



Application: 20221076

**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: **Gravesend Hotel Rooms Ltd
C/O Mr Iain Warner, Tetlow King Planning
32 High Street
West Malling
ME19 6QR**

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:

**Clarendon Royal Hotel
Royal Pier Road
Gravesend
Kent
DA12 2BE**

and being **Retrospective consent for the continued erection of a marquee for a temporary 3 year period in connection with the operation of the main premises.**

Your application dated 7th October 2022 is refused on the following grounds:-

1. Insufficient detail has been submitted to allow the full impacts of the temporary marquee to be accurately assessed. In particular, a Heritage Statement has not been supplied with the application and, therefore, there is a limited understanding of the significance of the heritage assets and impacts resulting from the marquee. Given the size, location and that fact the structure would be erect for 8 months of the year, it is considered the proposal would have a detrimental impact on the character and appearance of the area, the Gravesend Riverside Conservation Area, the adjacent Grade II Listed Buildings and the adjacent Scheduled Ancient Monument (Gravesend Blockhouse) As such, a Heritage Statement has not been supplied to demonstrate otherwise. Consequently, the development is therefore contrary to Policies CS05 and CS20 of the Core Strategy and Saved Policies TC2 and TC3 of the Local Plan First Review and section 16 of the National Planning Policy Framework (2021).
2. By virtue of noise and disturbance, the proposal for the marquee will materially impact the amenity of adjoining neighbours by creating an all-weather environment that caters for a communal restaurant and seating area, for groups over prolonged periods of time. The structure includes equipment for music, and the noise impact from patrons and music would be harmful to the living environment of neighbouring properties and detrimental to their amenity. The proposal would therefore have significant adverse impacts on the amenity of surrounding occupiers and contrary Policy CS19 (LPCS) and Paragraph 30 of the National Planning Policy Framework (2021).
3. The application site is within Flood Risk Zone 2 and 3 and the application has not been supported by an appropriate Flood Risk Assessment. Therefore, insufficient detail has

been submitted to facilitate an assessment flood risk implications. As such, it is not possible to make a determination as to the flood risks given the site is within a high flood risk area. The proposal would be contrary to Policies CS18 of the Gravesham Local Plan Core Strategy September 2014, and paragraph 167 of the National Planning Policy Framework (2021).

INFORMATIVES:-

1 DECISION PLANS

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

- Application form;
- Plans and Elevations, Drawing no. 221007-P-001;
- Planning Statement.

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) 2021, 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 pre-application advice was not sought and the proposal as submitted is contrary to local and national planning policy and cannot be supported.

Dated: 7 December 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (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.
- 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.