



Application: 20250369

**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: **Al-Haqq Academy
C/O Mr Haris Kasuji, RR Planning Limited
82A Otley Road
Headingley
Leeds
LS6 4BA**

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:

**The Peacock Public House
78 Peacock Street
Gravesend
Kent
DA12 1EG**

and being **Change of use from Public House (sui generis) to Place of Worship or Religious Instruction (Class F1) at ground floor.**

Your application dated 28th April 2025 is refused on the following grounds:-

1. The proposal would result in a detrimental impact on the amenities of neighbouring occupiers in terms of noise due to the unsociable hours of use. The development would therefore fail to meet the requirements of paragraph 198 of National Planning Policy Framework (2024) and Policy CS19 of the Gravesham Local Plan Core Strategy (2014).
2. The proposed use would result in the provision of educational facilities for children with no dedicated collection/drop collection point. As such access and egress from the site would result in a highway safety risk to road users and future occupiers, contrary to Saved Policy T1 of the Gravesham Local Plan First Review (1994) and Paragraph 115 of the National Planning Policy Framework (2024).
3. The proposed use would result in an increased need for parking, in the context of the surrounding area's existing exhibited parking stress and in the absence of any conclusive details as to the precise number of worshippers to be in attendance at each prayer and their mode of travel to the proposed mosque, the proposal would have a detrimental effect on users of the highway due to unsatisfactory parking provision, contrary to Saved Policy P5 of the Gravesham Local Plan First Review (1994) and Paragraph 115 of the National Planning Policy Framework (2024).

INFORMATIVES:-

1 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 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.

In this instance the proposal is contrary to the development and cannot be supported.

2 DECISION PLANS

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

Application Form;
Basement Floor Plan;
Ground Floor Plan – Existing;
Ground Floor Plan – Proposed;
Block Plan;
OS Plan;
Transport Assessment;
Travel Plan;
Marketing Particulars;
Noise Assessment;
Viability Assessment;
Planning and Design and Access Statement.

Dated: 21 August 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>

- 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.