

DCL/21/58

Application No: Y19/0918/FH

Location of Site: Littlestone Golf Club, St Andrews Road, Littlestone, New Romney, Kent TN28 8RB

Development: The demolition of the warren club house and erection of 16 apartments and 5 terrace houses, including one golfers 'dormy' accommodation unit and the extension and improvement of the existing main club house, including revised parking, landscaping and access works.

Applicant: Littlestone Golf Club Ltd

Agent: Mr John Collins DHA Planning

Officer Contact: Robert Allan

SUMMARY

Planning permission is sought for the demolition of the Warren club house and the erection of 16 apartments and 5 terrace houses, including one golfers 'dormy' accommodation unit and the extension and improvement of the existing main club house, including revised parking, landscaping and access works. Although located outside of the defined settlement boundary, officers consider that there are no significant detrimental impacts arising in respect of location, design, layout, visual amenity, residential amenity, ecology and biodiversity, flooding and drainage, highway safety or in respect of the status of part of the development as an asset of community value. The applicant has confirmed that they will provide the full amount of identified developer contributions in respect of off-site affordable housing, open space, play space and County contributions (education, social care, waste) to mitigate against the demands on physical and social/community infrastructure generated by the proposed development. As such, the proposal would be compatible with adopted policies and is recommended for approval.

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 securing affordable housing alongside financial contributions toward open space, play space and a monitoring fee 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 they consider necessary.

1. INTRODUCTION

DCL/21/58

1.1. The application is reported to Committee at the request of Councillor Patricia Rolfe.

2. SITE AND SURROUNDINGS

- 2.1. The application site is located to the north of St Andrews Road, immediately adjacent to, but outside of the defined settlement boundary of Littlestone-on-Sea, which lies to the east of New Romney, but is considered part of the Strategic Town for the Romney Marsh Area as defined within policy SS3 of the Core Strategy 2013 and the Core Strategy Review. The main clubhouse falls within the defined boundary of Littlestone.
- 2.2. The area is characterised by a mix of detached, semi-detached and terraced residential dwellings of various styles and designs, with the golf course bounded on three sides by residential development and only the northern aspect remaining open. Immediately to the south of the application site, fronting onto St Andrew's Road, is a row of three-storey terraced properties, although the third floor is contained within the roof space. On the south side of the road, the properties are largely detached properties of two storeys in height. Orchard Drive to the west of the site is also characterised by large, detached properties and has strongly defined, tree-lined boundaries.
- 2.3. The main clubhouse is a two-storey structure with single-storey extensions that fronts onto St Andrews Road. It is predominantly an Edwardian Arts & Crafts style structure, with red brick ground floor, pebble-dashed first floor and a plain clay tile roof, with timber framing and tile-hanging to the gables.
- 2.4. Within the application site, lies the Warren Clubhouse, a single storey building, together with the adjacent tennis courts and associated car parking area, as well as the artisan's hut. These are outside of the defined settlement boundary and are therefore, in planning policy terms, considered to be in the open countryside, which is designated Local Landscape Area. The Warren Clubhouse, tennis courts and car parking area are designated as Assets of Community Value, as shown below in yellow in figure 1.



Figure 1: area of asset of community value

- 2.5. Immediately to the north the application site is bounded by the Dungeness, Romney Marsh and Rye Bay (SSSI) and Ramsar site, with the Romney Marsh and Rye Bay Special Protection Area (SPA) and Special Area of Conservation (SAC) on the beach to the east.
- 2.6. A site location plan is attached to this report as **Appendix 1**.

3. PROPOSAL

- 3.1 Full planning permission is sought for the demolition of the Warren Clubhouse and the erection of a three storey block of 16 apartments, together with the erection of a terrace of five houses to the west of Summer Mews, comprising four dwellings and one 'dormy' accommodation (a holiday let for golfers visiting the course), the addition of a two-storey extension to the western end of the clubhouse, additional car parking, access road and landscaping.
- 3.2 The proposals include a new one-way access point to the parking area to the north of St. Andrew's Road, with the parking area created grasscrete to minimise the visual impact. Additional parking is proposed to the east of the site accessed off the existing track. The layout would retain the existing access (to the north of the existing houses) which provides an in and out access to the parking area. The masterplan is shown below, in figure 2.

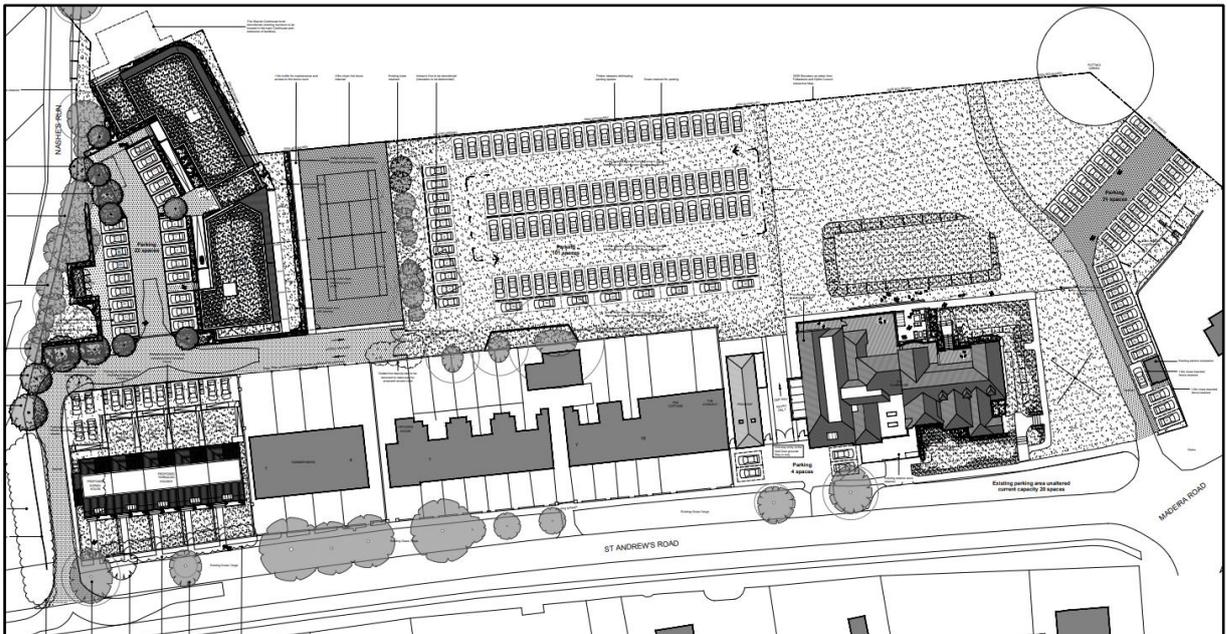


Figure 2: site masterplan

Apartments

- 3.3 The proposed apartments would take the form of two linked units in a 'dog-leg' planform, with eight units in each element. There would be 2 x 1-bed units, 13 x 2-bed units and 1 x 3-bed unit, with each unit having an external amenity space in the form of a private terrace or projecting balcony. The apartments would be arranged over three storeys with a 'green' roof and set 0.6m above ground level in respect of flood protection measures.
- 3.4 The apartments are shown to be of a contemporary design and proposed to be constructed of brick on the ground and first floors, with a stepped back top floor clad in dark-stained vertical timber. Fenestration would be powder coated (black) aluminium. A computer generated image provided by the applicant can be seen below in figure 3.



Figure 3: computer generated image of proposed apartments

Terrace

- 3.5 The proposed terraced houses facing onto St Andrews Road take the traditional form of a row of terraced houses, in line with adjacent existing residential development. There would be four x 3-bed units, arranged over three floors, but with the third floor within the roof space and served by dormer windows to the front elevation and gables to the rear. Each unit would have a front and rear garden area. The 'dormy' unit would sit on the western end and would have a pair of twin rooms on each of the three floors, with bathrooms but no cooking facilities, all served by a staircase. Proposed materials are red brick to the ground floor, dark-stained timber to the first floor and slate to the roof, as can be seen in figure 4 below, a computer generated image supplied by the applicant.



Figure 4: computer generated image of proposed terrace and 'dormy' unit

Clubhouse

- 3.6 It is proposed to extend the clubhouse at the western end with a two-storey structure that interconnects with the existing. The architectural form of the new extension would utilise simple pitched and hipped roof forms to reflect the existing structure and to minimise the scale of the building, with eaves and ridge heights the same and the rear gable being of the same proportions and pitch as the existing also.
- 3.7 The new extension is proposed to be constructed using brickwork to complement the existing off-red brick, whilst the feature gable to the rear elevation (facing the golf course) is intended to incorporate a black metal fascia and feature frames to the glazed gable in order to reflect the existing mock-Tudor beams set within the gables of the existing clubhouse. A new external terrace connects with the existing terrace, which is to be enhanced and visually connected with the introduction of new glass guarding. Traditional roof tiles are proposed to match / complement the existing roof tiles and the windows to the new extension are to be white-painted timber frames where they face

DCL/21/58

St. Andrew's Road with black aluminium frames to the windows / doors facing the pro-shop and the golf course where the building clearly expresses itself as a contemporary/new addition to the existing building.

- 3.8 The elevation facing St. Andrew's Road includes a lowered eaves line (cat-slide and hipped roofs), a rendered section to the new staircase/ lift and smaller white timber windows to reflect the existing appearance of the building. The west facing elevation (facing the pro-shop) incorporates a feature low level planter (to delineate the pedestrian route to the main entrance and golf course) and a contemporary canopy (flat-roofed) to match that of the recently completed pro-shop on the opposite side of the access road. A computer generated image of the rear and western elevation can be seen in figure 5.



Figure 5: computer generated image of proposed extension

- 3.9 The following reports were submitted by the applicant in support of the proposals:

Planning Statement

- 3.10 This document describes the site and surroundings, sets out the development proposals for the site and places them in the context of the relevant planning policy documents. It sets out what the agent considers to be the material considerations for the proposal, being the principle of development, sustainability, housing need, design and visual impact, local amenity, ecology, highways access and parking, flood risk and viability, before concluding that the proposal would be of significant benefit to maintaining the status of the golf club, would enhance and rationalise existing facilities to enable operational efficiencies and reinvestment, would maintain membership levels and develop golf tourism and tourism in Romney Marsh and east Kent, provide additional jobs and provide high quality houses for the local area, all in accordance with the relevant policies of the development plan, as well as national Government guidance.

Supporting Statement

- 3.11 This document attempts to demonstrate how the proposed development at Littlestone Golf Club would support the existing and future needs of the golf club as a part of the Romney Marsh community. It identifies that it is close to Greatstone and Dymchurch Primary Schools and states that the Golf Club hosts free after-school clubs and 'taster sessions' to pupils, as well as hosting school holiday camps. The Littlestone Links Golf Academy is part of the Golf Club, providing junior coaching for juniors of all ages, free coaching at the weekends to all juniors and encouraging parents to also participate and to join their children and promote golf as a family sport.

DCL/21/58

- 3.12 The need for the proposed development and the range of improvements are set out in some detail, concluding that the benefits are primarily that the golf club and course would maintain its status, there would be increased economic activity in local tourist attractions, it would promote golf tourism in Kent, it would relieve parking pressures on surrounding road networks, it would broaden participation for women and girls, it would support the local community and it would secure fee-paying access for the public.

Design and Access Statement

- 3.13 This document describes the site and surrounding area, including constraints and considerations. It records the public consultation event that was held, sets out the overall masterplan for the site and for the new-build apartments, houses, dormy flat and extensions to the club house, describes in detail the amount of development, the layout, the scale, the landscaping, the access through and around the site and the proposed appearance, as well as providing computer generated images of the proposed development.

Preliminary Ecological Appraisal

- 3.14 This document describes the site, identifies the relevant policies and legislation that apply in respect of ecological issues, describes the survey methodology, the species surveyed for (badgers, bats, birds, hazel dormice, great crested newts, reptiles and also water voles and otters), describes the context of the statutory designated sites within 5km of the application site (the Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA), Ramsar site and Site of Special Scientific Interest (SSSI), the Dungeness Special Area of Conservation (SAC) and Romney Warren Local Nature Reserve (LNR)) and the habitats and species they support. The findings are reported and the report concludes that the additional dwellings are unlikely to detrimentally impact the SSSI or other designated sites. Further surveys are recommended in relation to bats and recommendations are made in relation to timings and best practice for breeding birds. The likelihood of other protected and notable species occurring within the site are considered negligible and no further surveys for other protected species are required. Recommendations to enhance the sites suitability for wildlife are provided.

Extended Phase I Habitat Survey, Bat Scoping and HSI

- 3.15 This document responds to the finding of the PEA and describes the site, identifies the relevant policies and legislation that apply in respect of ecological issues, describes the survey methodology, provides the survey results and concludes that the development is unlikely to have any notable impact on the ecological interest of the SSSI and nearby designated sites, no further botanical, badger, dormouse, great crested newt, reptiles, water voles/otters or other surveys are required, but further surveys for bats are required (see below) and recommendations for ecological enhancements are made.

Bat Emergence Survey

DCL/21/58

- 3.16 This document further responds to the other submitted ecological reports and describes the site, identifies the relevant policies and legislation that apply in respect of ecological issues, describes the survey methodology, provides the survey results and concludes that there was no evidence of roosting or emerging bats, but some evidence of foraging and commuting bats within and around the site with a proposal that habitat enhancement should be implemented within the development, with lighting designed sensitively also.

Archaeological Desk-Based Assessment

- 3.17 This document is an appraisal of the site focussed on the Historic Environment Record (HER), map regression, aerial photograph and analysis of existing site records, concluding that the development area lies in an area most unlikely to contain archaeological features, artefacts or ecofacts. Subject to consultation with the Local Authority Archaeologist, it suggests that no further archaeological work is required.

Transport Statement

- 3.18 This document summarises the existing conditions, provides details of the development proposals, assesses compliance with transport policy, provides an assessment of trip generation and concludes that the proposal is considered not to conflict with policy in regard to accessibility, sustainability and highway safety, with the proposed changes unlikely to generate additional trips in relation to the golf club development and the proposed residential development generating nine trips in the AM and PM peaks, a negligible impact on the highway network.

Financial Viability Appraisal and Subsequent Documents

- 3.19 The purpose of the FVA document is to test the maximum reasonable amount of affordable housing and financial obligations the proposal could viably support. It describes the site, the development, sets out the policy background with regard to financial contributions and also provides the method of assessment. The initial appraisal was made on the principle of re-investing profit into facilities at the golf club and identified that the profit would not support financial contributions, positing that the scheme should be considered against its economic benefits rather than the profit generated which would be reinvested into the club in order to continue its operation as an important facility within the community of the Romney Marsh in addition to making a modest contribution towards maintaining the Council's required housing level.
- 3.20 During the lifetime of the planning application, an updated FVA was submitted following a number of alterations to the proposed development in response to comments from the Council and statutory consultees, followed by a Viability Addendum which identified cost savings for works associated with the refurbishment of the existing clubhouse and resulting in an offer of £135,146 towards affordable housing/section 106 contributions.
- 3.21 Following an external review by the LPA of the residential development on its own which generated a profit of £1,662,691 it was suggested that this element could contribute towards affordable housing. The applicant produced an updated submission statement which identified that at a profit of 17.5% on Gross Development Value the residential element would produce a residual land value of £635,987, which when compared against the Benchmark Land Value of £455,000 would produce a surplus of

DCL/21/58

£180,987. The Applicant made a without prejudice offer to the Council of £180,987 to contribute towards affordable housing, in addition to the projected CIL charge of £99,571 (subject to indexation).

3.22 Following further discussion and review by external consultants, a figure of £569,875 was put to the applicant as an off-site commuted sum toward affordable housing, which they have agreed to pay, alongside CIL, play space and open space contributions and other contributions identified by Kent County Council required to mitigate the impacts arising from the proposed development.

4. RELEVANT PLANNING HISTORY

4.1 The relevant planning history for the site is as follows:

| | | |
|-------------|---|----------|
| Y17/1187/SH | Refurbishment of building including a pitched roof to replace flat roof, floor to ceiling glazing on the north and east facades to allow for use as reception and shop ancillary to the golf club. | Approved |
| Y10/0974/SH | Erection of four terrace houses being details pursuant to outline planning permission reference Y08/1183/SH (details relating to landscaping and access). | Approved |
| Y10/0817/SH | Outline application for the erection of four terrace houses and provision of new parking area to serve the golf course - variation of condition 4 of planning permission Y08/1183/SH to allow full width balconies across the rear of the proposed dwellings. | Approved |
| Y08/1183/SH | Outline application for the erection of four terrace houses (matters relating to appearance, layout and scale) together with provision of a new parking area to serve the golf course. | Approved |
| 92/0556/SH | Erection of extensions. | Approved |
| 91/0822/SH | Erection of a single storey extension to Romney warren clubhouse to form restaurant (as amplified by letter dated 17th October 1991). | Approved |
| 91/0625/SH | Construction of car park on site of tennis courts (as amended by plan no 459/3.6). | Approved |
| 90/1056/SH | Erection of single storey extension and other alterations to clubhouse. | Approved |

DCL/21/58

| | | |
|------------|---|------------|
| 90/0228/SH | Change of use from grazing land to golf course (As amended by letter and plans dated 25th April 1990 and 18th June 1990). | Approved |
| 89/1298/SH | Erection a single storey extension with balcony above. | Acceptance |

5. CONSULTATION RESPONSES

5.1 The consultation responses are summarised below.

Consultees

New Romney Town Council: Object on the basis that the proposal is contrary to policies HO6, LR1, BE1, SS3 and emerging policies HB2, HB6 and T1*

[CPO Comment: *policies HO6, LR1, BE1 and SS3 are now cancelled]

KCC Highways and Transportation: Raise no objection but request additional detail requested in relation to bicycle parking*

[CPO Comment: *comments awaited from KCC on revised plans]

KCC Ecology: Raise no objection subject to conditions regarding bat sensitive lighting and ecological enhancement.

KCC Flood and Water Management: Raise No objection subject to conditions regarding sustainable drainage systems.

Romney Marsh Area Internal Drainage Board: No comments received.

Natural England: Raise no objection. The proposed development will not have significant adverse impacts on designated sites.

Environment Agency: Raise no objection subject to a condition regarding finished floor levels.

Southern Water: Raise no objection subject to conditions regarding foul and surface water disposal.

Environmental Protection Officer: Raise no objection subject to the Councils standard contamination condition.

Arboricultural Manager: Raises no objection

DCL/21/58

KCC Economic Development: Raises no objection - The development will have an additional impact on the delivery of services which require mitigation through either direct provision of infrastructure or payment of financial contributions.

Request Summary

| | Per applicable Household (x4) | Per Applicable Flat (x14) | Total | Project |
|----------------------------|--------------------------------------|----------------------------------|------------------|---|
| <i>Special Education</i> | £1051.82 | £262.96 | £7888.72 | <i>Towards St Nicholas Primary School, New Romney Specialist Resource Provision</i> |
| <i>Secondary Education</i> | £4540.00 | £1135.00 | £34050.00 | <i>Towards the expansion of The Harvey Grammar School, Folkestone</i> |
| | | Total | £41938.72 | |
| | | | | |
| | Per Additional Dwelling (x20) | | Total | Project |
| <i>Community Learning</i> | £16.42 | | £328.40 | <i>Towards additional resources and classes for the Adult Education service delivered locally in the vicinity of the development</i> |
| <i>Youth Service</i> | £65.50 | | £1310.00 | <i>Towards additional resources for the Youth service locally in New Romney</i> |
| <i>Library Bookstock</i> | £55.45 | | £1109.00 | <i>Towards additional services and stock in New Romney Library for the additional borrowers generated from this proposal</i> |
| <i>Social Care</i> | £146.88 | | £2937.60 | <i>Towards specialist care accommodation within the Folkestone and Hythe District, Changing Places Facilities, Sensory Facilities, Adapting Community</i> |

DCL/21/58

| | | | | |
|--------------|----------------|---------------------|------------------------|--|
| | | | | <i>Facilities and Technology/Equipment to enable independent living</i> |
| <i>Waste</i> | <i>£183.67</i> | | <i>£3673.40</i> | <i>Towards improvements at Folkestone HWRC to increase capacity and a new Folkestone and Hythe WTS</i> |
| | | <i>Total</i> | <i>£9358.40</i> | |

Local Residents Comments

- 5.2 62 letters of objection, 108 letters of support received and 1 letter neither supporting nor objecting to the application.
- 5.3 I have read all of the letters received. The key issues are summarised below:

Objections

- Proposal should be five separate applications;
- Failure to meet affordable housing policy requirements;
- Site outside settlement boundary, with no basis for exception as it is not enabling development;
- Detrimental to character of conservation area;
- Not an allocated site;
- Club is not in poor financial state;
- The site incorporates an asset of community value;
- The tennis courts (asset of community value) have already been converted to car parking;
- Tennis club was banned from using courts which led to their non-use;
- The Warren clubhouse does not operate at a loss;
- Warren clubhouse facilities will not be transferred to Littlestone Golf Club (LGC) clubhouse;
- Loss of the Warren would lead to a reduction in available floor space overall;
- Poor management is responsible for the golf club issues;
- Damage to SSSI and SPA from additional footfall and domestic animals;
- No buffer area to SSSI;
- Danger to future residents from golf balls;
- Covid 19 has been used as an excuse to close facilities;
- This is a private members club pleading poverty;
- Support for young members will not cease if permission is not granted;

DCL/21/58

- Enabling development is that which brings public benefits that would otherwise not be achieved, but it proposes not to meet the quota of affordable housing;
- Previous sale of land to support the club resulted in Summer Mews and the loss of car parking area;
- Incremental loss of golf course to housing;
- Contrary to paragraph 92 of the NPPF;
- The loss of other golf clubs has strengthened the demand for LGC;
- Tourism related golfers are not restricted by lack of accommodation, as this is available locally;
- Loss of residential amenity to Coastguard Cottages;
- Scale of development and materials are not sympathetic or in accord with existing development or conservation area;
- Overdevelopment of site;
- Site does not meet minimum development density of 30 dwellings per hectare;
- No flats in surrounding area;
- Proposed dwellings will be unaffordable for locals;
- No amenity area for flats, potentially pushing residents into SSSI;
- Facility would become less inclusive and more exclusive;
- Increased parking provision will not alleviate parking issues;
- Increased traffic will result in more congestion;
- Site is unallocated and an asset of community value;
- No need for housing as Council is meeting housing delivery targets;
- Additional noise and disturbance;
- Loss of light to adjacent residential uses;
- Loss of privacy for adjacent residential uses;
- Insufficient parking for 'dormy' development;
- Insufficient parking for development;
- Proposal encroaches into areas already used for parking;
- Pedestrians at risk using access road;
- Loss of The Warren would impact upon local community;
- Housing will be used for holiday lets;
- Additional strain on drainage system;
- Strain on local services;
- Impact upon TPO trees with no information on protection provided;
- Impact upon flood zone and increased risk of flooding;
- Site is an area of archaeological potential;
- Detrimental to character of existing clubhouse building;
- Compromised highway safety at junction with St Andrews Rd;
- Emergency services will be obstructed;
- Loss of play and play golf course;
- Warren Golf Club members do not having voting rights;
- Apartments will become second homes;

DCL/21/58

- The Warren is the only café/tea room for some distance;
- Impact on outlook for Coastguard Cottages;

Petition of 402 signatories received objecting on grounds of:

- Removal of valuable assets from local community;
- Various environmental issues;
- Building of apartment blocks which are not in keeping with the local area.

Support

- Existing facilities are outdated;
- Significant improvement of facilities;
- Club attracts tourists from UK and overseas;
- Hosts international standard competitions;
- Money will allow the development of the course and improve the 'offer' to golfers;
- Investment in club house;
- Enhancement of golf tourism;
- Creation of jobs following closure of power station;
- Additional revenue into the local economy;
- Supports local community;
- LGC is one of largest private employers in the Marsh;
- Without consent could see loss of club;
- No loss of facilities – reincorporated into new extension;
- Warren clubhouse is superfluous;
- Application is sympathetic to the area;
- Green roof will blend in;
- Contribution to increasing housing demand;
- Car parking not possible in winter months;
- Climate change is impacting course;
- Reservoir and irrigation system vital to club;
- Irrigation supports wildlife;
- Reduces dependence on third party water resources;
- Supports a healthy lifestyle
- Supports youth golf and supports local schools;
- Dormy accommodation would allow people to travel from further;

Petition of 17 signatories received supporting on grounds that:

- Re-investment is required to ensure long-term viability of the club and continued support and contribution to the local community and economy.

Letter from Visit Kent supporting on grounds that:

DCL/21/58

- Development would provide an enhanced tourist offering in the county;
- Creation of visitor and economic benefits through creating opportunities for visitors to stay longer and spend more money in the area.

General Comments

- Will the proposed crate system for the car park have sufficient integrity to manage existing ponding of water on car park site;
- Will the crate system endure year-round car parking;
- Will the ponding have an impact upon the grass infill within the cellular system?

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 Places and Policies Local Plan 2020 and the Core Strategy Review 2022. The Folkestone & Hythe District Core Strategy Review was adopted by Council on 30 March 2022. There is a period of six weeks during which any person aggrieved by the adoption may make an application to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004. This period will elapse on 11 May 2022.

6.2 The relevant development plan policies are as follows:-

Places and Policies Local Plan 2020

Policy HB1 - Quality Places Through Design

Policy HB3 - Internal and External Space Standards

Policy E3 - Tourism

Policy C3 - Provision of Open Space

Policy C4 - Children's' Play Space

Policy CC2 - Sustainable Design and Construction

Policy T1 - Street Hierarchy and Site Layout

Policy T2 - Parking Standards

Policy T5 - Cycle Parking

Policy HE1 - Heritage Assets

Policy NE2 - Biodiversity

Policy NE3 - Protecting the District's Landscapes and Countryside

Core Strategy Review (2022)

Policy SS1 - District Spatial Strategy

Policy SS3 - Place-Shaping and Sustainable Settlements Strategy

Policy SS4 - Priority Centres of Activity Strategy

Policy SS5 - District Infrastructure Planning

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

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

Government Advice

National Planning Policy Framework (NPPF) 2021

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 11 - Presumption in favour of sustainable development.

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

Paragraph 58 - Planning obligations

Paragraph 81 - Support economic growth and productivity

Paragraphs 84 & 85 - Supporting a prosperous rural economy

Paragraph 92 - Promoting healthy & safe communities

Paragraph 130 - Achieving well-designed spaces

Paragraph 160 - Planning and Flood Risk

Paragraph 174 - Conserving and Enhancing the Natural Environment

Paragraph 180 - Habitats and Biodiversity

Paragraph 197 - Proposals affecting Heritage Assets

7. APPRAISAL

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

- a) Five year housing land supply, principle of development and sustainability
- b) Design/layout/visual amenity
- c) Impact on existing neighbours
- d) Residential Space Standards
- e) Ecology and biodiversity
- f) Sustainable Construction
- g) Flooding and drainage
- h) Highway safety
- i) Assets of community value
- j) Financial contributions

a) Five year housing land supply, principle of development and sustainability

7.2 The application site lies adjacent to, but outside the settlement boundary. It therefore lies in the countryside for the purpose of decision making, a location where new residential development is not normally considered acceptable as a matter of principle. It is incumbent on the decision maker in such circumstances to consider whether any harm arises from development in terms of its location outside the defined settlement especially where the proposal lies adjacent to a settlement identified for growth.

7.3 The site is located adjacent to existing dwellings and the proposed development would clearly not result in isolated dwellings in the countryside, which would be contrary to the NPPF.

7.4 New Romney itself is identified as a Strategic Town in the Core Strategy where it is identified as being suitable for expansion from its current built limits. Table 4.4 linked to policy SS3 of the CS states that the role/ status of Strategic Towns is to *“accommodate significant development – in so far as consistent with maintaining historic character – appropriate to the needs of their wider hinterlands in Shepway, and maintaining the viability of their local transport hubs, Town Centres and higher-order tourism, employment and public services.”* Core Strategy policy CSD8 particularly identifies New Romney – including Littlestone, as a principal location for development, with para. 5.124 of the newly adopted Core Strategy setting out that *“as the primary strategic centre for Romney Marsh, New Romney town should develop a critical mass of businesses and services, underpinned by expanded tourism facilities and new homes.”*

7.5 There are pedestrian footway links to the town centre and also bus stops on Littlestone Road near to the junction with St Andrews Road in the region of 400m from the site. In

DCL/21/58

this context, it is considered that new residential development at the application site would be no less sustainable in location than the residential development that surrounds it and through the provision of new residential dwellings, would make a modest contribution toward the viability of the public transport network, the town centre and other local services through increased footfall / usage.

- 7.6 The NPPF states that achieving sustainable development should be delivered through the preparation and implementation of local plans and the application of the policies in the Framework and planning policies and decisions should play an active role in guiding development towards sustainable solutions. It highlights that Council's should ensure an adequate supply of housing land is provided within the development plan and planning policies should identify a supply of specific, deliverable sites for years one to five of the plan period and specific, developable sites for years 6 – 10 and where possible for years 11 – 15 of the plan.
- 7.7 A formal assessment is conducted on five-year housing land supply annually, with a year running from 1st April to the 31st March the following year. The relevant five-year period is currently 1st April 2021 to the 31st March 2026. Using the Standard Methodology the assessment demonstrates that as of the 1st April 2020 the Council has a 5.3 year housing land supply based upon an annualised requirement of 785 dwellings.
- 7.8 Consequently, the 'tilted balance' in favour of sustainable developments as set out in paragraph 11 d) ii of the National Planning Policy Framework 2021 does not apply.
- 7.9 For the development associated with the golf club facilities, paragraphs 84 and 85 of the National Planning Policy Framework set out that planning decisions should enable the sustainable growth and expansion of all types of businesses in rural areas, alongside sustainable rural tourism and leisure developments which respect the character of the countryside, with decisions recognising that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, as this one is. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). These matters are considered in later sections of the report.
- 7.10 Overall, it is considered that the site lies in a sustainable location, and that the broad principle of development on this site may be acceptable, subject to all other material planning considerations being addressed.

b) Design/Layout/Visual Amenity

- 7.11 Whilst the site is outside of the identified settlement boundary, it is immediately adjacent to the New Romney settlement boundary and it is considered would form a natural extension to the built area, especially when taken in the context of the existing development that borders the application site. The internal layout of the scheme formalises that of the existing, but strengthens the internal road layout, whilst being reflective of surrounding development form, where spurs project from St Andrews Road. The strong tree-lined boundaries to the adjacent development at Orchard Drive preclude ready views of the application site from the west, whilst the existing terraced

DCL/21/58

housing to the front of the site precludes views from the south east and the high hedge adjacent to the access also stops immediate views from the street.

- 7.12 The proposal would see the majority of the changes taking place to the west of the site where the existing Warren Club House is located. Here the existing building will be demolished and apartments built in its place, whilst to the front of the site five additional terraced structures will be built.
- 7.13 The apartments and new car parking will be located to the rear of the terraces and thus screened from view from the street to a degree. As described at paragraph 3.3 above, the design of the apartments is strongly contemporary and considered to be of a high quality that will not detract from the character or quality of the surrounding development. The three storey scale is comparable to the dwellings at the front of the site, albeit with the uppermost floor having a fully-flat roof and is considered unlikely to have a significant visual presence or impact detrimentally upon the character of the area or the setting of the adjacent conservation area.
- 7.14 The terraced dwellings to the front of the site, as described in paragraph 3.4, seek to emulate the built form along St Andrews Road and appear in keeping with these, having three storeys with rooms in the part flat, part pitched roof served by dormer windows. The terraces will also follow the built line of the existing terraced properties and would appear as a natural extension of these, with front and rear gardens to follow the existing pattern and layout of development.
- 7.15 The alterations to the main clubhouse are intended to amalgamate facilities that are spread across the main clubhouse and the Warren clubhouse and would be as set out in paragraphs 3.5 to 3.7 above. Whilst these would be more visually obvious in the street scene than the rest of the development, it is considered that, through their design and careful design, the extension would have a low-key visual presence that would be sympathetic to the existing structure and within the character of the street scene and conservation area.
- 7.16 For all elements of the development, the provision of high-quality materials would be vital to the successful realisation of the proposals and would need to be secured via a suitably-worded condition.
- 7.17 In light of the above I am satisfied that the proposal is would result in a high quality form of development that would harm the visual amenity of the countryside nor be detrimental to the established visual character of the street scene, or conservation area.

c) Impact on neighbours

- 7.18 The site is located within an existing residential area and with the golf club use an established one. The submitted transport statement sets out that additional vehicular movements would increase by nine in the a.m. and p.m. peaks, which is considered highly unlikely to result in any detrimental impact as a consequence of noise and disturbance. Further, any additional noise and disturbance associated with the residential units is likely to be of a domestic nature and therefore largely compatible with the surrounding uses in respect of timings and volume.

DCL/21/58

- 7.19 It is considered that the properties on the opposite side of St Andrews Road would not be impacted upon in respect of overlooking, overbearing presence or any overshadowing, as the separation distance would be too great, with the front windows of the properties already facing the street. For those properties in Orchard Drive, the same is true for overbearing presence and overshadowing, as the separation distance would be too great, whilst in relation to overlooking, the orientation of the proposed apartments, the vegetation along the site boundary and also the separation distance, would safeguard privacy.
- 7.20 In relation to the clubhouse alterations, the properties in the terrace fronting St Andrews Road would not be impacted upon in respect of overlooking, overbearing presence or any overshadowing, as the separation distance would be too great, with noise and disturbance not likely to be significantly altered as a consequence of the development, given the existing use. The formalisation and hard-surfacing of the car-parking area would be likely to result in a less seasonal use of the space, but as it is already used for car parking, this would be unlikely to be significantly more intrusive than the current associated noise and disturbance.
- 7.21 Overall, the proposal is considered unlikely to result in any detriment to amenity in accordance with National Planning Policy Framework paragraph 130 and Places and Policies Local Plan policy HB1.

d) Residential Space Standards

- 7.22 With regard to future occupants of the proposed development, Policies HB1 and HB3 of the PPLP require that consideration be given to their residential amenity and space standards. The proposed development ensures that all dwellings (apartments and houses) would have suitably sized rooms with adequate light as well as outlook to all habitable spaces.
- 7.23 The rear gardens for the dwellinghouses do not meet the policy requirement to be 10m in depth and the width of the dwelling, but the properties have both front and rear garden areas of 7 metres in depth and it is considered that, on balance, this will provide a sufficient and acceptable external amenity area for the future occupants. All apartments have an external balcony area that meets the policy requirements.

e) Ecology and Biodiversity

- 7.24 Core Strategy Policy CSD4 seeks to support and improve green infrastructure by ensuring that development must avoid a net loss of biodiversity, and Policy NE2 of the PPLP requires all new development to conserve and enhance the natural environment, including all sites of biodiversity value and all legally protected habitats and species.
- 7.25 As identified at paragraph 2.5 above, the application site lies close to a number of ecological designations. In relation to protected species, those surveys recommended by the preliminary ecological appraisal were carried out and established evidence of foraging and commuting bats within and around the site, as well as identifying a small area of scrub that could provide habitat for reptiles. KCC Ecological Advice Service have advised that, for the former, a condition requiring any lighting scheme within the

DCL/21/58

development to be designed to be bat-sensitive, alongside the provision of planting that will provide foraging opportunities would mitigate any potential harm to bats, whilst for reptiles, suitable mitigation can be found in the form of a precautionary strategy when clearing the ground.

7.26 In relation to the designated areas, Natural England have raised no objection as the proposed development is not likely to give rise to any serious effects to those protected areas over and above the existing use of the site, either individually or taken cumulatively with other developments. The development is also considered to be located a sufficient distance away from the designated sites for it not to give rise to detrimental harm, either during construction or once works have been completed. As such no objections are raised in this regard.

7.27 The NPPF sets out that all new development should provide biodiversity net gain. A condition could though be imposed requiring the development to provide biodiversity net gain to ensure this requirement is fulfilled it is considered that the requirements set by policy have been met and the proposal is acceptable in ecological and biodiversity terms.

f) Sustainable Construction

7.28 The proposed dwellings would be constructed to achieve a 10% improvement over and above that required by the building regulations at the time of construction. This would be secured by condition.

7.29 Each dwelling would be provided by an electric vehicle charging point and required to not use more than 110 litres of water per person per day.

7.30 In light of the above I am satisfied that the proposal would meet the Council's current development plan objectives to towards reducing carbon emissions and as a result mitigating the impact of development on climate change.

g) Flooding and Drainage

7.31 The application site lies within zones 2 & 3 of the Environment Agency's flood risk maps but is identified within the Council's Strategic Flood Risk Area as being at no risk should flooding occur at predicted sea levels to 2115, when accounting for climate change. The submitted Flood Risk Assessment (FRA) sets out that the application site benefits from existing flood defences that have been constructed in the last five years; in April 2003 improvement works were undertaken to the sea wall and 260,000 cubic metres of shingle were imported to Littlestone beach so that the area now benefits from a 1 in 200 standard of protection.

7.32 The sequential test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding, and other potential sites need to be considered before progressing to develop those of lesser preference / greater risk (in flood risk terms). When considering other potential development sites the geographic range is limited to those within the same character area, which in this

DCL/21/58

instance would be the Romney Marsh Character Area. Where other sites at no/lesser risk are not available within the character area local planning authorities can consider sites within identified flood risk areas, which cover substantial parts of the district due to land levels. The HIA has been reviewed by the LPA and there are no comparable sites in the Romney Marsh character area that could accommodate development of this scale and which have an extant, unimplemented planning permission. Consequently, the Sequential Test is considered to have been passed.

7.33 However, as the development is located within Flood Zones 2&3 as depicted on the Environment Agency flood maps and includes 'more vulnerable' development, it is necessary to apply the exceptions test. The Exception test states that in order to grant planning permission or allocate a site:

- *it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment;*
- *a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.*

7.34 It is considered that this site meets the requirements of the exception test for the following reasons:

- Firstly, the site has wider sustainability benefits in relation to the residential aspect of the scheme – Policy CSD8 provides for additional housing in order to bring forward and support other wider sustainability benefits to the area and seeks to develop New Romney as a residential, business, service, retail and tourist centre for the Romney Marsh. However, it must be made clear that these are considered modest.
- Secondly, it is considered that the development could be made safe for its lifetime provided mitigation measures as submitted within the Flood Risk Assessment are provided. The Environment Agency raise no objection provided the necessary mitigation measures are included, such as finished floor levels for all living/sleeping accommodation being a minimum of 3.46/2.76m above ODN, respectively.

7.35 In terms of managing surface water run-off from the site, a broad drainage strategy has been submitted, with the application site sub-divided into two drainage catchments and the development utilising SuDS to store water onsite, before releasing this water to the public sewer system (in the eastern sub-catchment) and to the adjacent watercourse (in the western sub-catchment) at a controlled rate. KCC as Lead Local Flood Authority have reviewed the scheme and have no objection in principle subject to conditions requesting the submission of a detailed SUDs scheme and a verification report. The views of the Romney Marsh Area Internal Drainage Board (RMAIDB) were sought but no comment was received.

7.36 For foul water, Southern Water have raised no objection, identifying that they would be able to provide foul sewage disposal to serve the development.

DCL/21/58

7.37 It is therefore considered that the proposal is acceptable in terms of flood risk and drainage.

h) Highway Safety

7.38 KCC Highways and Transportation had been involved with the proposal at pre-application stage and have subsequently reviewed the proposal, as submitted. The existing access to the site is to be utilised, which is considered to be of sufficient size and adequate visibility, with the supporting information demonstrating that a refuse vehicle can enter the site, turn, and exit in a forward gear. The proposed layout is considered to provide sufficient vehicle parking for both the proposed flats and the terraced properties, as well as the golf club, with the circulation of traffic within the site also considered to be acceptable.

7.39 Clarification on the proposed cycle parking associated with the residential development and the 'dormy' unit was requested from the applicant and supplied, but final comment on this is awaited from KCC and will be reported in the supplementary sheets. Should planning permission be granted, all parking/cycle storage would need to be secured via a suitably worded condition.

i) Asset of Community Value

7.40 The proposed development would result in the loss of the existing Warren Clubhouse. The application particulars set out that there would to an extent be a re-provision of the community use as part of the improvements and extension to the main clubhouse at the wider site, by way of allowing local residents to become "members" with the ability to use the facilities in the clubhouse. This is set out below.

7.41 The Warren clubhouse and land to the east is registered as an Asset of Community Value (ACV). This regime primarily applies restrictions to the sale of the premises, whereby in the circumstances that the property is listed for sale, a moratorium applies within which the community can bid to purchase the premises. The fact that the property is registered as an ACV also provides an indication of the value of the premises to the community and this is given moderate weight in the consideration of the application.

7.42 The NPPF identifies that planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs. Core Strategy Policy SS3 states that development must not result in the loss of community, voluntary or social facilities unless it has been demonstrated that there is no longer a need or alternative social/community facilities are provided in a suitable location. Places and Policies Local Plan Policy C2 states that planning permission for development leading to the loss of an existing community facility will be granted where a series of criteria can be demonstrated which include demonstrating a lack of demand, evidence to demonstrate adequate marketing has taken place, and whether an alternative facility could be provided.

7.43 The Planning Statement submitted in support of the application states that whilst it is noted that the Warren Clubhouse is an asset of community value, that the "*benefits*

DCL/21/58

and security provided by its redevelopment with a viable future provided for the club far outweigh any contribution that it has made to date.” It goes on to state that “local people will be able to be a ‘Member’ such that they will be able to gain access to the bar and daytime food and beverages available [in the retained and extended clubhouse]. This will in our submission more than compensate for the loss of the Warren Clubhouse. No facilities currently available in the Warren clubhouse will be lost.”

- 7.44 No information has though been submitted to demonstrate that the wider club is unviable nor that this development is required to secure a future for the golf club. Equally no evidence demonstrating a lack of demand for the facilities at the Warren Clubhouse, nor that it has been marketed in accordance with Policy C2 has been submitted. Finally, the ability of local people to become a member of the club could not be secured through a planning condition and would be difficult to achieve via a s.106 agreement or unilateral undertaking.
- 7.45 Notwithstanding this, it is considered that the Warren Clubhouse, as a private club with sports facilities does not fall comfortably within the definition of a community facility for the purposes of Policy C2 of the PPLP, and it is noted that the facilities lost as the result of the demolition of this building would be replaced at the main clubhouse for the wider site. Whilst it could not be guaranteed that access to the clubhouse would be available to the wider community, this is the case at the Warren Clubhouse. As such, it is not considered that the proposal would result in the loss of a community facility that would cause material planning harm contrary to the Policies of the Development Plan.
- 7.46 The loss of the ACV is noted. However on the basis that the provision of facilities here to the public is not guaranteed and that similar facilities exist at the main clubhouse, it is not considered in this instance that this amounts to a reason for refusal of planning permission. This does not of course have any bearing on restrictions relating to the sale of the premises.

j) Financial Contributions & Affordable Housing

- 7.47 Development plans set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure, such as that needed for education, health, transport, flood and water management, green and digital infrastructure.
- 7.48 The development has attracted a request from KCC for contributions required to mitigate the impact of the development on local services toward education, libraries, adult education, youth services, social care and waste, totalling £51,297.12, as set out in section 5.2 above. However, until such time as the CIL infrastructure schedule has been revised, it is considered that the requested contributions should be met by the CIL payable for the development.
- 7.49 In relation to Places and Policies Local Plan policies C3 and C4, which deal with the provision of open space and play space, respectively, off-site contributions required to mitigate the impact of the development have been calculated at £11,343.12 for open

DCL/21/58

space and £15,674.34 for play space, giving a total of £27,017.46 which includes a 10 year maintenance sum. These funds are proposed to be spent on The Greens in Littlestone.

7.50 In relation to affordable housing, Core Strategy Policy CSD 1 advises that schemes of 15 units or more will be required to provide 22% of units as Affordable Housing. The off-site contribution value for the 4.4 units has been calculated to be £569,875.

7.51 The total for all financial contributions is as set out below:

| | |
|-------------------------|--------------------|
| FHDC open/play space | £27,017.46 |
| FHDC Affordable Housing | £569,875.00 |
| FHDC monitoring fee | £1000.00 |
| TOTAL | £597,892.46 |

7.52 The applicant has submitted a Financial Viability Appraisal with the application, as described at paragraphs 3.15 to 3.17 above, which has been augmented by subsequent documents and position changes, culminating in the applicant making an offer to the Council for the full amount towards off-site provision for affordable housing, in addition to the mandatory CIL charge of £99,571 (subject to any changes in indexation), play space and open space contributions.

7.53 Given the above, it is considered that in providing the full amount of identified developer contributions to mitigate against the demands on physical and social/community infrastructure generated by the proposed development, the proposal would align with adopted Core Strategy policies CSD1 and SS5 and Places and Policies Local Plan policies C3 and C4.

Environmental Impact Assessment

7.54 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

7.55 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. There is no CIL requirement for this development.

7.56 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 £58.86 per square metre for new residential floor space.

Human Rights

7.57 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

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

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

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

Working with the applicant

7.59 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. In this case, the applicant has engaged with Officers negotiations since the submission of the application

8. CONCLUSION

8.1 The application seeks planning permission for the demolition of the Warren club house and erection of 16 apartments and 5 terrace houses, including one golfers 'dormy' accommodation unit and the extension and improvement of the existing main club house, including revised parking, landscaping and access works.

8.2 Although outside of the defined settlement boundary, the site is considered to be in a sustainable location close to public transport links and local facilities. Further, Officers consider that there are no significant detrimental impacts arising in respect of design, layout, visual amenity, residential amenity, ecology and biodiversity, flooding and drainage, highway safety or in respect of the status of part of the development as an asset of community value.

DCL/21/58

- 8.3 The applicant has now committed to meeting the requirements for developer contributions in respect of affordable housing and open and play space, required by Core Strategy policies CSD1 and SS5 and Places and Policies Local Plan policies C3 and C4.
- 8.4 Accordingly, the proposed development is considered acceptable.

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 at the end of the report and the applicant entering into a S106 legal agreement securing affordable housing alongside financial contributions toward open space, play space and a s.106 monitoring fee, 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 consider 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:

| Plan/Document | Drg No. |
|--|----------------|
| Existing and Proposed Block Plan | 15.054.03 B |
| Masterplan – Roof Plan Layout | 15.054 04 C |
| Masterplan – Ground Floor Plan Layout | 15.054 05 D |
| Proposed Floor Plan and Roof Plan | 15.054 08 P1 |
| Proposed Elevations and Section | 15.054 09 |
| Terraced Houses Proposed | 15.054 10 A |
| Proposed Floor Plans for New Build Apartments | 15.054 11 C |
| Proposed Roof Plan and Sections for New Built Apartments | 15.054 12 |
| Proposed Elevations – Block A | 15.054 13B |
| Proposed Elevations – Block B | 15.054 14 B |
| Building Site Sections | 15.054 15 |
| Street Scenes | 15.054 16 |
| Topographical Survey | 15-0524 |

DCL/21/58

Coloured Street Scene of Proposed Terrace Houses from St 15.054.16 A
Andrews Road

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

3. No construction work above ground floor slab level of any building on site shall take place until samples of the materials to be used in the construction of all 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. No development beyond the construction of foundations shall take place until details to demonstrate that the dwellings 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 demonstrating the development as a whole will reduce carbon emissions by a minimum of 10 percent above the Target Emission Rate, as defined in the Building Regulation for England approved document L1A: Conservation of Fuel and Power in Dwellings, (or any document which supersedes or updates that document) have been submitted to and approved in writing by the Local Planning Authority. Upon approval the measures shall be implemented as agreed and thereafter retained and maintained in perpetuity.

Reason: To support the transition to a low carbon future through the use of on-site renewable and low-carbon energy technologies.

6. Prior to the first occupation of any dwelling hereby permitted, one electric vehicle charging point per dwelling shall be provided, in accordance with specifications and in location(s) 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.

7. No development beyond the construction of foundations shall take place on each plot, (unless specified to the contrary), until the relevant details set out below have been submitted to and approved in writing by the Local Planning Authority. Development of the relevant plot shall only be carried out in accordance with the approved details unless agreed otherwise by the Local Planning Authority in writing. Where relevant, the following details should be provided on drawings at

DCL/21/58

an appropriate scale of 1:50 (where detail needs to be considered contextually related to a façade) and at 1:20 in other cases:-

- (a) full details of glazing and external doors, including all external joinery and framing methods and external colour (1:20);
- (b) 1:20 horizontal and vertical cross sections through typical sections of each of the facades sufficient to show the relationship between the façade and those elements of detail to be embedded within the façade as well projecting from it (such as the extent of recessing of glazing and doors in openings created in the façade, the consequential treatment of window reveals, the details of cills and the extent of projecting elements from the façade);
- (c) 1:100 elevation detailing the locations of all expansion joints in facades;
- (d) prior to installation - Details of any plant or machinery proposed on the roof and associated screens;
- (e) prior to installation - Details of rainwater goods, eaves, fascia and entrance canopies (including materials and finish, details of any supporting posts and related brick plinths and roofing materials);
- (f) prior to installation - details of vents, louvres, extractor vents, external pipes, meters etc.
- (g) prior to installation - Details of screens and windbreaks,
- (h) prior to installation - 1:50 scale details of the parapet capping,
- (i) prior to installation - Details of external entrance steps, handrails and balustrades
- (j) mortar colour(s)

Reason: Further details are required to ensure that the external appearance and fine detailing are of an appropriate high quality.

8. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. The parking of vehicles of site operatives and visitors;
 - ii. Loading and unloading of plant and materials;
 - iii. Storage of plant and materials used in constructing the development;

DCL/21/58

- iv. Wheel washing facilities;
- v. Measures to control the emission of dust and dirt during demolition and construction.

Reason: In the interests of the amenities of the area and highway safety and convenience.

9. 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.

- 10.(A) No development shall take place until a desk top study has been undertaken and submitted to and approved in writing by the Local Planning Authority. The study shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall also be included.

(B) If the desk top study shows that further investigation is necessary, an investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. It shall include an assessment of the nature and extent of any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

A survey of the extent, scale and nature of contamination;

(ii) An assessment of the potential risks to:

- Human health;
- Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- Adjoining land,
- Ground waters and surface waters,
- Ecological systems,
- Archaeological sites and ancient monuments; and

(iii) An appraisal of remedial options and identification of the preferred option(s).

DCL/21/58

All work pursuant to this condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

(C) If investigation and risk assessment shows that remediation is necessary, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

(D) No development shall take place until a verification report demonstrating completion of the works set out in the approved remediation scheme and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer-term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

(E) If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority, details of how this unsuspected contamination shall be dealt with. 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 ensure that risks from land contamination to the future users of the land and neighbouring land, together with those to controlled waters, property and ecological systems, are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

11. 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, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

DCL/21/58

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

12. 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.

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

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

14. The trees shown on the plans hereby approved as "existing trees to be retained" shall be retained and maintained. Any trees removed, dying, being severely damaged or becoming seriously diseased within five years of the date of this permission shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

Reason: In the interests of visual amenity and biodiversity.

15. All trees to be retained must be protected by suitable fencing of a height not less than 1.2m at a distance as specified in Table 1 or Figure 2 of BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction' before any equipment, machinery or materials are brought on to the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the area fenced in accordance with this condition and the ground levels within those area shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard the existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

16. 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 interest of enhancing ecology and biodiversity.

17. The parking area shown on the submitted plan serving the dwellings shall be provided and made available prior to the first occupation of the any of the

DCL/21/58

dwelling hereby approved, shall be kept available for such use at all times 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 so shown or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the dwellings hereby permitted.

Reason: In the interests of highway safety and convenience.

18. The area shown on the submitted plan as parking space for the golf club and dormy accommodation shall be used for or be available for such use at all times when the premises are in use and no 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 that area of land or in such a position as to preclude vehicular access to this reserved area; such land and access thereto shall be provided prior to the commencement of the use hereby permitted.

Reason: In the interests of highway safety and convenience.

19. The area shown on the submitted plans as cycle parking for the dwellings shall be kept available for such use at all times, and shall be made available prior to the first occupation of the dwellings. The approved cycle parking shall be kept available for such use at all times and shall be made available prior to the first occupation of any of the dwellings hereby permitted.

Reason: To ensure that facilities are available for the parking of bicycles so as to encourage access to the site by means other than private motor car.

20. Development shall not commence 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 be based upon the Flood Risk Assessment by Herrington Consulting (June 2019, Issue 2 Revision 1) and 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 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 of 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.

DCL/21/58

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.

21. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risk from development to the future users of the land neighbouring land are minimised, together with those risks to controlled waters, property and ecological system, and to ensure that the development as constructed is compliant with the subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework

22. No work above slab level on the construction of the buildings hereby permitted shall take place until a copy of formal confirmation has been supplied to the Local Planning Authority confirming that High Speed Fibre Optic that meets the Department for Culture, Media and Sport requirement that 'fibre to the premise' broadband connections are available to all premises of gigabit capacity will be provided to all dwellings. Prior to the first occupation of any of the dwellings hereby approved, confirmation shall be submitted to the Local Planning Authority that the infrastructure to allow 'fibre to the premise' broadband connections are available to all premises of gigabit capacity has been laid out in the site.

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

23. Finished floor levels for all living sleeping accommodation shall be a minimum of 3.46/2.76m aODN (metres above Ordnance Datum Newlyn), respectively.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

24. Prior to first occupation of any of the residential unit or units hereby permitted a "bat sensitive lighting plan" shall have been submitted to and approved in writing by the Local Planning Authority, with such details of external lighting as approved installed in accordance with the specifications and locations set out within the approved details and maintained as such thereafter. The "bat sensitive lighting plan" shall:

DCL/21/58

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
- b) Show how and where external lighting shall be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

No additional external lighting shall be installed at any time without the prior written approval of the Local Planning Authority.

Reason: In the interests of safeguarding protected species and their habitats.

25. Prior to any works on trees being carried out, the survey and mitigation detailed in paragraph 5.3.9 – 5.3.11 of the Preliminary Ecological Appraisal (Greenspace Ecological Solutions, May 2017) must be implemented by an ecologist.

Reason: In the interests of safeguarding protected species and their habitats.

26. Prior to during vegetation clearance being carried out, the precautionary mitigation detailed in paragraph 5.3.24 of the Preliminary Ecological Appraisal (Greenspace Ecological Solutions, May 2017) must be implemented by an ecologist.

Reason: In the interests of safeguarding protected species and their habitats.

Informatives:

1. 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. Trees and scrub are present on the application site and are to be 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.
2. Your attention is drawn to the requirements of the Building Regulations 2000 and the possibility of the need to obtain consent under such regulations. Prior to implementing this permission, you should seek advice from Building Control as to whether or not to make an application. Advice and application forms are available from the Civic Centre, Folkestone (telephone numbers 01303 853538). Alternatively another building control body may be able to assist.
3. Please view the Considerate Constructors Scheme at <http://www.ccscheme.org.uk/index.php/company-registration/how-to-beveryconsiderate/company-code-of-considerate-practice>.