



Application: 20250059

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF REFUSAL OF PERMISSION TO DEVELOP LAND

To: **Mr Singh
C/O Mrs Penny Olson, Olson Design Group
Pilgrims Cottage,
Pilgrims Way
Westwell
Ashford
TN25 4NQ**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **REFUSED TO PERMIT** development of land situate at:

**157 Milton Road
Gravesend
Kent**

and being **Application for the approval of condition 3 (Construction Environmental Management Plan), condition 4 (Mechanical Ventilation Heat Recovery (MVHR) system) and condition 5 (Details of new internal walls/partitions; new internal joinery; joinery details of all new doors including architraves; joinery details of any secondary glazing; drawing of vents) attached to planning permission reference number 20240144.**

Your application dated 27th January 2025 is refused on the following grounds:-

1. The details submitted for condition no. 4 are not acceptable as insufficient information has been submitted on the Mechanical Ventilation Heat Recovery (MVHR) system in order to demonstrate that the living conditions of future occupants of the residential units would be safeguarded and that the architectural and historic importance of this grade II listed building and the character and appearance of the King Street Conservation Area would be protected. The details submitted for condition no. 5 (e) are not acceptable as insufficient information has been submitted in order to demonstrate that all new vents would protect the architectural and historic importance of this grade II listed building and the character and appearance of the King Street Conservation Area. As such the proposal is contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014) and saved Policies TC2 and TC3 of the Gravesham Local Plan First Review (1994) and paragraph 135 (f) and section 16 of the National Planning Policy Framework (2024).

INFORMATIVES:-

1 DECISION PLANS

For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

- 0 Application form;
- 0 Drawing no. 821-12 Rev. A - Proposed New Internal Door Details;
- 0 Drawing no. BPC-8045190819 Rev. 2 - MVHR System - flats 1 & 4;
- 0 Drawing no. BPC-8045190819 Rev. 2 - MVHR System - flats 2 & 3;
- 0 Drawing no. BPC-8045190819 Rev. 2 - MVHR System - flats 2 + 3;
- 0 Drawing no. BPC-8045190819 Rev. 2 - MVHR System - flats 1 + 4;
- 0 Drawing no. 821-11 Rev. B - Proposed Secondary Glazing Details;
- 0 Drawing no. 821-10 Rev. B - Proposed Details; and
- 0 Construction and Environmental Management Plan.

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 39 of the National Planning Policy Framework (NPPF) 2024, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative manner. In this instance the application is not in accordance with the Development Plan for the area and cannot be supported.

3 INFORMATION FOR THE APPLICANT

The information submitted for condition nos. 3 and 5 (a), (b), (c) & (d) of planning permission reference 20240144 are acceptable but as the information submitted for condition nos. 4 & 5 (e) are not acceptable and split decisions cannot be made, the whole of the application has been refused.

Dated: 24 March 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

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.
- **For further information regarding Appeals and to make an application please click the relevant link:**
<https://www.gov.uk/appeal-householder-planning-decision>
<https://www.gov.uk/appeal-planning-decision>
- 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.