

# CANTERBURY CITY COUNCIL

## DECISION NOTICE

**Correspondence Address:**

Mr Alex Kalorkoti  
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Highland Court Farm  
Coldharbour Lane  
BRIDGE  
CT4 5HW

**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 PLANNING PERMISSION

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**Application Number:** CA/21/01696  
**Location:** Land Adjacent To Old Thanet Way, Whitstable, Kent, CT5 3FS  
**Proposal:** Erection of 42 dwellings comprising 23 two and two-and-a-half storey houses and a two-and-a-half storey block of 19 apartments, with associated access, landscaping and parking; together with formation of signalised pedestrian and cycle crossing over the A2990

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/reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**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.

2. The development hereby approved shall be carried out in accordance with the submitted drawings:
  - Drawing no. SK025 REV D - Proposed street scene
  - Drawing no. 020.008 REV E - Apartments roof plan
  - Drawing no. 030.001 REV D - Apartments east facing elevation

- Drawing no. 003.002 REV D - Apartments south facing elevation
- Drawing no. 003.003 REV D - Apartments west facing elevation
- Drawing no. 003.004 REV D - Apartments north facing elevation
- Drawing no. 7456/ASP2/SS REV B - Landscape strategy plan
- Drawing no. 020.005 REV C - Apartments ground floor plan
- Drawing no. 020.006 REV C - Apartments first floor plan
- Drawing no. 020.003 REV A - Proposed C type units
- Drawing no. 020.002 REV A - Proposed B type units
- Drawing no. 010.001 REV B - Proposed block plan
- Drawing no. 020.007 REV C - Apartments second floor plan
- Drawing no. 001.000 - Site location plan

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

3. No development, other than demolition, shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

(i) archaeological field evaluation works in accordance with a specification and written timetable which has first been submitted to and approved in writing by the Local Planning Authority; and,

(ii) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation, post-excavation assessment, analysis, publication or conservation in accordance with a specification and timetable which has been 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.

4. No development shall take place until a Construction Environmental Management Plan, which shall include the following details:

- 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
- Pre commencement badger survey and details of any mitigation required
- Details of Breeding Bird Mitigation

has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

**REASON:** In the interests of highways safety, nature conservation and to ensure pollution prevention measures are in place for all potentially polluting activities during construction in accordance with policies DBE3, LB9 and QL12 of the Canterbury District Local Plan 2017 and the National Planning Policy Framework.

5. Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment prepared by Charles and Associates dated June 2021 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters. appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

**REASON:** To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with policy CC11 of the Local Plan. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal.

6. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape

plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

**REASON:** To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with policy CC11 and subsequently maintained pursuant to the requirements of the National Planning Policy Framework.

7. The access as shown on the drawings hereby approved shall be completed in full prior to the first use of the site commencing and thereafter maintained.

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

8. Prior to the first occupation of the development hereby approved, the area shown on the deposited plan for the parking, turning and manoeuvring of vehicles shall be operational prior to occupation of any of the development hereby approved. The areas agreed shall thereafter be maintained for that purpose.

**REASON:** In the interests of highway safety and in accordance with policy T9 of the Canterbury District Local Plan 2017.

9. Prior to first occupation of the development hereby approved, details of the refuse storage areas to serve the houses 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 and thereafter maintained unless otherwise agreed in writing by the local planning authority.

The bin storage for the apartments (shown in drawing no. 020.005 REV C) shall be provided prior to the first occupation of that part of the development, and shall be retained as such thereafter.

**REASON:** To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with policy DBE4 of the Canterbury District Local Plan 2017.

10. Prior to first occupation of the development hereby approved, details of covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage for each house shall be provided prior to the first occupation of the relevant unit and shall thereafter be retained in accordance with the approved details.

The cycle storage for the apartments (shown in drawing no. 020.005 REV C) shall be provided prior to the first occupation of that part of the development and shall be retained as such thereafter.

**REASON:** In the interests of promoting increased cycling in accordance with the National Planning Policy Framework and in accordance with policies T1, T9 and DBE4 of the Canterbury District Local Plan 2017.

11. A right hand turn into the site from the A2990 and the access as shown on drawing no. 010.001 REV B (Proposed block plan) hereby approved shall be completed in full prior to the first occupation of the site and shall thereafter be maintained.

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

12. Prior to first occupation of the development hereby approved, the following works between the dwelling and the highway shall be carried out prior to first occupation of the dwelling to which it relates:

- (a) Footways and/or footpaths, with the exception of the wearing course; and,
- (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

The area agreed shall thereafter be maintained for that purpose.

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

13. Prior to the first occupation of the development hereby approved, the visibility splays shown on the drawing no. 010.001 REV B (Proposed block plan) shall be provided with no obstructions over 0.9 metres above carriageway level within the splays.

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

14. Prior to the first occupation of the development hereby approved, a Toucan signalised crossing in the location identified on drawing no. 010.001 REV B (Proposed block plan) and generally in accordance with the illustrative scheme shown in drawing 21-006/011 (Charles and Associates - Technical note - 21-006-009 - Transport update note - September 2021), as well as the footpath leading from the entrance into the site to that crossing shall be provided.

**REASON:** In the interests of sustainable development, and to help promote walking/cycling as an alternative to the private car, in accordance with policies SP1 and T1 of the Canterbury District Local Plan 2017.

15. The development shall not be brought into use until a Travel Plan, including methods to reduce dependency on the private car, has been 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 lifetime of the development, or that of the Travel Plan itself, whichever is the shorter.

**REASON:** In the interests of sustainable development, and to reduce dependency on the private car, in accordance with policies SP1 and T1 of the Canterbury District Local Plan 2021.

16. Prior to the landscaping, full details of both hard and soft landscape works, to include:

- species, size and location of new shrubs, hedges and grassed areas to be planted;
- the treatment proposed for all hard-surfaced areas beyond the limits of the
- highway;
- walls, fences, gates, other means of enclosure proposed

shall be submitted to and approved in writing by, the Local Planning Authority.

**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.

17. 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.

**REASON:** In the interests of the visual amenities of the area in accordance with policies DBE3 and LB10 of the Canterbury District Local Plan 2017.

18. Existing trees, shrubs and hedgerows identified for retention (as shown on drawing ref. 7456/ASP2/SS - Landscape strategy plan) 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 using the following protective fence specification:

- Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever

is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

Such tree protection measures shall remain throughout the period of construction.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area.

Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point.

There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the protective fenced area.

Ground levels within the protective fenced area shall not be raised or lowered in relation to the existing ground level.

No trenches for underground services shall be commenced within the protective fenced area or within 5m of hedgerows shown to be retained without the prior written consent of the local planning authority.

**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.

19. Prior to the first occupation of the development hereby approved, a lighting design plan for the site, with consideration of the potential impacts on biodiversity, will be submitted to and approved in writing by the Local Planning Authority.

The plan will show the type and locations of external lighting, illumination levels and spread of light. The plans will demonstrate that areas to be lit will not disturb bat activity.

All external lighting will be installed in accordance with the specifications and locations set out in the plan prior to the first occupation of the development and shall be maintained as such thereafter.

**REASON:** In the interests of the safe movement of pedestrians, cyclists and vehicles and in the interests of nature conservation, in accordance with policy DBE3 and LB9 of the Local Plan 2017.



20. Prior to the first occupation of the development hereby approved, an ecological enhancement plan and timetable for delivery of these enhancements shall be submitted to and approved in writing by the Local Planning Authority.

It shall demonstrate what ecological enhancements will be incorporated into the open space, site boundaries and buildings. The plan shall be implemented as approved and in accordance with the timetable agreed by the Local Planning Authority.

**REASON:** In the interests of nature conservation, in accordance with policy LB9 of the Local Plan 2017.

21. 20% of new homes within the development shall meet the accessibility and adaptable dwellings Regulation M4(2) of the Building Regulations (as amended).

**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.

22. No external meter cupboards shall be installed on any elevation fronting a highway, with the exception of the terraced houses where these features shall be avoided where possible.

**REASON:** In the interests of visual amenity in accordance with policy DBE3 of the Canterbury District Local Plan 2017.

23. Prior to their first use in the development hereby approved, samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved samples.

**REASON:** In the interests of the visual amenities of the area in accordance with policy DBE3 of the Canterbury District Local Plan 2017.

24. Prior to commencement of the development hereby approved, a site-wide Energy Strategy for the development, in accordance with the principles contained within the iceni Sustainability & Energy Statement dated June 2021 shall be submitted to, and approved in writing by, the Local Planning Authority.

The Strategy shall include details of the overarching strategy for energy and heat delivery to the development, measures to minimise the demand for energy, energy efficiency measures and the use of renewable energy. In particular, the Strategy submitted shall identify the use of Air Source Heat Pumps, Solar panels and the inclusion of active EV charging points for each residential unit, and 10% active mode EV charging points for communal spaces.



The development shall thereafter be carried out in accordance with the approved site-wide Energy Strategy.

**REASON:** In the interests of achieving sustainable development and to prevent pollution, in accordance with the aims and objectives and policies DBE3 and QL12 of the Canterbury District Local Plan 2017 and the National Planning Policy Framework.

25. Prior to the first occupation of the development hereby approved, active EV charging points to serve each allocated parking space and 10% of the unallocated parking spaces shall be installed and thereafter permanently retained.

**REASON:** To mitigate impacts on air quality in accordance with policies DBE1, DBE3 and QL12 of the Canterbury District Local Plan 2017 and the National Planning Policy Framework.

26. The glazing and ventilation installed on the residential units hereby approved shall meet or exceed the performance standards outlined in Section 6 of the entrant Environment Noise Assessment Revision Ver. 1-1 (received 6th July 2021).

**REASON:** To secure a satisfactory standard of development and to protect the living conditions of future occupiers, in accordance with policy DBE3 of the Canterbury District Local Plan 2017.

27. Prior to the first occupation of the development hereby approved, details of the location, appearance and performance of 2m acoustic fencing to residential gardens to the north and south of the site shall be submitted to and approved in writing by the Local Planning Authority. The acoustic fencing shall be installed in accordance with the details prior to the first occupation of the residential unit to which they relate and shall be maintained as such thereafter.

**REASON:** To secure a satisfactory standard of development and to protect the living conditions of future occupiers, in accordance with policy DBE3 of the Canterbury District Local Plan 2017.

28. Prior to the commencement of the development hereby approved, details of measures to minimise the risk of crime shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

**REASON:** In the interest of Security, Crime Prevention and Community Safety and in accordance with the principles of the NPPF and with policies DBE1 and DBE3 of the Canterbury District Local Plan 2017 and the guidance within The Kent Design Initiative (KDI) and protocol dated April 2013.

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:

A handwritten signature consisting of the letters 'A', 'L', and '5' in a cursive style.

**Authorised Signatory of the Council**

**Date of issue: 22 March 2022**

**canterbury.gov.uk**

**01227 862 000**

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Canterbury  
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## 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/21/01696

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