

# CANTERBURY CITY COUNCIL

## DECISION NOTICE

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**Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) (England) Order 2015**

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NOTIFICATION OF GRANT OF FULL/OUTLINE SPLIT APPLICATION PLANNING PERMISSION

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**Application Number:** CA/20/02826  
**Location:** Land At Sturry/Broad Oak, Sturry  
**Proposal:** Outline application (with all matters reserved) for the development of up to 630 houses and associated community infrastructure comprising primary school, community building, public car park and associated amenity space, access, parking and landscaping; and detailed/full application for the construction of part of the Sturry Link Road and a local road from the Sturry Link Road to Shalloak Road.

Take notice that **Canterbury City Council**, the district planning authority under the Town and Country Planning Act 1990, has **GRANTED** your application, as described above, subject to the following conditions:

Part A – Whole Site Conditions

*Phasing*

1. No development shall take place until a Phasing Plan, which shall include justification for the proposed Phases, demonstrate the timescale for the delivery of the development and include the order of the delivery of the proposed phases, has been submitted to and approved in writing by the local planning authority. The phasing of the development shall not be carried out otherwise than in accordance with the approved plan.

All reserved matters submissions shall be in accordance with the Phasing Plan as approved by the Local Planning Authority, unless otherwise agreed with the Local Planning Authority. Any references to a Phase of the development within this permission shall be taken to be a reference to phases as identified within the Phasing Plan submitted under this condition.

**REASON:** In the interests of the proper development of the area and to achieve sustainable development

### *Trees*

2. Prior to the commencement of development within each phase a detailed Arboricultural Impact Assessment and Method Statement shall be submitted to and approved in writing by the local planning authority, which provides the following details for that phase:
  - Trees to be removed
  - Trees to be retained;
  - Tree works required to facilitate the development; and
  - Outlining the protective measures required to protect the retained trees throughout construction.

Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837:2012.

**REASON:** In the interests of the visual amenities of the area and to adequately integrate the development into the environment, in accordance with policies DBE3 and LB10 of the Canterbury District Local Plan 2017

3. A buffer zone of 15m (not including residential gardens) shall be provided adjacent to the ancient woodland. The zone(s) shall be delivered in accordance with the detailed proposal and a timetable shall be submitted to and approved in writing by the local planning authority prior to the commencement of development within a development phase approved by Condition 1 and shall be thereafter maintained.

**REASON:** In the interests of ecology and residential amenity in accordance with the National Planning Policy Framework and the Local Plan 2017.

### *Surface Water Drainage*

4. No development within any phase approved under Condition 1 shall take place until details of the means of surface water disposal, including a detailed sustainable surface water scheme, in general accordance with the approved Surface Water Management Strategy (Appendix A12.1 Surface Water Management Strategy and Flood Risk Assessment of the Environmental Statement Marian Cameron Consultants Ltd dated December 2020 (RMB Consultants (Civil Engineering) Ltd), for that phase have been submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be compliant with the non-statutory technical standards for sustainable drainage. It shall demonstrate the surface water run off generated up to and including the 100yr critical storm (including allowance for climate change) will not exceed run off from the undeveloped site following the corresponding rainfall event, and so as not to increase the risk of flooding both on and off-site. It shall also include the provision of measures to prevent the discharge of surface water onto the highway. The development shall be carried out in accordance with the approved details and thereafter maintained.

**REASON:** To ensure adequate drainage provision and to prevent pollution, in accordance with policies DBE3, CC11, CC12, CC13 and QL12 of the Canterbury District Local Plan 2017 and the National Planning Policy Framework.

5. No building within any phase approved under Condition 1 hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme for that phase have

been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- A timetable for its implementation, and
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

**REASON:** To ensure adequate drainage provision and to prevent pollution, in accordance with policies CC11, CC12, CC13 and QL12 of the Canterbury District Local Plan 2017 and the National Planning Policy Framework.

#### *Sewer Diversion*

6. Prior to the commencement of development within a Phase, details of measures to divert or protect the public foul sewer within that Phase 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 prevent pollution in accordance with the advice contained within the National Planning Policy Framework.

#### *Contamination*

7. No development within a Phase as approved under Condition 1 shall commence until a remediation strategy, prepared in general accordance with the Outline Remediation Strategy for Land at Sturry (Appendix 11.4- Ecologia, 6th June 2017) for that phase is submitted to and approved, in writing by the local planning authority. The following components to deal with the risks associated with contamination of the site, shall be included:

- A. A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
- B. A site investigation scheme, based on (A) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- C. The results of the site investigation and the detailed risk assessment referred to in (B) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- D. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (C) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

**REASON:** To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with policy QL12 of the Canterbury District Local Plan 2017 and with the National Planning Policy Framework.

8. If, during the course of construction of the approved development, contamination not previously identified on the site is found to be present the occurrence shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended. A risk assessment shall be carried out and submitted for the written approval of the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted for the written approval of the local planning authority. No development or relevant phase of development shall be resumed or continued until the risk assessment and, if required, remediation and verification schemes have been approved by the local planning authority and the schemes carried out in full accordance with the approved details.

**REASON:** To prevent harm to human health and pollution of the environment, in accordance with policy QL12 of the Canterbury District Local Plan 2017 and with the National Planning Policy Framework.

#### *Construction Environmental Management Plan*

9. Prior to the commencement of development within any Phase approved by Condition 1, a Construction Environmental Management Plan (CEMP) that accords with the Outline Construction Environmental Management Plan (Appendix 4.1 of the Environmental Statement Marian Cameron Consultants Ltd dated December 2020) shall be submitted to and approved in writing by the local planning authority, and shall include the following details:

- Routing of construction and delivery vehicles to/from site
- Parking and turning areas for construction and delivery vehicles and site personnel
- Timing of deliveries
- Details of site access point(s) for construction
- Dust control measures
- Site operation times between 0730 – 1800 Monday to Friday, 0800 – 1300 Saturday and at no time on a Sunday or Bank Holiday unless in association with an emergency
- Demolition and construction waste - storage and removal
- Temporary traffic management/signage
- Details of wheel washing facilities prior to commencement of spoil removal on site and for the duration of spoil removal
- Construction activities will be carried out in accordance with guidance contained within best practice pollution prevention guidelines;
- The Environment Agency and/or Internal Drainage Board will be consulted prior to any temporary or permanent works that may interfere with the bed, banks or floodplains of the watercourses;
- Prior to pumping from excavations, permits to operate pumps will be issued to the pump operator, indicating the point of discharge and all other necessary control procedures;
- The water quality and flow rates within the stream and ditches running through the Application Site and the ponds will be monitored prior to and at regular intervals during construction to ensure that the quality and flow is not affected;
- There will be no pumping to controlled waters or surface water drains/ditches without a Discharge Consent obtained from the Environment Agency;
- Before any discharge of water is made from the Application Site or into the acid grassland or ponds, adequate provisions will be made to ensure that it is not polluting. This includes the incorporation of

appropriate silt settlement techniques into the watercourses within and surrounding the Application Site and protect gullies and if necessary block the drains during specific operations;

- All spills regardless of size are to be reported;
- Fuel, oil or chemicals will be stored on impervious bases of appropriate capacity and will be located away from watercourses in accordance with the best practice pollution prevention guidelines as well as COSHH Regulations 2002 and the Control of Pollution (Oil Storage) Regulations 2004;
- Where practicable, drainage from storage compounds will be passed through oil interceptors prior to discharge;
- Leaking and empty drums will be removed from the Application Site and disposed of appropriately;
- Any refuelling of mobile plant and machinery will be undertaken in a designated area away from watercourses and surface drains, and supplied with appropriate spill kits and bunded bowsters;
- All mobile plant will have drip trays or the equivalent under them to prevent any leaks getting to the ground;
- The handling and storage of potentially hazardous liquids on site e.g. fuels and chemicals are to be controlled and best practice guidance from the Environment Agency will be applied;
- Biodegradable hydraulic oil will be used for machinery/plant where possible;
- Operational outlets to public sewers to be protected from debris and filters/screens/sumps will be employed;
- All drums and barrels will be fitted with flow control taps and will be properly labelled;
- Portable toilets (for initial site set up works only) and good quality temporary toilet facilities will be provided for construction worker use to prevent water pollution resulting from worker-generated sewage effluents. The waste water from these facilities will be tankered off site and disposed of appropriately;
- The placing of any wet concrete or cement in or close to any water body including culverts will be controlled through temporarily bunding the area of works to separate the wet concrete or cement and water to prevent leaks into the water body;
- No concrete wash outs will be permitted on site. Contractors using concrete wagons must employ the use of a concrete sock for each wagon. Manholes and catch pits will be covered to prevent concrete-cement ingress;
- Haul roads and hardstanding on the Application Site and approaches to the water body (or drains leading to a water body) will be regularly cleaned using water bowsters and/or road sweepers to prevent the build-up of mud, oil and dirt that may be washed into a water body or drain during heavy rainfall;
- The use of water sprays to reduce dust or wash down within construction areas will be carefully regulated to avoid washing substantial quantities of silt etc., into surface water drains;
- Spill kits will be located on sites near to water bodies, within the works compounds and at any location where fuel, oil or other chemicals are in use;
- Where the works footprint is located adjacent to the ponds, ditches and stream, propped temporary Heras fencing fitted with debris netting will be maintained for the duration of works at a distance of at least 5m (where practicable) from the bank toes of the waterbodies. The fencing will be removed once all the development works have been completed. The fencing will minimise the risk of damage to the bankside habitats and the risk of materials or debris entering the water bodies; and
- Waterbodies will be desilted where it is felt to be ecologically appropriate.

Development shall be carried out in accordance with the approved details. Any subsequent updates to the CEMP must be approved in writing by the local planning authority.

**REASON:** To ensure pollution prevention measures are in place for all potentially polluting activities during construction in accordance with policy QL12 of the Canterbury District Local Plan 2017, the National Planning Policy Framework and in the interests of highway safety.

### *Ecology*

10. Prior to the commencement of development, a site wide Ecology and Landscape Management Plan (ELMP) in accordance with the Outline Ecology and Landscape Management Plan (Appendix 4.2 of the Environmental Statement Marian Cameron Consultants Ltd dated December 2020) shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out in accordance with the approved details, including:

- Detailed mitigation and enhancement strategies for all protected species recorded within the site;
- Description and evaluation of features to be managed;
- Ecological trends and constraints on site that might influence management;
- Aims and objectives of management of the site and surrounds, including access and management measures proposed for the Den Grove Wood;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions clarifying how it fits in with the proposed species mitigation;
- Preparations of a schedule of works (including an annual work plan capable of being rolled forward over a five year period); and
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period).
- Details of the body organisation responsible for the implementation of the plan.
- On going monitoring and revision of management plan.

The plan shall also set out (where the results from monitoring show that conservation aims and objections of the ELMP are not being met) how contingencies and/ or remedial action will be identified, agreed and implemented so that the development still delivers the appropriate mitigation. The works shall be carried out in accordance with the approved details of the ELMP and any subsequent updates following on-going reviews and monitoring. Any subsequent updates to the ELMP must be approved in writing by the Local Planning Authority.

**REASON:** In the interest of preserving protected species and their habitats in accordance with policy LB9 of the Canterbury District Local Plan and the National Planning Policy Framework.

11. Prior to the commencement of development within any phase (including any demolition, groundworks and site clearance) a detailed Ecology Mitigation Strategy for the protection of all protected species and habitats identified on and around that phase shall be submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:

- Updated Preliminary Ecological Appraisal;
- Updated specific species surveys where necessary to inform the ecological mitigation;
- Purpose and objectives for the proposed works;
- Detailed design(s) and/ or working method(s) necessary to achieve the stated objectives;
- Extent and location of proposed works including the identification of suitable receptor sites, shown on appropriate scale maps and plans;
- Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;

- Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on the site to undertake/ oversee works;
- Use of protective fences, exclusion barriers and warning signs;
- Initial aftercare and long term maintenance (where relevant);
- Disposal of any wastes for implementing work; and
- Details of on-going management until commencement of the Ecology and Landscape Management Plan

The works shall be carried out in accordance with the approved details and shall thereafter be maintained as such.

**REASON:** In the interest of preserving protected species and their habitats in accordance with policy LB9 of the Canterbury District Local Plan and the National Planning Policy Framework.

### *Landscape and Open Space Management Strategy*

12. No development shall commence on any Phase approved under Condition 1 until such time as a Landscape and Open Space Management Strategy for that Phase has been submitted to and approved by the Local Planning Authority detailing:

- A programme for the delivery of formal and informal open spaces setting out:

(i) delivery of the area of proposed allotments linked to the development phase;

(ii) proposals for future management of the allotment area.

- How the public open space will be planted, established and accessible in line with the requirements of the Section 106
- Details of who is to have ongoing management responsibilities for the landscape and open spaces within that Phase and how those arrangements will be secured in perpetuity and maintenance schedules for all landscaped, open space and play areas;
- A detailed specification for any equipped play areas to be provided within the Phase in accordance with the approved Masterplan Supplementary Document.

The Landscape and Open Space Management Strategy for each Phase shall be implemented and adhered to as approved subject to any minor revisions thereto as may be approved in writing by the Local Planning Authority. The public open spaces shall be laid out and implemented in accordance with the approved documents pursuant to any approved Reserved Matters and shall be permanently retained thereafter in accordance with the management plan.

**REASON:** In the interests of achieving sustainable development and visual amenity of the area and to adequately integrate the development into the environment, and provide local play space, in accordance with guidance within the National Planning Policy Framework

### *Archaeology*

13. Prior to the commencement of development on the Land at Sturry hereby approved, the applicant or their agents or successors in title, shall secure the implementation of a programme of archaeological work in

accordance with the written specification and timetable identified in the approved Preliminary Archaeology Assessment, to be submitted to and approved in writing by the local planning authority.

**REASON:** To ensure that features of archaeological interest are properly examined and recorded in accordance with policies HE11 and HE12 of the Canterbury District Local Plan 2017 and the National Planning Policy Framework.

*Part B – Detailed Elements – East-west Alignment of A28 Sturry Link Road*

14. The east-west alignment of the A28 Sturry Link Road hereby approved shall be carried out in accordance with the submitted drawings:

- 13-012-2010 Rev A– Roundabout from A28 Swept Paths.
- 13-012-2011 Rev A– Roundabout from Sturry Hill Road Swept Paths
- 13-012-2020 Rev A – Signs and Lines 1 of 4
- 13-012-2021 Rev A– Signs and Lines 2 of 4.
- 13-012-2022 Rev A– Signs and Lines 3 of 4.
- 13-012-2023 Rev A – Signs and Lines 4 of 4.
- 13-012-2030 Rev B- Visibility Splays 1 of 4.
- 13-012-2031 Rev A– Visibility Splays 2 of 4.
- 13-01-2032 Rev A – Visibility Splays 3 of 4.
- 13-012-2033 Rev A– Visibility Splays 4 of 4.
- 13-012-2040 Rev A– Scheme Design 1 of 3.
- 13-012-2041 Rev A– Scheme Design 2 of 3.
- 13-012-2042 Rev A– Scheme Design 3 of 3.

**REASON:** To secure the proper development of the area.

*Lighting*

15. No development pursuant to Condition 13 shall commence until a detailed lighting design strategy and plan for the east-west alignment of the A28 Sturry Link Road has been submitted to and approved in writing by the local planning authority. This strategy shall include:

- Take into account measures as described in the Outline Lighting Strategy (Appendix A15.2 of the Environmental Statement Marian Cameron Consultants Ltd, dated December 2020 (Appendix 15.2 dated December 2020)
- Identify those areas/features on site that are particularly sensitive for bats, dormice and other nocturnal species 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.
- A plan showing how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent nocturnal species using their territory. It must include details of light spill which shall not exceed 1LUX within the areas identified as sensitive to nocturnal species.

**REASON:** In the interest of preserving protected species and their habitats in accordance with policy LB9 of the Canterbury District Local Plan and the National Planning Policy Framework.



16. All external lighting of the east-west alignment of the A28 Sturry Link Road shall be installed in accordance with the specifications and locations set out in the detailed lighting plans for each phase pursuant to Condition 14 and these shall be maintained thereafter in accordance with the strategy.

**REASON:** In the interest of preserving protected species and their habitats in accordance with policy LB9 of the Canterbury District Local Plan and the National Planning Policy Framework.

*Part C - Reserved Matters – Residential, community, education, open space and railway car park*

17. Details of the layout, scale and appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, (hereinafter called ‘the reserved matters’) shall be submitted and approved by the Local Planning Authority in writing before any development of Reserved Matters Areas (Part C) is commenced.

**REASON:** No such details have been submitted and these items have been reserved for future consideration.

18. Any application for approval of first phase of reserved matters shall be made no later than the expiration of three years beginning with the date of the grant of outline planning permission.

**REASON:** In pursuance of Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

19. The final application for the approval of the final reserved matters for the final phase of the development (in accordance with the phasing plan approved under condition 7) shall be submitted to the local planning authority no later than 5 years from the date of this permission. Each phase of development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the final reserved matters to be approved for that phase.

**REASON:** In pursuance of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

20. The Reserved Matters development hereby approved shall be carried out in broad accordance with the following submitted drawings:

- Density Parameter Plan- 22600A-108 Rev X
- Development Area Parameter Plan- 22600A-104 Rev AK
- Building Heights Parameter Plan- 22600A-107 Rev Y
- Open Space Parameter Plan - 22600A-105 Rev ZG
- Access Parameter Plan- 22600A-103 Rev U
- Open Watercourses and Ponds Parameter Plan- 22600A-106 Rev H

**REASON:** To secure the proper development of the area

21. The Reserved Matters development hereby approved shall comprise

- A maximum of 630 dwellings
- No less than 2.05ha of land for a primary school including 1.00ha of playing fields
- No less than 0.18ha of land for a community centre
- No less than 0.25ha of land for the Sturry railway station car park
- No less than 31.40ha of open space (excluding 1.00ha of playing fields, which includes landscaping around and between the playing fields together with associated infrastructure and facilities)

**REASON:** In the interests of certainty as to what is permitted

22. Each Reserved Matters application shall be accompanied, as appropriate, by the following documents and/or information:

- A Design Statement that demonstrates how the proposals accord with the approved Parameter Plans, Masterplan Supplementary Document and Design Code and in the case of any variation explain the reason for that change and the explain the nature of the change.
- Details of measures to minimise opportunities for crime, according with the principles of Crime Prevention Through Environmental Design (CEPTED).
- In relation to the matter of access: details (including specifications) of the access to the sub-phase and within the sub-phase for vehicles, cycles and pedestrians (including Access for All standards).
- Lighting Design Strategy that shall:
- Take into account measures as described in the Outline Lighting Strategy (Appendix A15.2 of the Environmental Statement Marian Cameron Consultants Ltd dated December 2020) and any subsequent approved Lighting Design Strategy;
- Identify those areas/features on site that are particularly sensitive for bats, dormice and other nocturnal species 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 the their territory; and
- A detailed lighting plan showing how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats or dormice using their territory or having access to their breeding sites and resting places. It must include details of light spill which shall not exceed 1LUX within the areas identified as sensitive to nocturnal species.

In relation to the matter of layout a Reserved Matters application shall include:

- Details of the siting and orientation of the proposed buildings and any relevant roads, as well as the location of any landscaped or open space areas;
- Details of any necessary temporary layout associated with boundary treatment and condition between the sub-phases;
- Details of parking areas in accordance with the standards set out in the Kent Design Guide Interim Guidance Note 3, servicing areas, and plant areas;
- Details of cycle parking in accordance with the standards set out in the Kent Design Guide Interim Guidance Note 3;
- Details of any public rights of way affected by the proposal;
- Details and specification (including cross sections if necessary) of proposed earth modelling, mounding, re-grading or changes of level to be carried out including spot levels;
- The open space details shall demonstrate that there will be no Sustainable Urban Drainage Systems located within the following categories of open space as identified by policy OS11 of the Local Plan which are considered useable areas :- Parks and Gardens, Play Areas and Sports unless there is a surplus of provision of the category against the 2017 Canterbury Local Plan policy OS11 in which case that surplus may be used for Sustainable Urban Drainage Systems if required.
- Where relevant, details of storing commercial refuse, including recyclable material and point of collection.

In relation to scale and appearance a Reserved Matters application shall include:

- Details of building heights and massing;
- Details of housing mix in broad accordance with the viability assessment

- Details of the internal layout of buildings identifying how “regard” has been had to the Nationally Described Space Standards in accordance with Policy DBE4 of the Local Plan;
- Details of the external treatment and design of the buildings;
- Details of finished floor levels.

In relation to the matter of landscaping a Reserved Matters application shall include:

- plans, drawings, sections, and specifications to explain full details of the hard and soft landscaping treatment and works including; materials (size, type and colour), proposed drainage arrangements, children's play equipment, street furniture, lighting columns/brackets, private and communal areas, opens spaces, edges, boundary treatments, public rights of way and roads;
- tree planting details and specification of all planting in hard and soft landscaped areas;
- details of the programme for implementing and completing the planting.

In relation to the matter of access a Reserved Matters application shall include:

- The width and configuration of proposed carriageway layouts including any footways and verges;
- The width and configuration of any footpaths and cycleways;
- The details of any PROW closure or diversion, including route and time period;
- The layout and configuration of junctions and roundabouts within the Phase;
- The layout of street lighting;
- The layout and configuration of surface water sewers, drains and outfalls serving the highway;
- The layout and configuration of retaining walls and highway supporting structures;
- The layout of service routes and corridors within highways;
- Identification of any vehicle overhang margins, embankments, visibility splays, property accesses, carriageway gradients, driveway gradients, car parking and street furniture;
- The gradient of vehicular accesses shall be no steeper than 1 in 10 for the first 1.5 metres from the highway boundary and no steeper than 1 in 8 thereafter;
- Before their first use the surface of vehicular accesses shall be a bound surface for the first five (5.0) metres of the access from the edge of the highway and this surface shall be permanently maintained thereafter.

**REASON:** In order that the Reserved Matters Applications can be properly considered and assessed against the approved Parameter Plans, Masterplan Supplementary Document and Design Code, in the interests of proper planning and to balance the housing needs of the district against the viability constraints of the scheme.

*Masterplan*

23. Any reserved matters application shall take account of the approved Masterplan Supplementary Document (April 2018). The Masterplan Supplementary Document may be updated with written approval of the Local Planning Authority.

**REASON:** To ensure high quality design and coordinated development against which to assess reserved matters applications and to ensure a satisfactory appearance to the development.

## *Design Code*

24. Any reserved matters application shall take account of the approved Design Code (December 2020) save for the primary street to the primary school, which shall have off road shared cycle provision on one side of the street. The Design Guide may be updated with written approval of the Local Planning Authority.

**REASON:** To ensure a high quality design and coordinated development against which to assess reserved matters applications and to ensure a satisfactory appearance to the development.

## *Energy and Sustainability*

25. The Reserved Matters development shall be carried out in full accordance with the submitted Energy Statement and Sustainability Statement dated December 2020.

**REASON:** In the interests of achieving sustainable development in accordance with the principles within the National Planning Policy Framework

## *Landscaping*

26. All hard and soft landscape works shall be carried out in accordance with the approved Reserved Matters details and the Landscape and Open Space Management Strategy for that Phase. The works shall be carried out prior to the occupation of any part of the phase of the development to which it relates, 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.

**REASON:** In the interests of the visual amenities of the area and the interests of biodiversity and ecological potential, and to adequately integrate the development into the environment, in accordance with the National Planning Policy Framework.

## *Foul Drainage*

27. No development shall take place until the developer has confirmed in writing whether the on-site package treatment plant will discharge water to the Waste Water Treatment Works or discharge to a watercourse or ground.

If the developer discharges water from the on-site package treatment plant to a watercourse or ground, no development shall take place until permission in principle is obtained from the Environment Agency.

**REASON:** In the interest of preserving protected and qualifying features of the Stodmarsh SPA, SAC and Ramsar from foul water pollution associated with the occupation phase of development in accordance with policies SP1, LB5 and LB6 of the Canterbury District Local Plan 2017 and NPPF.

28. Should the developer under condition 27 discharge the water from the on-site package treatment plant into a watercourse or ground then no more than 116 dwellings as set out in the Nutrient Neutrality Report (Appendix 4.3 of the Environmental Statement Marian Cameron Consultants Ltd dated December 2020). shall be occupied until a discharge permit from the Environment Agency has been approved.

**REASON:** In the interest of preserving protected and qualifying features of the Stodmarsh SPA, SAC and Ramsar from foul water pollution associated with the occupation phase of development in accordance with policies SP1, LB5 and LB6 of the Canterbury District Local Plan 2017 and NPPF.

29. Subject to Condition 30 and 31, no foul wastewater from residential dwellings shall be disposed to a wastewater treatment work that discharges directly or indirectly into the River Stour other than in accordance with the measures specified for on-site package treatment plants (PTPs) set out in the Nutrient Neutrality Report (Appendix 4.3 of the Environmental Statement Marian Cameron Consultants Ltd dated December 2020). Such measures (when implemented) shall ensure that all such wastewater is treated on site by such PTPs

**REASON:** In the interest of preserving protected and qualifying features of the Stodmarsh SPA, SAC and Ramsar from foul water pollution associated with the occupation phase of development in accordance with policies SP1, LB5 and LB6 of the Canterbury District Local Plan 2017 and NPPF.

30. Residential foul wastewater may be disposed to a wastewater treatment work that discharges directly or indirectly into the River Stour if alternative arrangements for the disposal of such wastewater have been agreed in writing with the Local Planning Authority, following consultation with Natural England and the Environment Agency, and written approval having been received from Natural England and the Environment Agency in relation to such alternative arrangements.

**REASON:** In the interest of preserving protected and qualifying features of the Stodmarsh SPA, SAC and Ramsar from foul water pollution associated with the occupation phase of development in accordance with policies SP1, LB5 and LB6 of the Canterbury District Local Plan 2017 and NPPF.

31. Details of PTPs shall be submitted to and approved in writing by the Local Planning Authority and installed prior to the occupation of the 117th dwelling. The agreed PTP scheme shall thereafter be maintained and shall remain in place until such time (if any) that an alternative means of disposing wastewater has been approved under Condition 30.

**REASON:** In the interest of preserving protected and qualifying features of the Stodmarsh SPA, SAC and Ramsar from foul water pollution associated with the occupation phase of development in accordance with policies SP1, LB5 and LB6 of the Canterbury District Local Plan 2017 and NPPF

### *Piling*

32. No Reserved Matters development shall take place within a Phase until the method of piling foundations within that Phase has been submitted to and agreed in writing by the Local Planning Authority. Any such piling shall thereafter be undertaken in accordance with the agreed details.

**REASON:** To prevent harm to human health and pollution of the environment, in accordance with policy QL12 of the Canterbury District Local Plan 2017 and with the National Planning Policy Framework.

### *Emissions Mitigation*

33. The Reserved Matters development shall be carried out in full accordance with the submitted Emissions Mitigation Strategy dated 14/12/2020. The approved physical on-site measures for each dwelling in a single

phase shall be implemented in full prior to the first occupation of each dwelling within a development phase and be thereafter retained.

**REASON:** To ensure pollution prevention measures are in place in accordance with policies DBE3 and QL12 of the Canterbury District Local Plan 2017, the National Planning Policy Framework and in the interests of highway safety.

### *Lighting*

34. All external lighting for each Reserved Matters phase shall be installed in accordance with the specifications and locations set out in the detailed lighting plans for each phase pursuant to Condition 10 and these shall be maintained thereafter in accordance with the strategy.

**REASON:** In the interest of preserving protected species and their habitats in accordance with policy LB9 of the Canterbury District Local Plan and the National Planning Policy Framework.

### *Highways*

35. Prior to the occupation of the 162nd dwelling, the spine road (between the KCC delivered viaduct scheme and the existing A291) as shown on drawings numbered 13-012-2040 Rev A from the location of the roundabout shown to provide "Access 2" and heading east in the full extent of drawings 13-012-2041 Rev A and 13-012-2042 Rev A shall be completed and thereafter maintained.

**REASON:** In the interests of highway safety.

36. Prior to the occupation of the 385th dwelling, the spine road between the KCC delivered viaduct scheme and Shalloak Road as shown on drawing 30-12-2040 Rev A from the location of the roundabout shown to provide "Access 2" to its Western extent, shall be completed and thereafter maintained.

**REASON:** In the interests of highway safety.

37. The pedestrian and vehicular access to be maintained at all times for the existing residents of Herne Bay Road and Sturry Hill affected by the realignment of the A291 once completed as shown in drawing 13-012-2042 Rev A or via temporary diversion as required during construction of the wider permission.

**REASON:** In the interests of highway safety.

38. Prior to the first occupation of the 200th dwelling the train station car park shall be available for public use.

**REASON:** To facilitate the use of alternative means of transport in accordance with policy T17 of the Canterbury District Local Plan 2017.

39. Prior to occupation of the 100th unit, details of an additional island refuge crossing facility on the Spine Road to accommodate the desire line between the primary areas of open space, approximately located at Chainage B790 on submitted drawing 13-012-2041 Rev A are to be submitted to the Planning Authority for approval.

**REASON:** In the interest of highway safety.

## *Travel Plan*

40. Prior to the first use of the occupation of the first dwelling within a development phase, a Travel Plan and a programme for implementation shall be submitted to and approved in writing by the local planning authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter. The agreed programme shall thereafter be implemented in full.

**REASON:** In the interests of highway safety and to facilitate the use of alternative means of transport in accordance with policy T17 of the Canterbury District Local Plan 2017.

## *Housing*

41. Prior to commencement of Reserved Matters development within a development phase approved under condition 1, details of 20% of new homes meeting the accessibility and adaptable dwellings Regulation M4(2) of the Building Regulations (as amended) shall be submitted to and be approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

**REASON:** To ensure inclusive and accessible design and to meet the changing needs of households, in accordance with the principles of the NPPF and policies DBE1, DBE3 and DBE5 of the Canterbury District Local Plan 2017.

## *Broadband*

42. Prior to the occupation of development within each Phase, details for the installation of fixed telecommunication infrastructure and High Speed Broadband for that Phase shall be submitted to and approved in writing by the Local Planning Authority. Details shall include connections to multi-point destinations and all buildings including residential, commercial and community to provide sufficient capacity, including duct sizing, to cater for all future phases of the development with sufficient flexibility to meet the needs of existing and future residents. The infrastructure shall be laid out in accordance with the approved details and at the same time as other services during the construction process. High Speed Fibre Optic Broadband shall be installed into the buildings before they are occupied.

**REASON:** To ensure access to high speed broadband infrastructure in the interests of sustainability and in pursuance to paragraph 42 of the National Planning Policy Framework.

This application relates only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

The application was processed having regard to the National Planning Policy Framework, which requires that where there are potential solutions to problems arising in relation to dealing with planning applications, the council will work with the applicant in a positive and proactive manner to seek solutions to those problems.

NOTES TO APPLICANT:

**canterbury.gov.uk**

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Canterbury City Council  
Military Road  
Canterbury  
CT1 1YW



- (1) 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. 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.
- (2) A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).  
  
A formal application to requisition water infrastructure is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
- (3) The applicant is advised to seek the input of the Kent Police Crime Prevention Design Advisors (CPDAs) to ensure that all efforts are made to incorporate the principles of Designing out Crime (A Kent Design Guide for Developers Designers and Planners) into the high quality design of any proposal.
- (4) Any specification and written timetable for archaeological field evaluation works should be submitted in excess of 14 days prior to the commencement of any field work.
- (5) For the avoidance of doubt, the provision of contributions to as set out in the unilateral undertaking made on 8th March 2021 submitted with this planning application, and hereby approved, shall be provided in accordance with The Schedule of the aforementioned deed.



**Simon Thomas**  
**Authorised Signatory of the Council**  
**Date of issue: 8 March 2021**



## Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeal Type	Timescale
Householder application	Within 12 weeks of the date of the notice
Minor commercial application	Within 12 weeks of the date of the notice
Express consent for the display of an advertisement	Within 8 weeks of the date of receipt of the notice
Tree Preservation Orders	Within 28 days of the date of the notice
Planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice	Within 28 days of the date of the notice
If an enforcement notice is served relating to the same or substantially the same land and development as in your application.	Within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier
All others	Within 6 months of the date of the notice

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

### IMPORTANT NOTES

Notification of permission under the Planning Acts does NOT convey consent under The Building Regulations

1. The development to which the attached planning permission relates may also require a separate approval under the Building Regulations.
2. If the planning permission refers to amended plans, any necessary Building Regulations approval should also cover those amendments.
3. If the development involves any demolition work, notice of this this may be required under the Building Act 1984.

Advice on each of the above is available from STG Building Control Partnership on 01634 331133 or by email [building@stgbc.org.uk](mailto:building@stgbc.org.uk)

Application Number: CA/20/02826

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