

Application: 20230363

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
TOWN AND COUNTRY PLANNING (LISTED BUILDINGS AND BUILDINGS IN
CONSERVATION AREAS) REGULATIONS 1990
(as amended by Section 10 of the Planning and Compensation Act 1991)**

NOTIFICATION OF GRANT OF CONSENT TO CARRY WORKS TO A LISTED BUILDING

To: **Ms Maxine Fothergill, Amax Estates And Property Services
C/O Mr Ben Hebblethwaite, DAC Architects
21 Stone Street
GRAVESEND
Kent
DA11 0NP**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED CONSENT** for

Application for Listed Building consent for the refurbishment of an existing Listed building with internal alterations to form three additional flats.

to the Listed Building situated:

at **39 The Terrace
Gravesend
Kent**

in accordance with your application for Listed Building Consent dated 9th May 2023 subject to the following:-

CONDITIONS AND REASONS

1. The development to which this Listed Building Consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Application Form
 - Drawing no. D-100 Plans As Existing
 - Drawing no. D-101 Elevations & Sections As Existing
 - Drawing no. D-102C Plans As Proposed
 - Drawing no. D-103A Elevations & Section As Proposed
 - Drawing no. D-104 Block Plan

- Drawing no. D-105 Acoustic & Ventilation Work
- Design & Access Statement (5 April 2023)
- Heritage Statement (5 April 2023)
- Acoustic Assessment (Document Ref: 032324).

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No internal works shall be carried out on the site until details of the protection of original doors, internal joinery and other features of interest have been submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed protection measures.

Reason: To preserve the special architectural and historic interest of the listed building, in accordance with the requirements of Policy CS20 of the Gravesham Local Plan Core Strategy 2014 and Section 16 of the National Planning Policy Framework 2023.

4. Notwithstanding the details included on the application form and approved plans, before the doors, partitions and other internal additions/features hereby approved are installed, details of their material, design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:10 scale, and ½ or full size, showing their relationship to existing walls, floors and ceilings, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out only in accordance with the approved details.

Reason: Inadequate details of these matters have been submitted with the application and in order to ensure that the works preserve the special architectural and historic interest of the Listed Building in accordance with Policy CS20 of the Gravesham Core Strategy 2014 and Section 16 of the National Planning Policy Framework 2023.

5. Notwithstanding the details included on the application form and approved plans, before they are installed, full details of the siting, appearance and materials to be used in the construction of all extractor vents, heater flues, meter boxes, airbricks, soil and vent pipes, rainwater goods or any other external accretion shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out only in accordance with the approved details.

Reason: Inadequate details of these matters have been submitted with the application and in order to ensure that the works preserve the special architectural and historic interest of the listed building and in accordance with Policy CS20 of the Gravesham Core Strategy 2014 and Section 16 of the National Planning Policy Framework 2023.

6. Notwithstanding the details included on the application form and approved plans, any required works to provide noise and air quality mitigation measures shall not take place until a full written schedule of works and specifications for the required mitigation measures has been submitted to and approved in writing by the Local Planning Authority. This shall include a method statement setting out the sequence of the works together with detailed drawings which clearly show the relationship of the works to existing walls, floors, windows, ceilings. The works shall be carried out only in accordance with the approved details.

Reason: Inadequate details of these matters have been submitted with the application and in order to ensure that the works preserve the special architectural and historic interest of the listed building and in accordance with Policy CS20 of the Gravesham Core Strategy 2014 and Section 16 of the National Planning Policy Framework 2023.

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 38 of the National Planning Policy Framework (NPPF) 2023, 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.

2 DETAILS PURSUANT TO CONDITIONS

In the submission of details pursuant to the conditions attached to this consent, the applicant will need to provide sufficient details to demonstrate that these works would not have an adverse impact on the fabric and historic integrity of the listed building. The applicant should be aware that if this could not be achieved to the satisfaction of the local planning authority, it is likely that the conditions would not be discharged. In such a scenario it would not then be possible to implement the planning permission and listed building consent for three additional flats.

Dated: 12 July 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

NOTES FOR THE APPLICANT

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building Consent for the proposed works, or to grant consent subject to conditions, he may, by notice served within **six months** of receipt of this notice, appeal to the Secretary of State for the Environment in accordance with Section 20 of the Planning (Listed Buildings & Buildings in Conservation Areas) Act 1990. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Planning Authority in regard to the proposed works are in progress.
2. If Listed Building Consent is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the council of the district in which the land is situated a listed building purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings & Buildings in Conservation Areas) Act 1990.
3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.

Demolition cases only:

4. If the consent is granted, the consent is not valid unless **one month's notice** has been given to English Heritage, and English Heritage has been given access to make a record before work begins. (See separate form of notice Dem-LB which can be obtained from the Borough Council).