

Application: 20250184

**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 Michael Sears
C/O Mrs Sonia Rajaratnam, Gill Sterling
Gill Sterling, Whitehall Place
47 The Terrace
Gravesend
DA12 2DL**

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; Demolition of existing garages and creation of 6 parking spaces to the rear of 38 Windmill Street.

to the Listed Building situated:

at **38 Windmill Street
Gravesend
Kent
DA12 1BA**

in accordance with your application for Listed Building Consent dated 18th March 2025 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 schedule of approved plans:

- Application form;
- Drawing no. 001 Rev. B - Existing Block Plan;
- Drawing no. 002 Rev. B - Proposed Block Plan;
- Drawing no. 003 Rev. B - Existing Elevations;
- Drawing no. 004 Rev. B - Proposed Elevations; and
- Planning & Heritage Statement.

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

- 3 Prior to the infilling of the arched opening in the boundary wall, details of the materials that the arch shall be infilled with shall be 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 order to protect the setting of the grade II listed no. 38 Windmill Street and in order to preserve the character and appearance of the Upper Windmill Street Conservation Area in accordance with Policies CS19 & CS20 of the Gravesham Local Plan Core Strategy (2014) and saved Policies TC2 & TC3 of the Gravesham Local Plan First Review (1994).

- 4 Prior to the re-built and new brick walls being built, a sample of the brick to be used shall be 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 order to protect the setting of the grade II listed no. 38 Windmill Street and in order to preserve the character and appearance of the Upper Windmill Street Conservation Area in accordance with Policies CS19 & CS20 of the Gravesham Local Plan Core Strategy (2014) and saved Policies TC2 & TC3 of the Gravesham Local Plan First Review (1994).

- 5 The rebuilt and new brick walls shall be painted in colour RAL 1013 Oyster White for all sections of wall to be painted.

Reason: In order to protect the setting of the grade II listed no. 38 Windmill Street and in order to preserve the character and appearance of the Upper Windmill Street Conservation Area in accordance with Policies CS19 & CS20 of the Gravesham Local Plan Core Strategy (2014) and saved Policies TC2 & TC3 of the Gravesham Local Plan First Review (1994).

- 6 The parking area shall be blocked paved and prior to the re-surfacing of the parking area, details of the block paving to be used shall be 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 order to protect the setting of the grade II listed no. 38 Windmill Street and in order to preserve the character and appearance of the Upper Windmill Street Conservation Area in accordance with Policies CS19 & CS20 of the Gravesham Local Plan Core Strategy (2014) and saved Policies TC2 & TC3 of the Gravesham Local Plan First Review (1994).

INFORMATIVES:-

1 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 39 of the National Planning Policy Framework (NPPF) 2024, 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.

2 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

- i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.
- ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.
- iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.
- iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

Dated: 30 July 2025

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.
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).