

Mr Paris  
c/o Mrs Godsmark  
Emmott Page Architects  
The Oast Church Farm  
Ulcombe Hill  
Ulcombe  
Maidstone, Kent  
ME17 1DN

**Town and Country Planning Act 1990 (As Amended)**

**APPLICATION NUMBER DOV/16/00007**

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## **NOTIFICATION OF GRANT OF Full Planning Permission**

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Proposal: Erection of 2no. semi-detached dwellings with integral carports and attached private garage; erection of 1no. attached dwelling; conversion of existing ground floor shop into a self-contained flat, and associated parking and landscaping (existing garages to be demolished)

Location: Land and Garages rear of and including 4 & 5, The Droveaway, St. Margaret's Bay, CT15 6DH

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**TAKE NOTICE** that Dover District Council, the District Planning Authority under the Town and Country Planning Act, **HAS GRANTED** Full Planning Permission for the proposal in accordance with the application and accompanying plans received on 05/01/16

**SUBJECT TO SUCH CONDITIONS AS ARE SPECIFIED** hereunder together with the reasons for their imposition:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.  
Reason: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any legislation revoking or re-enacting that legislation with or without modification).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1664.P.01 Rev E, 1664.P.02 Rev C received 24 March 2016 and 1664.P.03 Rev B received 1 April 2016.  
Reason: For the avoidance of doubt

- 3 No development above ground level shall take place until samples of materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details  
Reason: In the interests of visual amenity.
- 4 The development hereby permitted shall not be occupied until a landscaping scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall include hard and soft landscaping; including boundary treatments, tree/hedge/shrub planting plans; written specifications; schedules of species, sizes and proposed numbers/densities where appropriate and a programme for its provision and maintenance. The landscaping scheme shall be carried out in accordance with the approved programme and maintained as such thereafter. Any trees or other plants which within a period of five 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 give prior written consent to any variation.  
Reason: In order to protect and enhance the amenity of the area.
- 5 The area shown on the approved drawings as vehicle parking spaces and turning space shall be provided, surfaced and drained before the dwelling to which it relates is first occupied, and shall be retained for that use thereafter whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, and re-enacting that Order with or without modification).  
Reason: Development without provision of adequate parking of vehicles is likely to lead to highway safety issues to other road users.
- 6 No development shall take place above ground until details of bicycle storage facilities have been submitted to and approved in writing by the local planning authority. The approved bicycle storage shall be provided in accordance with the approved details prior to the first occupation of the dwelling to which it relates and shall thereafter be retained solely for that purpose.  
Reason: To ensure the provision and retention of adequate off-street parking facilities for bicycles in the interests of highway safety.
- 9 No surface water shall be discharged from the site onto the highway at any time  
Reason : In the interests of highway safety and amenity
- 10 The first 6m of the driveway to each access shall be constructed of a bound material prior to first occupation of the dwelling to which it relates and maintained as such thereafter and no gates shall at any time be erected within 6m of any highway.  
Reason: in the interest of highway safety
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no openings shall be constructed in the first floor elevations (north west, south east or north west elevations) of Plot 3 or the first floor elevations (the north east, south west, south east or north west elevations) of Plot 1 and 2 or in any roof plane of the buildings other than those hereby approved.

Reason: In the interests of the amenity of occupants of the adjoining property.

- 12 Demolition or construction works shall not take place outside of the prescribed hours of 0800 to 1800 hours Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays  
Reason: To protect the amenity of local residents.
- 13 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The said plan shall include details of: demolition works, loading and unloading of plant and materials; on site parking for construction workers and visitors; temporary access arrangements; measures to prevent dirt or other debris from being deposited upon the public highway; and measures to control the emission of dust and dirt during construction. The approved Construction Management Plan shall be fully complied with throughout the construction period.  
Reason: These details are required prior to the commencement of the development in the interests of minimising the impact of the development during the construction phase.
- 16 No development shall take place above ground until details of bin storage facilities have been submitted to and approved in writing by the local planning authority. The approved bin storage shall be provided in accordance with the approved details prior to the first occupation of the dwelling to which it relates and shall thereafter be retained solely for that purpose.  
Reason: In the interest of residential amenity
- 17 No development shall take place until a detailed scheme for the disposal of foul sewage and surface water drainage, together with a programme for implementation and long term maintenance, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented and operational before any of the dwellings hereby permitted are first occupied and shall be maintained in accordance with the approved scheme thereafter.  
Reason: These details are required prior to the commencement of the development to ensure the development is served by satisfactory arrangements for the disposal of foul sewage.

In reaching the decision to grant planning permission, the Local Planning Authority has taken into account the requirement in Section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan, the policies of the Development Plan and all other material considerations. Policies are referred to in conditions where appropriate.

In accordance with paragraphs 186 and 187 of the NPPF, Dover District Council (DDC) takes a positive and proactive approach to development proposals focused on solutions. DDC works with applicants/agents in a positive and proactive manner by: Offering a pre-application advice service; where possible, suggesting solutions to secure a successful outcome; and, as appropriate, updating applicants/agents of any issues that may arise in the processing of their application. In this instance:

- 1 The applicant was provided the opportunity to submit amendments to the scheme/address issues.

Dated: 01/04/2016

DISTRICT COUNCIL OFFICES  
WHITE CLIFFS BUSINESS PARK  
DOVER KENT CT16 3PJ  
TEL:DOVER (01304) 821199

Signed:  
  
For Mike Ebbs  
Head of Regeneration & Development

**YOUR ATTENTION IS DRAWN TO THE REQUIREMENTS OF THE CONDITIONS SET OUT IN THIS DECISION NOTICE. THE PLANNING PERMISSION IS CONDITIONAL ON COMPLIANCE WITH THESE REQUIREMENTS. SOME CONDITIONS MAY REQUIRE THE SUBMISSION AND APPROVAL OF FURTHER DETAILS BEFORE ANY WORK IS COMMENCED AND SUCH SUBMISSIONS WILL BE SUBJECT TO A FURTHER FEE.**

**ANY CHANGE TO THE APPROVED PLANS IS LIKELY TO REQUIRE A FURTHER PLANNING PERMISSION.**

**FAILURE TO COMPLY WITH THESE REQUIREMENTS MAY LEAD TO LEGAL ACTION BY THE DISTRICT COUNCIL AND /OR MEAN THAT THE PERMISSION IS VOID.**

**YOUR ATTENTION IS ALSO DRAWN TO THE NOTES AND ANY LETTER ACCOMPANYING THIS NOTICE**

### **Appeals to the Secretary of State**

- \* If you are aggrieved by the decision of the Council to refuse permission for the proposed development, or to grant permission subject to conditions, you may wish to discuss with the Council whether a revised proposal would be likely to succeed; the District Council is likely to charge for such discussions. Otherwise you may appeal to the First Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you wish to appeal, you must do so **within 6 months** of the date of this notice **or within 12 weeks of this date if your application concerned is householder development or minor commercial. Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, Tel: 0303 444 5000, or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).**

The Secretary of State has power to allow a longer period for giving notice of an appeal, but he will not be prepared to use this power unless there are extraordinary 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 Council 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the Council based its decision on a direction given by him.

### **Purchase Notices**

- \* If either the Council 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 render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- \* In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **Environmental Statements**

- \* If you submitted an Environmental Statement, the Local Planning Authority has taken that environmental information into consideration in reaching its decision.

### **Other Matters**

- \* Any planning permission or approval granted is confined to permission under the Town and Country Planning Act and the Town and Country Planning (General Development Procedure) Order 2015, and does not negate the need for compliance with any other enactment, bylaw, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be required. This includes the need to apply for Listed Building Consent should the proposal involve the demolition or alteration (internal or external) of, or extension to, a building listed as being of Architectural or Historic Interest, or of any structure built before July 1948 within the curtilage of a listed building, for the total or substantial demolition of any unlisted building if it is situated within a designated conservation area.
- \* **You are advised particularly to contact the Building Control Officer at the District Council Offices, White Cliffs Business Park, Dover (01304 821199) to ascertain whether permission is necessary under the Building Regulations. Attention is also drawn in particular to the provisions of Section 53 of the County of Kent Act 1981, which may be applicable, the requirements of the Party Wall Etc Act 1996 concerning notifying affected neighbours and the Housing Act 2004 concerning the adequacy of lighting to habitable rooms. Many species of wildlife and their habitat are protected by law.**
- \* Should any change be required to your proposal, however minor, in connection with other legislation or otherwise, a further planning permission is likely to be required to ensure that the development is authorised.