

# CANTERBURY CITY COUNCIL

## DECISION NOTICE

**Correspondence Address:**

Ms T Livesey  
63 Fleetwood Avenue  
Herne Bay  
Kent  
CT6 8QS

**Town and Country Planning Act 1990: Section 192**  
(as amended by Section 10 of the Planning and Compensation Act 1991)  
**Town & Country Planning (Development Management Procedure) (England) Order 2015**

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### CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

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**Application Number:** CA/23/02059  
**First Schedule:** Application for lawful development certificate for proposed formation of access.  
**Second Schedule:** 63 Fleetwood Avenue, Herne Bay, Kent, CT6 8QS

This Authority hereby certifies that on 6 November 2023 the use described in the First Schedule, in respect of the land specified in the Second Schedule and hatched on the plan attached to this certificate **WOULD BE LAWFUL** within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reasons:

(1) The Council is satisfied that based on the information supplied with the application, the proposed formation of access would be permitted development in accordance with the criteria of Schedule 2, Part 2, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposed developments are therefore deemed to be lawful and planning permission is not required.

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.

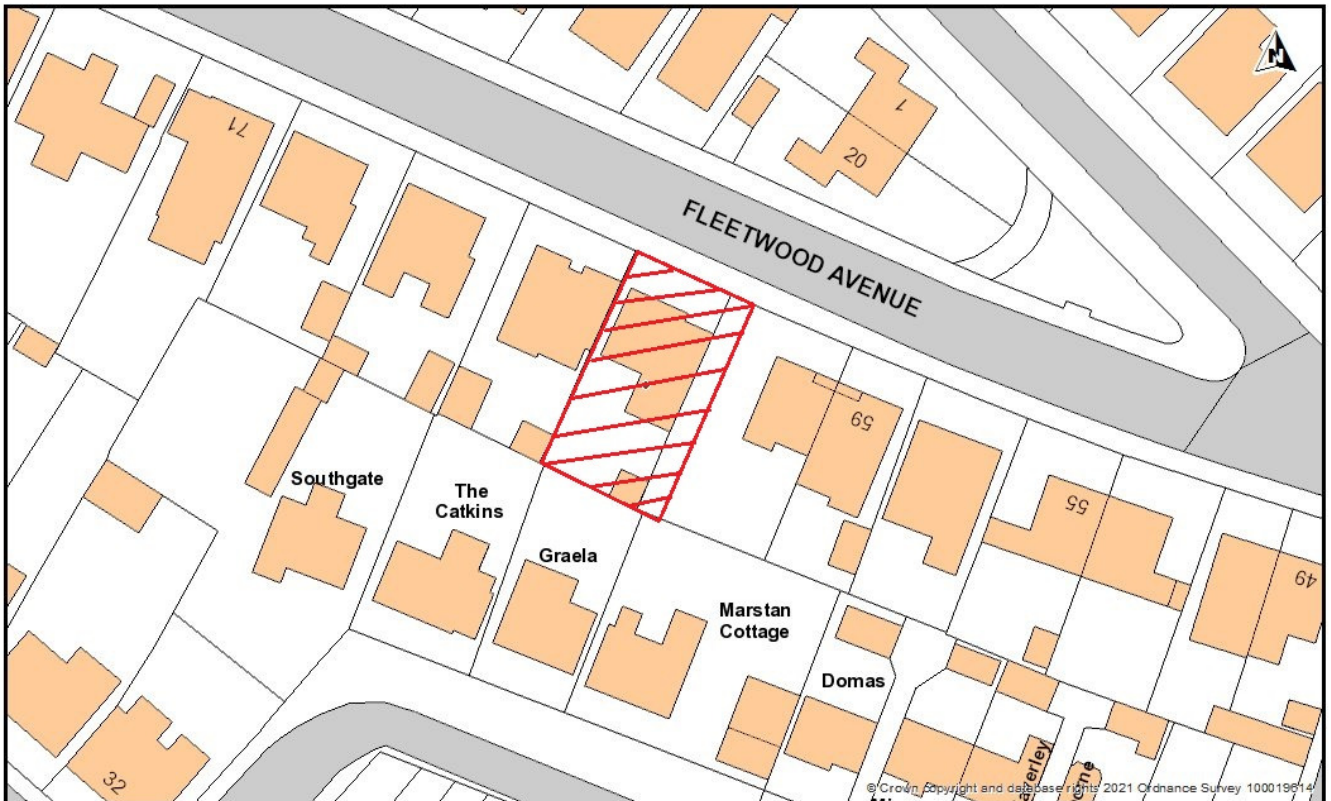
The application was processed having regard to the National Planning Policy Framework, which requires that where there are potential solutions to problems arising in relation to dealing with planning applications, the council will work with the applicant in a positive and proactive manner to seek solutions to those problems.

NOTES TO APPLICANT:

This decision specifically relates to Site Location Plan (Received 31st october 2023) and Proposed Access (Received 10th November 2023)

KT

**Kelly Tonkin**  
**Authorised Signatory of the Council**  
**Date of issue: 10 November 2023**



Title: Canterbury City Council  
Author: Canterbury City Council  
Scale 1:500  
Date: 02/11/2023

  
Military Road  
Canterbury  
Kent  
CT1 1YW

## 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>. Please use these links, householders <https://www.gov.uk/appeal-householder-planning-decision> or full applications <https://www.gov.uk/appeal-planning-decision>.

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/23/02059

**canterbury.gov.uk**

01227 862 000

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