

APDNOT

TOWN AND COUNTRY PLANNING ACTS

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Notification of Refusal of permission to Develop Land

To **Mr M A Rana**
c/o Architectural Design/Services
38A Cobham Street
Gravesend
Kent
DA11 0SA

TAKE NOTICE that The GRAVESHAM BOROUGH COUNCIL, the district planning authority under the Town and Country Planning Acts, **HAS REFUSED TO PERMIT** development of land situate at

21 Darnley Road
Gravesend
Kent

and being **Change of use of ground floor from A1 retail to A3 restaurant use and installation of a extraction flue at the rear.**

referred to in your application for permission for development dated 15 October 2002

and that the grounds for such refusal are -

- 1 The proposed use of this premises as a restaurant (A3), is likely to have adverse impact on nearby residents by virtue of disturbance, noise nuisance and odour emissions, contrary to Policy S7 of the adopted Gravesham Local Plan First Review and Policy RS9 of the Gravesham Local Plan Second Review
- 2 The proposed use is likely to increase traffic generation further due to its proximity to the junction linking the local distributor routes of Pelham Road and Cobham Street to Darnley Road, and is likely to lead to hazard to other road users due to its location to the existing parking restriction frontage

Dated this 10 December 2002

Address **Cygnat House**
132 Windmill Street
Gravesend
Kent
DA12 1BQ

Signed


Planning Services Manager

Your attention is drawn to the note overleaf

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 for the Environment under Section 78 of the Town and Country Planning Act 1990
- * If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the **The Planning Inspectorate, Room 307 (Kite Wing), Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6NP Tele 0117 3738813, Fax 0117 3728443**
- * 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 it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order
- * In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him

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 can neither put the land to a reasonably beneficial use in its existing state nor can he 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

Compensation

- * In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him
- * These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990

Ref-back