

TOWN AND COUNTRY PLANNING ACT 1990

Notification of Grant of Planning Permission to Develop Land

Mr Jonathan Willey
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Hawkinge
Kent
CT18 7PG

Take notice that The Shepway District Council, the Local Planning Authority under the Town and Country Planning Acts has **GRANTED PERMISSION** for the development of land

situate at: 10 EAST CLIFF GARDENS FOLKESTONE KENT CT19 6AP

and being: CHANGE OF USE OF BASEMENT AND GROUND FLOOR FROM NURSERY (CLASS D1) TO TWO SELF CONTAINED FLATS (CLASS C3), TOGETHER WITH ERECTION OF A REAR CONSERVATORY AND OTHER EXTERNAL ALTERATIONS.

referred to in your application for permission for development received on 6th October 2016.

This Approval is subject to the following conditions:

CONDITIONS

- 1 The development must be begun within three years of the date of this permission.

Reason:

As required by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 100 PLA, 103 PLA, 104 PLA, Site Location Plan.

Reason:

For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of saved policy SD1 of the Shepway District Local Plan Review.

- 3 The materials to be used in the construction of the external surfaces of the conservatory hereby permitted shall be those as stated in the submitted planning application form unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the external appearance of the works when completed will not detract from the character of the building or the appearance of the area generally in accordance with saved policies BE1 and BE8 of the Shepway District Local Plan Review.

- 4 Prior to the first occupation of the conservatory, the windows on the south east side elevation shall be fitted with obscured glass of a type that is impenetrable to sight and shall be non opening, and shall be so retained at all times.

Reason:

To minimise overlooking onto adjoining properties and maintain privacy in accordance with saved policies SD1 and BE8 of the Shepway District Local Plan Review.

INFORMATIVES

- 1 Your attention is drawn to the requirements of the Building Regulations 2000 and the possibility of the need to obtain consent under such regulations.

Prior to implementing this permission, you should seek advice from Building Control as to whether or not to make an application. Advice and application forms are available from the Civic Centre, Folkestone (telephone numbers 01303 853538). Alternatively another building control body may be able to assist.

- 2 Please view the Considerate Constructors Scheme at <http://www.ccscheme.org.uk/index.php/company-registration/how-to-be-very-considerate/company-code-of-considerate-practice>.

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Shepway District Council, as local planning authority, has taken a positive and proactive approach to the proposed development, focusing on finding solutions:

The applicant/agent was advised of any issues during the processing of the application and additional information has been submitted to address these.

In coming to this decision regard has been had to the following policies:

Shepway District Local Plan Review saved policies: SD1, BE1, BE4, BE8, HO1

Shepway Core Strategy Local Plan: DSD, SS3

NPPF Paragraph: 70



Dated this 22nd day of December 2016

Shepway District Council,
Civic Centre, Castle Hill Avenue,
Folkestone, Kent CT20 2QY

Ben Geering
Head of Planning

APPEAL GUIDANCE NOTES

Note:

This permission is confined to permission under the Town and Country Planning Act 1990 (as amended) and does not obviate the necessity for compliance with any enactment, bye-law or other provision whatsoever or of obtaining from the appropriate authority any permission, consent, approval or authorisation which may be required.

NOTIFICATION TO APPLICANT

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 the grant of it, subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of the notice, using a form which you can get from Initial Appeals, The Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provision of a development order and to any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which had been or would be permitted. In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interests in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.