

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

Date of Decision: 5 March 2025



Email: planning@folkestone-hythe.gov.uk

James and Camilla O'Brien
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Unit 6
Triumph Park
Ross Way
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CT20 3TX

TOWN AND COUNTRY PLANNING ACT 1990

Application Number: 24/1914/FH

Proposal: Change of use of the disused public convenience block into cafe including a small storage extension above the existing retaining wall.

Site Location: PUBLIC CONVENIENCES, THE LEAS, FOLKESTONE

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 The development hereby permitted shall not be carried out except in complete accordance with the following approved drawings and documents:

Proposed site plan PL10 Revision P1
Proposed ground floor plan PL11 Revision P1
Proposed roof plan PL12 Revision P1
Proposed North & South Elevations PL13 Revision P1
Proposed East & West Side Elevations PL14 Revision P1

Reason: For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of Places and Policies Local Plan.

- 3 No development beyond the construction of foundations shall take place until details of the external finishing materials to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

- 4 No development beyond the construction of foundations shall take place until details of how the development will enhance biodiversity have been submitted to, and approved in writing by, the local planning authority. The approved details will be implemented and thereafter retained.

Reason: In the interest of enhancing ecology and biodiversity.

- 5 The premises shall be used for the purpose of a coffee shop and for no other purpose whatsoever, including any other purposes in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and any other use 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.

Reason: In the interests of the amenities of the area.

- 6 The use of the premises hereby permitted shall not take place except between the following times:

Monday to Friday 0730 – 2100 hours
Saturdays and Sundays 0730 – 2100 hours

Reason: In the interests of residential amenity.

- 7 No fume extraction or filtration equipment, or air conditioning, heating or ventilation equipment or other external plant or equipment shall be installed until full details of its design, siting, discharge points and predicted acoustic performance have been submitted to and approved by the Local Planning Authority.

Reason: In the interests of residential and visual amenity.

- 8 No development beyond the construction of foundations shall take place until details of the proposed roller shutter to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

Informatives and notes

- 1 The applicant is advised that they may need to seek advertisement consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 for any advertisement that is to be displayed

and should seek guidance from the Local Planning Authority in this regard.

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

A handwritten signature in black ink, appearing to read 'M. J. [unclear]', written in a cursive style.

Issued by the Chief Planning Officer

This decision notice consists of 4 pages

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority then you may be able 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 promptly.

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 or online at www.gov.uk/government/organisations/planning-inspectorate.

The Inspectorate's website also gives details of timescales and the processes which would apply to this type of application.