

Application: 20221021

**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 Jasvinder Gill, Hatten Wyatt Solicitors & Advocates
C/O Mr Jeremy Isherwood, Jeremy S Isherwood Chartered Architect
34 Chalky Bank
Gravesend
DA11 7NY**

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 widening of the existing car park access on the North Street frontage from 3.669 metres to 4.569 metres, erection of a sliding remote-controlled painted steel gate across the opening, construction of new brick piers either side of the opening.

to the Listed Building situated:

at **51 - 54 Windmill Street
Gravesend
Kent
DA12 1BD**

in accordance with your application for Listed Building Consent dated 20th September 2022 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 particulars:

Application form
Heritage Statement
Design Statement
Drawing no. 536/01 (Location Plan as Existing)
Drawing no. 536/02 (Site Plan as Existing)
Drawing no. 536/PL01 (Proposed Replacement Car Park Gate Site Plan)

Drawing no. 536/PL02 (Proposed Replacement Car Park Gate)
Drawing no. 536/PL03 (Cellar and Ground Floor as Existing)
Drawing no. 536/PL04 (First and Second Floor Plans as Existing)
Drawing no. 536/PL05 (Front and Rear Elevations as Existing)
Drawing no. 536/PL06 (Side Elevations as Existing)

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

- 3 No development shall take place above ground level until details of the remote-controlled sliding steel gate have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of preserving and enhancing the character and appearance of this Grade II Listed Building and the Upper Windmill Street Conservation Area, in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014.

- 4 The materials used the construction of the development hereby permitted, including bricks and mortar, shall precisely match those used in the existing structures in accordance with the details in the Application Form, Design Statement and drawing no. 536/PL02.

Reason: To ensure a satisfactory visual relationship between the existing and the new development and in the interests of preserving and enhancing the character and appearance of this Grade II Listed Building and the Upper Windmill Street Conservation Area, in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014.

- 5 Where the existing wall is disturbed as a result of the development hereby permitted these works shall be made good. All making good shall be carried out using good quality materials which precisely match and are sympathetic to the character and appearance of the existing structures.

Reason: In the interests of preserving and enhancing the character and appearance of this Grade II Listed Building and the Upper Windmill Street Conservation Area, in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014.

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 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: 15 November 2022

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).