



Sunningdale House Developments Ltd  
c/o Mrs Rachel Humber Hume Planning Consultancy Ltd  
Innovation House  
Discovery Park  
Innovation Way  
Sandwich  
CT13 9FF

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

**APPLICATION NUMBER 19/00895**

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**NOTIFICATION OF GRANT OF FULL PLANNING PERMISSION**

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Proposal: Erection of 88 no. dwellings, equipped play area, sports field with 8 no. 15m high lighting columns, erection of club house, associated car parking, hard and soft landscaping (amended documents)

Location: Land To The Rear Of Freemens Way, Freemens Way, Deal

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**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:

P100 K  
P101 F  
P102 E  
P103 E  
P104 E  
P105 E  
P106 E  
P107 B  
P120 C  
P121 D  
P122 D  
P130 C  
P200 A

P210 A  
P211 A  
P212 A  
P213 A  
P214 A  
P215 A  
P216 A  
P218 A  
P219  
P240 A  
P310 A  
P311 A  
P312 A  
P313 A  
P314 A  
P315 A  
P316 A  
P317 A  
P318 A  
P319 A  
P320 A  
P323 A  
P324  
P325  
P610 A  
P611 A  
P612 A  
P613 A  
P614 A  
P615 A  
P616 A  
P617 A  
P620 A  
P621  
P622  
P650 C

Reason: For the avoidance of doubt.

- 3 Prior to the first use of the Football Pitch or Clubhouse, details of the acoustic fence shown on drawing number P100 K, including details of height, material and technical performance, together with details of its ongoing maintenance and a programme and timetable for its provision, shall be submitted to and approved in writing by the local planning authority. The approved barrier shall be erected and maintained as approved and thereafter be permanently retained in that form. For the avoidance of doubt, the submitted details shall demonstrate that the fence will be installed prior to the first use of the pitch or clubhouse following the first occupation of any of plots 15 to 19 (inclusive).  
Reason: In the interests of preserving the residential amenity of the locality.
- 4 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The said plan shall include details of: vehicle routing to the site; loading and unloading of plant and materials; on-site parking for construction workers; temporary access arrangements; measures to prevent dirt or other debris from being deposited upon the public highway; hours of construction working; machine operated plant to be used; temporary lighting; measures to control the emission of dust and dirt during construction; and temporary hoarding/fencing. The approved Construction Management Plan shall be fully complied with throughout the construction period.  
Reason: These details are required prior to the commencement of the development in the interests of minimising the impact of the development during the construction phase.
- 5 Before the construction of the access road/access hereby permitted, details of the measures to be used to prevent the discharge of surface water onto the public highway shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved plans. The first 5m of the carriageway from the public highway shall be finished in a bound surface treatment.  
Reason: In order to prevent the discharge of surface water on the public highway in the interests of highway safety.

- 6 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 points adjacent to the car parking spaces 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
- 7 The areas shown on the approved drawings as 'football parking' spaces and the turning space to serve these spaces shall be provided, surfaced and drained before the first use of the football pitch and clubhouse. The areas shown on the approved drawings as 'residential parking', 'unallocated residential parking' and 'visitor car and van parking' and the turning space to serve these spaces shall be provided, surfaced and drained before the first occupation of the dwelling(s) to which it relates. All car parking and turning space 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.
- 8 Prior to the first occupation of the development, details of bicycle storage facilities shall be submitted to an approved in writing by the local planning authority. The approved bicycle storage shall be completed prior to the first occupation of the dwelling to which it relates or, in the case of cycle parking serving the football pitch and clubhouse, prior to the first use of the football pitch or clubhouse, and shall thereafter be retained solely for that purpose. For the avoidance of doubt, these details shall include the cycle parking to be provided to occupiers of the dwellings and the cycle parking to be made available to users of the football pitch and clubhouse.  
Reason: To ensure the provision and retention of adequate off-street parking facilities for bicycles in the interests of highway safety.
- 9 Prior to the first occupation of development hereby approved, the access and alterations to parking restrictions in Freemans Way shall be fully implemented in accordance with the approved drawings and specification.  
Reason: In order to ensure that the development is served by an adequate standard of highway and in the interests of highways safety and the visual quality of the development.
- 10 Prior to the first occupation of each dwelling the footways and/or footpaths (with the exception of the wearing course) and the carriageways (with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures) between the adopted highway and that dwelling shall be completed. Prior to the first use of the football pitch or clubhouse the footways and/or footpaths (with the exception of the wearing course) and the carriageways (with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures) between the adopted highway and the football pitch and clubhouse shall be completed. The wearing course, including any markings and signage, shall be completed in accordance with drawing P101 F prior to the occupation of the 80th dwelling in the development.  
Reason: In order to ensure that the development is served by an adequate standard of highway in the interests of highways safety and the visual quality of the development.
- 11 The visibility splays shown on the approved plans shall be provided prior to the first occupation of the dwellings and/or football pitch/clubhouse to which the visibility splays relate and thereafter shall be so maintained. No structure, tree or plant within the approved splays shall exceed 0.6 metres in height.  
Reason: In the interests of road safety and convenience.
- 12 No development shall take place until plans and particulars of a sustainable drainage system (SUDS) scheme for the disposal of the site's surface water which shall include a programme and timetable for the provision of those works and details of provision for future maintenance of the SUDS, in perpetuity, including frequency and responsibility, have been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented, operational and managed in accordance with the approved programme and timetable hereby permitted and shall thereafter be maintained in accordance with the approved scheme. Prior to the first occupation of any dwelling or the football pitch or

clubhouse (or the first occupation in a phase of development should the SUDS scheme propose a phased implementation of the SUDS scheme) until a Verification Report, pertaining to SUDS scheme 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 constructed is different to that approved. The Report shall contain information and 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. There shall be no infiltration other than that which is approved.

Reason: These details are required prior to the commencement of the development in order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development. The verification report is required to ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

- 13 No development shall take place until a detailed scheme for the disposal of foul sewage, which shall include provision for works on site and, if necessary, works off site, together with a programme for implementation and long term maintenance, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented and operational before any of the dwellings hereby permitted are first occupied and shall be maintained in accordance with the approved scheme thereafter.

Reason: These details are required prior to the commencement of the development to ensure the development is served by satisfactory arrangements for the disposal of foul sewage.

- 14 Prior to the installation of any external lighting, details of all external lighting, including street lighting, lighting to car parking and lighting for the football pitch, shall be submitted to and approved in writing by the local planning authority. The said details shall include heights of columns, light fittings and levels of luminance. The development shall be carried out in accordance with the approved details. The lighting for the football pitch shall be installed and operational prior to the first occupation of the football pitch and clubhouse. No further lighting, whether temporary or permanent shall be installed or brought onto the land

Reason: In the interests of the residential amenities of nearby properties, to ensure that the football pitch can be used during periods of low light and darkness and to ensure that foraging and commuting bats are not adversely affected.

- 15 The approved refuse and recycling storage facilities, as shown on the approved plans, shall be provided before the dwelling(s) or football pitch and clubhouse to which the details relate are/is first occupied and shall thereafter be kept available for their approved purpose at all times.

Reason: In order to ensure satisfactory provision of on-site storage for refuse/recycling facilities.

- 16 If unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the local planning authority and development shall cease. An investigation and risk assessment must be undertaken in accordance with details which shall first be submitted to and approved in writing by the local planning authority and, where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the local planning authority before development recommences. Following completion of the remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems.

- 17 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

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

- 18 Prior to the commencement of the development, the precise location of the public sewer within the site shall be ascertained and details to demonstrate how the sewer will be protected during the course of development shall be submitted to and approved in writing by the local planning authority. Should any sewers be found during construction works, an investigation shall be undertaken to ascertain its ownership and, if identified as a public sewer, details to demonstrate how it shall be protected shall be 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 that the development does not harm sewerage infrastructure or increase the risk of localised flooding.

- 19 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

- i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- ii) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

- 20 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. For the avoidance of doubt, samples of the materials to be submit shall include: bricks; roof tiles; parapet copings; window surrounds; windows; doors; door canopies; and dormer cheeks.

Reason: In the interests of visual amenity.

- 21 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; samples of the materials to be used to form hardstandings; tree/hedge/shrub planting plans; written specifications for planting; schedules of species, sizes and proposed numbers/densities where appropriate; and details of all fences, railings, walls and minor artefacts. The soft landscaping shall include native planting of hedgerows, planting of climbing plants and nectar-rich plants. 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.

- 22 The windows shall be set back from the external face of the masonry, within a reveal of 100mm.

Reason: In the interests of visual amenity.

- 23 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 development shall be carried out within Classes B (additions etc to the roof of a dwellinghouse) or D (porches) of Part 1 of Schedule 2 of that Order.

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.

- 24 Before the first occupation of Plot 11, as shown on drawing number P100 K, the windows at first floor level in the western (side) elevation shall be fitted with obscure glazing sufficient to prevent clear through views, and be non-opening up to a minimum height of 1.7 m above internal floor level and shall thereafter be retained in that form.

Reason: In the interests of the residential amenities of nearby properties.

- 25 Prior to their installation, details of any air conditioning units, flues, ventilation or other plant to be installed on buildings shall be submitted to and approved in writing by the local planning authority. The submitted details shall include the location, appearance and design and technical specification (including the levels of any noise generated) of the plant. The approved air conditioning units, flues, ventilation and other plant shall be installed in accordance with the approved details and thereafter maintained.


Reason: In the interests of visual amenity and the residential amenities of nearby properties.

- 26 The development shall be carried out in accordance with the recommended ecological mitigation and enhancements set out at paragraph 4.3.2 of the Extended Phase 1 Habitat Survey Report (Corylus Ecology, 12th March 2019).

Reason: To protect and enhance existing species and habitat on the site in the future.

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: 3rd March 2021

DISTRICT COUNCIL OFFICES WHITE CLIFFS BUSINESS PARK DOVER, KENT CT16 3PJ TEL: (01304) 821199	Signed:  Lois Jarrett Head of Planning, Regeneration & Development
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**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.**

## Development Low Risk Area - Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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

The applicant/agent was updated of any issues.

The application was considered by the Planning Committee where the applicant/agent has the opportunity to speak to the committee and promote the application

### **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.