



Delegated Report

Listed Building Consent Application

Planning Application No: 20230568

Location: Heritage House, 79 - 80 High Street, Gravesend DA11 0BH

Description: Application for Listed Building Consent for the change of use from existing use Class E to sui generis (HMO) use and office on the ground floor with alterations to the buildings.

Applicant: Mr Satnam Singh Dhaliwal, SD And JD Property Limited

Site Visit Date: 17 January and 13 June 2023

Submitted Documents/Plans

Application form
Design and Access Statement
Windows and Door Details
Heritage Statement by JF Heritage
Drawing no. 01 rev A (existing floor plans)
Drawing no. 05 rev C (proposed floor plans) *applicant's agent has confirmed by email that this plan should be labelled rev C, not B as shown on the plan*
Drawing no. 07 rev B (proposed elevations)
Drawing no. 03 rev A (existing elevations)
Drawing no. 06 rev B (proposed elevation and block plan)
Drawing no. 08 rev A (proposed plans and elevations – outbuilding)
Drawing no. 02 rev A (existing elevations)
Drawing no. 04 rev A (existing plans and elevations – outbuilding)
Drawing no. 09 (proposed extractor section)

Relevant Planning History

20230567	Change of use from existing use Class E to sui generis (HMO) use and office on the ground floor with alterations to the buildings.	Under consideration	
20040242	Display of ten externally illuminated double sided hanging projecting signs at first floor level, one on each building.	Consent	07.05.2004
19980399	Erection of a three storey building to form 2 no. retail shops, reception area and walkway with offices over.	Permitted	04.09.1998
19980398	Application for Listed Building Consent for the taking down and removing existing cellar walls to	Permitted	04.09.1998

81-83 High Street; taking down and removing existing York Stone walkway to Hole-in-the-Wall Alley and providing new footpath in York Stone; building new brick wall up against the northern boundary to 80 High Street and sealing gaps between new and existing wall against ingress of water; removing existing eaves gutter along northern elevation together with downpipe and fixing new cast iron downpipe to front elevation of 80 High Street; taking up the tiling to base of roof slope and forming new valley gutter to 80 High Street against flank wall to 81 High Street, all in connection with the erection of a three storey building on the former sites of 81-83 High Street.

19950486	Application for Listed Building consent for the attachment of a hanging sign on the front elevation of no. 79 at first floor level.	Permitted	06.10.1995
19950485	Display of a hanging sign on the front elevation of no. 79 at first floor level.	Consent	06.10.1995
19920527	Change of use of office/workshop to a 24-hour taxi office.	Permitted	16.11.1992
19860701	Use of premises as offices installation of new shop fronts and change of use of the detached storage building at the rear to a workshop	Permitted	31.07.1987
19860700	Application for Listed Building Consent for the demolition of the existing two storey rear extension of no 79 and internal and external alterations in connection with use of the premises as offices	Permitted	31.07.1987
19840429	Listed Building Consent for internal works	Received	

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC2 – Policy for Listed Buildings
- TC3 – Development Affecting Conservation Area
- TC7 – Other Archaeological Sites

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 4 – Decision-making
- Section 12 – Achieving well-designed places and beautiful
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- High Street and Queen Street Conservation Area Character Appraisal 2009

Other considerations

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent.

Consultations, Publicity and Representations

Consultees

Historic England

Thank you for your letter of 19th February 2024 regarding further information on the above applications for listed building consent and planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the applications.

Background

Historic England provided written advice on 21st August 2023 to the original planning permission and listed building consent applications for the conversion of Heritage House from commercial space to a house of multiple occupation.

At that time, we considered that the submitted information lacked important detail regarding the heritage significance and conservation needs of these fine Grade II* listed buildings.

We recommended drawing up a detailed Heritage Impact Assessment based on desk-top and visual analyses, prepared by a suitably qualified conservation professional, and producing a condition survey, as well as schedule of proposed repair and alterations. These documents were necessary to demonstrate that the scheme had been conceived to preserve the heritage significance of the buildings, minimise harm and address their conservation needs, as requested by paragraph 201 and 205 of the NPPF (December 2023).

Historic England Advice

Following our recommendations, a new Heritage Impact Assessment has been produced by JF Heritage in January 2024. The document sets out the historical and architectural significance of the heritage assets and clarifies that the buildings' interiors retain notable features of interest, including staircases, fireplaces and timber panelling.

The impact assessment section of the document indicates that the proposed conversion would implicate removal of modern fabric of no merit and minor, reversible modification to the existing layout - which mostly reflects the original planform - in order to accommodate a number of ensembles to the proposed bedrooms at first and second floor level. On this basis, the assessment concludes that the overall impact on significance would be low.

However, lack of more detailed information about the location of surviving wall panelling does not allow for an assessment to be made on the potential harm that the proposed facilities may cause to the significance of the listed buildings. Positioned within existing rooms, the new partitions and fittings may conceal and affect these important features, which contributes to the historical character of the spaces.

In addition, the Applicant has not produced the recommended condition survey and related schedule of proposed repair and alterations, which would have assisted in understanding the full implications of the scheme on surviving fabric of merit.

Recommendation

Historic England has concerns regarding the applications on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the applications to meet the requirements of paragraphs 201 and 205 of the NPPF.

In determining these applications, you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Relevant is also section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek safeguards and further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

GBC Conservation Officer

The revised drawings and submitted heritage statement are accepted subject to conditions.

Neighbouring properties

The application has been advertised by site notice and press notice. No letters of representation have been received.

Officer's Analysis

Proposal

This application seeks listed building consent for the change of use from existing use Class E to sui generis (HMO) use and office on the ground floor with alterations to the buildings.

The ground floor will consist of three offices accessed from the High Street and a WC. The staircase leading from the largest office to the first floor will be blocked off at the first floor by the continuing of this floor. There will be a staircase accessed from the rear that will lead to the first floor. The office use will be entirely separate to the HMO use on the floors above.

The first floor will contain a kitchen lobby and three bedrooms with en-suites.

The second floor will contain four bedrooms with en-suites and a lobby.

The loft will contain a boiler/utility room, kitchen, store and further utility room.

The outbuilding to the rear will contain a store in the basement and bedroom, kitchen and WC at ground floor.

The elevational plans show no changes other than repairs. The plans state all [new] windows are to be repaired and refurbished and use of secondary glazing for sound and insulation.

The applicant's agent has confirmed by email (13 July 2023) that the windows are to be repaired and refurbished.

The rear elevation shows four outlets for ventilation and details of the grills have been provided.

The plans are annotated to state that new brickwork will match existing however it is not clear what works will result in new brick work being required.

No changes are being shown to the elevations of the outbuilding

The Design and Access Statement says that the proposal is to convert from shop and offices to an HMO of 8 bedrooms for no more than 13 people (although the proposal section of the D&A states no more than 12 people) and that the entrance will be from the front. This conflicts with the plans which show office at ground floor with access to the HMO from the rear. The planning application shows seven units but appears to omit the unit in the separate building. The Heritage Statement refers to the applicant's vision to repurpose the building into a holiday let however it is assumed this is a typo.

Design, Character, Appearance and Impact on Grade II* Listed Building and Conservation Area

Heritage House 79-80 High Street Gravesend is a Grade II* listed building (the submitted Heritage Statement incorrectly states it is Grade II), situated in The High Street and Queen Street Conservation Area. Grade II* buildings are particularly important buildings of more than special interest; 5.8% of listed buildings are Grade II*, there being an estimated 500,000 listed buildings on the National Heritage List for England. The property was listed on 19th March 1974, the listed description states:

"Early to mid C18. 3 storeys weatherboarded, Old tiled roof with 1 original curved dormer. Wide wooden moulded and dentilled eaves cornice. 2 sashes with glazing bars intact. Cornices to 1st floor windows. Modern shopfront. Nos 77 to 83 (consec) and 77A form a group".

The site comprises two locally distinctive buildings which are characterised by their weatherboard frontage, the buildings are constructed of a timber frame and have a significant historic presence in the heritage quarter of the town centre. The buildings fell into a state of disrepair and No.79 was damaged in a fire in June 1984. The buildings were taken over and repaired by the Kent Preservation Trust in partnership with the Borough Council in the 1980's and a wider effort to reinvigorate the town centre was born out of the ill-fated fire.



The site is currently vacant and has suffered extensive internal damage following the use of the property to cultivate cannabis plants. It had previously been used as offices and a retail unit at the ground floor level.

Section 202 of the National Planning Policy Framework (2023) states that “Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.” It is therefore imperative that this application is assessed on the basis of the building in its historic context and as a significant heritage asset and that any previous harm caused to it is not a reason for changes to be made to it.

Paragraph 203 of the NPF states that ‘In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 200 requires supporting information from the applicant to describe the significance of the building and the contribution (if any) the proposed development would make to the buildings setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. A Heritage Statement has been submitted with the application and surmises that the proposed works would preserve the character of Heritage House and the High Street Conservation Area and also contribute to their enhancement. The public benefits due to securing the future use of this important heritage asset and incorporating improvements to energy efficiency and existing facilities will outweigh the minimal harm identified.

Policy CS20 states that 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. When considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset’s conservation value will be commensurate with the importance and significance of the asset.

Policy TC2 states that any alterations or extensions to listed buildings or affecting the setting of listed buildings will need to be sympathetic in terms of massing, scale, appearance and materials.

Policy TC3 relates to conservation areas and expects development to make a positive contribution to the conservation area. The Council will expect applications to contain sufficient details to enable the impact of the proposal upon the conservation area to be assessed.

The proposal would not just involve a simple change of use but would also result in some structural alterations to these historic buildings mostly relating to the removal of existing partitions and the installation of new partitions. No significant works are planned to the ground floor save for blocking up the staircase at first floor so that the commercial unit remains completely independent to the rooms above. The Heritage Statement says the existing walls on the second floor are modern additions of no special interest and, although the proposed changes will result in a slight change in layout, the impact will be low. All new floors and ceilings are to match the existing and therefore there will be no loss of significant historic fabric.

In the loft area, to facilitate a larger lobby area, an existing partition will be removed; this is a later addition of no special interest. Extraction fans for the kitchen and shower areas will be installed to the rear of the property and a condition is recommended that full details of these are supplied prior to above ground works. The Heritage Statement says that the alterations will result in a change of use and a slight change in planform however they are minor and the key architectural features outlined in the significance section of

the heritage statement will be retained. The removal of existing modern walls is unlikely to cause any harm. Reversibility is a key consideration when assessing applications and the works proposed to the partitions are reversible. The Statement concludes by outlining the public benefit of the works, most notably, the re-use of a Grade II* Listed Building that has been vacant for a number of years.

The only external changes are the introduction of extraction vents to the rear. These will require the removal of small pieces of weatherboard. The vents will be black to match the existing weatherboard and will not be readily visible from the street scene. The windows are to be retained and repaired and secondary glazing is to be installed; full details of these will be required by condition.

The existing outbuilding will be reconfigured and a new staircase installed internally to make use of the basement for storage. No changes are proposed to the exterior.

Historic England originally raised concerns that the submitted information lacked important detail regarding the heritage significance and conservation needs of these fine Grade II* listed buildings. They recommended a detailed Heritage Impact Assessment was submitted producing a condition survey as well as a schedule of proposed repair and alterations in order to be sure that the scheme had been conceived to preserve the heritage significance of the buildings, minimise harm and address conservation needs as requested by para. 201 and 205 of the NPPF (2023). The report submitted sets out most of what was required but lacks more detailed information about the location of surviving wall panelling and does not allow for an assessment to be made on the potential harm that the proposed facilities may cause to the significance of the listed building. Positioned within existing rooms, the new partitions and fittings may conceal and affect these important features, which contributes to the historical character of the spaces.

The applicant has also not provided the recommended condition survey and related schedule of proposed repair and alterations and therefore Historic England still have some concerns. The applicant has been made aware of this and a condition is recommended that full details of surviving wall panelling is provided along with details of its protection and also a condition requiring a schedule of works to be submitted and agreed. To avoid duplication these conditions are imposed on the Listed Building Consent application 20230568.

Subject to the imposition of the above conditions it is considered that the proposed development would not result in significant losses of key elements which form part of this listed building and will preserve the character and appearance of the Conservation Area and therefore accords with policies TC2 and TC3 of the Gravesham Local Plan 1994, policy CS20 of the Gravesham Core Strategy 2014 and 16 National Planning Policy Framework (2023).

Conclusion

Subject to the imposition of the above conditions it is considered that the proposed change of use and associated works would not result in significant losses of key elements which form part of this listed building and will preserve the character and appearance of the Conservation Area and therefore accords with policies TC2 and TC3 of the Gravesham Local Plan 1994, policy CS20 of the Gravesham Core Strategy 2014 and 16 National Planning Policy Framework (2023).

Recommendation:

Permitted

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Alison Webster	Team Leader:	Miss Faye Hobbs
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Signed:		Signed:	
Dated:	19 March 2024	Dated:	22 March 2024