

**Application: 20230933**

**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: **Mr Eric Gander  
C/O Mr Tim Ellis, Tim Ellis Conservation Architect  
Parsonage House  
The Street  
Smarden  
Nr. Ashford  
TN27 8QA**

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

**Listed Building Consent for the removal of uPVC door and window from rear elevation of No.38 The Street and their replacement with a purpose made timber door and purpose made timber window.**

to the Listed Building situated:

at **36 - 38 The Street  
Cobham  
Gravesend  
Kent**

in accordance with your application for Listed Building Consent dated 7th September 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;  
Site Plan;  
Photographs;  
Heritage Statement;  
Design and Access Statement;  
Covering Letter; and

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

- 3 The window and door herein approved shall be of a timber construction only. Details of their design, specification, method of opening, location within the wall and finish/colour, in the form of drawings and sections of no less than 1:10 scale, and ½ or full size, shall be submitted to and agreed in writing by the Local Planning Authority before the windows and doors hereby approved are installed. The works shall be carried out only in accordance with the agreed window and door 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 Core Strategy 2014.

- 4 In relation to the above condition casements shall be flush, Slimline or Slimlite double glazed (preferably 4:6:4) and contain no trickle vents.

**Reason:** To preserve the special architectural and historic interest of the Listed Building in accordance with policy CS20 of the Core Strategy 2014.

#### **INFORMATIVES:-**

##### **1 AGREEMENT FOR IMPOSITION OF PRE-COMMENCEMENT CONDITION(S)**

In accordance with The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 and paragraph 36 of the Planning Practice Guidance the Local Planning Authority has agreed in writing with the applicant on 24.10.23 to the inclusion of the following pre-commencement conditions.

Condition 3 - The window and door herein approved shall be of a timber construction only. Details of their design, specification, method of opening, location within the wall and finish/colour, in the form of drawings and sections of no less than 1:10 scale, and ½ or full size, shall be submitted to and agreed in writing by the Local Planning Authority before the windows and doors hereby approved are installed. The works shall be carried out only in accordance with the agreed window and door 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 Core Strategy 2014.

##### **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) 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.

Dated: 30 October 2023

Civic Centre  
Windmill Street  
Gravesend  
Kent  
DA12 1AU

*Wendy Lane MRTPI*  
Assistant Director (Planning)  
**Planning Service**

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### **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).