

ADVISORY NOTE

The following Advisory Note sets out the grounds of refusal or conditions to be imposed on granting the application (also attached is a copy of the Head of Development Services report to Committee) :-

MINUTE

F/TH/08/0567

LOCATION

**LAND AT BRAMWELL COURT ADJ
WILD THYME BRAMWELL COURT,
LAUNDRY ROAD, MINSTER,
RAMSGATE**

PROPOSAL

**OUTLINE APPLICATION FOR THE
ERECTION DETACHED HOUSE AND
GARAGE INCLUDING ACCESS**

REASONS FOR REFUSAL

CONDITIONS FOR APPROVAL

1. The application site lies outside the built up area boundary of any settlement and, as such, the proposed development would constitute the unsustainable development of fresh land in the countryside, unrelated to local need and without any special agricultural or other justification, detrimental to the rural character and appearance of the area and of harm to the Landscape Character Area, contrary to policies SS1, SP1, HP2, HP5, QL1, EN1 and QL4 of the Kent and Medway Structure Plan, and Thanet Local Plan Policies H1, D1, TR1, CC1 and CC2, which seek to concentrate development at appropriate locations within the confines of existing urban areas and rural settlements, thereby conserving and enhancing the character, quality and functioning of the countryside.

1. Approval of the details of the (layout, scale, landscaping and appearance) (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND:

As no such details have been submitted.

2. Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990.

4. No development shall take place 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.

GROUND:

In the interests of visual amenity in accordance with Policies D1 and CC1 of the Thanet Local Plan.

5. The design and method of construction of the means of access shall be submitted to, and agreed in writing by, the Local Planning Authority prior to commencement of the construction of the access hereby permitted.

GROUND:

In the interests of highway safety.

6. No development shall take place until details of the means of foul and surface water disposal have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed.

GROUND:

To prevent pollution in accordance with policy EP13 of the Thanet Local Plan

7. If, during development, contamination not previously identified, is found to be present at the site, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The proposed works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the Thanet Local Plan 2006 Policy EP4 and EP13.

8. The area shown on the deposited plan for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby permitted being brought into use, unless otherwise agreed in writing by the Local Planning Authority. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety in accordance with Thanet Local Plan Policy TR16.

No development 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 and these works shall be carried out as approved.

These details shall include:-

(1) details of existing trees, shrubs and hedges to be retained and details of new trees, shrubs, hedges and grassed areas to be planted, together with details of the species and method of planting to be adopted.

(2) details of the treatment proposed for all hard surfaced areas beyond the limits of the highway.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policy D1 of the Thanet Local Plan.

9. 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 a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 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 gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan.

10. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

GROUND:

To ensure that features of archaeological interest are properly examined and recorded in accordance with the Thanet Local Plan policies HE11 and HE12.

11. No development shall take place until details of sound insulation for the dwellings to achieve a minimum level of sound insulation of 30dB have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed.

GROUND:

In the interests of residential amenity and in pursuance of policy D1 and EP8 of the Thanet Local Plan.

12. Prior to the first occupation of the dwelling hereby approved, a sight line measuring 2m x 23m to the right hand side of the access shall be provided and thereafter maintained with no obstruction above 1m in height.

GROUND:

In the interests of highway safety.

13. Prior to the first occupation of the development hereby permitted, visibility splays of 2 metres by 23 metres shall be provided to the vehicular access and thereafter maintained with no obstruction above 0.6 metres in height.

GROUND:

In the interest of highway safety

14. The development hereby permitted shall not have a ridge height in excess of 8 metres in height.

GROUND:

In the interest of the visual amenities of the area as the proposed development would complete the group of dwellings that was originally envisaged