



South East England Development Agency
c/o Rummey Design Associates
48A High Street
Sevenoaks
Kent
TN13 1JG

Town and Country Planning Act 1990
Town and Country Planning (Applications) Regulations 1988
Town and Country Planning (General Development Procedure) Order 1995

NOTIFICATION OF GRANT OF Outline Planning Permission

Proposal: Erection of Class B1, B2 and B8 business, industrial and warehousing units, creation of community park and country park, erection of visitor centre, construction of recreational cycling facilities and sculpture park and construction of water treatment facilities, access roundabout, roads and car parking facilities

Location: Betteshanger Colliery and Tip Site, A258, Northbourne

TAKE NOTICE that Dover District Council, the Local Planning Authority under the Town and Country Planning Act, **HAS GRANTED** Outline Planning Permission for the proposal in accordance with the application and accompanying plans received on 22/07/2002

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

The following conditions apply solely to initial infrastructure works hereby permitted comprising construction of the roundabout junction on the A258, roads, land profiling and landscaping on Phase 1 of the Community Park:-

- 1 Those elements of the development hereby permitted comprising the construction of the roundabout junction on the A258, roads, land profiling and landscaping for phase 1 of the Community Park shall be begun before the expiration of five years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 and to enable the matter to be considered in the light of any material change in planning circumstances.

- 2 Before development commences, plans showing the location and features of earthworks designed to provide additional habitats for those terrestrial invertebrates known to occur on the site and agreed with English Nature to be worthy of extra habitat provision, shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority. (Dover District Local Plan Policies CO6 and AS2).

Reason: In the interests of nature conservation.



- 3 Before development commences, the size and location of reptile translocation sites, to include both donor and receptor sites, together with a timetable and methodology of reptile capture, release and post-release monitoring shall be agreed with the Local Planning Authority in liaison with English Nature or its approved representative unless otherwise agreed in writing with the Local Planning Authority. (Dover District Local Plan Policies CO6 and AS2).
Reason: In the interests of nature conservation.
- 4 Prior to the removal of decking over the North and South Streams, a method statement for those works, including details of associated monitoring, shall be submitted to and approved by the Local Planning Authority in liaison with English Nature or its appointed representative unless otherwise agreed in writing with the Local Planning Authority and shall be fully adhered to. (Kent Structure Plan Policy ENV5 and Dover District Local Plan Policies CO6 and AS2).
Reason: In the interests of nature conservation.
- 5 All works associated with the construction of the roundabout junction on the A258, roads, and land profiling shall be carried out fully in accordance with the revised Outline Nature Conservation Management Plan prepared by Chris Blandford Associates dated January 2003 and received on 13 January 2003 and the method statement approved pursuant to condition 3 unless otherwise agreed in writing with the Local Planning Authority. (Dover District Local Plan Policies CO6 and AS2).
Reason: In the interests of nature conservation.
- 6 Prior to any obstruction through development of the route of the former railway line linking the Pit Head and Spoil Tip sites taking place, 'wildlife tunnels' suitable for use by bats and badgers shall be installed beneath the A258 road and be available for use, in accordance with details which shall first be submitted to and approved by the Local Planning Authority. (Dover District Local Plan Policy CO6).
Reason: In the interests of nature conservation.
- 7 If during infrastructure works site contaminants are found in areas previously expected to be clean and not identified for remediation in the report received by the Local Planning Authority on 15/01/2003 then their remediation shall be carried out in accordance with a methodology to be first agreed in writing with the Local Planning Authority. (Dover District Local Plan Policy ER4).
Reason: To prevent pollution of the water environment and ensure that future occupiers of the site are not exposed to risks associated with any contaminants present.
- 8 Prior to the commencement of construction works, all details of hardsurfacing to be carried out in association with the creation of roundabouts and roads shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with with the approved details. (Dover District Local Plan Policy DD1).
Reason: As no such details have been submitted and in the interests of visual amenity.
- 9 Prior to the commencement of construction works, details of all means of enclosure and boundary treatments associated with the infrastructure works hereby approved shall be submitted to and approved in writing by the Local Planning Authority, including a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the Local Planning Authority and in accordance with the approved details. (Dover District Local Plan Policy DD1).
Reason: To ensure a high quality of design and in the interests of enhancing the quality and enjoyment of the environment.

- 10 All soft landscape works for phase 1 of the Community Park shall be carried out in accordance with the approved details and prior to that facility first being brought into use.(Dover District Local Plan Policy DD1).
Reason: To ensure a high quality of design and in the interests of enhancing the quality and enjoyment of the environment.
- 11 Details of a streetlighting scheme for the roundabout on the A258 and roads hereby permitted, including details of the timing of its installation and availability for use, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of construction works. Development shall be carried out in accordance with the approved details.(Dover District Local Plan Policies DD1 and ER6).
Reason: In the interests of road safety and visual amenity.
- 12 Full details of any decorative installation on the roundabout hereby approved shall first be submitted to and approved by the Local Planning Authority, and shall subsequently be installed solely in the approved manner. (Dover District Local Plan Policy DD1).
Reason: In the interests of road safety and visual amenity.
- 13 No development, other than the construction of the roundabout junction on the A258, access roads, land profiling and landscaping on Phase 1 of the Community Park, shall take place until such time as the roundabout junction and access roads serving such development have been completed unless otherwise agreed in writing with the Local Planning Authority.(Dover District Local Plan Policies TR2 and AS1).
Reason: In the interests of road safety and convenience.
- 14 No development shall take place until details of the space to be laid out for the parking of plant and vehicles engaged in construction work have been submitted to and approved by the Local Planning Authority. That space and the vehicular access to it shall be available for the parking of plant and vehicles at all times during construction work and it shall not be used for any other purpose.(Dover District Local Plan Policy TR7).
Reason: To ensure that adequate parking is provided and maintained during construction works and in the interests of road safety and visual amenity.
- 15 No development shall take place until such time as a Scheme of Operations detailing how the traffic management arrangements that facilitate the construction of the roundabout onto the A258, land profiling and landscaping on Phase 1 of the Community Park have been submitted to and approved in writing by the Local Planning Authority.(Dover District Local Plan Policies TR2 and AS1).
Reason: In the interests of road safety and convenience.
- 16 No works in respect of the roundabout junction on the A258 or the access road(s) to be adopted by the Highway Authority shall take place until details of their means of drainage have been submitted to and approved in writing by the Local Planning Authority.(Dover District Local Plan Policy DD1).
Reason: In the interests of road safety and convenience.
- 17 The sight lines shown on plans numbers 12994/003/01C and 05A shall be provided prior to the first use of the access roads and shall thereafter be so maintained. No structure, tree or plant within the approved sight lines shall exceed 1.050 metres in height.(Dover District Local Plan Policy TR2).
Reason: In the interests of road safety and convenience.

The following conditions apply to all elements of the development hereby permitted other than the construction of the roundabout junction on the A258 roads, land profiling and landscaping on Phase 1 of the Community Park:-

- 18 Approval of the details of the design and external appearance of the buildings, and the landscaping of the site and individual units (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason: As no such details have been submitted.
- 19 Plans and particulars of the reserved matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
Reason: As no such details have been submitted and to ensure that the development is carried out in accordance with the approved plans and details.
- 20 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission unless otherwise agreed with the Local Planning Authority prior to the expiry of those period.
Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 and to enable the matter to be considered in the light of any material change in planning circumstances.
- 21 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later unless otherwise agreed with the Local Planning Authority prior to the expiry of those periods.
Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 and to enable the matter to be considered in the light of any material change in planning circumstances.
- 22 The details referred to at condition 18 shall include full details of the layout of the proposed sculpture park, the remainder of the community park, countryside park, pedestrian paths and BMX facility and cycling routes and details of their phasing. All development shall take place in accordance with the details as approved.(Dover District Local Plan Policy AS2).
Reason: in the interests of visual amenity and nature conservation.
- 23 All development other than infrastructure works shall be carried out fully in accordance with a detailed Nature Conservation Management Plan which shall first be submitted to and approved by the Local Planning Authority unless otherwise first agreed in writing with the Local Planning Authority. (Dover District Local Plan Policies CO6, AS1 and AS2).
Reason: In the interests of nature conservation.
- 24 Details of the means of safeguarding ecologically sensitive areas on the Spoil Tip from BMX activity and of preventing access to those areas, whether by foot, cycle or other means, by members of the public or animals under their control, shall be submitted to and approved by the Local Planning Authority and implemented in the approved form prior to the Spoil Tip first being opened for use by the public, and shall thereafter be retained and maintained in the approved form. (Dover District Local Plan Policy AS2).
Reason: In the interests of nature conservation.
- 25 A pedestrian access to the Spoil Tip from public right of way ED4 shall remain open to the public at all times when facilities on the Spoil Tip site are open for public use. (Dover District Local Plan Policy AS2).
Reason: in the interests of sustainability.

- 26 Details of the times at which the facilities on the Spoil Tip are to be open to the public shall be submitted to and approved by the Local Planning Authorities before any of those facilities are first brought into use and shall subsequently be adhered to unless otherwise first agreed in writing with the Local Planning Authority. (Dover District Local Plan Policy AS2).
Reason: In the interests of the amenity of local residents and nature conservation.
- 27 The caravan and camping site hereby approved shall be used solely in association with and for the duration of special events to be held at the Spoil Tip. Such events shall be solely ancillary to the activities on the site hereby approved and details thereof shall be notified to the Local Planning Authority at least 6 weeks in advance. (Kent Structure Plan Policies RS1 and RS5 and Dover District Local Plan Policies AS2 and CO1).
Reason: In the interests of the amenity of local residents.
- 28 A scheme for the long term management (with appropriate reference to the detailed Nature Conservation Management Plan required by condition 23) of both halves of the site, to include details of the means of preventing public access to the Spoil Tip outside the times specified in condition 26, shall be submitted to and approved by the Local Planning Authority as part of the first submission of reserved matters and shall thereafter be fully adhered to in the approved manner unless otherwise agreed in writing with the Local Planning Authority. (Dover District Local Plan Policies AS1 and AS2).
Reason: To ensure adequate maintenance and management of the site and in the interests of nature conservation and the amenities of local residents
- 29 Prior to the commencement of the construction of Phase 2 of the community park, the countryside park and the business, industrial and warehousing units, full details of remediation measures for that phase of development including completion shall be submitted to and approved by the Local Planning Authority, prior to implementation. If site contaminants are found in areas previously expected to be clean then their remediation shall be carried out in accordance with a methodology to be first agreed in writing with the Local Planning Authority. A completion report issued by a competent person, stating that remediation has been completed and that the site is suitable for the permitted use, shall be provided to the Authority prior to the first occupation of the development in question. (Dover District Local Plan Policy ER4).
Reason: To prevent pollution of the water environment and ensure that future occupiers of the site are not exposed to risks associated with any contaminants present.
- 30 No development shall take place other than infrastructure works, until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.(Dover District Local Plan Policy DD1).
Reason: As no such details have been submitted and in the interests of visual amenity.
- 31 All reserved matters applications for the erection of buildings shall accord in their entirety with the Design Guide which forms part of the Master Plan Report hereby approved unless otherwise agreed in writing with the Local Planning Authority.(Dover District Local Plan Policy DD1).
Reason: To ensure coherence in the approach to design throughout the development, in the interests of visual amenity.

- 32 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of all means of enclosure and boundary treatments associated with the development hereby approved (other than infrastructure works). The boundary treatment shall be completed in accordance with a timetable agreed in writing with the Local Planning Authority and in accordance with the approved details.(Dover District Local Plan Policy DD1).
Reason: To ensure a high quality of design and in the interests of enhancing the quality and enjoyment of the environment.
- 33 No development shall take place, other than infrastructure works and phase 1 of the Community Park, until full details of proposed tree and shrub planting to include full details of the layout of new woodland planting on the Spoil Tip, including full details of surface and sub-surface remediation works for the provision of healthy tree and shrub growth, and the proposed times of planting have been submitted to and approved in writing by the Local Planning Authority. All planting shall be carried out in accordance with those details and at those times.(Dover District Local Plan Policy DD1).
Reason: To ensure that adequate provision is made for ecological interests and in the interests of enhancing the quality and enjoyment of the environment.
- 34 Prior to the commencement of construction of any building, full details of existing and proposed ground levels and sections through it, including levels of thresholds, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved.(Dover District Local Plan Policy DD1).
Reason: To ensure that the development is carried out at suitable levels in relation to adjoining land and buildings and in the interests of amenity and highway requirements.
- 35 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or in any statutory instrument revoking and re-enacting that Order, each industrial, business and warehousing unit hereby approved shall be used solely for purposes within the specific Use Class (as set out in the Town and Country Planning (Use Classes) Order 1987 or in any statutory instrument revoking and re-enacting that Order) identified for it within the Master Plan Report hereby approved.(Dover District Local Plan Policy AS1).
Reason: In the interests of road safety and residential amenity
- 36 No industrial processing or storage of materials including crates, pallets and packing materials shall take place outside any building hereby permitted.(Dover District Local Plan Policy DD1).
Reason: To safeguard the amenities of the area.
- 37 No machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or despatched from the business, industrial and warehousing units outside the times of 08:00 to 18:00 on weekdays, 08:00 to 13:00 on Saturdays or at any time on Sundays and Bank or Public Holidays.(Dover District Local Plan Policy DD1).
Reason: In the interests of the amenities of the locality.
- 38 Details of facilities to be provided for the storage and removal of refuse from any building hereby permitted shall be submitted to and approved by or on behalf of the Local Planning Authority before any building is occupied.(Dover District Local Plan Policy DD1).
Reason: In the interests of amenity.
- 39 Sound attenuation measures to the satisfaction of the Local Planning Authority shall be designed into all industrial, business and warehousing units hereby permitted, and a statement addressing those measures shall be included within all relevant reserved matters submissions. (Dover District Local Plan Policy ER5).
Reason: In the interests of residential amenity

- 40 No burning, except in connection with nature conservation management, shall take place on site.(Dover District Local Plan Policy DD1).
Reason: To safeguard the amenities of the area.
- 41 The industrial, business and warehousing units hereby permitted shall not be used for any retail sales whatsoever nor may the said building be used for the collection of goods by trade or retail consumers.(Dover District Local Plan Policies AS1 and SP4).
Reason: The use of this site for such retail trading would be contrary to the policies for the area.
- 42 Any retailing on the Spoil Tip site shall be confined to within the Visitor Centre building and shall be solely ancillary to the activities hereby approved on the Spoil Tip. (Dover District Local Plan Policies AS2 and SP10).
Reason: To ensure activity appropriate to the locality and in the interests of road safety
- 43 Full details of foul and surface water drainage from each phase of the development, including details of water treatment facilities where appropriate, shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development of each phase, and thereafter implemented in the approved form and subsequently maintained. (Dover District Local Plan Policy DD1).
Reason: To ensure the provision of adequate drainage facilities
- 44 All reserved matters submissions shall contain a statement detailing means of safeguarding water quality and the sustainable measures to be employed in the interests of energy and natural resource conservation for the approval of the Local Planning Authority. The statement as approved shall be fully adhered to thereafter. (Dover District Local Plan Policy DD1).
Reason: In the interests of sustainability.
- 45 Full details of any decorative installation or public work of art within the development hereby approved shall first be submitted to and approved by the Local Planning Authority, and shall subsequently be installed solely in the approved manner. (Dover District Local Plan Policy DD1).
Reason: In the interests of visual amenity.
- 46 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.(Dover District Local Plan Policy WE1).
Reason: To prevent pollution of the water environment.
- 47 No construction of the business, industrial and warehousing units shall take place until full details of the space to be laid out for parking of vehicles, including bicycles, within the site have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the space allocated to it and the vehicular access to it have been laid out and surfaced in accordance with the approved details and thereafter it shall not be used for any purpose other than the parking of vehicles.(Dover District Local Plan Policy TR7).
Reason: In order to ensure that adequate parking or garaging is provided and maintained and in the interests of road safety and visual amenity.

- 48 No construction of the business, industrial and warehousing units shall take place until details of space for vehicles to turn, so that they may enter and leave the site in forward gear, have been submitted to and approved by the Local Planning Authority. No building shall be occupied until the space allocated to it has been provided in accordance with the approved details and thereafter it shall be so maintained.(Dover District Local Plan Policy TR2).
Reason: So that vehicles using the site may enter and leave it in a forward gear and in the interests of road safety and convenience.
- 49 No development shall take place in respect of the Spoil Tip site until full details of the space to be laid out for parking of vehicles, including bicycles, within the site have been submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not commence until that space and the vehicular access to it have been laid out and surfaced in accordance with with the approved details and thereafter it shall not be used for any purpose other than the parking of vehicles.(Dover District Local Plan Policy TR7).
Reason: In order to ensure that adequate parking or garaging is provided and maintained and in the interests of road safety and visual amenity.
- 50 No development shall take place in respect of the Spoil Tip site until details of space for vehicles to turn, so that they may enter and leave the site in forward gear, have been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the commencement of the use and thereafter shall be so maintained.(Dover District Local Plan Policy TR2).
Reason: So that vehicles using the site may enter and leave it in a forward gear and in the interests of road safety and convenience.
- 51 No development other than the development specified in condition 1 shall take place until full details of the space to be laid out for parking of vehicles, including bicycles, for users of the fishing lakes and the timing of its provision have been submitted to and approved in writing by the Local Planning Authority. That space and the vehicular access to it shall be laid out and surfaced in accordance with with the approved details and thereafter it shall not be used for any purpose other than the parking of vehicles.(Dover District Local Plan Policy TR7).
Reason: In order to ensure that adequate parking or garaging is provided and maintained and in the interests of road safety and visual amenity.
- 52 No development, other than that specified in condition 1, shall take place until an interim Green Travel Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall be implemented in accordance with the approved details.(Dover District Local Plan Policy TR1).
Reason: In the interests of sustainability objectives.
- 53 None of the individual business, warehousing or industrial units shall be occupied or used until details of how the relevant occupiers or users intend to comply with the approved Green Travel Strategy have been submitted to and approved in writing by the Local Planning Authority.(Dover District Local Plan Policy TR1).
Reason: In the interests of sustainability objectives.
- 54 No sewage or trade effluent (including vehicle wash or vehicle steam cleaning effluent) shall be discharged to any surface water drainage system.(Dover District Local Plan Policy WE1).
Reason: To prevent pollution of the water environment.

- 55 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor. Drainage from industrial areas shall pass through a silt trap. (Dover District Local Plan Policy WE1).
Reason: To prevent pollution of the water environment.
- 56 No development shall take place until the applicant(s), or their agents or successors in title, has or have secured the implementation of:
- i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved in writing by the Local Planning Authority;
 - 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 in writing by the Local Planning Authority. (Kent Structure Plan Policy ENV18 and Dover District Local Plan Policies HE6 and HE7).
- 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.
- 57 All material brought on to the site from elsewhere for use in association with the development hereby permitted shall be from a natural or approved source and within the levels of contaminants permitted by prior agreement and confirmed by means of testing, a procedure for which shall first be submitted to and approved in writing by the Local Planning Authority, to whom testing results shall be submitted in an agreed manner. (Dover District Local Plan Policy ER4).
Reason : To ensure that contamination is satisfactorily dealt with
- 58 Stockpiling of materials and storage of construction equipment shall take place only in locations which have been previously approved in writing by the Local Planning Authority in accordance with submitted details. (Dover District Local Plan Policy CO6).
Reason: To safeguard nature conservation interests.
- 59 Prior to the commencement of each phase of development, details of haulage roads and off-track vehicle activity on site during the construction period for that development phase and associated speed limits and the times of day at which construction activity and associated vehicle movements will take place shall be submitted to and approved in writing by the Local Planning Authority and thereafter adhered to in full. (Dover District Local Plan Policies DD1 and CO6).
Reason: In the interests of residential amenity and nature conservation
- 60 Prior to the commencement of development, wheel-washing facilities shall be installed on site to the satisfaction of the Local Planning Authority and shall thereafter be retained and fully maintained for the construction period. All vehicles leaving the construction site to join the public highway shall first pass through this facility. (Dover District Local Plan Policy TR2).
Reason: In the interests of road safety
- 61 The method statement for safeguarding ecological interests on the Spoil Tip during the construction period entitled Nature Conservation Management Plan Issue 01, dated 12 December 2003 and received on 18 February 2004 shall be fully adhered to at all times unless otherwise first agreed in writing with the Local Planning Authority. (Dover District Local Plan Policy AS2).
Reason: In the interests of nature conservation

- 62 Nothing other than excavated materials from an approved source and confirmed by testing to be within the levels of contaminants permitted shall be tipped on the site unless otherwise first agreed in writing with the Local Planning Authority. (Dover District Local Plan Policies WE1 and CO6).
Reason: To prevent pollution of the water environment and in the interests of nature conservation
- 63 If within a period of five years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority, seriously damaged or defective) another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.(Dover District Local Plan Policy DD1).
Reason: To ensure that adequate provision is made for the planting of trees and shrubs and in the interests of maintaining and enhancing the quality and enjoyment of the environment.
- 64 No development shall take place until details of the specification and position of fencing and of any other measures to be taken for the protection of any existing tree from damage before or during the course of development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Dover District Local Plan Policy DD1).
Reason: To ensure that adequate provision is made for protection during development works of existing trees and in the interests of enhancing the quality and enjoyment of the environment.
- 65 No development shall take place until details of the space to be laid out for the parking of plant and vehicles engaged in construction work for each phase of development have been submitted to and approved in writing by the Local Planning Authority. That space and the vehicular access to it shall be available for the parking of plant and vehicles at all times during construction work and it shall not be used for any other purpose.(Dover District Local Plan Policy TR7).
Reason: To ensure that adequate parking is provided and maintained during construction works and in the interests of road safety and visual amenity.
- 66 No development shall take place until such time as a Scheme of Operations detailing the traffic management arrangements associated with all elements of the development (other than construction of the roundabout onto the A258, land profiling and landscaping on Phase 1 of the community park) have been submitted to and approved in writing by the Local Planning Authority. The Scheme of Operations shall be undertaken as approved.(Dover District Local Plan Policy TR2).
Reason: In the interests of road safety and convenience.
- 67 No development shall be occupied or used until the roundabout junction on the A258 and the access roads have been completed to enable public use to take place.(Dover District Local Plan Policy TR2).
Reason: In the interests of road safety and convenience.
- 68 The development hereby permitted shall be carried out in accordance with the submitted application as clarified and amended by those documents and plans itemised in Schedule 1 unless otherwise approved in writing by the Local Planning Authority.
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

In reaching the decision to grant planning permission, the Local Planning Authority has taken into account the requirement in Section 54A of the Town and Country Planning Act 1990 (as amended) 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. Other material policies are Kent Structure Plan Policies S1, S2, ENV1, ENV2, ENV14, ENV15, ENV20, EK3, NR1, NR3, NR4, NR5, ED2, TO1, TO2, TO3, T3, T11, T17, T18, T19, T20, RS1, RS4, RS5, SR2 and SR3 and Dover District Local Plan Policies LE18, LE22, LE23, LE30, WE2, WE8, CO1, TR1, TR3, DD12, OS7 and CF1.

Dated: 17/08/2004

DISTRICT COUNCIL OFFICES
WHITE CLIFFS BUSINESS PARK
DOVER KENT CT16 3PG
TEL:DOVER (01304) 821199

Signed: _____



for Michael G.Dawson
Chief Planning & Building Control Officer

**YOUR ATTENTION IS DRAWN TO THE NOTES AND ANY
LETTER ACCOMPANYING THIS NOTICE**

SCHEDULE 1

- The Supplementary Master Plan Report accompanying the letter dated 29 November 2002 from Rummey Design Associates.
- The revised Environmental Statement chapters accompanying the letter dated 2 December 2002 from Chris Blandford Associates.
- The revised Biodiversity Plan (Revision B) accompanying the agent's letter dated 7 January 2003 from Rummey Design Associates.
- The Environmental Statement documents (Report Nos. 21122/RP, 21122/CH and addendum) all dated January 2003 and received on 15 January 2003.
- Plan No. 12994-003-151 accompanying the letter dated 17 January 2003 from Peter Brett Associates.
- Plan No. 12994-003-02B dated 23 December 2002.
- Letter dated 10 February 2003 from SEEDA.
- Plan No. 142/101D accompanying the agent's letter dated 7 February 2003 from Rummey Design Associates.
- Plans Nos. D189/cp/100E, 101A, 110B, 111A, 200A and 201 and planting schedules accompanying the letter dated 6 May 2003 from Rummey Design Associates.
- Plan Nos. 12994-003-01C and 05A accompanying the letter dated 10 June 2003 from Peter Brett Associates.
- The General Environmental Management Plan received on 13 August 2003.
- Plans Nos. 12994-003-014, 015, 121C and 122B accompanying the letter dated 26 August 2003 from Peter Brett Associates.
- The Nature Conservation Management Plan Issue 01 dated 12 December 2003 and the General Environmental Management Plan Issue 02 dated 26 November 2003 accompanying the letter dated 13 February 2004 from Peter Brett Associates.

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; 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 using a form which you can obtain only from the **Planning Inspectorate, 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, Tel: 0117 3728808.**
- 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 First 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 Legislation

- 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 1995, 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, and Conservation Area Consent 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 1985 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, a further planning permission may be required.
- Now that your application has been determined, it is no longer necessary for the Council to retain a spare set of your submitted plans. This set of plans will be available for collection at the District Council offices within the next 6 weeks (or 6 months if your application has been refused) after which time it will be destroyed. The plans should be signed for on collection.