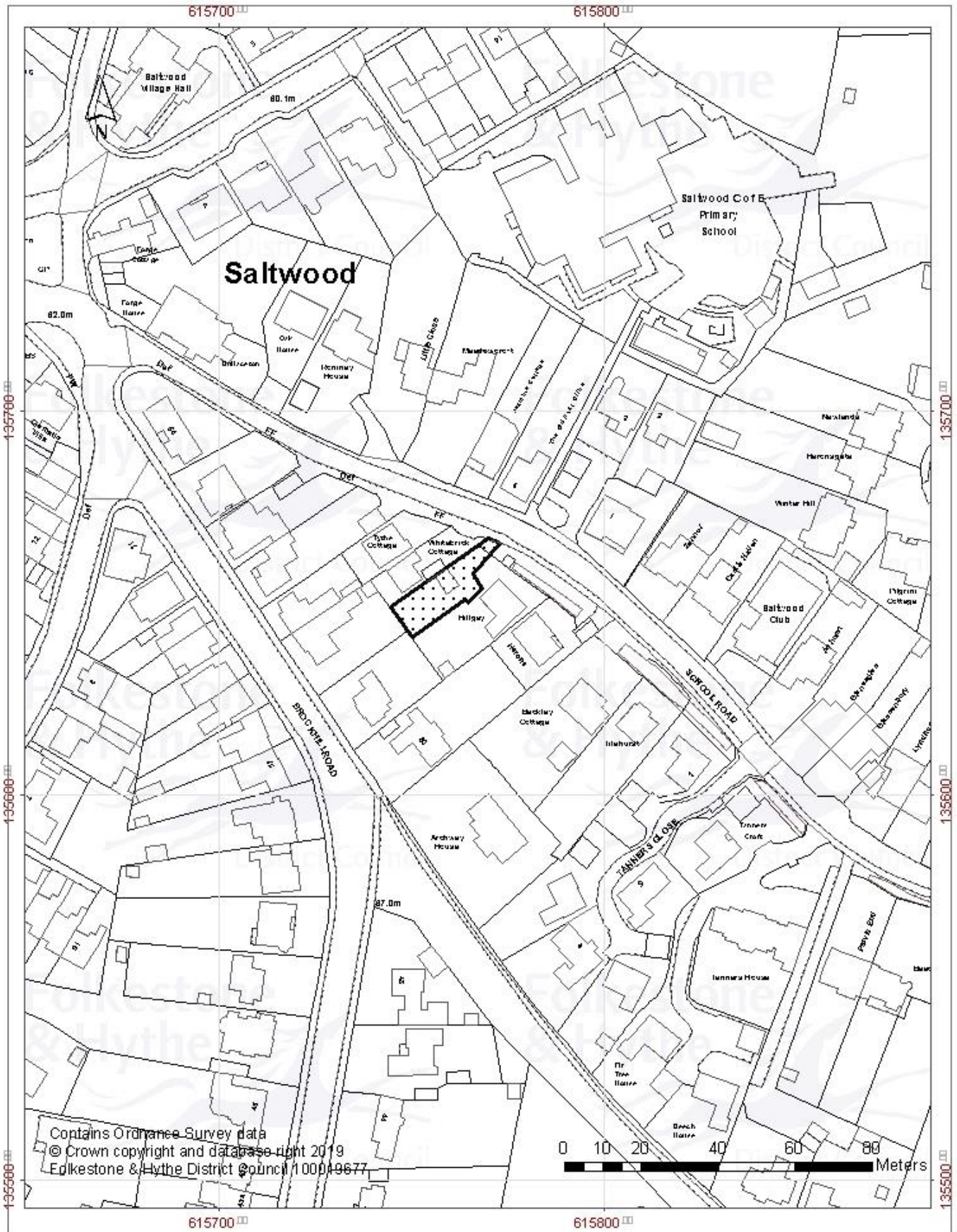
10.0 BACKGROUND DOCUMENTS

10.1 The consultation responses set out at Section 5.0 and any representations at Section 7.0 are background documents for the purposes of the Local Government Act 1972 (as amended).

RECOMMENDATION – That planning permission be granted subject to the following conditions and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and add any other conditions that she considers necessary:

1. Development must be in accordance with the submitted plans
2. Materials (including hard landscaping and driveway) to be carried out in accordance with the submitted plans
3. Area shown for parking for new dwelling and Hillgay shall be provided prior to first occupation and adequately surfaced and retained at all times
4. Vehicle turning area shall be provided prior to first occupation
5. Prior to occupation visibility splays shall be provided and maintained
6. Heavy standard Holly tree to be planted prior to occupation of dwelling. Details of completion of planting to be submitted and approved.
7. At the time of construction the first floor bathroom shall be fitted with obscure glass with a left hung openable window and shall be retained as such.
8. Development permitted shall not be occupied until written documentation has been submitted that the development has achieved maximum water usage of 110 litres per person, per day. (First part of condition already approved under Y18/1469/FH).
9. Removal of PD rights for further windows/dormer windows
10. Removal of PD rights for class A, B, C and E of Part 1 of Schedule 2 GPDO
11. Ecological measures and enhancements to be carried out as per the Ecological Walkover Study by Kent Wildlife Trust submitted with Y15/0514/SH. Measures to be submitted and approved prior to occupation
12. 2 secure cycle spaces to be provided
13. Works to be carried out in accordance with construction management plan approved under Y18/1469/FH
14. Surface water drainage to be submitted, approved and installed prior to first occupation.

Y19/0272/FH
Hillcroft
School Road
Saltwood



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