

Application: 20231229

**TOWN AND COUNTRY PLANNING, ENGLAND
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTICE OF REFUSAL TO APPROVE DETAILED PLANS AND PARTICULARS
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To: **Mr Lakh Kallar, Kallarview Construction Limited
C/O Mr Peter Swain, Proun Architects
90 Borough High Street
London
SE1 1LL**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Act 1990, has **REFUSED TO APPROVE** detailed plans and particulars submitted on 4th December 2023 in accordance with conditions 6, 10, 14 and 16 of the Notification of Grant of Planning Permission reference 20211196 to Develop Land dated 14 February 2022 in respect of:-

Application for a minor material amendment to planning permission reference no. 20191187 for Demolition of outbuildings, excavation of soil to form a lower ground and upper ground floor B1 use, unloading bay and refuse areas with construction floors 1 to 4 providing a total of 3no. one bedroom self-contained flats and 11no. two bedroom self-contained flats and associated external works to allow alterations to the main entrance from Rathmore Road to Athboy Road and amendments and substitution to approved plans

at: **Land To Rear Of
Bridge Bar And Club
24 Stone Street
Gravesend
Kent
DA11 0NP**

and being **details of (6) Sound insulation assessment, (10) External lighting, (14) Water supply demand and (16) Services and plant systems including roof top plant, lift overruns and ducting for ventilation systems.**

And that the grounds for such refusal are:-

1. No details have been submitted with regards to the technical specifications or details of the noise output for condenser units or air source heat pumps, ducting for ventilation systems or any screening. As such, insufficient details have been submitted in pursuance to condition 16 and the proposal is therefore contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

For the avoidance of doubt the decision to refuse this application was taken in relation to the following plans and documents:

Application Form - dated 01 December 2023;
Supplementary Information - Thorne Lighting 'Katona wall light' manual;

Supplementary Information - Acoustic Details Technical Note by Lustre Consulting (dated 31 July 2023);
Supplementary Information - Mains Water Supply Technical Note by Mendick Waring limited (dated 13 November 2023);
Supplementary Information - External Lighting - Lux Calculation Technical Note by Mendick Waring limited (dated 16 November 2023);
Supplementary Information - Car Park Minimum Lux Level - extract from British Standard Lighting Document;
Supplementary Information - Preliminary Condenser Schedule by Mendick Waring limited (dated 22 August 2023);
Supplementary Information - Plant Equipment Letter by PROUN Designers (dated 01 December 2023);
Un-numbered Visual Drawing - Proposed Site Lighting Layout (dated 23 August 2023);
Drawing no. 3465/C/02 - Proposed Lower Ground Floor Plan (condenser location drawing);
Drawing no. 3465/C/07 - Proposed Fourth Floor Plan (condenser location drawing);
Drawing no. 3582/P/12 - Proposed Site Layout Plan - External Plant Equipment.

Dated: 29 January 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Ms Tava Walton
AD Planning

Your attention is drawn to the following notes

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 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.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For **all other applications**, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within **6 months of the date of this notice**.
- **Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.**
- 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 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 Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

- If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she 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 (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. 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.