

Application No: 21/1777/FH

Location of Site: White Cottage, Bossingham Road, Stelling Minnis, Canterbury

Development: Proposed erection of a new dwelling following demolition of the garage.

Applicant: Darren Stevens

Agent: Mr Sam Stonehouse – Evolution Town Planning Ltd

Officer Contact: Helena Payne

SUMMARY

This report considers whether planning permission for the erection of a new dwelling, with associated new access and landscaping should be granted. The report assesses the principle of development alongside its impact on the Kent Downs Area of Outstanding Natural Beauty (AONB) and Special Landscape Area (SLA). The proposal is considered to represent acceptable residential development in accordance with Development Plan Policy. The impacts upon the designated landscape of the Kent downs AONB and Special Landscape Area are considered to be acceptable, alongside those upon the ecological constraints at the site, subject to appropriate mitigation being secured via condition. All remaining issues pertaining to residential amenity, drainage and highway safety are considered acceptable also.

RECOMMENDATION:

That planning permission be granted subject to the conditions set out at the end of the report and the applicant entering into a Unilateral Undertaking ensuring waste is taken outside of the Stodmarsh Catchment Area 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 that he considers necessary.

1. INTRODUCTION

- 1.1. Consideration of this application was deferred at the Planning & Licensing Committee meeting on 3 October 2023, to allow for the correct notices to be served on owners of the land to the front of the application site and for the correct land ownership certificate and amendments to the site location plan and boundary of the application site to be submitted. These amendments have been carried out and the correct notice period given to owners of the land.
- 1.2. The application is being reported to Committee due to the objection raised by the Parish Council.

2. SITE AND SURROUNDINGS

- 2.1. The application site comprises an area of underused garden and garage structure to the south of White Cottage. It has a heavily vegetated boundary to the roadside frontage, as

well as to the rear and both sides of the plot. The site is located in Stelling Minnis, an identified settlement within the nationally designated Kent Downs Area of Outstanding Natural Beauty (AONB) and the locally designated Special Landscape Area (SLA). Stelling Minnis is a scattered rural hamlet, and the site is towards the southeast periphery of the sporadic mix of dwellings and open common land which it comprises of. The immediate locality is characterised by individual dwellings in large plots (a mix of semi-detached and detached two storey dwellings).

- 2.2. The site area, as outlined in red on the submitted site location plan, has an area of 0.04 ha (400sq.m).
- 2.3. A site location plan is attached to this report as **Appendix 1**.

3. PROPOSAL

- 3.1 Full planning permission is sought for the proposed erection of a new dwelling following the demolition of an existing domestic garage on site. The proposal also includes the widening of the existing access (previously serving the garage to be demolished) in addition to a further access point to allow for access and egress. A new vehicle access is also proposed to serve the existing dwelling at White Cottage.
- 3.2 The two storey dwellinghouse would comprise of 3 bedrooms, together with the provision of amenity space (approx. 155.9 sq.m) and parking for 2 cars. The proposed dwelling would provide 154.8sq.m of accommodation, including an open plan ground floor, with kitchen, dining and living area, with three bedrooms and bathroom within the first floor. The dwelling would have a ridge height of approximately 7.5m, with the roof having dropped eaves. External materials include horizontal timber weatherboarding, Kent peg style roof tiles and grey window and door frames, as illustrated in Figure 2.

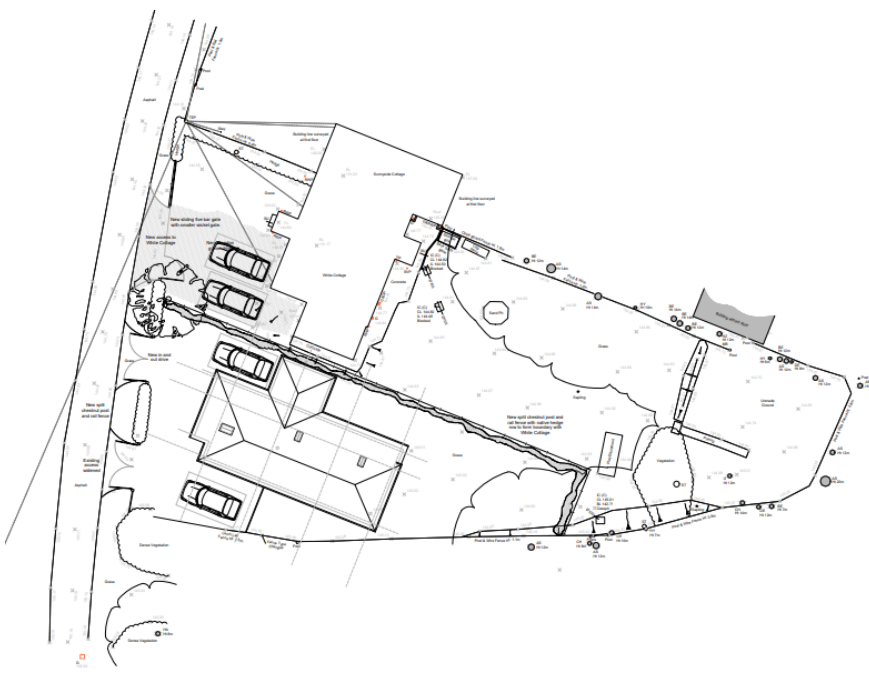


Figure 1: Proposed Site Plan



Figure 2: Proposed Elevations

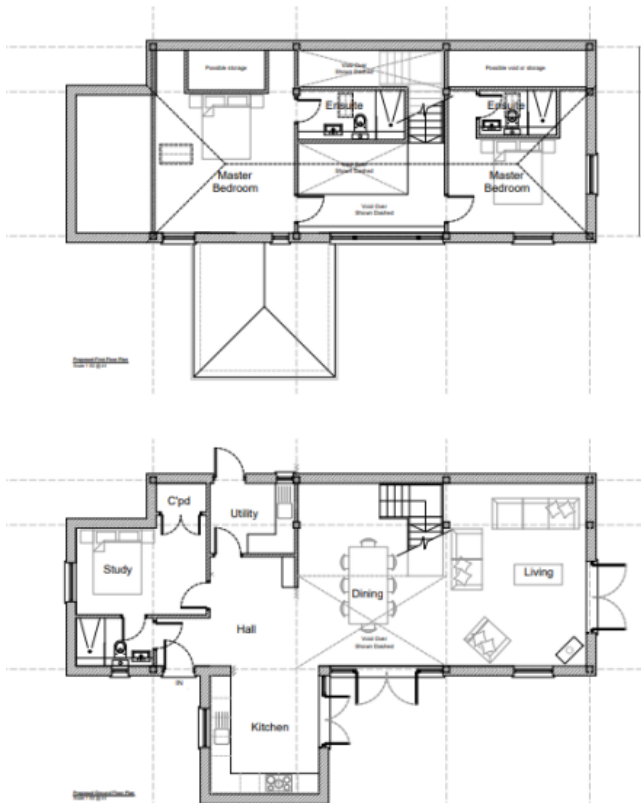


Figure 3: Proposed Floor Plan

- 3.3 The proposal includes for the new dwelling to be served by a cesspit, the content of which would be transported to a waste water treatment works outside of the Stodmarsh Catchment area.
- 3.4 In addition to relevant plans and drawings, the following reports were submitted by the applicant in support of the proposal:
- Design & Access Statement

- Landscape and Visual Appraisal
- Technical Note Nutrient Neutrality Assessment 20/02/2023
- Ecology Assessment and Bat Roost Assessment
- Bat Survey Map
- Appropriate Assessment Mitigation Report

Ecology Assessment and Bat Roost Assessment

3.5 The Report was commissioned to provide an appropriate ecological assessment of the site and to assist in demonstrating compliance with wildlife legislation and planning policy objectives. The survey reviewed the site and adjacent open land and concluded the following;

- Land at White Cottage was dominated by amenity grassland (garden), a garage, hedgerows, and individual trees. Cotoneaster, an invasive species was present within two sections of hedgerow.
- The site is located within an Impact Risk Zone for Lynsore Bottom SSSI and also falls within an AONB and within a 2km radius of two other SSSIs and a SAC. Liaison with the local authority will be required.
- A bat Preliminary Roost Assessment (PRA) was carried out at the site on one garage and no evidence of roosting bats was recorded. Bat activity at the site was low overall and restricted to occasional passes by common pipistrelle bats. Bat activity adjacent to the site comprised foraging activity by common pipistrelle bats. To compensate for the loss of the Potential Roost Features (PRFs), 2 x bat boxes are recommended to be provisioned at the site. Recommendations in relation to new artificial lighting are also provided to avoid impact upon foraging bats.
- The garage, hedgerows, shrubs and trees provide suitable habitats for breeding birds and recommendations for breeding birds are provided.
- Ecological enhancements including infill planting of a hedgerow along the eastern site boundary, and provision of bat boxes are recommended, to ensure the development provides a net gain for biodiversity and connectivity between the site and surrounding landscape is increased.

Design & Access Statement

- 3.6 The design and access statement is submitted in accordance with the requirement of the Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
- 3.7 The report sets out details of the proposal including use, size and layout, scale, landscaping and appearance, as well as access and parking for the development. A description of the site and policy overview is also provided

Landscape & Visual Appraisal

- 3.8 A landscape and visual impact appraisal has been provided assessing the development's impact on the character of the Minnis and wider AONB. It concludes that the proposed scheme would result in a high-quality, bespoke designed barn with minimal impact on the local character and views from the Minnis. The development has taken into consideration

the specific characteristics of the Kent Downs AONB and guidance set out in the Kent Downs AONB Design Handbook. The small scale development is considered appropriate for its location and would not result in an unacceptable impact on the landscape and visual amenity of the Kent Downs AONB.

Appropriate Assessment Mitigation Report & Nutrient Neutrality Assessment

- 3.9 During the lifetime of the application, the Appropriate Assessment has been amended following advice from both Natural England and the Council's consultants and includes the relevant Nutrient Neutrality calculations and supporting information, which has concluded that the land classification for the application site is that of Urban Land under Natural England's own guidelines. The submitted calculations have been carried out on this basis. In addition to the land classification, a Unilateral Undertaking legal agreement is proposed for the transfer of waste to a treatment works outside of the Stodmarsh Catchment Area.

4. RELEVANT PLANNING HISTORY

- 4.1 There is no relevant planning history associated with this site.

5. CONSULTATION RESPONSES

- 5.1 The consultation responses are summarised below.

Consultees

Stelling Minnis Parish Council: Object for the following reasons:

The proposed development is in the AONB and outside the confines of Stelling Minnis. The Parish Council does not believe that the proposal would conserve or enhance the distinctive AONB setting. It does not respect existing buildings, particularly with regard to layout, scale, massing and density.

KCC Ecology: No objection subject to a condition securing the implementation of ecological enhancement, details of lighting, and the avoidance of bird nesting times.

KCC Highways: No comments received to date.

Southern Water: No comments received to date.

Affinity Water: No comments received to date.

Land contamination: No objection subject to conditions.

Environment Agency: No objection subject to conditions.

AONB Unit: No comments received to date.

Natural England: No Objection.

AECOM (Council's Consultants externally assessing developments and their impact on Stodmarsh on behalf of the LPA): Initial note regarding outdated calculations and the need for evidence for their PTP in the form of a test certificate etc) and the need for a plan of the site showing current and proposed land uses more clearly.

[CPO Comment: AECOM were not reconsulted following confirmation that waste would be disposed of outside of the catchment.

Local Residents Comments

5.2 Four neighbours directly consulted. 1 letters of objection, 1 letter of support received and no letters neither supporting nor objecting to the application.

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

Objections

- Lack of sufficient off-street parking.

Support

- Design in keeping with character of the rural area.
- Design allows for sufficient off-road parking for both new and existing properties.
- Little to no impact on street scene.

5.4 **Ward Member:**

No response received.

5.5 Responses are available in full on the planning file on the Council's website:

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

6. RELEVANT PLANNING POLICY

6.1 The Development Plan comprises the Core Strategy Review (2022) and the Places and Policies Local Plan (2020).

6.2 The relevant development plan policies are as follows:-

Core Strategy Review (2022)

SS1 – District Spatial Strategy

SS3 – Place-Shaping and Sustainable Settlements Strategy

CSD3 – Rural and tourism development

CSD4 - Green Infrastructure of Natural Networks, Open Spaces and Recreation

Places and Policies Local Plan (2020) (PPLP)

HB1 – Quality Places through Design
HB3 – Internal and External Space Standards
E8 – Provision of Fibre to the Premises
T2 - Parking Standards
T5 - Cycle Parking
NE1 – Enhancing and managing access to the natural environment
NE2 – Biodiversity
NE3 – Protecting the District’s Landscape and Countryside
NE5 – Light pollution/ external illumination
NE6 - Land Stability
NE7 - Contaminated Land
CC2 - Sustainable Design and Construction
CC3 - Sustainable Drainage Systems (SuDS)
HE2 – Archaeology

Kent Downs AONB Management Plan

SD1 – Conserve and enhance the natural beauty of the Kent Downs AONB
SD2 – Design, scale, setting and materials will preserve local character, qualities and distinctiveness of the Kent Downs AONB
SD3 – New development or changes to land use will be opposed when contrary to need to conserve and enhance the natural beauty of the Kent Downs AONB
SD7 – Retain and improve tranquillity, including dark skies at night.
SD8 – Proposals which negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the AONB will be opposed unless they can be satisfactorily mitigated.

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

Government Advice

National Planning Policy Framework (NPPF) 2023

6.4 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 main strands of sustainable development: 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 111 – Development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or if residual cumulative impacts on the road network would be severe.

Paragraph 119 – Making effective use of land.

Paragraph 126 -136 – Achieving well designed places.

Paragraphs 174 to 178 – Conserving and enhancing the natural environment and habitats and biodiversity.

Paragraph 179 – Habitats and biodiversity

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) Principle of development and sustainability
- b) Design/layout/visual amenity/AONB
- c) Residential amenity
- d) Ecology and biodiversity
- e) Trees
- f) Highway safety
- g) Nutrient Neutrality

a) Principle of development and sustainability

7.2 The site sits within the Secondary Village of Stelling Minnis, identified (Policy SS3) as being capable of minor infill development such as the proposal development.

7.3 The proposed development of one residential dwelling constitutes sustainable, minor infill development within the secondary village of Stelling Minnis and is therefore considered to be acceptable in principle, subject to other considerations, set out below.

b) Design/layout/visual amenity

- 7.4 The siting of the dwelling would reflect the existing pattern of development, conforming to the existing loose and irregular building line.
- 7.5 The proposed dwelling is of a high-quality design, proportionate and reflective in terms of its fine detailing, when considered against other dwellings within the immediate street scene.
- 7.6 The proposed development would utilise an underused part of the garden area serving the main dwelling, replacing the existing dilapidated garage. A small strip of amenity land to the front of the site will be affected by the development, specifically with regard to the additional access, but this it is considered that this would not result in the erosion of common land or impact on the established settlement pattern.
- 7.7 The existing hedgerow to the front of White Cottage would be removed in part to allow for a new vehicular access. However, the existing dwellings along this row of properties are fronted by low level post and rail fencing and as such the removal of this dense hedging is not considered to adversely affect the overall character and appearance of the street scene.
- 7.8 I am satisfied that the proposed dwelling would represent a high-quality standard of design, and one that respects the prevailing pattern of development, maintaining the open character of the immediate street scene and wider village. The development is considered to sit comfortably within the application site without giving rise to harm in this regard.
- 7.9 In light of the above, it is considered that the proposed dwelling is acceptable, representing a high standard of design, and one that respects the prevailing pattern of development, maintaining the open character of the immediate street scene, wider village and AONB. The development is considered to accord with Policies HB1, HB5 and NE3 of the PPLP.

c) Residential amenity

- 7.10 I am satisfied that the design of the dwelling combined with the proposed separation distances of the two storey portions of the dwelling, would ensure that the development would not result in to harm to the residential in an overbearing or oppressive form of development to the detriment of White Cottage.
- 7.11 Turning to residential privacy two roof lights are proposed facing White Cottage to the north. These would serve bathroom accommodation and can be conditioned to be obscured glazed. Subject to this condition, I am satisfied that the development would not result in harm to the privacy of the neighbouring dwelling to the north.
- 7.12 The neighbour to the south is set back from the road frontage and would be approximately 60m from the proposed new dwelling. There are no amenity protection concerns with regard to this neighbour. Neighbours to the rear (east) would be approximately 140m away from the proposed dwelling and would not be affected by the development, with no impact on their amenity.
- 7.13 Overall, the development would not result in harm to residential amenity in accordance with Development Plan Policy.

d) Residential Space Standards

7.14 The proposed dwelling would exceed the Council's internal floor areas requirements. The proposed garden would exceed the minimum requirement of a 10m deep rear garden. I am therefore satisfied that the proposal would comply with residential spaces standards.

e) Ecology and biodiversity

7.15 The County ecologist is satisfied that subject to appropriate conditions the interests of ecology and biodiversity could be protected and enhanced.

7.16 Whilst the development would have an impact on the existing habitat on site, comprised of garden scrub, garage and shrubs, I am satisfied that this impact is limited and should be balanced against the lawful fact that the scrub, shrubs and garage could all be removed by the householder in any event.

7.17 Notwithstanding the above, the hedgerows to the boundaries would be largely retained as an undeveloped area, apart from a small section removed for vehicular access. Its retention together with proper maintenance can be secured by condition. The Ecological information submitted with the application identified potential for breeding birds and bats.

7.18 To mitigate against potential adverse effects on bats, and in accordance with paragraph 180 of the National Planning Policy Framework 2019, the Council's Ecologist has advised that the incorporation of sensitive lighting design for bats is submitted to the local planning authority, as recommended in the ecology report, and secured via condition with any planning permission.

7.19 In terms of breeding birds, habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented during construction. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles have fledged. This is recommended to be secured by condition.

7.20 Ecological enhancements, as set out in the submitted documents, including the planting of native species and the provision of bat boxes, will be required to be carried out via the imposition of an appropriately worded condition.

7.21 In light of the above, the development is considered to accord with Paragraph 180 of the NPPF, subject to the above-mentioned conditions being imposed.

f) Highways and parking

7.22 The proposed development includes the widening of an existing access (previously serving the garage to be demolished) in addition to a further access point to allow for access and egress. A new vehicle access would be required to serve the existing dwelling at White Cottage. The proposed plans identify a small section of hedging to be removed where this would be provided, alongside the provision of a new driveway for off road parking. Appropriate visibility is shown in both directions. With the removal of a small section of hedging, there would be no obstruction over 1.05m within the splays, which is acceptable. The plans also state a gravel surface will be used.

- 7.23 Kent County Council Highways and Transportation have not made any comments on the application.
- 7.24 The proposal would provide 2 off-street parking spaces as required by the Council's adopted policies. It is recommended to attached conditions to control surface water runoff from the development and to secure the visibility splays set out in the application.
- 7.25 In line with the Governments policy to increase the use of Ultra Low Emission Vehicles, one Electric Vehicle charging point will be required, and could be secured via a condition.
- 7.26 In light of the above, I am satisfied that that the development would not result in harm to highway safety.

g) Nutrient Neutrality

- 7.27 The application site lies within the Stodmarsh catchment area where advice from Natural England applies to all types of development where a net additional population would result and where additional levels of nutrients above those of the existing land use would arise.
- 7.28 Under the Conservation of Habitats and Species Regulations 2017 (as amended), there are significant responsibilities conferred on the Council as a 'Competent Authority'. Essentially, it requires the Council to only approve planning applications if there is no likelihood of a significant effect on any European designated nature conservation site.
- 7.29 As set out within the proposal section above the application proposes that all foul wastewater would be collected and discharged to a waste facility outside of the catchment. As a result of this there would not be additional nutrients from foul water entering the system which could affect the Stodmarsh SPA.
- 7.30 In terms of surface water runoff, as the site is already a garden there would be no additional nutrients flowing into the ground water.
- 7.31 The future nutrient load from the site would be zero as a result of tinkering waste outside the catchment area and no further or additional mitigation would be required. Natural England has advised that this approach would be acceptable subject to a legal agreement to ensure that all foul water from the development is taken away by a licensed contractor and that a maintenance and monitoring schedule for the cess pit is included to ensure that it does not fall into poor condition during its time in use.
- 7.32 Notwithstanding Natural England's view I consider it necessary to ensure that the waste would be disposed on outside of the Stodmarsh Catchment and any other catchment area subject to nutrient neutrality controls. This would ensure that the development would not have an adverse impact on the Stodmarsh Protection Area.
- 7.33 It is of note that Natural England has raised other environmental concerns with regard to the transportation of waste outside of the Stodmarsh Catchment, including the impact of additional emissions/journeys. However, this is similar to any dwelling in the countryside served by a cess pit and further, it is not considered that the impact of one additional vehicle movement occurring every other month (approx. 6 movements a year) would give rise to significant harm in this regard.

- 7.34 It has been satisfactorily demonstrated that through the removal and deposition of waste outside the Stodmarsh Catchment, the proposed development can be achieved without giving rise to any impact on the Stodmarsh SPA.

h) Planning Obligations

- 7.35 The tankering of waste from the cesspit serving the proposed dwelling and the subsequent management of this would be secured via a Unilateral Undertaking.

Environmental Impact Assessment

- 7.36 In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1&2 of the Regulations. As the site falls within a sensitive area and within Schedule 2 (10)b urban development projects, the application requires screening before a decision is issued.

Local Finance Considerations

- 7.37 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.
- 7.38 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 development is CIL liable at a rate of £157.35 per square metre.

Human Rights

- 7.39 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

- 7.40 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:
- 7.41 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.

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

Working with the applicant

7.43 In accordance with paragraph 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 proposal would result in the erection of a new family sized dwellinghouse within an identified settlement and would not result in the sporadic encroachment into open countryside. The proposal is considered to be of good design, which protects the AONB. It is considered acceptable in terms of impacts upon residential amenity, highway safety, ecology and nutrient neutrality.

9. BACKGROUND DOCUMENTS

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 legal agreement requiring waste be tankered away outside of the Stodmarsh Catchment Area; 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 that he considers necessary:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall not be carried out except in complete accordance with the following approved drawings and documents:

29566B_100 – Location Plan, received 23 August 2021

29566B_101 – Exiting Block Plan, received 23 August 2021

29566B_103 – Existing Garage, received 23 August 2021

29566B_200 B – Proposed Site plan, received 26 November 2021

29566B_201 B – Proposed Ground and First Floor, received 26 November 2021

29566B_202 B – Proposed Street Elevation West, received 26 November 2023

29566B_203 B- Proposed Elevations, received 26 November 2021

Reason: For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of the Places and Policies Local Plan.

- 3) Prior to the occupation of the dwelling hereby permitted, the two roof lights within the northern roof slope shall be obscure glazed to not less than the equivalent of Pilkington Glass Privacy Level 3, and these windows shall be incapable of being opened other than where the cill level of the roof light is set at least 1.7m above the finished floor level. The roof lights shall subsequently be maintained as such.

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of neighbouring occupiers.

- 4) No development beyond the construction of foundations shall take place until details to demonstrate that the dwelling hereby permitted shall use no more than 110 litres of water per person per day have been submitted to and approved in writing by the Local Planning Authority. The details shall be implemented as agreed.

Reason: In the interest of sustainable development and minimising water consumption.

- 5) No development beyond the construction of foundations shall take place until details of measures to prevent discharge of surface water from the new access onto the highway have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and be retained as such thereafter.

Reason: In the interests of highway safety and convenience.

- 6) No development beyond the construction of foundations shall take place until full details of the method of disposal surface water has been submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the first use of the development hereby permitted.

Reason: In order to prevent pollution of water supplies.

- 7) Prior to the first occupation of the dwelling hereby permitted, one electric vehicle charging point shall be provided, in accordance with specifications and in a location that have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of sustainable development and reducing carbon emissions.

- 8) No development beyond the construction of foundations shall take place until details have been submitted to the Local Planning Authority and approved in writing, which set out what measures have been taken to ensure that the development incorporates sustainable construction techniques such as water conservation and recycling, renewable energy production including the inclusion of solar thermal or solar photo voltaic installations, and energy efficiency. Upon approval, the details shall be incorporated into the development in accordance with the approved details prior to the first use of any dwelling.

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

- 9) No development beyond the construction of foundations shall take place until details of the external finishing materials to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

- 10) No development beyond the construction of foundations shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees and proposed trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species only and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, boundary treatment, hard surfacing materials, and an implementation programme.

Upon approval, all hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and encouraging wildlife and biodiversity.

- 11) Upon completion of the approved landscaping scheme required under condition 9) above, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenity of the area and encouraging wildlife and biodiversity.

- 12) The area to the front of the dwelling shall be kept available for the parking and turning of vehicles and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land or in such a position as to preclude vehicular access thereto.

Reason: In the interests of highway safety and convenience.

- 13) Prior to the occupation of the dwelling hereby permitted, a lighting design plan for biodiversity will be submitted to, and approved in writing by, the local planning authority. The plan will show the type and locations of external lighting, demonstrating that areas to be lit will not disturb bat activity. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter.

DCL/23/23

No external lighting shall be installed at the site other than in accordance with the approved details.

Reason: In the interests of ecology and biodiversity

- 14) No development beyond the construction of foundations shall take place until details of how the development will enhance biodiversity have been submitted to, and approved in writing by, the Local Planning Authority. The approved details will be implemented and thereafter retained.

Reason: In the interests of biodiversity.

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

Monday to Friday 0730 – 1900 hours

Saturdays 0730 – 1300 hours

Unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

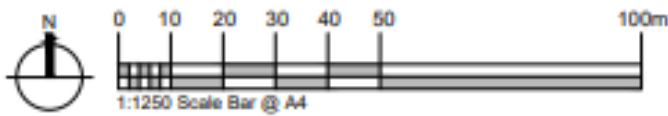
Informatives:

1. Supporting Documents submitted as part of this application:
 - Landscape & Visual Appraisal dated June 2023
 - Ecological Assessment & Bat Preliminary Roost Assessment Report by Charlotte Dwight Ecology dated June 2021
 - Bat Survey Map, dated June 2021
 - Appropriate Assessment (AA), received 8 November 2021
 - Technical Note Nutrient Neutrality Assessment 20/02/2023
 - Design and Access Statement, dated April 2021
2. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Breeding bird habitat is present on the application site and assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.
3. Developers should check the Gov website for Binding Rules information for small scale discharges: <https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-theground> Submissions to the LPA should include all relevant information on foul drainage.

Appendix 1 – Site Location Plan

White Cottage, Stelling Minnis, CT4 6AQ

29566B/100 Site location plan



CLAGUE ARCHITECTS

CANTERBURY LONDON HARPENDEN

42 Bungle, Canterbury
Kent CT1 2EH 01227 762980

1 Kingsmead Court, Luton Road,
Harpenden, Hertfordshire SG8 3SL 01882 789102

45 Floor, 88 Charterhouse Street
London EC1M 6HR 0203 387 6112

DCL/23/23