

PLANNING STATEMENT

CLARENDON HOTEL, ROYAL PIER ROAD, GRAVESEND, DA12 2BE

Gravesham Borough Council

PLANNING STATEMENT

Erection of Marquee for a temporary period of three years

The Clarendon Royal Hotel, Royal Pier Road, Gravesend, DA12 2BE

Gravesend Hotel Rooms Ltd

October 2022

OUR REF: M22/0715.01.RPT

TETLOW KING PLANNING
FIRST FLOOR, 32 HIGH STREET, WEST MALLING, KENT ME19 6QR
Tel: 01732 870988 Email: info@tetlow-king.co.uk

www.tetlow-king.co.uk

Contents

Section 1	Introduction	1
Section 2	Sites and Surroundings	2
Section 3	Development Proposal	4
Section 4	Planning Policy Framework	6
Section 5	Planning Assessment	11
Section 6	Conclusion	18

Introduction

Section 1

- 1.1 This Planning Statement is prepared by Tetlow King Planning on behalf of Gravesend Hotel Rooms Ltd to accompany a full planning application for the erection of a marquee for a temporary period of three years at The Clarendon Royal Hotel, Royal Pier Road, Gravesend DA12 2BE.
- 1.2 It is submitted pursuant to Article 8 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and should be read in conjunction with the submitted application forms, certificates, plans and supporting documents.
- 1.3 This statement provides a background to the proposal, together with a description of the site and surroundings. The statement demonstrates the planning merits of the proposals, having regard to relevant National and Local Planning Policy and other important material considerations, upon which it is considered this application should be determined.
- 1.4 The description of the proposed development is as follows:
- Erection of a Marquee between 01 March and 31 October for a temporary period of three years.***
- 1.5 This Planning Statement is set out as follows:
- Section 2 – sets out the context of the site and its surroundings as well as the sites planning history;
 - Section 3 – sets out the details of the proposals;
 - Section 4 – sets out the planning policy context and explores other material considerations;
 - Section 5 – sets out the planning considerations for the application cross referencing the proposals against the planning policy context and other material considerations; and
 - Section 6 – concludes that the proposals are supported by planning policy and therefore the application should be approved.

Site & Surroundings

Section 2

The Site

- 2.1 The site comprises land in association with The Clarendon Royal Hotel which is situated on the south side of Royal Pier Road. The site lies within the built-up area of Gravesend, the Gravesend Riverside Conservation Area and within the Gravesend Opportunity Area. The Clarendon Royal Hotel is also a listed building, and the site itself lies adjacent to a scheduled monument.
- 2.2 The land to which the application relates is located directly opposite the Clarendon Royal Hotel on the Northern side. The site is currently used as an ancillary garden / social / seating area in association with the Clarendon Royal Hotel.



Figure 1: Location of Site. Source: Google Maps

Relevant History

- 2.3 The site has a comprehensive planning history. The majority of the history relates to a decision (April 2007) by the Planning Inspectorate to grant planning consent for the

conversion and extension of the hotel into residential use and the construction of a large new building on the rear car park fronting The Terrace, which accommodated 30 affordable residential unit with associated car parking facilities. The rear portion of the site was subsequently sold to a registered social landlord.

- 2.4 In 2010 (20100293) planning permission was permitted for the change of use of 20 residential units to serviced apartments (hotel suites) under Use Class C1 (Hotels) and minor works of alteration to the listed building.
- 2.5 As noted in figure 1 above, a marquee plus 'huts' were erected on the land during the Coronavirus Pandemic under the Governments scheme to assist the hospitality trade.

Development Proposal

Section 3

Built Development

- 3.1 The proposed development comprises the erection of a marquee for use in connection with Clarendon Royal Hotel between 01 March and 31 October for a temporary period of three years.
- 3.2 Specifically, this proposal would support the operation of the hotel/bar/restaurant by offering additional outside function space over the busy spring/summer period.

Use

- 3.3 The site forms part of the existing Clarendon Royal Hotel and as such is ancillary to the existing use and function of the hotel.
- 3.4 The proposed development will provide a temporary (01 March and 31 October annually) marquee for use as outside seating area.

Scale and Appearance

- 3.5 The marquee structure would measure approximately 12 metres x 30 metres with a height of 4.1 metres. Similar in appearance and size to that which was erected during the coronavirus pandemic and shown in figure 1 above.
- 3.6 The scale of the development is commensurate with the scale of activities at the hotel/bar/restaurant. It provides a single storey seasonal structure which will provide an outside area to guests and passing trade using the hotel/bar/restaurant.
- 3.7 Design materials comprise of a canvas together with interlocking poles to allow the structure to be dissembled and removed from site at the end of the season. The marquee canvas would be off-white colour.

Landscape

- 3.8 The marquee is a small temporary structure which has been carefully sited to reduce potential impact on the surrounding conservation area and schedule monument to the east.
- 3.9 Given its temporary and seasonal nature of the proposal, no additional landscaping is proposed in respect of this temporary structure

Access and Parking

- 3.10 The marquee would be accessed from the Royal Pier Road.
- 3.11 There would be no change to the existing parking facilities for the Clarendon Royal Hotel.

Planning Policy Framework

Section 4

Introduction

- 4.1 Statutory guidance and Development Plan policies have been important considerations in the preparation of the proposal and details of the relevant guidance against which the application is to be considered are set out below. The implications of these policies and other material considerations are addressed in Section 5 of this statement, which sets out our planning case.
- 4.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 an application should be determined in accordance with the development Plan unless material considerations indicate otherwise.
- 4.3 The current Development Plan for the administrative area comprises the Gravesham Local Plan Core Strategy (2014) and Saved Policies of the Gravesham Local Plan First Review (2014). Other material considerations include Supplementary Planning, the National Planning Policy Framework and Planning Practice Guidance (PPG).

Development Plan

Gravesham Local Plan Core Strategy (2014)

- 4.4 The Local Plan Core Strategy (hereafter LPCS) was adopted in 2014 and sets out the Council's strategic policies and proposals for the development and use of land within the Borough up to the period of March 2028
- 4.5 The urban area of Gravesham is identified as the primary 'Tier 1' settlement within the Borough and as such, the most sustainable location within the Borough.
- 4.6 Listed below are those policies relevant to this application:
- CS01 – Sustainable Development
 - CS05 – Gravesend Opportunity Area (3.4)
 - CS07 - Economy, Employment and Skills
 - CS09 - Culture and Tourism
 - CS10 – Physical and Social Infrastructure

- CS11 – Transport
- CS19 - Development and Design Principles.
- CS20 – Heritage and the Historic Environment

[Gravesham Local Plan First Review 1994](#)

- 4.7 The only relevant saved policy from the Local Plan is set out below:

TC3 – Development Affecting Conservation Areas.

Material Considerations

[Supplementary Planning Guidance](#)

- 4.8 Gravesham Riverside Conservation Area Character Appraisal (2009) – Character Area 1: Royal Pier Road and The Terrace.

[Emerging Local Plan Partial Review – Site Allocations and Development management Policies Consultation.](#)

- 4.9 Gravesham Borough Council are preparing a Local Plan Partial Review which is at Regulation 18 (Stage 2). A consultation ran from 23 October to 31 December 2020.
- 4.10 The emerging Plan is at a relatively early stage of development and has yet to be tested at Examination as such it should be attributed no weight in the assessment of this application.

[National Planning Policy Framework \(2021\)](#)

- 4.11 In July 2021 the Government published the latest National Planning Policy Framework (NPPF) which sets out its objectives for securing sustainable economic growth and the approach for ‘plan making’ and ‘decision taking’ for all planning policy in England. Full regard must be had to the NPPF (2021) as an overarching material consideration in the determination of this application.
- 4.12 At the heart of the NPPF is a presumption in favour of sustainable development, encompassing social, economic and environmental roles. The approach to sustainable development involves making the necessary decisions now to realise the vision of stimulating economic growth, maximising wellbeing and protecting our environment, without negatively impacting on the ability of future generations to do the same.
- 4.13 Paragraph 8 of the NPPF states that under this approach, planning is expected to deliver:

- A strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; by identifying the provision of infrastructure (Economic role);
 - Strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible local services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being (Social role); and
 - Contribute to protecting and enhancing of our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy (Environmental role).
- 4.14 The presumption in favour of sustainable development means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.15 Furthermore, paragraph 8 confirms that these roles are interdependent and need to be pursued in mutually supportive ways.
- 4.16 In considering planning applications, paragraph 38 requires local planning authorities to *“approach decisions on proposed development in a positive and creative way”*. It goes on to state that *“Decision-makers at every level should seek to approve applications for sustainable development where possible”*.
- 4.17 Section 6 deals with building a strong, competitive economy. It makes clear at Paragraph 81 that decisions should help create the conditions in which business can invest, expand, and adapt. It clearly identifies that “significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.
- 4.18 Paragraph 82 (d) states that Planning policies should be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices and to enable a rapid response to changes in economic circumstances.

- 4.19 Section 11 relates to making effective use of land. Paragraph 119 confirms that the planning system should *“promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”*.
- 4.20 Chapter 12 of the Framework seeks to achieve well-designed places, and in this regard is key in the assessment of the proposed development. In particular Paragraphs 126, 127 and 130 which collectively seek to ensure that developments will function well and add to the overall quality of the area, are visually attractive and are sympathetic to local character, among other listed objectives.
- 4.21 Chapter 16 relates to conserving and enhancing the historic environment. Paragraph 195 states that, *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*
- 4.21 Paragraph 197, states *“in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affecting, including any contribution made by their setting. The level of detail should be proportionate to the assets importance and not more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”*
- 4.21 Paragraph 201 goes on to state that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

National Planning Practice Guidance

- 4.22 Planning Practice Guidance published in March 2014 (“PPG”) is a ‘live’ document that builds on the principles and provides further detailed technical guidance to complement the NPPF.
- 4.23 The PPG reinforces the importance of the NPPF as representing the most up-to-date Government planning policy, which must be taken into account where it is relevant to a planning decision.

- 4.22 Planning permission will usually be required for any material changes of use, or for temporary uses that are incorporated as part of a longer-term development. (Paragraph: 003 Reference ID: 66-003-20190722)
- 4.23 In term of heritage the PPG states that *“Applicants are expected to describe in their application the significance of any heritage assets affected, including any contribution made by their setting (National Planning Policy Framework paragraph 189). In doing so, applicants should include analysis of the significance of the asset and its setting, and, where relevant, how this has informed the development of the proposals. The level of detail should be proportionate to the asset’s importance and no more than is sufficient to understand the potential impact of the proposal on its significance.”* (Paragraph: 009 Reference ID: 18a-009-20190723).
- 4.24 The PPG goes on to state that *“The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation. It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.”* (Paragraph: 015 Reference ID: 18a-015-20190723)

Planning Assessment

Section 5

- 5.1 This section of the statement provides a justification for the proposal having regard to the relevant planning policy background, the character of the local area and the site's planning history.

Principle of Development

- 5.2 The proposal map to the adopted Local Plan designates the application site within the built-up area of Gravesend, the Gravesend Conservation Area and within the Gravesend Opportunity Area. The Clarendon Royal Hotel is also a listed building and the site is adjacent to a scheduled monument.
- 5.3 LPCS Policy CS01 sets the strategic objectives for the borough which includes a focus of development in accessible and sustainable locations, utilising existing infrastructure and promoting the presumption in favour of sustainable development contained in the NPPF.
- 5.4 As stated above, the site also falls within one of the boroughs four Opportunity Areas. The concept of Opportunity Areas has been developed by the Council to establish a broad framework within which development can take place and an overall vision can be realised. The Opportunity Areas together form a significant regeneration area in the Thames Gateway, extending along the whole of the urban riverside and its hinterland and occupying almost a third of the built-up area of Gravesham.
- 5.5 The Gravesend Town Centre Opportunity Area will be the principal focus for town centre related economic and social activity in the Borough. This will be achieved by consolidating the existing retail area, encouraging a mix of employment and residential uses, improving its role as a transport hub by the creation of a public transport interchange, promoting an evening economy through giving support to the provision of leisure uses and taking full advantage of its heritage and riverside setting.
- 5.6 Policy CS05 - Gravesend Town Centre Opportunity Area amongst other criteria states within the Opportunity Area the Council will support and enhance retail, leisure, entertainment, cultural and tourism provision in accordance with the sequential approach.

5.7 The NPPF requires local planning authorities to set out a clear economic vision and strategy for their area to encourage sustainable economic growth. LPCS policy CS07 outlines the vision for the economy. It notes (Para. 5.1.4) that the Council aims to:

- *make Gravesham a place where enterprise can thrive in a sustainable and responsible way;*
- *build on its strengths to increase economic diversity so that the local economy is more adaptable and resilient to change; and*
- *facilitate the provision of education and skills training to enable local people to prosper by taking advantage of the employment opportunities that arise.*

5.8 The nature of the proposal is such that the proposed development would be seasonal and would support an existing business and promote an evening economy taking full advantage of its heritage and riverside setting supporting the vision and objectives of LPCS policies CS05 and CS07. Moreover, the temporary nature is to allow the business to recover from the effects of the pandemic which badly affected the bar/restaurant sector in particular.

5.9 Therefore, it is clear that there is 'in principle' support for the proposed development at both national and local policy levels.

Conservation and Heritage

5.10 As stated above, the site lies within the Gravesend Riverside Conservation Area and is adjacent to a scheduled monument. In addition, the Clarendon Royal Hotel, opposite the application site, is a Grade II Listed Building.

5.11 Turning first to the Conservation Area. The Council is required by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area when exercising planning functions relating to development within that area. The Council must give considerable importance and weight to the desirability of preserving the significance of the conservation area, and there is a strong presumption against the grant of permission for development that would harm its heritage significance.

5.12 The significance of a heritage asset is defined in the NPPF as being made up of four main constituents: architectural interest, historical interest, archaeological interest and artistic interest. The assessments of heritage significance and impact are normally made with primary reference to the four main elements of significance identified in the NPPF.

- 5.13 In addition, LPCS Policy CS20 relates to heritage and the historic environment. The pre amble to Policy CS20 notes that *“in addition to their cultural, architectural and historic importance, these assets have the potential to act as a significant draw for inward investment and heritage led regeneration. This is both through the enhancement of their settings and the creation of a more interesting and attractive place to live, work and visit”*.
- 5.14 Policy CS20 also notes *“proposals and initiatives will be supported which preserve and, where appropriate, enhance the significance of the Borough’s heritage assets, their setting where it contributes to the significance of the asset and their interpretation and enjoyment, especially where these contribute to the distinct identity of the Borough”*.
- 5.15 As set out in the Riverside Conservation Area Appraisal, the Conservation Area encompasses a long stretch of the Thames River frontage to the east of the town of Gravesend. The western part of the Conservation Area includes the later 19th century houses along The Terrace, Royal Pier Road and Clarendon Road which were developed on the site of the former Terrace Gardens.
- 5.16 The appraisal acknowledges (within Section 5.2) that in the west of the Conservation Area in The Terrace, Royal Pier Road and Clarendon Road comprises a more formal urban arrangement with rows of terraced two storey houses with front gardens.
- 5.17 The Conservation Area includes a range of landmark buildings. Landmark buildings all make an impression on the streetscape, either through their impact on the landscape, their historic character, their scale and their position in large open spaces. Principal positive views include those from Royal Pier Road towards the Clarendon Royal Hotel.
- 5.18 Within the Conservation Area the site falls just outside Character Area 1: Royal Pier Road and The Terrace, it notes this is an urban streetscape setting, but one mixed with large official buildings and public open spaces fronting the riverside close by. The principal feature of the built form is, amongst other criteria the urban riverside character.
- 5.19 The proposed location for the marquee has been used previously for the siting of a short-term marquee during the coronavirus pandemic. The proposed application is to allow the marquee to be erected between March to October annually, and then removed and only for a period of up to 3 years to allow the business to fully recover. The impact therefore of its presence would be temporary.

- 5.20 The marquee would be located close to Royal Pier Road and close to the existing built form. The proposal whilst in situ would not impact on important views as set out in the Riverside Conservation Area. Given the temporary nature of the proposal there would be limited harm on the significance of the Conservation Area.
- 5.21 As such it is considered that the proposed development is a sensitive addition to the Conservation Area, moreover it is considered that no significant harm would result from the proposed development. The impact of the proposed development is considered to be limited through its temporary (seasonal) nature, lack of physical impact and attachment.
- 5.22 In terms of the listed building and the schedule monument, there would be no change of use of the land which is currently already used as outside garden area to the Clarendon Royal Hotel. As such the use would not have any impact on the listed building or the schedule monument. Moreover, for the reason as stated above, i.e. the temporary nature of the proposal, lack of physical impact and attachment and its seasonal use, it is not considered that the proposal would affect the setting of the listed building or the scheduled monument.
- 5.23 Whilst therefore acknowledging that there is limited harm arising from the siting of the marquee, it is considered that the harm is in this instance outweighed by the wider public benefits that arise from having a continued active use of the ground floor of the building with a business that serves local residents and visitors and one that is recovering from the pandemic.

Character and Appearance

- 5.24 Section 12 of the NPPF relates to design and underscores the importance of design to the built environment, stating that good design is an important component to the pursuit and delivery of sustainable development. The thrust of this is reflected primarily in Policy CS19 – Development and Design Principles which states that new development will be visually attractive, fit for purpose and locally distinctive. It also states that development should conserve and enhance the character of the local built, historic and natural environments, integrate well with the surrounding local area and meet anti-crime standards.
- 5.25 The appearance of the proposal is heavily influenced by the seasonal nature and the need for the marquee structure to be erected, dismantled, and re-erected each year for the period 1 March to 31 October.

- 5.26 The marquee structure is similar in appearance and size to that which was erected during the Coronavirus pandemic.
- 5.27 Overall, the scale of the development has been kept to a minimum having regard to both the operational requirements and the character and appearance of the area.
- 5.28 The proposed siting will ensure that the development is within the current built form and is of a mass and scale in proportion to that of its surroundings.
- 5.29 The materials comprise a canvas together with interlocking poles to allow the structure to be disassembled and removed from site at the end of the season. The marquee canvas would be off-white colour.
- 5.30 Overall, the proposal will provide a quality seasonal marquee structure that would serve the ongoing operation of an existing business. It is stated that the proposal accords with relevant policies of the development plan for the Borough – including the Chapter 12 of the NPPF and LPCS policy CS19.

Neighbour Amenity

- 5.31 It is considered that there would be no significant impact on the amenities of any neighbouring residential occupiers. The nearest residential dwellings are those opposite and adjacent to the Clarendon Royal Hotel. However, as noted above the proposal would not result in the change of use of the land. The site already forms an outside seating area in connection with the hotel/bar/restaurant as such the erection of a seasonal temporary marquee is not considered to create any additional noise, loss of light, overshadowing or loss of amenity.
- 5.32 The proposed development serves to enhance the quality of the existing outside provision provided, and in this regard is not anticipated to cause any perceptible uplift in activity which may bring about any significant impact on neighbour amenity.

Access and Parking

- 5.33 The marquee would be located close to the pedestrian accessed from the Royal Pier Road. The existing access to the site would remain the same.
- 5.34 Parking would be provided as existing. There would be no change to the existing parking facilities for the Clarendon Royal Hotel.

Fallback Position

- 5.35 The hospitality industry suffered significantly during the pandemic. Restrictions for outdoor hospitality eased significantly on the 12th of April 2021 – among these affected

positively were pubs, restaurants and cafes, where the use of their outdoor area could be opened up.

- 5.36 The government recognised that tents, canopies and marquees were an obvious solution to the problem. In order for this to take place, the government allowed for these premises to set up outdoor areas which included the use of marquees as coverage, without requiring planning permission from the government.
- 5.37 The changes to permitted development rights, were first introduced as a temporary measure to boost high streets and small businesses during national restrictions. The applicants were one such business to take advantage of the relaxation in the rules and erected a temporary marquee on the application site.
- 5.38 These changes to these permitted development rights have since been made permanent following a public consultation.
- 5.39 The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 3) Order 2021 Class G relates to moveable structure for pubs, restaurant etc. It states that development is permitted for the provision of one moveable structure within the curtilage and for the purposes, of a building used for a purpose within:
- *(a) article 3(6)(p) or (q) (drinking establishments etc.) of the Use Classes Order(4); or*
 - *(b) Class E(b) (sale of food and drink etc.) of Schedule 2 to that Order.*

Development is not permitted if:

G.1. Development is not permitted by Class G—

- (a) on land which is or forms part of—
 - (i) a scheduled monument or land within its curtilage;
 - (ii) a listed building or land within its curtilage;
- (b) if any part of the moveable structure would be within 2 metres of the curtilage of any adjacent land that is used for a purpose within Part C (residential uses) of Schedule 1 to the Use Classes Order;
- (c) if the height of the moveable structure would exceed 3 metres;
- (d) if the footprint of the moveable structure would exceed the lesser of—

- (i) 50% of the footprint of the building, or
- (ii) 50 square metres;
- (e) if the moveable structure is used for the display of an advertisement.

5.40 In this instance, the application site falls within the same planning unit of the listed Clarendon Hotel and may therefore be deemed to be part of the historic curtilage. However, even if that is not the case then the size of the marquee is such that it extends beyond the maximum 50 square metres and exceeds 3m in height. Under these circumstances the current marquee is not deemed to be a fallback but it remains possible that a fallback with a smaller marquee would be achievable.

Conclusion

Section 6

- 6.1 There is 'in principle' support for the proposed development at both national and local policy levels.
- 6.2 The proposal would support an existing business and promote an evening economy taking full advantage of its heritage and riverside setting supporting the vision and objectives of LPCS policies CS05 and CS07.
- 6.3 The proposed location for the marquee has been used previous for the siting of a short-term marquee during the coronavirus pandemic.
- 6.4 The proposed application is to allow the marquee to be erected between March to October annually, and then removed. The impact therefore of its presence would be temporary.
- 6.5 The proposal whilst in situ would not impact on important views as set out in the Riverside Conservation Area. Given the temporary nature of the proposal there would be limited harm on the significance of the Conservation Area.
- 6.6 The use would not have any impact on the listed building or the schedule monument. The temporary nature of the proposal, lack of physical impact and attachment and its seasonal use, it is not considered that the proposal would affect the setting of the listed building or the scheduled monument.
- 6.7 The marquee is suitably designed for its intended use and can easily be erected/dismantled and re-erected each year.
- 6.8 The proposed development serves to enhance the quality of the existing outside provision provided and will not cause any perceptible uplift in activity which may bring about any significant impact on neighbour amenity.