

Application: 20230940

**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 Jason Le Mare, National Trust Kent And East Sussex
C/O Miss Natalie French, Raw Studios
23 Park Road
Folkestone
Kent
CT3 1QN**

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 necessary repairs to the structure and integrity of the property, including repairs to Store 3 within the basement, repairs to the ground floor library, dining room and front porch and replacement of drainage hopper on rear elevation.

to the Listed Building situated:

at **Main House
Owletts
The Street
Cobham
Gravesend
Kent
DA12 3AP**

in accordance with your application for Listed Building Consent dated 20th September 2023

and that the grounds for such refusal are:-

- 1 The majority of the works proposed to address damp/mould/water ingress in the building would be extensive and invasive, potentially resulting in the loss of and harm to original or historic fabric and would therefore be harmful to the significance of this grade II* listed building. Given that the exact cause(s) of the damp/mould/water ingress have not been investigated and identified such works may be unnecessary, inadvertently cause further issues to the building and not actually address the damp/mould/water ingress. The proposal would therefore not preserve the special architectural and historic interest of this Grade II* Listed building, a designated heritage asset and the proposal is therefore contrary to Policies CS19 and CS20 (LPCS), saved Policy TC2 (LPFR) and section 16 of the NPPF (2023).

INFORMATIVES:-

- 1 **DECISION PLANS**

For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

- Application form;
- Drawing no. 001 Rev. P2 - Site Location Plan;
- Drawing no. 002 Rev. P1 - Existing and Proposed Block Plan;
- Drawing no. 011 Rev. P1 - Existing Ground Floor Defects & Relevant Drawings;
- Drawing no. 010 Rev. P1 - Existing Basement & North East Elevation Guttering Defects;
- Drawing no. 020 Rev. P1 - Proposed Basement & North East Elevation Guttering Repairs;
- Drawing no. 021 Rev. P1 - Proposed Ground Floor Repair Drawings; and
- Heritage Statement (including Method Statement).

2 STATEMENT OF POSITIVE AND PROACTIVE

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 manner. In this instance the application is not in accordance with the Development Plan for the area and cannot be supported.

Dated: 28 December 2023

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.

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).