

Delegated Report

Listed Building Consent Application

Planning Application No: 20260028

Location: 26 King Street Gravesend Kent DA12 2DU

Description: Application for Listed Building Consent; Relocation of the current staircase and enlargement of centre of the mezzanine.

Applicant: Annie Guo

Site Visit Date: Previous Visits

Submitted Documents/Plans

Application Form
001A – Location Plan, Existing Block Plan, Proposed Block Plan
002A – Existing Ground Floor Plan
8195-01 – Mezzanine Specification
8195-02 – Mezzanine Specification
Heritage, Design and Access Statement
Email received from agent on 02.03.26 confirming method of works
Supporting Statement

Superseded Document:

~~003A – Mezzanine Floor Plans~~
~~004A – Ground Floor as Proposed~~
~~004A – Revised Ground Floor Plan – Proposed~~
~~003B – Revised Mezzanine Floor Plans~~
~~004B – Ground Floor Plan – Proposed~~
~~Method Statement~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20260087	Installation of a traditional retractable external awning.	Application Refused	23.03.2026
20260088	Application for Listed Building Consent; Installation of a traditional retractable external awning.	Application Refused	16.03.2026
20260089	Advertisement Consent for installation of external signage identifying the premises as THE LITTLE THEATRE.	Application Refused	16.03.2026
20260029	Application for Listed Building Consent; Installation of external illuminated fascia signage.	Application Refused	02.03.2026
20250243	Change of use to mixed use including performing arts theatre, performing arts instruction/teaching, public activities, nursery and children's activity centre, after-school club, and cafe/canteen	Application Permitted	02.03.2026
20240946	Application for Listed Building Consent; Removal of raised platform, Judge's bench and remaining court furniture and	Pending Consideration	

	alterations to Judge's canopy. Construction of panelling between existing (retained panelling) and lower floor level following removal of platform. Construction of steps between court room and adjoining studio to address change in level following removal of platform.		
20170642	Application for Listed Building Consent for the Retention of completed temporary mechanical and electrical refurbishment works	Permitted	11.06.2018
20100541	Change of use of former Court House (D1) to mixed use comprising cafe, meeting room, counselling rooms, open yoga area, offices, exhibition/court room, recording studio, installation of mezzanine floor to provide additional office space and demolition of cell block within central courtyard.	Permitted	24.05.2011

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC2 – Listed Buildings

Section 16(2) and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) require special regard to be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent or planning permission respectively.

As set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012 policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2026), the Council will also seek to replace these.

National Planning Policy Framework (2026)

- Section 20 – Conserving and enhancing the historic environment

Emerging Local Plan as a Material Consideration

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (Planning and Compulsory Purchase Act 2004) and section 70(2) of the Town and Country Planning Act 1990 (Town and Country Planning Act 1990) make it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise.

Decision Making Policy DM4 of the Framework sets out that when considering development proposals, relevant policies may be given weight, however, this is subject to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement, the Court found that the weight to be given to an emerging Local Plan was a matter of planning judgement, which had to be reached having fully considered the relevant part of the Framework, which from 17 August 2026 Decision Making Policy DM4 of the Framework.

The Council's emerging Local Plan has reached the Regulation 19 Consultation stage, with the consultation having ended on 18 August 2026. The emerging Local Plan does not form part of the Development Plan.

The Council is aware that third parties have raised objections to the wider emerging Local Plan and specific policies within it. Therefore, at present the Council cannot categorically state that the emerging Local Plan can be considered sound and consistent with the National Planning Policy Framework (2024) [as an emerging Local Plan being brought forward under the legacy system, it would be examined under the 2024 Framework]. Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan.**

This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

Ward Councillors

No comments received.

GBC Conservation Officer

No comments received.

National Amenity Society

No comments received.

Publicity

A site notice was placed near the site. The final date to submit comments ended on 3rd July 2026. No comments were received from members of the public.

Officer's Analysis

26 King Street, was previously a County Court, and is a Grade II Listed building.

This application relates to the existing ground floor staircase to the mezzanine. The staircase is a modern structure erected following consent under planning reference 20100541.



Image taken by case officer in 2023 (Redacted to remove people from image)

The proposed scheme would remove the existing central staircase, locating it against the back wall. The existing modern mezzanine floor would be extended to infill the void where the existing staircase is located along with a part extension which would extend the mezzanine closer to the window, all of which would require alteration to the beams/supports.

This supporting statement describes the proposed installation of a new staircase, landing, and railing, the removal of the existing staircase, and associated reinstatement works. It relates to drawings 8195-01 Rev E and 8195-02.

1. New Staircase Installation

- The new staircase will be fixed to the existing concrete slab and structural beam.
- SLSK12/10 heavy-duty anchors will secure the staircase base to the concrete slab.
- M16 bolts will connect the upper section of the staircase to the existing structural beam.
- All fixings will be installed, inspected, and aligned appropriately.

2. Removal of Existing Staircase

- The existing staircase will be dismantled in a controlled manner with restricted access.
- The staircase will be broken into manageable sections where possible.
- Larger components will be removed using suitable lifting equipment such as a MEWP.
- Materials will be removed from site for disposal or recycling.

3. Floor Reinstatement and Making Good

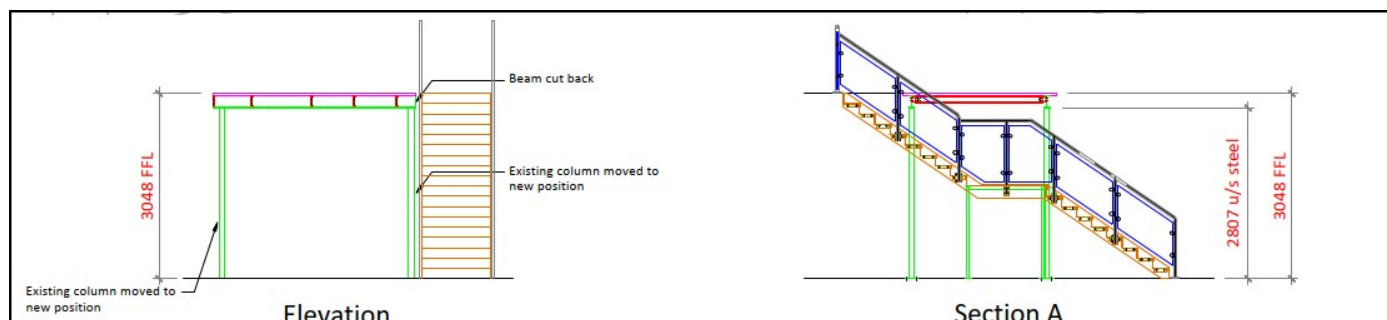
- The staircase opening will be infilled using galvanised steel joists fixed with steel cleats and M12

bolted connections.

- 38 mm timber decking boards will be installed over the joists to create a level floor surface.
- Affected concrete slab areas will be repaired in accordance with heritage requirements.
- Mezzanine fixing holes will not require making good as they do not affect heritage fabric or appearance.

4. Finish

- The staircase and railing will be finished in RAL 9006 (White Aluminium).



Section 20 of the NPPF (2026), relates to Conserving and enhancing the historic environment. In accordance with Policy HE5 of the National Planning Policy Framework, consideration has been given to the significance of the listed building, including the contribution made by its setting, and the effect of the proposed development on that significance.

The existing modern staircase is currently positioned centrally within the room and has a notable visual presence within the space particularly given its bright red colour. The proposal would relocate the staircase to the rear corner of the room. Although the relocation would require new fixings into the floor, the staircase itself is a modern intervention and the proposed works would not result in the loss of historic fabric or features of significance.

The relocation of the staircase away from the centre of the room would reduce its visual prominence and allow the principal space within the room to be more clearly appreciated. In addition, the proposed use of a more neutral colour for the railings would further reduce the visual impact of the staircase and provide a more recessive intervention within the historic interior.

Adequate detail has been submitted in relation to the making good of existing fixing holes, and new fixing required and materials. It is noted that the colour change from the red, and the relocation to a more set back and discreet area of the room would be positive.

Having regard to the architectural and historic interest of the listed building, it is considered that the proposed works would preserve its significance. The repositioning of the modern staircase and reduction in its visual prominence would result in a modest enhancement to the appreciation of the internal space. The limited intervention required to the floor would not adversely affect any identified significant historic fabric.

Overall, the proposal is considered to preserve the special architectural and historic interest of the Grade II listed building and its setting. The proposal would therefore accord with the relevant heritage policies of the NPPF and the statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion & Recommendation

The proposal would preserve the special architectural and historic interest of the Grade II listed building and result in a modest enhancement to the internal special. It is recommended that consent is given for this application.

(For detailed conditions and informatives, see draft Decision)



Case Officer:	Mrs Lisa Fisher	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	25th August 2026	Dated:	26th August 2026