



Application: 20240036

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

NOTICE OF REFUSAL TO APPROVE DETAILED PLANS AND PARTICULARS
--

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 17th January 2024 in accordance with conditions 7, 8, 9, 18 and 21 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 At The Rear Of Bridge Bar And Club
24 Stone Street
Gravesend
Kent
DA11 0NP**

and being **Application for the approval of conditions 7, 8, 9, 18 and 21 attached to planning permission reference number 20211196 relating to a detailed sustainable surface water drainage scheme for the site (7), a detailed highway scheme (to accord substantially with Drawing No.D1.10 Rev E contained (8), details of surface finishes for roads and footpaths (9), full details of the open space, the design and landscaping of all un-built areas of any part of the development (18) and details of the proposed means of foul and surface water sewerage disposal (21).**

And that the grounds for such refusal are:-

- 1 Insufficient information has been submitted in regards to the sustainable surface water drainage scheme for the site to ensure that there would not be an increased risk of flooding based on Southern Waters desktop study. As such, the details submitted in pursuance to Condition 7 (surface water drainage) are inadequate and the proposal is therefore contrary to Policy CS18 of the Gravesham Local Plan Core Strategy (2014).
- 2 Insufficient information has been submitted in regard to the highway scheme without prior agreement with the highway authority and lacking detail to show the highway boundary or the extent of the works proposed. As such, inadequate details have been submitted in pursuance to Condition 8 (highway scheme) and the proposal is therefore contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (2014).

- 3 Insufficient information has been submitted in regards to the surface water sewerage disposal of the development with Southern Water raising concerns the discharge of surface water into a public combined network, no other alternative methods being considered and an increase risk of flooding. As such, there is insufficient evidence provided in pursuance to Condition 21 (foul and surface water drainage) and the proposal is therefore contrary to Policy CS18 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 16 January 2024;
Supplementary Information - Drainage System Maintenance Requirements by MBP Ltd (Consulting Engineers);
Supplementary Information - Drainage Calculations by MBP Ltd (Consulting Engineers) (20 December 2023);
Drawing no. 3582/P/13 - Proposed Landscape Site Plan;
Drawing no. 7691-MBP-XX-XX-DR-C-0500 - P02 - Below Ground Drainage Upper Ground Floor;
Drawing no. 7691-MBP-XX-XX-DR-C-0501 - P02 - Below Ground Drainage Lower Ground Floor;
Drawing no. 7691-MBP-XX-XX-DR-C-0502 - P02 - External Works Layout;
Drawing no. 7691-MBP-XX-XX-DR-C-0502 - P02 - Drainage Details.

Dated: 13 March 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.