



Patsy Sayers  
c/o Matt Whitby Hollaway  
The Tramway Stables  
Rampart Road  
Hythe  
CT21 5BG

## Town and Country Planning Act 1990 (As Amended)

**APPLICATION NUMBER 20/01409**

---

### NOTIFICATION OF GRANT OF FULL PLANNING PERMISSION

---

Proposal: Change of use and conversion of existing outbuilding to dwelling, erection of a wall, single storey side extension and rear hydrotherapy pool, landscaping and associated parking (part demolition of outbuilding and wall)

Location: Hogbrook Farm, Hogbrook Hill Lane, Alkham, CT15 7BU

---

**TAKE NOTICE** that Dover District Council, the District Planning Authority under the Town and Country Planning Act, **HAS GRANTED** Full Planning Permission for the proposal in accordance with the application and accompanying plans received.

**SUBJECT TO SUCH CONDITIONS AS ARE SPECIFIED** hereunder together with the reasons for their imposition:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.  
Reason: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any legislation revoking or re-enacting that legislation with or without modification).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:  
001, 002, 003, 006, 008, 009, 010 received 26.11.2020, 004 received 1.12.2020, 005 rev A received 12.1.2021, Design & Access Statement received 12.1.2021.  
Reason: For the avoidance of doubt.
- 3 No development above ground level shall take place until samples of materials to be used in the construction of the external surfaces of the building 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: In the interests of visual amenity.
- 4 The development hereby approved shall be carried out in accordance with the slab level details shown on the submitted plans.  
Reason: In order to secure a satisfactory standard of development.

- 5 In the event that, at any time while the development is being carried out, contamination is found that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be prepared. The results shall be submitted to the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared and submitted to the Local Planning Authority.

Reason: To 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.

- 6 Prior to the development hereby approved commencing, details of the following ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. Such details as are agreed shall be carried out concurrently with the development:

-Bird boxes such as swallow nest cups and swift bricks

- Bat boxes such as those provided by [www.habibat.co.uk](http://www.habibat.co.uk) for within built structures. The Kent Bat box or Schwegler 2FN (or similar) are recommended for within mature retained trees.

-a bat sensitive lighting scheme following the published guidelines of the Bat Conservation Trust and Institute of Lighting Professionals <https://www.bats.org.uk/news/2018/09/new-guidance-onbats-and-lighting>

-The incorporation of a wildlife-friendly planting scheme, using native, wildlife-friendly species

-The construction of log and brash piles on the site boundaries

-The incorporation of hedgehog boxes at suitable locations within vegetated areas of the site

Reason: These details are required prior to commencement to protect and enhance existing species and habitat on the site in the future.

- 7 The development hereby permitted shall not be occupied until a landscaping scheme for the site has been submitted to and approved in writing by the local planning authority. The said scheme shall include hard and soft landscaping; tree/hedge/shrub planting plans; written specifications; schedules of species, sizes and proposed numbers/densities where appropriate. Thereafter, the approved landscaping scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the local planning authority give prior written consent to any variation.

Reason: In order to protect and enhance the amenity of the area.

- 8 The hydrotherapy pool hereby approved shall only be used for domestic purposes ancillary to the attached dwelling and at no time shall it be used for business or commercial purposes.

Reason: In the interests of the residential amenities of the occupants of the adjacent properties.

- 9 The area shown on the approved drawings as vehicle parking space, garages and turning space shall be provided, surfaced and drained before the use is commenced/ dwelling(s) to which it relates hereby is/are first occupied, and shall be retained for that use thereafter whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, and re-enacting that Order with or without modification).

Reason: Development without provision of adequate parking of vehicles is likely to lead to highway safety issues to other road users.

- 10 Prior to the first occupation of the development hereby approved, cable ducting and electrical wiring suitable to facilitate any subsequent installation of (an) 7kW 32amp OLEV compliant wall or ground mounted charge point(s) adjacent to the car parking space(s) proposed shall be installed and shall thereafter be retained such that it remains capable to providing the electricity required by any future electric vehicle charging point.

Reason: To facilitate the charging of electric vehicles as a more sustainable form of transport, in accordance with paragraph 110 of the NPPF


- 11 The refuse storage arrangements shown on the submitted plan shall be installed and retained at all times at the site.

Reason: In order to secure a satisfactory arrangement.

- 12 Prior to the development hereby approved commencing details of a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Such details as are agreed shall be carried out concurrently with the development.  
Reason: These details are required prior to the commencement of the development and to ensure the amenity of local residents is protected.
- 13 Prior to the development hereby approved commencing, details of Conservation style rooflights shall be submitted to and approved in writing by the Local Planning Authority. Such details as are agreed shall be carried out concurrently with the development.  
Reason: In the interests of securing a satisfactory standard of development.
- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no extension, enlargement or other alteration (including additional windows) of the building(s) hereby permitted shall be carried out.  
Reason: To enable the local planning authority to regulate and control the development of land and to protect the visual amenities of the locality/ amenities of nearby residential properties.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no gates, walls, fences or other means of enclosure shall be erected within the application site area.  
Reason: To enable the local Planning authority to regulate and control the development of land in the interests of protecting the character and amenities of the locality.

In reaching the decision to grant planning permission, the Local Planning Authority has taken into account the requirement in Section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan, the policies of the Development Plan and all other material considerations. Policies are referred to in conditions where appropriate.

Dated: 27th January 2021

<p>DISTRICT COUNCIL OFFICES WHITE CLIFFS BUSINESS PARK DOVER, KENT CT16 3PJ TEL: (01304) 821199</p>	<p>Signed:   Lois Jarrett Head of Planning, Regeneration &amp; Development</p>
---	--

**YOUR ATTENTION IS DRAWN TO THE REQUIREMENTS OF THE CONDITIONS SET OUT IN THIS DECISION NOTICE. THE PLANNING PERMISSION IS CONDITIONAL ON COMPLIANCE WITH THESE REQUIREMENTS. SOME CONDITIONS MAY REQUIRE THE SUBMISSION AND APPROVAL OF FURTHER DETAILS BEFORE ANY WORK IS COMMENCED AND SUCH SUBMISSIONS WILL BE SUBJECT TO A FURTHER FEE.**

**ANY CHANGE TO THE APPROVED PLANS IS LIKELY TO REQUIRE A FURTHER PLANNING PERMISSION.**

**FAILURE TO COMPLY WITH THESE REQUIREMENTS MAY LEAD TO LEGAL ACTION BY THE DISTRICT COUNCIL AND /OR MEAN THAT THE PERMISSION IS VOID.**

In accordance with paragraph 38 of the NPPF, Dover District Council (DDC) takes a positive and proactive approach to development proposals focused on solutions. DDC works with applicants/agents in a positive and proactive manner by: Offering a pre-application advice service; where possible, suggesting solutions to secure a successful outcome; and, as appropriate, updating applicants/agents of any issues that may arise in the process of their application.

**YOUR ATTENTION IS ALSO DRAWN TO THE FOLLOWING NOTES/INFORMATIVES WHICH FORM PART OF THIS NOTICE.**

The agent was updated of any issues after the initial site visit.

The applicant/agent was provided the opportunity to submit amendments to the scheme to address issues.

The application was dealt with/approved without delay.

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at: <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

You are required to contact Natural England to obtain a European protected species development license in relation to the presence of a bat roost at the site.

### **Appeals to the Secretary of State**

- \* If you are aggrieved by the decision of the Council to refuse permission for the proposed development, or to grant permission subject to conditions, you may wish to discuss with the Council whether a revised proposal would be likely to succeed; the District Council is likely to charge for such discussions. Otherwise you may appeal to the First Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you wish to appeal, you must do so within 6 months of the date of this notice or within 12 weeks of this date if your application concerned is householder development or minor commercial. Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, Tel: 0303 444 5000, or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).

- \* The Secretary of State has power to allow a longer period for giving notice of an appeal, but he will not be prepared to use this power unless there are extraordinary circumstances which excuse the delay in giving notice of appeal.

- \* The Secretary of State need not consider an appeal if it seems to him that the Council could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- \* In practice, the Secretary of State does not refuse to consider appeals solely because the Council based its decision on a direction given by him.

### **Purchase Notices**

- \* If either the Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- \* In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **Environmental Statements**

- \* If you submitted an Environmental Statement, the Local Planning Authority has taken that environmental information into consideration in reaching its decision.

### **Other Matters**

- \* Any planning permission or approval granted is confined to permission under the Town and Country Planning Act and the Town and Country Planning (General Development Procedure) Order 2015, and does not negate the need for compliance with any other enactment, bylaw, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be required. This includes the need to apply for Listed Building Consent should the proposal involve the demolition or alteration (internal or external) of, or extension to, a building listed as being of Architectural or Historic Interest, or of any structure built before July 1948 within the curtilage of a listed building, for the total or substantial demolition of any unlisted building if it is situated within a designated conservation area.
- \* You are advised particularly to contact the Building Control Officer at the District Council Offices, White Cliffs Business Park, Dover (01304 821199) to ascertain whether permission is necessary under the Building Regulations. Attention is also drawn in particular to the provisions of Section 53 of the County of Kent Act 1981, which may be applicable, the requirements of the Party Wall Etc Act 1996 concerning notifying affected neighbours and the Housing Act 2004 concerning the adequacy of lighting to habitable rooms. Many species of wildlife and their habitat are protected by law.
- \* Should any change be required to your proposal, however minor, in connection with other legislation or otherwise, a further planning permission is likely to be required to ensure that the development is authorised.