

Reference Code of Application
DA/22/00861/COU

Mr Baljit Gill
c/o MEK Town Planning And Design Consultants Ltd/Mr Moses Ekole
Flat 14 Clive House
Haddo Street,
Greenwich
London
SE10 9RH

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

Notification of Refusal of Permission to Develop Land

TAKE NOTICE that the **DARTFORD BOROUGH COUNCIL**, the district planning Authority under the Town and Country Planning Acts, **HAS REFUSED PERMISSION** for development of land situated at

Garage Rear Of 105 Burnham Road Dartford Kent DA1 5AZ

Referred to in your application for permission for development registered on 27th July 2022

And being

Continued use as a vehicle repair workshop. Installation of additional shutter door on the front elevation which would remain closed when garage is in operation. Removal of shutter on side elevation facing towards 105 Burnham Road and bricking up of the door opening. Introduction of administrative office to include door and window on front elevation. Installation of exhaust extraction systems and new air compressor. Provision of inspection pit.

As shown on drawing numbers:

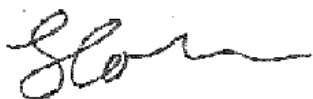
- 01 - Site Location Plan
 - 02 - Existing Block Plan
 - 03 - Proposed Block Plan
 - 04 - Existing Floor and Elevation Plans
 - 05 - Proposed Floor and Elevation Plans
 - 06 - Existing and Proposed Sections
 - 07 - Existing and Proposed Roof Plans
- Planning Statement
Noise Impact Assessment

And that the grounds for such refusal are:

- 01 By reason of a lack of appropriate supporting information in the form of a detailed specification for the roller shutter door design which is properly assessed within the associated noise impact assessment together with accurate noise output levels from the new exhaust extraction equipment, the proposal fails to demonstrate that the continued use of the garage for vehicle repairs would not result in an intrusive and incongruous activity and unreasonable levels of noise and disturbance for neighbouring residential properties. As such, it is considered that the proposed development would be contrary to Policy DP5 of the Development Policies Local Plan 2017.
- 02 The proposed development fails to provide adequate parking for staff and patrons / visitors to the proposed vehicle repair workshop and also fails to provide adequate provision for the servicing of delivery / collection vehicles to the site. This would likely result in increased parking on the highway and surrounding residential roads contributing to parking congestion and conditions prejudicial to highway amenity. It is therefore contrary to Policy CS15 of the Core Strategy (2011) and Policies DP3, DP4 and DP5 of the Dartford Development Policies Plan (2017) and the Parking Standards Supplementary Planning Document (2015).

Working positively and proactively:

In reaching a decision on this application, the Borough Council has implemented the requirements of the National Planning Policy Framework in order to secure developments that improve the economic, social and environmental conditions of the area.



Signed.....
HEAD OF PLANNING SERVICES

Dated this 21st September 2022

Your attention is drawn to the notes attached.

TOWN AND COUNTRY PLANNING ACT 1990

**NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL
PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO
CONDITIONS**

Appeals to the Secretary of State:

If you are unhappy with the decision of the Council to refuse consent or approve the proposal, you may appeal to the Secretary of State under section 78 of the Town and Country Act 1990 within **six months** of the date of this decision notice.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an Enforcement Notice, if you want to appeal against the Council's decision on your application, then you must do so within 28 days of the date of this notice

If an Enforcement Notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the Council's decision on your application, then you must do so within 28 days of the date of service of the Enforcement Notice or within 6 months of the date of this notice, whichever period expires earlier.

- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN
Online: <https://www.gov.uk/government/organisations/planning-inspectorate>
- Only the person who made the application can appeal.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

The Secretary of State has power to allow a longer period for lodging an appeal but he will not normally be prepared to do so unless there are special circumstances for the delay in lodging the appeal

The Secretary of State need not consider an appeal if it seems to the Secretary of State 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.

The inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local planning authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made

available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the [Planning Portal](#)

The Case Officer who dealt with the application will be able to advise further on the appeal process if necessary.

In practice, the Secretary of State does not refuse to consider appeals solely because the Council based their decision on a direction given by the Secretary of State.

Purchase Notices

If either the Council or the Secretary of State refuses permission to develop land or grants it subject to Conditions, the owners may claim that the owner can neither put the land to a reasonable beneficial use in its existing state nor 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 (that is where the land is situated in a National Park, the National Park authority for that Park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no 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 the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990