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Application No: Y19/0553/FH

Location of Site: Recreation Ground, Station Road, New Romney

Development: Erection of a two storey community hall and sports pavilion following the demolition of the Maude Pavilion. Refurbishment of the existing nursery building including a new recreational play area and the erection of 34 dwellings with associated landscaping, parking and access in the south west of the recreation ground.

Applicant: New Romney Town Council & Mr Lench

Agent: Mr Alister Hume, Hume Planning Consultancy Ltd

Officer Contact: Robert Davis Robert.davis@folkestone-hythe.gov.uk

SUMMARY

This application consists an application made for a new community hall and sports pavilion and the refurbishment of an adjacent building used as children's nursery. The quality of the building and facilities represent a significant financial investment of £4,068,000 including the refurbishment works to the nursery. The necessary funding for the delivery of the community development would, in part, be generated by the 34 proposed dwellings to be built by an established regional housebuilder Akehurst Homes. Because of this funding no affordable housing would be provided.

The existing sports pavilion is considered to be very small, ageing and dilapidated requiring substantial investment to keep the building in a safe and watertight condition. The existing facility is considered to be a deterrent to new recreational users and does not serve as a positive statement that New Romney believes in the value of recreational activity and sporting ambition. The Town Council has recognised that a new Community Hall and Sports Pavilion would be of benefit to local residents.

The report finds the principle of development to be sound and that planning permission be granted subject to a S106 agreement.

RECOMMENDATION:

That planning permission be granted subject to the conditions set out at the end of the report and the applicant entering into a S106 legal agreement, requiring a sum of £257,792.87 for local education and social provision, and a sum for the provision of affordable housing in the event that funding for the Community Hall and Sports Pavilion does not arise, and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and the legal agreement and add any other conditions or obligations that he considers necessary.

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1. INTRODUCTION

- 1.1. The application is reported to Committee because the applicant is New Romney Town Council.

2. SITE AND SURROUNDINGS

- 2.1. The application site comprises within the settlement boundary of New Romney and lies approximately 350m east of New Romney Station and the town centre. The site is accessed from Station Road (B2071) which has a 30mph speed limit.
- 2.2. The 4.74ha site is home to the existing Maude Sports Pavilion owned by New Romney Town Council and used by New Romney Town Football Club and Cricket Club. The field is used predominantly for football in the winter and cricket in the summer. The Seashells children's nurse building is sited just to the west of the existing pavilion. These buildings are set back from the road by approximately 9.5m and share an informal car park to the east of the existing pavilion which is accessed from Station Road.
- 2.3. There are a mixture of different land uses within the vicinity. On the northern side of Station Road to the north-west there is Marsh Academy School and leisure centre. Adjacent to the site to the west there is an NHS Community Health Clinic and a small equipped play area. To the south east the site shares a boundary with the Mountfield Road Industrial Site, a current establishment employment site and new employment opportunity site, protected for business use under use classes B1 (business), B2 (general industrial) and B8 (storage and distribution). Residential development bounds the other parts of the site.
- 2.4. The site is located within Flood Zones 2 and 3 as identified by the Environment Agency, however it is not shown as being at risk on the hazard maps contained within the Shepway Strategic Flood Risk Assessment.
- 2.5. The trees lining the south side of Station Road, immediately adjacent to the site's northernmost boundary are subject to a group Tree Preservation Order (TPO) from 2007, and there is a group TPO along the site's eastern boundary.
- 2.6. On the opposite side of Station Road, to the north of the residential frontage development is a Local Landscape Area (LLA) designation. The Romney Marsh LLA is an expansive open, flat, and fertile coastal marshland drained by a network of ditches and is home to a wide diversity of wildlife. The existing site comprises two buildings to the northern boundary/frontage with Station Road (Maude Memorial Hall and Seashells Nursery), with sports pitches and open ground to the south.
- 2.7. A site location plan is attached to this report as **Appendix 1**.

3. PROPOSAL

- 3.1 Full planning permission is sought for a community hub consisting of a combined multipurpose community hall and sport pavilion, new car parking and access, refurbishment to the Seashells Nursery and an Enabling Scheme with a residential component of 34 dwellings.



- 3.2 The ground floor of the community hub would contain team and officials changing rooms, medical room and circulation space together with storage space and a plant. At first floor level there would be a multipurpose function space of 177m² intended for social functions, lectures, conferences as well as exercise classes and children's activity clubs. This space would contain installed flexible dividers to allow for multiple consecutive uses. There would also be two meeting rooms, a bar and a kitchen with servery. A large balcony would be provided with views across the playing fields.
- 3.3 The building would be 28m wide and 17m in depth and with a height of two storeys. It would be set deeper into the site than the present sports pavilion allowing for new car park to be provided. A total of 45 car parking spaces, including three for users with disability, will be provided. The existing site access/egress on Station road will be retained but modified to provide site entry only. A new exit will be created 60m to the west to create a one way west bound route through the site.
- 3.4 The Seashells Nursery building will be retained and refurbished. It would be provided with new vertical timber cladding and glazed doors. A reconfigured external nursery area would be provided to the rear with new glazing to aid surveillance over the play area.
- 3.5 The proposed residential development would be to the southern part of the site adjacent and accessed from the adjacent Akehurst Homes development. The development would comprise 34 market residential dwellings comprising 15 two bedroom, 10 three bedroom and 9 four bedroom houses.



- 3.6 House Type 1 (Plots 9-11, 23-25, 28-30) is a two storey terrace of three dwellings each with two bedrooms (4 bedspaces). The centre property would be stepped forward of the dwelling either side with a front gabled projection 8.5m in height. The main roof would have a ridge height of 9.3m. The ground floor elevation would be in facing brickwork with weatherboarding or hung tiles at first floor level. The gross internal floor area (GIA) of the centre dwelling would be approximately 92m² and the dwellings either side 81m².
- 3.7 House Type 2 (Plots 1-6, 31-34) is semi-detached with three bedrooms (6 bedspaces) set over three floors with the uppermost floor contained within the roof space and a ridge height of 8.5m. There would be a flat roofed dormer to the rear elevation with zinc cladding, a velux window to the front and the rest of the roof would be tiled. The ground floor elevation would be in facing brickwork with weatherboarding or hung tiles at first floor level and above. The houses have an approximate GIA of 109m².
- 3.8 House Type 3 (Plots 12-15, 26, 27) is semi-detached with four bedrooms (8 bedspaces) set over three floors with uppermost floor contained within the roofspace and a ridge height of 8.8m. There would be a flat roofed dormer to the rear elevation

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with zinc cladding, a velux window to the front and the rest of the roof would be tiled. The ground floor elevation would be in facing brickwork with weatherboarding or hung tiles at first floor level and above. The houses have an approximate GIA of 128m².

- 3.9 House Type 4 (Plots 18-20) is a detached two storey dwelling with four bedrooms (8 bedspaces). It features a tiled roof with a part hip to both sides, a brick chimney stack to one side, and a ridge height of 9.8m. The ground floor elevation would be in facing brickwork with weatherboarding or hung tiles at first floor level. The houses have an approximate GIA of 180m².
- 3.10 House Type 5 (Plots 7, 8, 16, 17) is semi-detached with the footprint of each dwelling set at a right angle to each other. The street facing left side dwelling would have project 0.5m forward and 2.5m to the rear of the attached dwelling and the rear and features a hipped roof and elevations of facing brickwork. The right side dwelling would have a wider front elevation with a roof pitched front to back and weatherboarding or hung tiles to the elevations set above a brick plinth. Each dwelling would have a ridge height of 8.7m. The house on the left side would have an approximate GIA of 81m² and the right side 91m².
- 3.11 House Type 6 (Plots 21, 22) is semi-detached with two storeys and two bedrooms (4 bedspaces). The roof would be gabled to the sides and with a ridge height of 9m. As with most of the other dwellings the ground floor elevation would be in facing brickwork with weatherboarding or hung tiles at first floor level. The houses have an approximate GIA of 82m².
- 3.12 The following reports were submitted by the applicant in support of the proposals:

Planning Statement

- 3.13 The planning statement describes the site, details of the pre-application discussions that have taken place prior to the submission of the application, the application proposal, and the planning policy framework. The key policy issues are then addressed.
- 3.14 The statement concludes that the proposal would bring forward deliverable housing to a high standard on underutilised land, would make a positive contribution towards the supply of sporting, health and community benefits and would satisfy the three dimensions of 'sustainable development' defined by the NPPF. The development would provide short term economic benefit through construction employment and longer term benefit through additional local spending by residents. The site benefits from a sustainable location from which local services and facilities are highly accessible and the CIL payment would mitigate the impact of the increased population on social infrastructure. The environmental dimension is addressed through the design response to the site, the mitigation of potential impact on the residential amenities of nearby properties, and landscape and biodiversity enhancements.

Statement of Community Involvement

- 3.15 The statement sets out the community engagement and background research which has informed the planning application. It details measures taken to involve the local community over a five year period and identifies that responses were overwhelming positive and supportive of the project.

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- 3.16 The following local community stakeholders have also registered support - Damian Collins MP, the RT. Hon. Lord Howard of Lympne, Councillor Paul Carter – Leader of Kent County Council, New Romney Coastal Community Team, South Kent Coast Clinical Commissioning Group, Shepway Sports Trust.
- 3.17 It states that the pre-application discussion with the LPA has been considered to have helped in the evolution and preparation of the planning application.
- 3.18 For these reasons it is concluded that the submission has been prepared in accordance with NPPF which attributes significant weight to early engagement and pre-application discussions between public and private sectors.

Design and Access Statement

- 3.19 The document has been prepared by the architects Guy Holloway Architects offering a site analysis, a design concept and the details of the design of the pavilion building and improvements to the nurse building.
- 3.20 A second part details the enabling residential development. It provides the design and details of the dwellings and provides massing views of how the streetscene would appear.
- 3.21 The final part of the document provides the results of a user group survey which collected questionnaires from 234 local residents to assess what facilities the community required from the community building. The results of a public consultation to the design proposals are included.

Transport Statements

- 3.22 The scope of the Transport Statement by MLM Consulting Engineers was agreed with Kent County Council, as the local highway authority, during a pre-application meeting in January 2019. It reviews transport policies, conditions at the site including a multi-modal accessibility audit, provides a description of the development, and an estimate of trip generation and associated traffic impact. It concludes that there are no highway reasons why planning permission for the proposed development should be withheld.
- 3.23 A second statement by TPHS assessed the residential scheme. It identified that the site is within a practical and convenient walking distance of the High Street area and the corresponding range of local amenities and facilities, as well as of local bus stops and services. A multi-modal trips assessment was undertaken based upon a combination of traffic surveys at the connections between Carey Close and Joseph's Way and local area 'journey to work' census data. It estimated that there would be 34 person trips during the am peak hour of which 23 would be as a car driver, and 39 person trips during the pm peak hour, of which 26 would be as a car driver. It concluded that there were no highways and transportation reasons to refuse an application for 34 residential units.

Flood Risk Assessment & Drainage Water Strategy

- 3.24 This identifies that the site is indicated on the Environment Agency's maps to lie in Flood Zone 1 (low risk) with a less than 0.1% annual probability of fluvial or tidal

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flooding. All land uses are appropriate in this flood zone. The site is not at risk from off-site surface water.

- 3.25 A topographical review and site visit identified a bund to the west of the site. Surface water drainage from existing development passes below the development site and attenuation (in the form of oversized pipes) is included below the bund. The existing development drains to a ditch north of the site. Modifications would be required to incorporate the new development.
- 3.26 The development would incorporate attenuation and flow control devices to restrict off site flows to be no greater than greenfield rates.

Arboricultural Report

- 3.27 The Arboricultural Impact Assessment and Method Statement (Greenspace Ecological Solutions – December 2018) presents the results of a tree survey undertaken in November 2018 in accordance with the recommendation set out in BS5837:2012. The survey categorizes the trees, plots their canopy spreads and identifies their root protection zones.
- 3.28 A number of trees were identified as requiring to be removed to facilitate the development however there were no known overriding Arboricultural constraints that would prevent the proposed development from going ahead subject to the protection measures and construction methodologies specified within the report being implemented.

Ecological Surveys

- 3.29 An Extended Phase 1 Habitat and HIS Survey (Greenspace Ecological Solutions October 2017) assessed the site's potential to support protected species and habitats. The survey identified some bat activity, mammal holes and the sites potential as a habitat for reptiles and recommended further surveys to be undertaken.
- 3.30 A subsequent Bat Emergency Survey and mammal hole monitoring found bats not to be affected and that mammal holes were used. A Reptile Survey identified significant numbers of slow worms that would be affected by the development and recommended mitigation in terms of the identification of a suitable receptor site, trapping and the relocation of trapped reptiles to the receptor site.

Phase 2 Geoenvironmental Assessment

- 3.31 This provides results of a ground investigation and geoenvironmental assessment. No contamination or environmental risks were found that would prevent development of the site.

4. RELEVANT PLANNING HISTORY

- 4.1 The site has no relevant planning history.
- 4.2 An adjacent development to the south-west of 60 dwellings has recently been completed by Akehurst Homes, reference Y08/1002/SH.

5. CONSULTATION RESPONSES

5.1 The consultation responses are summarised below.

Consultees

New Romney Town Council: No comments made

KCC Development Contributions: Scale of contributions required and noted in the report.

KCC Highways and Transportation: Additional supporting information has been provided which is sufficient to overcome previous outstanding queries with regard to refuse vehicle tracking, vehicle visibility splays and length of driveways. Conditions recommended.

KCC Ecology: Satisfied that as the trees are not to be felled no further surveys are required. We highlight that as they have been identified as potential bat roosts the lighting scheme must be designed to avoid light spill on to these trees.

KCC Flood and Water Management: Comments received requesting further supporting information. This information has been provided.

Environmental Health: A noise impact assessment is required to highlight any potential noise problems (namely noise from the industrial area). EH agrees with the comments made by our contaminated land consultants and should be conditioned.

Environment Agency: No objection subject to recommended conditions.

Kent Fire and Rescue: Means of access considered acceptable.

Sports England: Does not wish to raise an objection to this application as it broadly aligns with its playing fields policy.

Southern Water: Condition recommended regarding details of the proposed means of foul and surface water sewerage disposal.

Contamination Consultant: Agree that the contamination potential of the site is likely to be limited, however recommend that further consideration of ground gas risk is made and that a watching brief for contamination is kept during the works

Arboricultural Manager: No objections trees to be removed are considered to be at the end of their safe useful life expectancy

Local Residents Comments

5.2 Sixty six neighbours directly consulted. Three letters of objection received.

5.3 I have read all of the letters received. The key issues are summarised below:

Objections

- Loss of nature conservation habitat of protected species felling of trees
- Insufficient travel/medical/educational infrastructure
- Surface water drainage
- Flood risk to Carey Close and Josephs Way
- 2.5 storey housing will invade privacy and daylight of properties on Josephs Way
- No precedent for 2.5 storey terrace
- Community project could be funded with required affordable housing
- Housing not required to meet delivery targets
- More affordable housing and tailored provision for elderly required.
- Too much of sports field lost to development

6. RELEVANT PLANNING POLICY

6.1 The Development Plan comprises the saved policies of the Shepway District Local Plan Review (2006) and the Shepway Core Strategy Local Plan (2013)

6.2 The new Places and Policies Local Plan Submission Draft (February 2018) has been the subject to public examination, and as such its policies should now be afforded significant weight, according to the criteria in NPPF paragraph 48.

6.3 The Folkestone & Hythe District Council Core Strategy Review Submission Draft (2019) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019, as such its policies should be afforded weight where there are not significant unresolved objections.

6.4 The relevant development plan policies are as follows:-

Shepway Local Plan Core Strategy (2013)

DSD – Delivering Sustainable Development

Shepway District Local Plan Review (2013)

SD1 – Sustainable Development

LR9 – Open Space Protection and Provision

LR10 – Provision of Children's Play Space in Developments

LR11 – Protection of Allotments and Criteria for Allowing Their Redevelopment

BE1 – Standards Expected for New Development in Terms of Layout, Design, Materials etc.

BE17 – Tree preservation Orders and Criteria for Allowing protected Trees to be Removed

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- TR5 – Provision of Facilities for Cycling in New Developments and contributions Towards Cycle Routes
- TR12 – Vehicle Parking Standards
- U4 – Protection of Ground and Surface Water Resources
- U10a – Requirements for Development on Contaminated Land

Places and Policies Local Plan Submission Draft (2019)

- HB1 – Quality Places through Design
- HB3 – Internal and External Space Standards
- E8 – Provision of Fibre
- C3 – Provision of Open Space
- CC3 – Sustainable Drainage Systems (SuDS)
- T2 – Parking Standards
- T5 – Cycle parking
- NE2 – Biodiversity
- CC2 – Sustainable Design and Construction

Core Strategy Review Submission draft (2019)

- SS1 – District Spatial Strategy
- SS2 – Housing and the Economy Growth Strategy
- SS3 – Place Shaping and Sustainable Settlements Strategy
- CSD1 – Balanced Neighbourhoods
- CSD2 – District Residential Needs
- CSD4 – Green Infrastructure of Natural Networks, Open Spaces and Recreation
- CSD5 – Water and Coastal Environment Management in Shepway
- CSD8 – New Romney Strategy

6.5 The following are also material considerations to the determination of this application.

Supplementary Planning Guidance/Documents

Affordable Housing SPD

Government Advice

National Planning Policy Framework (NPPF) 2019

6.6 Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-

Paragraph 8 – Three overriding objectives, economic, social and environmental

Paragraph 11 - Presumption in favour of sustainable development.

Paragraph 47 - Applications for planning permission be determined in accordance with the development plan.

Paragraph 48 – Giving weight to emerging plans.

Paragraphs 59 to 66 – Delivering a sufficient supply of homes

Paragraph 104 to 106 – Promoting sustainable transport

117 to 118 – Effective use of land

127 to 131 – Achieving well designed places

149 to 154 – Climate change, flooding and coastal change

165 – Sustainable urban drainage systems

170 to 177 - Conserving and enhancing the natural environment and habitats and biodiversity.

178 to 181 – Contamination and air quality

National Planning Policy Guidance (NPPG)

Design: process and tools

Climate Change

Flood Risk and Coastal Change

Natural Environment

National Design Guide October 2019

- C1 - Understand and relate well to the site, its local and wider context
- I2 - Well-designed, high quality and attractive
Paragraph 53 *'Well designed places are visually attractive and aim to delight their occupants and passers-by'*.
- N3 - Support rich and varied biodiversity

7. APPRAISAL

7.1 In light of the above the main issues for consideration are:

- a) Sustainability and the Principle of Development
- b) Design
- c) Parking and Highways
- d) Flood Risk and Drainage.
- e) Arboricultural Impacts
- f) Ecology and Biodiversity
- g) Loss of Allotment Land
- h) Industrial Estate and impact on living conditions
- i) Affordable Housing Provision and Financial Contributions
- j) Self Build Housing
- k) Other Matters

a) Sustainability and principle of development

Sustainable Development

7.2 Policy DSD of the Core Strategy states that when considering planning applications the Council will take a positive approach that reflects the presumption of sustainable development contained in the National Planning Policy Framework, in which there are

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three overarching objectives - an economic objective, a social objective and an environmental objective, which are interdependent and need to be pursued in mutually supportive ways. These would be discussed in further detail within the following appraisal however it is considered that the development would meet the three objectives of sustainability. The development would provide economic benefits through employment during the construction phase and the operation of the community centre and an increase in population frequenting local services and businesses. The social benefits include the provision of housing and a local community and recreation hub. The development would also introduce landscaping and bio-diversity enhancements, and is within walking distance of the amenities including health clinics, schools, retail units and other facilities within the centre of New Romney thus is considered to represent an environmentally sustainable development.

New Romney Policy

- 7.3 The site is located within the settlement boundary of New Romney and policy CSD8 of the Core Strategy 2103 and the Review Submission Draft 2019 is relevant. This has been subject to public consultation and, accordingly is a material consideration in the assessment of planning applications in accordance with the NPPF. The policy seeks to enhance New Romney as a key market town and service centre for Romney Marsh providing a range of services and attractions for local residents and tourists. As the proposal would provide new housing and a local community and recreation hub it would accord with the general aims of the policy.

Local Landscape Area

- 7.4 On the opposite side of Station Road there are three dwellings and part of the Marsh Academy site. Beyond this is land within the Romney Marsh Local Landscape Area where policy C05 of the Local Plan Review and NE3 of the emerging Places and Policies Local Plan state that proposals should protect or enhance the landscape character and functioning of Local Landscape Areas. It is considered that the design and scale of the new community development would be of an appropriate scale for this location and with the intervening buffer zone containing the roadway, mature tree cover and residential development together with the large scale development on the Academy site the development would not detract from long distant views from the Local Landscape Area.

Open Space

- 7.5 Policy LR9 of the Local Plan Review advises that development proposals which would result in a net loss of open space will only be permitted if sufficient alternative space exists, that development does not result in an unacceptable loss in local environmental quality and if it is the best means of securing an improved or alternative recreational facility of at least equivalent community benefit having regard to any deficiencies in the locality. The proposed development would result in a small loss of allocated open space however benefits would arise by the provision of improved facilities for users of the pitches and the provision of a purpose built community and recreation facility that can accommodate a variety of events at different scales.
- 7.6 Sport England have considered the application in light of paragraph 97 of the National Planning Policy Framework and against its own playing fields policy which states that Sport England will oppose the grant of planning permission unless the development as a whole meets with one or more of five specific exceptions. Having assessed the application, Sport England is satisfied that the elements of the proposed development which affects playing fields broadly meets Exceptions 2 or 3 of their playing fields policy. Sport England considers that the proposed sports pavilion meets exception 2

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as it relates to development for ancillary facilities supporting the principle use of the site as a playing field. Furthermore they do not consider that the residential component would reduce the sporting capability of the site thereby broadly aligning with their Exception 3. Accordingly Sport England have no objection to the proposed development. The proposal is considered not to have an adverse impact on recreational provision and would be in accordance with policy LR9 of the Local Plan review.

Allotment Land

- 7.7 The residential element, as with the existing adjacent Akehurst Homes site, would take place on land that has been safeguarded for allotments. Saved policy LR11 states that development which results in the loss of allotment land will be refused unless it can be shown that sufficient alternative provision exists including the ability of displaced allotment holders to be satisfactorily relocated in the locality; that development does not result in an unacceptable loss of environmental quality; and it is the best means of securing an improved or alternative recreational facility of at least equivalent community benefit having regard to any deficiencies in the locality.
- 7.8 In correspondence dated 14th July 2015 the Secretary of State for Communities and Local Government, in accordance with Section 8 (the statutory criteria) of the Allotments Act 1925 has considered that the statutory criteria have been met and given consent for disposal of the allotment site.
- 7.9 The more recent Shepway Open Space Review and Strategy 2017 confirms that New Romney does not lack accessibility to allotments within the district with provision greater than the National Society of Allotment and Leisure Gardeners suggested national standard.
- 7.10 The site has not been used for allotment purposes for a number of years and no allotment holders would be displaced. The proposal would result in housing and urbanising infrastructure on previously undeveloped land however the development would not be over dense and would incorporate shared open space giving a degree of spaciousness about the proposed dwellings. It is not considered that the development would result in an unacceptable loss of environmental quality. Thirdly the erection of the dwelling would provide financial enablement to the improvement of community and sporting facilities. It is duly considered that the proposal would accord with the requirements of policy LR11 and that the residential development of a safeguarded allotment site is justified.

Conclusion

- 7.11 The development of the site is considered to be acceptable in principle and to meet the general criteria for sustainability subject to the other material considerations, as appraised below.

b) Design

- 7.12 The Community Hub and Sports Pavilion development has been designed with the specific requirements of a weather protected viewing platform, to be secure when unused, function space, adequate bike and car parking, natural sustainable materials and contemporary architecture which reflects state of the art facilities.
- 7.13 The pavilion is to be shifted away from its existing footprint enabling a larger car park to be implemented. Its plan is based on a central axis, with circulation through the

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building in the centre leading visitors out onto the sports field. It has been designed with a concrete base to provide a durable and secure ground floor façade. Above this the design would be more of architectural interest with a sculptured cantilevered zinc clad roof form with elevational overhangs. The front elevation would be provided with full height glazing interspersed with wooden cladding and the rear would be predominantly glazed allowing unrestricted views over the sports fields.

- 7.14 The existing nurse building would have its elevations, presently brick and generally devoid of openings giving it an austere appearance, overlaid in timber with new windows and doors to be added to improve lighting and access. This would provide the building with a more contemporary and attractive appearance, enabling it to be brought into line with the new community facility, yet with a relatively small investment.
- 7.15 The residential development will provide a mix of 2, 3 and 4 bedroom homes reflecting the housing provisions in development schemes within the surrounding area. Each dwelling would be provided with parking and a private garden. There would also be communal landscaped areas. The dwellings would utilise a mix of external materials including brickwork plinths, brick timber and rendered elevations or a mix of such materials, with skylights, dormers and gabled roof projections to provide a mixed appearance whilst respecting the local vernacular.



- 7.16 The design and layout of the scheme has been subject to public and stakeholder involvement with feedback incorporated into the development proposal. It is considered that the proposal represents a good quality design in full accordance with saved policies SD1 and BE1 of the Local Plan Review and emerging policy HB1 of the Places and Policies Local Plan.

c) Residential Amenity

- 7.17 Residential Amenity SD1 of the Local Plan Review and paragraph 127 of the NPPF require that consideration should be given to the residential amenities of both neighbouring properties and to future occupiers of a development. Emerging policy HB1 of the Places and Policies Local Plan (PPLP) states that development should not lead to an adverse impact on the amenity of future occupiers, neighbours, or the surrounding area, taking account of loss of privacy, loss of light and poor outlook.

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- 7.18 The residential properties most affected by the development would be those on the opposite side of Josephs Way fronting the application site and the end terrace properties adjacent the site on Carey Close. Plots 9-13 would have their rear elevations facing towards Carey Close but their outlook would generally be towards the public realm and not towards private rear areas. Plot 13 would set approximately 17m from the front corner of 56 Carey Close with an intervening drainage ditch. Plots 1-6 fronting Josephs Way would be set a minimum of 22m from the existing development providing sufficient separation and degree of space such that the amenity of existing residents relating to outlook, daylight and privacy would not be adversely affected. Additional traffic and general residential activity would occur but again this is not considered to have a significantly adverse impact on amenity
- 7.19 Policy HB3 also applies minimum internal space standards. All dwellings would be above the minimum standards for internal floorspace. Private rear gardens satisfying the required 10m depth to the width of the dwelling would be provided in requirement of the policy.
- 7.20 The residential site covers an area of 1.47ha and with 34 dwellings this would equate to a density of approximately 23 dwellings per hectare. Such a density is reasonably low and provides for areas of communal landscaping including a triangular section of approximately 900m² and a central section whose combined individual sections extends to 1,500m². The details of these landscaped areas and a planting scheme can be secured by a recommended condition. Access would also be provided to the sports field, to the north of the residential site. There is a Local Area Play Space 55m from the south west corner of site and a further play space a slightly further distance to the north on Station Road.

d) Parking and Highways

- 7.21 The applicant has submitted a Transport Statement relating to the community hub and sports pavilion (MLM Consulting March 2019) and a separate Transport Statement (TPHS June 2019) relating to the residential development.
- 7.22 The MLM Consulting Transport Statement which identifies that some of the sporting fixtures taking place generate a requirement in excess of the current parking provision. In these situation the excess parking demand is accommodated either on-street along Station Road and/or in the Marsh Academy car park which is used as an overflow car park during busy event days. There is no cycle parking provision on the site. Vehicle movements relating to the Seashells Nursey are generally associated with children drop offs and their later collection.
- 7.23 The vehicle parking standards for Use Class D2: Assembly and Leisure are maximum standards of 1 space per 22m². The proposal would provide a total of 45 parking spaces including 3 bays for disabled users, a significant increase from the 15 spaces presently available. A total of 18 Sheffield Hoop style cycle stands would provide a total of 36 cycle spaces. The existing access would be retained to provide access only and a new 'exit only' would be provided 60m to the west.
- 7.24 The residential part of the development would be accessible from two points of access onto Josephs Way. Parking spaces would be provided dispersed across the site with a total of 70 parking spaces of which 12 are indicated as unallocated or visitor spaces.

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Some of the two bedroom properties would be provided with a single space with other dwellings provided with two spaces within their curtilage or within parking bays.

- 7.25 A network of footways would provide pedestrian permeability through the site. This would allow existing residents to the area access to the playing fields from the south.
- 7.26 The dimension of the road widths, junctions and footways would adhere to local design guidance. The required visitor splays for the categories of road would be provided. Turning heads would be provided able to accommodate a typical 12m refuse vehicle.
- 7.27 The Highways Authority considers that the site is reasonably sustainable in terms of its location and the community it serves such that the proposed level of car parking and cycle parking provision would be reasonable. No concern is raised regarding proposed access arrangements, visibility splays, highway capacity and safety.
- 7.28 The residential scheme would result in a net increase in additional traffic and it is expected that the use of the community hub would increase over time with the timing and duration of events spread throughout the day during the week and at weekends. Traffic movements relating to football and cricket fixture are unlikely to significantly differ to the present situation. Overall it is considered that the highway network can accommodate the additional traffic generated and that the development is considered to be acceptable with regards to saved policies TR11 and TR12 of the Local Plan Review and to emerging policies T1 and T2 of the Places and Policies Local Plan.

e) Flood Risk and Drainage

- 7.29 The site is shown in the Environment Agency mapping to lie in Flood Zone 1 (low risk). Flood Zone 1 is the area described as having a less than 0.1% annual probability of fluvial or tidal flooding. All land uses are appropriate in this flood zone. The site is not at risk from off-site surface water.
- 7.30 The proposed development would result in an increase in the impermeable area of site. In terms of the residential scheme this would amount to an area of 0.729ha and for the community hub 0.545 ha. It is intended that the discharge from the development to be restricted to no greater than greenfield rates.
- 7.31 The car park serving the community hub would be formed of permeable paving with a laying course and filter geotextile on a crushed rock sub-base. Below would be an impermeable geotextile membrane. Rainwater from the pavilion would outlet into the permeable subbase which it turn would discharge into an existing ditch.
- 7.32 The discharge from the Akehurst Homes development to the west passes below the residential application site. The attenuation which served this development will be removed and an allowance made within the new development for this. Geocellular systems and flow control devices are proposed to attenuate surface water run-off. There would be four attenuation crates with a total storage capacity of 677m³. Drainage would be to an existing ditch which runs along the eastern side of the site. The overall discharge rate has been updated to 4.2l/s following comments from the Lead Local Flood Authority. All storms less frequent than the 1:30 year storm would also utilise the rugby pitch for storage.

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- 7.33 Foul water would connect to the main sewage system of which there are pipes running along both the northern and south western boundaries of the site.
- 7.34 The applicant has liaised with Kent County Council, as the Lead Local Flood Authority, to develop a Sustainable Drainage Strategy for the site. Given that no formal consultation response has been received to date a condition is recommended to ensure that the final details of a suitable SuDS to be put in place for the scheme are in accordance with saved policy U4 of the Local Plan Review, emerging policy CC3 of the Places and Policies Local Plan and to The National Planning Policy Framework.

f) Arboricultural Impacts

- 7.35 The majority of trees alongside the eastern boundary are protected by Tree Protection Order 16 of 1995 and the streetside trees to the north by Tree Protection Order 07 of 2007.
- 7.36 The Arboricultural Impact Assessment and Method Statement (Greenspace Ecological Solutions – December 2018) identifies that 5 trees would be removed for Arboricultural reasons, 23 individual and 4 groups would be removed to facilitate the development and further trees would require some pruning or removal of their understorey.
- 7.37 Four of the retained trees may be impacted by the construction of car parking spaces however the impact on their longevity would be minimal due to the provision of a porous surface, the use of 'no dig' construction principles and the utilisation of cellular confinement system as a sub base.
- 7.38 The Council's Arboricultural officer has no objection to the removal of the trees identified in the assessment as these are considered to be at the end of their safe useful life expectancy. A full landscaping plan with replacement tree planting can be secured by condition.

g) Ecology and Biodiversity

- 7.39 The application has been accompanied by an Extended Phase 1 Habitat and HIS Survey (Greenspace Ecological Solutions October 2017) which assessed the site's potential to support protected species and habitats.
- 7.40 The survey identified two trees suitable for roosting bats and a small number of bat droppings within the Maude Pavilion buildings and deterioration of the building that would deter bats was evident. A Bat Emergence Survey (Greenspace Ecological Solutions February updated July 2019) involving five surveys taking place between October 2018 and May 2019 recorded no bats emerging from the building during the survey although foraging and commuting took place within and around the site. The trees identified as being able to support bats are to be retained with no planned works to them.
- 7.41 The Enabling Scheme site contains semi improved grassland on the former allotments with potential to support reptiles. A Reptile Survey (Greenspace Ecological Solutions June 2019) identified an 'Exceptional' population of slow worms with 13 recorded on one survey day. A less significant population of common lizards was also evident. The report identified that the retention on-site of the populations was unviable and that

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measures are required to ensure the welfare of reptiles is maintained, including identification of a suitable receptor site, trapping and the relocation of trapped reptiles to the receptor site.

7.42 In the mammal hole monitoring survey approximately 10 holes were identified in the south of the site in 2017 and were noted to be in a poor position and displaying no signs of current use. These were re-inspected in November 2018, March and May 2019 and seen to be increasingly overgrown, with no obvious mammal paths in their vicinity.

7.43 Identified biodiversity enhancements are proposed which can be secure by condition. Measures are to include:

- a) The installation of bat boxes on suitable trees/locations around the site prior to the start of works.
- b) The use of low-level bollard, directional and/or PIR activated lighting for external lighting would be utilised to be sympathetic to the requirements of bats.
- c) The installation of a range of bird boxes in trees and/or integrated into the proposed buildings
- d) The use of animal friendly post and rail fences to ensure the free movement of badgers and other animals
- e) The incorporation of a wildlife friendly planting scheme within the site using native plant species as a benefit to invertebrates, and subsequently bats and birds

7.44 The KCC Ecologist is satisfied with the contents of the surveys. Conditions relating to the provision of an acceptable lighting scheme, the relocation of reptiles and biodiversity enhancements are recommended. It is therefore considered that the application would be acceptable on these grounds.

h) Industrial Estate and impact on living conditions

7.45 Paragraph 180 of the NPPF states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions.

7.46 Paragraph 182 of the NPPF requires new development to be integrated effectively with existing businesses and that these should not have unreasonable restrictions placed on them as a result of development permitted after they were established.

7.47 Environmental Health advice is that as plots numbers 18 to 24 are located in proximity to the Mountfield Road Industrial Estate then a noise impact assessment is required to highlight any potential noise problems and propose suitable mitigation, if required, to achieve appropriate ambient noise levels inside habitable rooms and outdoor gardens. Table 4 in Paragraph 7.7.2 of BS 8233:2104 *Guidance on sound insulation and noise reduction for buildings* sets out the desired maximum level for internal ambient noise levels of 35-40db $L_{Aeq,16hour}$ between 7.00 and 23.00 reducing to 30db $L_{Aeq,8hour}$ for sleeping at night. For traditional external areas that are used for amenity space, such as gardens and patios, it is desirable 50 dB $L_{Aeq,T}$ with an upper guideline value of 55 dB L_{Aeq} .

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- 7.48 The dwellings on plots 18 to 20 would be set on the other side of their access road with their front elevations facing towards the industrial area with the closest parts of the dwellings between 19m and 25m from the rear of Unit H2 on the Mountfield site. Plots 21 to 24 would present their rear elevations towards Units H1 and H2 with separation distances between 15m and 32m. A new unit for storage and distribution (Class B8) with ancillary office facilities for the company Hotel Complimentary Products, who are presently located on Mountfield Road, has been permitted to the rear of the proposed siting of plots 23 to 34, planning reference Y19/0454/FH. There are planning conditions on this consent which require the erection of a 3m high acoustic fence to the boundary with the application site and that noise from any plant is not to exceed 45dB L_{Aeq} , (07.00 - 23.00) and 35dB L_{Aeq} , (23:00 - 07.00) in accordance with BS8233:2014 - residential internal noise levels and world health organisation guidelines on community noise are not compromised. The use of the premises is also conditioned to be limited to the hours between 08.00 to 20.00 Monday to Friday and 09.00 to 17.00 Saturday and at no time on Sunday or Bank Holidays.
- 7.49 A further site to the south, behind the southern projecting part of the application in site, is currently in development, Y17/0717/SH. This site is restricted to Use Class B8 and daytime operation.
- 7.50 The advice of the Environmental Health Officer has been taken into account however, given that the adjacent new commercial sites have not yet implemented their permitted use, then a noise impact assessment taken at present would not provide a true reflection of the likely noise levels. Given the conditions regarding usage and times of operation of the buildings, the restriction on noise levels and the provision of a 3m high acoustic fence it is not considered that the new Use Class B8 developments are likely to have an adverse impact on future residential amenity. It is nevertheless considered prudent that appropriate measures are incorporated into the design of the dwellings to reduce ambient internal and external noise. Conditions are duly recommended that the windows and external doors to dwellings shall be provided with double glazing and trickle ventilation to achieve the ambient noise levels in British Standard 8233:2014 and appropriate enclosure for the amenity areas of a 1.8m high close boarded fence with interlocking joints and density of at least 10kg/m² or other barrier of the same or higher acoustic specification. This would ensure that prospective residents are provided with acceptable living conditions in accordance with paragraphs 180 and 182 of the National Planning Policy Framework.

i) Affordable Housing Provision and Financial Contributions

- 7.51 Paragraph 57 of the National Planning Policy Framework states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify a need for a viability assessment at the application stage.
- 7.52 Policy CSD1 of the Core Strategy requires that new housing developments of 15 or more units should provide 30% affordable housing on site or through a financial contribution of broadly equivalent value off site, subject to viability. This would equate to the provision of 11 affordable housing units.
- 7.53 The totality of the site is owned by the Town Council and the delivery of the Community Hall and Sports Pavillion is reliant on funding from the enabling residential

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development. The applicant's case, as stated in the Planning Statement, identifies that the projected build cost is to be £4,068,000 and the expected contribution of the enabling scheme would amount to c. £1,900,000. The provision of 30% affordable units on the site, i.e. 10 of the 34 units, would reduce the land value to the Town Council by £872,308 and that such a reduction would threaten the delivery of the sporting and community facilities put forward by the proposal.

- 7.54 The applicant has also put the case forward that Akehurst Homes, who are joint applicants, as housing partners, over delivered affordable housing in the adjacent development of 60 dwellings off Carey Close. This permission required Akehurst homes to deliver 18 affordable housing houses and, alongside housing partner Sanctuary Housing, actually delivered 35 affordable units, a net increase of 17 units above the policy requirements of 18 affordable units. If it is considered that the proposed development should be seen as part and parcel of a wider development by Akehurst Homes the affordable housing provision equates to 37% affordable housing provision across the wider site, which is 7 more than a fully policy compliant scheme.
- 7.55 Given that the residential scheme would make an important contribution to the funding of a facility to the benefit of the local community it is considered that affordable housing provision should not be sought within the proposed residential development. It is considered that a S106 agreement should be sought such that a contribution be sought to fund affordable housing provision if the community project is not brought forward, in accordance with policy CSD1 of the Core Strategy.
- 7.56 The proposal would result in the provision of additional housing which would lead to additional pressure on existing services and facilities within Romney Marsh. The following contributions have been requested by Kent County Council as a result of the impacts on education, library bookstock and local care. These sums, totalling £257,792.87 can be secured through a S106 agreement. This sum is in addition to the contributions made through the Community Infrastructure Levy.

Provision/contribution	Amount
Primary Education -towards New Romney and Greatstone Primary School expansions	£113,016.00
Secondary Education – towards the Marsh Academy	£139,910.00
Library Contribution - towards additional bookstock generated by this development at New Romney library	£1,638.68
Adult Education – towards New Romney Adult Education service equipment and staff	£716.61
Social Care – towards Romney Marsh Day Centre and Rehabilitation Unit	£2,511.58
Wheelchair adaptable home as part of the on-site affordable housing delivery	One

j) Self-Build Housing

- 7.57 Provision is made within Policy HB4 of the emerging Planning and Policies Local Plan that sites above qualifying thresholds provide a proportion of homes in the form of self-build or custom house build plots. Within the Romney Marsh Area sites delivering more than 20 dwellings are required to supply not less than 5% of dwelling plots for sale to self-build and custom housebuilders on the Council's register. This would equate to a minimum of two plots for a development of the proposed 34 dwellings. It is noted that

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the preamble to the policy relates to development on land allocated within the plan and that this will provide for 36 self-build and custom housebuilding plots by 2031 which is likely to be further supplemented by 'windfall' development of smaller sites (below five dwellings) which often deliver self-build homes. Such plots would be achieved via an outline planning permission. The site is not one of the new site allocations and represents a full application for 34 dwellings. As such it is not considered that the emerging policy HB4 should be applied in this particular circumstance.

k) Contamination

7.58 The Council's contamination advisors have been consulted on the Phase 1 Contamination Assessment and the Phase 2 Geo-Environmental Assessment and have reviewed the reports in the context of the Council's standard land contamination. IDOM agree that the contamination potential of the site is likely to be limited, however recommend that further consideration of ground gas risk is made and that a watching brief for contamination is kept during the works, particularly during removal of existing building slabs and hardstanding. A continuation is duly recommended to ensure the development is in accordance with saved Local Plan Review policies SD1 and U10a and paragraph 170 of the National Planning Policy Framework.

l) Other Matters

7.59 Policy CSD5 of the Core Strategy requires that all developments should incorporate water efficiency measures. New dwellings should include specific design features and demonstrate a maximum level of usage to meet the higher water efficiency standard of the Building Regulations to achieve a maximum use of 110 litres per person per day. This can be secured by planning condition.

7.60 Emerging policy E8 of the PPLP requires all major development within the district to enable Fibre to the Premises (FTTP). This can be secured by planning condition.

Environmental Impact Assessment

7.61 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

7.62 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.

7.63 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 £57.86 per square metre for new residential floor space.

Human Rights

7.64 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

7.65 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.

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

Working with the applicant

7.67 In accordance with paragraphs 38 of the NPPF, Folkestone and Hythe District Council (F&HDC) takes a positive and creative approach to development proposals focused on solutions. F&HDC works with applicants/agents in a positive and creative manner.

8. CONCLUSION

8.1 The development would provide a new Community Hall and Sports Pavilion that would be of benefit the social and welfare of the local community. This proposed facility would be of high standard of design.

8.2 The local facility would be part funded by the land contribution costs of a development of 34 market dwelling. These dwellings are in a sustainable location and would provide good quality living accommodation and an environment that makes a contribution to its location and surroundings and would integrate with existing development in new Romney.

8.3 It is considered that the proposal accords with the existing and emerging policies of the Development Plan and is consistent with the requirements of the National Planning Policy Framework.

9. BACKGROUND DOCUMENTS

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

10. RECOMMENDATIONS

That planning permission be granted subject to the conditions set out below and the applicant entering into a S106 legal agreement securing a sum for a contribution towards securing affordable housing in the event that funding for the Community Hall and Sports Pavilion does not arise; and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and the legal agreement, to include the sum required, and add any other conditions or obligations that he considers necessary:

Conditions:

1. The development must be begun within three years of the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers.16.105-GHA-100, 16.105-GHA101, 16.105-GHA102, 16.105-GHA103, 16.105-GHA104, 16.105-GHA105, 16.105-GHA106, 16.105-GHA201, 16.105-GHA202, 16.105-GHA203, 17.096-GHA-301 REV2, 17.096-GHA-302, 17.096-GHA-303, 17.096-GHA-304, 17.096-GHA-305, 17.096-GHA-306, 17.096-GHA-307

Reason: For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of saved policy SD1 of the Shepway District Local Plan Review.

3. No construction work above the slab level of any building on site shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings 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: To ensure the satisfactory appearance of the completed development and in the interests of visual amenity.

4. Prior to the commencement of development, wheel washing facilities, details of construction vehicle loading/unloading and turning facilities, as well as parking facilities for site personnel and visitors and hours of work, in the form of a Construction Environmental Management Plan shall be submitted to the local planning authority for approval, with such details as approved, implemented for the duration of construction at the application site.

Reason: In the interests of public amenity and highway safety. These details are required prior to the development to ensure that the development can proceed without an adverse impact on local residents and the local highway network.

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5. The vehicle parking and vehicle turning facilities shown on the approved plans shall be kept provided and available for parking purposes in connection with the approved development prior to the first occupation of any dwelling and/or use of the community facility and at all times thereafter.

Reason: To ensure the permanent retention of the facilities for parking purposes within the curtilage of the site in order to avoid obstruction of the highway, safeguard the amenities of adjacent properties and encourage alternative modes of sustainable transport in accordance with saved policies TR5, TR12 and SD1 of the Shepway District Local Plan Review.

6. Prior to the first occupation of any of the permitted dwellings, the visibility splays shown on the submitted plan shall be provided and thereafter maintained with no obstructions over 1.05 metres above carriageway level within the splays.

Reason: In the interests of highway safety.

7. All dwellings hereby permitted shall have an electric vehicle (EV) charging point installed prior to first occupation and shall thereafter be retained in good working order.

Reason: To improve the sustainability of the site.

8. A minimum of 20% of the market dwellings shall be constructed in accordance with the accessibility and adaptable Building Regulations M4(2) Adaptable Homes standards, unless demonstrated to be unfeasible in design or viability terms.

Reason: To encourage high quality and inclusive design.

9. Prior to occupation each dwelling shall be provided with a Fibre to the Premises connection of the highest available specification.

Reason: In order to ensure the future provision of superfast fibre optic broadband for occupants.

10. The dwellings hereby permitted shall not be occupied until written documentary evidence has been submitted to, and approved by, the local planning authority, proving that the development has achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2)(b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of a post-construction stage water efficiency calculator.

Reason In accordance with the requirements of policies CSD5 and SS3 of the Shepway Core Strategy Local Plan 2013 which identify Shepway as a water scarcity area and require all new dwellings to incorporate water efficiency measures.

Water efficiency calculations should be carried out using 'the water efficiency calculator for new dwellings' <https://www.gov.uk/government/publications/the-water-efficiency-calculator-for-new-dwellings>.

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11. In the event that, at any time while the development is being carried out, contamination is found that was not previously identified, 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. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared and submitted to the Local Planning Authority.

Reason: To protect the environment and human health against contamination and pollution, in accordance with saved Local Plan Review policies SD1 and U10a and paragraph 170 of the National Planning Policy Framework.

12. No drainage system for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters and the development shall be carried out in accordance with the approved details.

Reason: To ensure the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobile contaminants, in line with paragraph 170 of the National Planning Policy Framework.

13. Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to and (approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off site.
 - The drainage scheme shall also demonstrate (with reference to published guidance)
 - That silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters
 - Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations 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.

14. No development shall take place until the mitigation methods as specified in paragraph 5.4 of the Reptile Survey (Greenspace Ecological Solutions - June 2019) have been completed in full and the recommendations of paragraph 5.6 relating to the northern playing field margin shall also be adhered to.

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15. Within six months of work commencing details of how the development will encourage biodiversity to include the ecological enhancements, as specified in paragraph 6.1 of the Extended Phase 1 Habitat and HIS Survey (Greenspace Ecological Solutions – October 2017), will be submitted to and approved in writing by the Local Planning Authority, and shall be carried out in accordance with details

Reason: To encourage biodiversity in accordance with paragraph 170 of the National Planning Policy Framework.

16. The development shall take place in full accordance with the Arboricultural Method Statement (Greenspace Ecological Solutions – December 2018).

Reason: To ensure the works are carried out in accordance with good practice in accordance with policies SD1 and BE17 of the Local Plan Review.

17. No construction work above the slab level of any building on site shall take place until full details of both hard and soft landscape works have been submitted to the local planning authority including an implementation programme and maintenance schedule. No building shall be occupied until an approved landscaping scheme has been carried out in accordance with the approved details unless an alternative timescale has been agreed with the local planning authority. The soft landscape works shall be maintained in accordance with the agreed maintenance schedule.

Reason: In order to protect and enhance the appearance of the area

Informatives:

1. This decision is also conditional upon the terms of the Planning Agreement which has been entered into by the developer and the Local Planning Authority under Section 106 of the Town and Country Planning Act 1990. The Agreement runs with the land and not with any particular person having an interest therein.
2. Your attention is drawn to the need to contact the Council's Street Naming and Numbering Officer on 01303 853418 in order to have the new properties formally addressed.
3. This permission does not convey any approval for the required amendments to the existing vehicle crossing or any other works within the highway for which permission must be obtained from Kent Highway Services, Ashford Highway Depot, Henwood Industrial Estate, Javelin Way, Ashford, Kent TN24 8AD