

# DECISION NOTICE

**Correspondence Address:**

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CT5 1AB

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

**Application Number:** 17/02746  
**Location:** Herne House, Morris Avenue, Herne Bay, CT6 8BB  
**Proposal:** Proposed three-storey building comprising 10 no. flats with associated parking, refuse and cycle storage following demolition of dwelling.

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:
  - **1973/LOC/01.1 Block Plan (received 05 December 2017)**
  - **1973/PL/03.1/B Ground Floor Plan (received 11 May 2018)**
  - **1973/PL/03.2/B First Floor Plan (received 11 May 2018)**
  - **1973/PL/03.3/B Second Floor Plan (received 11 May 2018)**
  - **1973/PL/03.4/B Roof Plan and Site (received 11 May 2018)**
  - **1973/PL/03.5/B Elevations Front and Rear (received 11 May 2018)**
  - **1973/PL/03.6/B Elevations east and West (received 05 December 2017)**

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

- 3 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. Development shall 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.

- 4 Prior to the first occupation or use of the development, 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 approved being brought into use. The area 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.

- 5 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on the approved drawing shall be provided and thereafter maintained.

**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.

- 6 No development shall take place until a Construction Environmental Management Plan, which 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

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

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

- 7 No development shall take place until details of the means of foul and surface water disposal, including a detailed sustainable surface water drainage scheme for the site, which is compliant with the non-statutory technical standards for sustainable drainage and shall demonstrate the surface water run off generated up to and including the 100yr critical storm (including allowance for climate change) will not exceed the run off from the undeveloped site following the corresponding rainfall event, and so as not to increase the risk of flooding both on- or off-site, and including details for the long term maintenance of all surface water drainage infrastructure on site, and including the provision of measures to prevent the discharge of surface water onto the highway, 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 and thereafter maintained.

**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, the National Planning Policy Framework.

- 8 Prior to first occupation of the development hereby permitted, details of terrace and balcony privacy screening at a minimum height of 1.8m as shown in the drawings listed in condition 2 shall be submitted to and approved in writing by the Local Planning Authority. Such details as are agreed shall be implemented in full accordance with the approved details prior to the first occupation of the development hereby approved and shall thereafter be maintained as specified.

**REASON:** To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with policy DBE3 of the Canterbury District Local Plan 2017.

- 9 Prior to the landscaping of the site, full details of both hard and soft landscape works, to include:

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- the treatment proposed for all hard surfaced areas beyond the limits of the highway
- walls, fences, 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.

- 10 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.

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: None

A handwritten signature in black ink, appearing to read 'C. Pragnell', written over the text 'NOTES TO APPLICANT: None'.

Chris Pragnell  
Authorised Signatory of the Council  
Date of issue: 20 August 2018

## 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.

### 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)

