

Application: 20230178

**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 REFUSAL OF CONSENT TO CARRY OUT WORKS TO A LISTED BUILDING
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To: **Mr Mark Caldecourt
C/O Owen Darby, Clague
62 Burgate
Canterbury
CT1 2BH
United Kingdom**

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

Listed Building Consent for the proposed conversion of and alterations to listed timber frame barn into a 4 bedroom dwelling; new boundary treatments, landscaping and other ancillary works including provision of parking spaces.

to the Listed Building situated:

at **Kent Barn East Of Gore Green Road
Gore Green Road
Higham
Rochester
Kent**

in accordance with your application for Listed Building Consent dated 6th March 2023

and that the grounds for such refusal are:-

- 1 The proposed alterations would result in a more domestic and unsympathetic appearance to the barn conversion which would have an unacceptable and detrimental impact on the Grade II Listed Building, contrary to Policies CS19 and CS20 of the Local Plan Core Strategy (2014), Policy TC2 of the Gravesham Local Plan: First Review (1994) and Section 16 of the National Planning Policy Framework (2021).

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

For the avoidance of doubt, the decision to refuse this application was taken in relation to the following forms, plans and documents comprising the application:

Planning Application Forms (Planning and Listed Building);
Design & Access Statement Rev B - March 2023;
Heritage Statement - November 2022;

Archaeological Watching Brief Final Report - March 2022;
Drawing No. 29767A_001 - Site Location Plan;
Drawing No. 29767A_002 - Existing Block Plan;
Drawing No. 29767A_003 - Proposed Block Plan;
Drawing No. 29767A_400 Rev A - Proposed Kent Barn Ground Floor Plan;
Drawing No. 29767A_401 Rev A- Proposed Kent Barn First Floor Plan;
Drawing No. 29767A_402 Rev B - Proposed Kent Barn Roof Plan;
Drawing No. 29767A_403 Rev B - Proposed North East & North West Elevations;
Drawing No. 29767A_404 Rev B - Proposed South West & South East Elevations;
Drawing No. 29767A_405 Rev A - Proposed Section AA, BB & CC;
Drawing No. 1 - Topographical Survey;
Drawing No. 2 - Main Barn Floor Plan;
Drawing No. 5 - Elevations #1;
Drawing No. 6 - Elevations #2;
Drawing No. 8 - Sections 1&2;
Drawing No. 9 - Sections 3&4;
Drawing No. 10 - Sections 5&6;
Drawing No. 11 - Sections 7 TO 10;
Drawing No. 12 - Sections 11 TO 14; and
Drawing No. 13 - Sections 15&16.

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, the application is contrary to local and national planning policy and the planning objections could not be overcome by amendments to the scheme or through the imposition of acceptable and appropriate planning conditions.

Dated: 27 April 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (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.

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.

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).