

**NOTIFICATION OF DECISION OF
THE LOCAL PLANNING AUTHORITY**

Date of Decision: 4 March 2026



Email: planning@folkestone-hythe.gov.uk

Mr Matt Purdom
C/o Mr Doug Moulton
Enzygo
5 Fox Valley Way
Sheffield
S36 2AA

TOWN AND COUNTRY PLANNING ACT 1990

Application Number: 25/2297/FH

Proposal: Retention of existing maintenance yard; provision of sales area, car parking, and soft landscaping; and phased reduction of car parking to increase soft landscaping.

Site Location: NEW BEACH HOLIDAY VILLAGE, 133 HYTHE ROAD, DYMCHURCH, ROMNEY MARSH, TN29 0JX

DECISION: APPROVE WITH CONDITIONS in accordance with the planning application and plans.

Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall take place other than in accordance with the following approved plans, drawings, and documents:

Planning Design and Access Statement (ref. SHF.201.280).

Flood Risk Assessment (ref. SHF 201 280 HY R 01 A).

Drawing SHF201280-ENZ-XX-XX-DR-T-0001 – Site location plan.

Drawing SHF201280-ENZ-XX-XX-DR-Z-0005 PL01 – Existing site layout plan.

Drawing SHF201280-ENZ-XX-XX-DR-Z-0004 PL04 – Landscape strategy combined year one and five.

Drawing SHF.201.280.ENZ.XX.00.L.SC.45.001 – Planting schedule.

Drawing SHF201280-ENZ-XX-XX-DR-Z-0002 PL04 – Landscape strategy year one.

Drawing SHF201280-ENZ-XX-XX-DR-Z-0003 PL04 – Landscape strategy year five.

Drawing SHF201280-ENZ-XX-XX-DR-Z-45001 PL02 – Soft landscaping plan (1 of 2).

Drawing SHF201280-ENZ-XX-XX-DR-Z-45002 PL02 – Soft landscaping plan (2 of 2).

Drawing SHF201280-ENZ-XX-XX-DR-Z-30001 – Hard landscaping plan (Sheet 1 of 2).

Drawing SHF201280-ENZ-XX-XX-DR-Z-30002 PL1 – Hard landscaping plan year 1 (Sheet 2 of 2).

Drawing SHF201280-ENZ-XX-XX-DR-Z-0003 PL01 – Proposed sections A-A and B-B.

Drawing SHF.201.280 – Construction management plan.

Reason: For the avoidance of doubt.

- 3 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors.
- ii. loading and unloading of plant and materials.
- iii. storage of plant and materials used in constructing the development.
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- v. wheel washing facilities.
- vi. measures to control the emission of dust and dirt during construction.
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenities of the area and highway safety and convenience.

- 4 No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0800 – 1800 hours

Saturdays 0800 – 1300 hours

unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- 5 No development beyond site clearance shall take place until full details of the method of disposal of foul and surface waters have been submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the first use of the development hereby permitted.

Reason: To prevent pollution of water supplies.

- 6 The scheme of tree planting and soft landscaping shown on the approved drawings and planting schedule (as listed above) shall be carried out in accordance with an implementation schedule to be submitted within three months of development commencing on site, and approved in writing by the Local Planning Authority. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: In the interest of visual amenity, ecology, and biodiversity.

- 7 The parking and turning areas shown on the approved drawings shall be used for or be available for such use at all times when the premises are in use and no development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on that area of land or in such a position as to preclude vehicular access to this reserved area; such land and access thereto shall be provided prior to the commencement of the use hereby permitted.

Reason: In the interests of highway safety and convenience.

- 8 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority, details of how this unsuspected contamination shall be dealt with. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared and submitted to the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land, together with those to controlled waters, property and ecological systems, are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

- 9 The details within the Biodiversity Gain Plan to be submitted under the statutory BNG condition shall be implemented prior to first occupation of the dwellings hereby permitted and thereafter retained for a period of not less than 30 years.

Reason: To ensure biodiversity enhancements are implemented and retained.

Informatives and notes

1 IMPORTANT - Biodiversity Gain Condition

The development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or

(c) the development is exempt from the biodiversity gain condition.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Folkestone & Hythe District Council.

Further information about the BNG status of this application and how to comply with this statutory condition are set out below within the notes.

Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the “biodiversity gain condition” which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: Submit a biodiversity gain plan - GOV.UK (www.gov.uk)

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where -

- (a) a biodiversity gain plan was approved in relation to the previous planning permission (“the earlier biodiversity gain plan”), and
- (b) the conditions subject to which the planning permission is granted:
 - (i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and
 - (ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat

(including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

In determining this planning application, the Council has had due regard for all relevant matters and particularly the National Planning Policy Framework. This includes the duty to work positively with the applicant to resolve potential issues and seek acceptable solutions.

This decision relates ONLY to the requirements of Town and Country Planning Act 1990. Separate determinations are required for other aspects of the planning regime, building regulations and environmental legislation. Any other permissions must be obtained separately from the relevant body.

The Council as Local Planning Authority expects the above Conditions to be complied with promptly. Where Conditions require details or other matters to be approved by the Council prior to commencement or occupation of the development, these must be submitted to the Council for its consideration well in advance, to ensure that there is no delay or loss to your project. Failure to observe the Conditions may result in enforcement action by the Council

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

- The development to which the attached planning permission relates may also require a separate approval under the Building Regulation
- If the planning permission refers to amended plans, any necessary Building Regulations approval should also cover those amendments
- If the development involves any demolition work, notice of this may be required under the Building Act 1984
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Guidance on any Building Control matter is available from the links below or email building.control@folkestone-hythe.gov.uk

- Building control – Folkestone & Hythe District Council
- www.labcfrontdoor.co.uk



Issued by the Chief Planning Officer

This decision notice consists of 7 pages

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.

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 should be made online via Appeal a planning decision (<https://appeal-planning-decision.service.gov.uk/before-you-start>). If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available.

Before making an appeal, you may find it helpful to review guidance and watch a video explaining the appeals process at Make an appeal to the Planning Inspectorate and associated guidance (<https://www.gov.uk/government/collections/make-an-appeal-to-the-planning-inspectorate-and-associated-guidance>).

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.