

Application: 20211159

**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 Robert Allen
C/O Mr Ronald Ervin
1 Jessamine Cottages
Vesper Hawk Lane
Smarden
Ashford
TN27 8PU**

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

for the creation of a vehicular access and associated hardstanding area in the front garden incorporating new garden steps and pathway

to the Listed Building situated:

at **4 Constitution Crescent
Gravesend
Kent
DA12 1JS**

in accordance with your application for Listed Building Consent dated 26th October 2021 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 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 and documents:

Drawing no. 2019-02-01 (Existing Plan and Elevations) received 21 September 2021;
Drawing no. 2019-02-02 A (Proposed Plan and Elevations) received 21 September 2021;
Drawing no. 2021-05-01 (Proposed Removal of Existing Soil and Subsequent Repair and Replacement of the Stucco Render to the Exposed Wall) received 21 September 2021;
Design and Access Statement received 21 September 2021;
Supplementary Information (Planting) received 21 September 2021;
Photographs received 21 September 2021;

Application form received 12 October 2021;
OS Plan received 19 October 2021;
Existing Block Plan received 26 October 2021; and
Proposed Block Plan received 26 October 2021.

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

3. The development hereby permitted shall not commence until details of all materials (including windows, samples of cobbles, a trial panel of the flint wall and wall head/coping, details of the colour/design of the gates (timber and gloss painted black or similar dark colour) and the steps, railings and balustrade (at a scale of half or full size)) have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure a satisfactory standard of appearance upon the completion of the development, in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and Saved Policies TC2 and TC3 of the Gravesham Local Plan First Review November 1994.

4. The details shown in drawing no. 2019-02-02 Revision A including specifications for the repair of the exposed wall of the listed building hereby approved shall be carried out in strict accordance with the approved details. Should the extent of works alter during the course of the development, then the applicant shall submit full details of the proposed alterations and await written permission from the Local Planning Authority before carrying out the amended works.

Reason: In the interests of protecting the special architectural and historic character detailing of the Listed Building and in line with Policy CS20 of the Gravesham Local Plan Core Strategy 2014 and Saved Policy TC2 of the Gravesham Local Plan First Review 1994.

INFORMATIVES:-

1 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

2 REASON FOR IMPOSITION OF PRE-COMMENCEMENT CONDITION

Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is satisfied that the requirements of condition 3 (including the timing of compliance) are so fundamental to the development permitted that such details must be submitted prior to the works commencing on site. The reason for this is to ensure that there is no adverse impact on the architectural integrity or setting of the listed building or on the character and appearance of the Windmill Hill Conservation Area. Due to the importance attached to these details, it is reasonable and necessary to seek full approval in advance of works commencing.

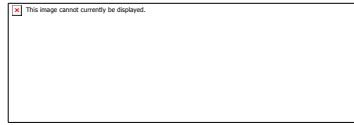
3 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

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.

Dated: 21 December 2021

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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).