

Application: 20230870

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

APPROVAL OF DETAILED PLANS AND PARTICULARS

To: **Mrs Rasa Apostol
C/O Mr J Rowland, DAC Architects
21 Stone Street
GRAVESEND
Kent
DA11 0NP**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Act 1990, has **APPROVED** detailed plans and particulars submitted on 15th August 2023 in accordance with conditions 7, 8, 12 and 15 of the Notification of Grant of Planning Permission reference 20150923 to Develop Land dated 15 June 2016 in respect of:-

Change of use of the basement and ground floor from offices to a restaurant (Use Class A3) incorporating the erection of a single storey rear extension with terrace over, enlargement of the basement and conversion of the first floor and loft space into 1no. self-contained maisonette with access via 4-6 Darnley Road.

at: **7 Darnley Road
Gravesend
Kent
DA11 0RU**

and being **Application for the approval of condition 7, 8, 12 and 15 attached to planning permission 20150923 relating to commences a scheme showing how noise/vibration created by the ductwork serving the air purification system shall be adequately controlled within the maisonette, details of the ventilation extraction system for the restaurant, particularly regarding odour elimination abilities, residence time of the air within the filters and likely noise emissions, details of the precise location and form of domestic and commercial refuse storage and details of a scheme or obligation to provide or contribute to mitigation measures to offset the potential impact of the recreational needs arising from the approved development on the integrity of the Thames Estuary and Marshes Special Protection Area (SPA) or Ramsar Site.**

subject to the following Informatives:-

INFORMATIVES:-

1 APPROVED DRAWINGS AND DOCUMENTS

For the avoidance of doubt the approved drawings/documents are:

Condition 7
Noise Impact Assessment dated 16 March 2022 Issue 01 by DAA Group

Condition 8

- o Noise Impact Assessment dated 16 March 2022 Issue 01 by DAA Group;
- o 7 Darnley Road Information & Specification;
- o Drawing no. DR-2611-EFFP 3/11 Rev. V2 - Existing First Floor Plan;
- o Drawing no. DR-2611-PFFP 4/11 Rev. V2 - Proposed First Floor Plan;
- o Drawing no. DR-2611-ESFRP 5/11 Rev. V2 - Existing Second Floor & Roof Plan;
- o Drawing no. DR-2611-ERE 8/11 Rev. V2 - Existing Rear Elevation;
- o Drawing no. DR-2611-PRE 9/11 Rev. V2 - Proposed Rear Elevation;
- o Drawing no. DR-2611-ELSE 10/11 Rev. V2 - Existing Left Side Elevation;
- o Drawing no. DR-2611-ERSE 11/11 Rev. V2 - Existing Right-Side Elevation.

Condition 12

- o Drawing no. DR-2611-BP Sheet 1/1 Rev. V2 - Block Plan;
- o Drawing no. DR-2611-EGFP Sheet 2/11 Rev. V2 - Existing Ground Floor Plan;
- o Drawing no. DR-2611-ERE 8/11 Rev. V2 - Existing Rear Elevation;
- o Drawing no. DR-2611-PRE Sheet 9/11 Rev. V2 - Proposed Rear Elevation;
- o Drawing no. DR-2611-ELSE Sheet 10/11 Rev. V2 - Existing Left Side Elevation; and
- o Drawing no. DR-2611-ERSE Sheet 11/11 Rev. V2 - Existing Right Side Elevation.

Condition 15

Strategic Access Management & Monitoring Strategy (SAMMS) Contribution Agreement and top up fee for SAMMS tariff.

2 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2023, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

Dated: 10 October 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

NOTES:

This permission is confined to permission under the Town and Country Planning Acts and the Town and Country Planning (Development Management Procedure) (England) Order 2015 and does not obviate the necessity of compliance with any other enactment, bye-law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be requisite.

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 must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: enquiries@pins.gsi.gov.uk 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 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.