

Heritage Statement

23 South Hill Road, Gravesend, DA12 1LA

Ms Hofer

January 2021

REV 01

Notice

This document has been prepared for the stated purpose in accordance with the Agreement under which our services were commissioned and should not be used for any other purpose without the prior written consent of Planning & Development Associates Ltd. We accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned.

© Planning & Development Associates Ltd 2021. All rights reserved. No part of this document may be reproduced or published in any form or by any means, including photocopying, storage on computer or otherwise without the prior permission of the copyright holder.

Planning & Development Associates is a trading name of Planning & Development Associates Ltd.
Registered in England & Wales, no. 7728535.

Contents

1	Introduction & Purpose	4
1.1	Introduction	4
1.2	Purpose	4
2	Historic Context and Planning History	5
2.1	Historic Context	5
2.2	Planning History	5
3	Statutory & Policy Obligations	6
3.1	Statutory Obligations	6
3.2	Policy Obligations	6
3.3	National Planning Policy Framework	10
4	Assessment	13
4.1	Character & Appearance	13
4.2	Significance	15
4.3	Impact on Significance	15
4.4	Level of Harm	17
4.5	Summary	17
5	Conclusion	20

1 Introduction & Purpose

1.1 Introduction

- 1.1.1 This statement has been prepared on behalf of Ms Hofer in support of a planning application for a single storey side and rear extension at 23 South Hill Road, Gravesend, DA12 1LA. The report assesses the effects of the proposed works on the Windmill Hill Conservation Area. The property is located within Gravesend local planning authority area.

1.2 Purpose

- 1.2.1 The property is located within the Windmill Hill Conservation Area. The purpose of this statement is therefore to assess whether the impact on the significance of the heritage asset is an acceptable one and can be considered to meet the statutory and policy requirements for proposals located within a conservation area. Conservation areas are defined designated heritage assets in policy terms.
- 1.2.2 The National Planning Policy Framework¹ (the 'Framework') requires that in determining planning applications that affect heritage assets local planning authorities should require *"an applicant to describe the significance of any heritage assets affected, including any contribution made by their 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. As a minimum the relevant historic environment record should have been consulted and the heritage asset assessed using appropriate expertise where necessary"*².
- 1.2.3 The report firstly provides an assessment of the special interest of the conservation area to a proportionate degree to enable an understanding on any potential impact, in accordance with paragraph 189 of the NPPF. The proposed works are then assessed against the significance of the conservation area, according with paragraphs 189 and 190 of the NPPF. This report has been prepared in line with Historic England's guidance on heritage assessments, *Statement of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12* (October 2019). Accordingly, the assessment has been based on the Historic Environment Record (HER) which in this instance comprises the Windmill Hill Conservation Area Character Appraisal which is produced by the Council in 2007.

¹ The Framework is a material consideration in the assessment of development proposals

² Paragraph 189, NPPF

2 Historic Context and Planning History

2.1 Historic Context

- 2.1.1 The property is located on the north-eastern elevation of South Hill Road, forming half of a pair of three storey semi-detached properties. There are no listed buildings in the immediate vicinity of the property. The nearest listed building is the Grade II listed Woodbine Cottage located to the north west of the property, however the proposals will not impact on the setting of this heritage asset due to its distance from the applicant property.
- 2.1.2 As outlined further in the Windmill Hill Conservation Area Appraisal, Windmill Hill Conservation Area lies to the south of the historic centre of Gravesend. From at least the 14th century, the summit of the hill has been used as the location for beacons to warn London of impending invasion. The hill has been the site of farms and flour mills, with remnants of these buildings surviving to this day. The hill was named Windmill Hill in 1719 after the mills which stood on its summit, and two mills are known to have existed during the 18th century.
- 2.1.3 Windmill Hill became an attraction for visitors to Gravesend from the late 18th century and could be accessed directly by visitors arriving by steamer at the town pier, who then travelled along High Street and Windmill Street. Visitors to the town peaked in the first half of the 19th century, former agricultural and mill buildings were converted as the hill was developed into a resort attraction, such as The Millers Tavern PH. These historic structures provide a reminder of the rural history of the land, prior to the extensive residential development as Gravesend extended southwards during the 19th century.
- 2.1.4 Windmill Hill, Gravesend Conservation Area was designated on 29 July 1975 by the Council. The boundary was extended to the north to include a stretch of Parrock Street in 1991 and was extended again to include two groups of buildings on the west side of Windmill Street following a review in 1999.

2.2 Planning History

- 2.2.1 The property has the following planning history record according to the Council's online register:
- (Ref: 20090218) 23 South Hill Road, Gravesend, Kent, DA12 1LA: '*Demolition of existing conservatory and erection of a single storey rear extension to form a living room.*' (Approved 15/05/2009)

3 Statutory & Policy Obligations

3.1 Heritage Statutory Obligations

3.1.1 Legislation relating to conservation areas is contained in the Planning (Listed Buildings and Conservation Areas) Act 1990. For the purposes of this application, the relevant consideration is Section 72 of the 1990 Act.

3.1.2 According to Section 72, in relation to conservation areas:

'In the exercise, with respect to any buildings or other land in a conservation area (...) special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

3.1.3 The Act does not require the preservation of a conservation areas per se, which is confirmed by the South Lakeland DC v Secretary of State for the Environment and another (1992 House of Lords appeal), i.e., legislation 'does not require that a development must perform a preserving or enhancing function.' Instead it places a statutory duty on decision makers to ensure that the special interest of listed buildings or conservation areas is properly taken into account as material considerations when determining applications affecting their special interest, or the setting of listed buildings. It is settled law therefore that preserving the character or appearance of a conservation area can be achieved not only by a positive contribution to preservation, but also by development which leaves the character or appearance of the area unharmed.

3.2 General Statutory Obligations

3.2.1 Planning law requires that in dealing with an application for planning permission or permission in principle regard shall be made to the provisions of the development plan, so far as material to the application (s70(2) of the Town and Country Planning Act 1990) and if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise (s38(6) of the Planning and Compulsory Purchase Act 2004).

3.2.2 The development plan is defined as the regional strategy for the region in which area is situated, the spatial development strategy for any area in Greater London, development plan documents (taken as a whole) which have been adopted or approved in relation to that area and neighbourhood development plans which have been made in relation to the area (s38 (2) and (3) of the Planning and Compulsory Purchase Act 2004).

3.2.3 The Courts³ have determined that it is enough that a proposal accords with the Development Plan when considered as a whole. It is not necessary to accord with each and every policy contained within the development plan. Indeed, it is not at all unusual for development plan policies to pull in different directions.

3.2.4 In *Corbett v Cornwall Council* [[2020] EWCA Civ 508], Lord Justice Lindblom clarified what was required:

³ see for example *BDW Trading Ltd. v Secretary of State for Communities and Local Government* [2016] EWCA Civ 493; [2017] P.T.S.R. 1337, at paragraphs 18 to 23; *Gladman Developments Ltd. v Canterbury City Council* [2019] EWCA Civ 669; [2019] P.T.S.R. 1714, at paragraphs 21 and 22; and *Chichester District Council v Secretary of State for Housing, Communities and Local Government* [2019] EWCA Civ 1640; [2020] 1 P. & C.R. 9, at paragraphs 31 and 32).

- “27. Of the five points I mentioned in BDW Trading Ltd. (at paragraph 21), three seem particularly relevant here: that “the decision-maker must understand the relevant provisions of the plan, recognizing that they may sometimes pull in different directions”; that “section 38(6) does not prescribe the way in which the decision-maker is to go about discharging the duty”; but that “the duty can only be properly performed if the decision-maker, in the course of making the decision, establishes whether or not the proposal accords with the development plan as a whole”.”

3.2.5 The task in assessing planning applications is therefore to identify the relevant provisions of the development plan and to then assess whether the development proposal accords with the development plan as a whole, whilst acknowledging that it will invariably be the case that there will be policies in the plan that support the proposal and others that are infringed.

3.2.6 The following extract from the judgement of Lord Reed in *Tesco v Dundee City Council*⁴ provides explanation of how this process should be applied:

- “.....First, we must not adopt a strained interpretation of the Local Plan in order to produce complete harmony between its constituent parts. Second, we must be wary of a suggested objective interpretation of one part of the Local Plan as having precedence over another. In a case in which different parts of the Local Plan point in different directions, it is for the planning authority to decide which policy should be given greater weight in relation to the particular decision. ...”.

⁴ *Tesco Stores Ltd. v Dundee City Council* [2012] UKSC 13; [2012] 2 P. & C.R. 9 – paragraph 18.

- 3.2.7 The additional purpose of this statement is therefore to confirm the development plan that is applicable; then to identify development plan policies that are relevant⁵ in the assessment of the development proposal and its impact on heritage assets. Then to determine if the proposal conflicts with the provisions of the development plan when considered as a whole and if it does, to determine whether there are material considerations which outweigh such conflict. It should be emphasised that this Statement concerns heritage assets. It does not contain a wider assessment of relevant development plan policies which is generally the role of a Planning Statement.
- 3.2.8 The development plan for the area comprises the Gravesham Local Plan Core Strategy (2014) and saved policies contained in the Gravesham Local Plan First Review (1994). Consideration has also been made to the partial review of the Local Plan Core Strategy, Site Allocations and a Development Management Policies document which has recently been subject to Regulation 18 consultation.
- 3.2.9 The adopted strategic policy concerning heritage assets comprises the following relevant policies:
- Saved Policy TC3 (Development affecting Conservation Areas)*
- 3.2.10 States that the Borough Council will adopt the following approach to applications for development within or affecting conservation areas:
- a) Where development is acceptable in relation to other policies in this Plan, it will be carefully judged for its impact and will be expected to make a positive contribution to the conservation area. The Borough Council will expect applications to contain sufficient details to enable the impact of the proposal upon the conservation area to be assessed.
 - b) The demolition of unlisted buildings will be resisted unless the Borough Council is satisfied that the existing building is harmful to the conservation area and that the proposals for redevelopment or other use of the site will be beneficial. To this end, the Borough Council may, in suitable cases, require an agreement for the replacement of the building or other suitable treatment of the site, prior to the granting of conservation area consent for demolition.

⁵ "Relevant does not exclude general development control policies, and so does not exclude the mundane policies applicable to the sort of development proposed, even if they are not remotely controversial in their application..." see judgement in Paul Newman Homes Ltd v SSHCLG [2019] EWHC 2367 – paragraph 32.

Core Strategy Policy CS20 (Heritage and the Historic Environment)

- 3.2.11 According to this policy, the Council will accord a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource, central to the regeneration of the area and the reinforcement of sense of place. Particular attention in this regard will be focused on those heritage assets most at risk through neglect, decay or other threats. Securing viable, sustainable and appropriate futures for such assets at risk will need to be reconciled with the sensitivity to change that many present.
- 3.2.12 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. These include:
- Gravesend Town Centre, its development as a heritage riverside town, and its setting;
 - The Borough's urban and rural conservation areas; and
 - Surviving built features and archaeology relating to the Borough's maritime, military, industrial and transport history.

- 3.2.13 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. For non-designated assets, decisions will have regard to the scale of any harm or loss and the significance of the heritage asset.

3.3 National Planning Policy Framework

- 3.3.1 Paragraph 193 confirms 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.
- 3.3.2 Paragraph 194 confirms that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 3.3.3 Paragraph 196 confirms 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.
- 3.3.4 The Framework confirms at paragraph 201 that not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. In some cases, certain elements could accommodate change without affecting the significance of the asset. Change is only considered harmful if it erodes an asset's significance.
- 3.3.5 Significance of a heritage asset is defined in the Framework as:
- The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance
- 3.3.6 Harm is generally accepted as:
- Change for the worse, here primarily referring to the effect of inappropriate interventions on the heritage values of a place⁶.

⁶ p71, Conservation Principles, English Heritage, 2008

3.3.7 National Planning Practice Guidance⁷ advises that:

- Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.
- While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later additions to historic buildings where those additions are inappropriate and harm the buildings' significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm, depending on the nature of their impact on the asset and its setting.

3.3.8 The Court recently handed down judgment in *R.(oao James Hall and Company Limited) v City of Bradford Metropolitan District Council and Co-Operative Group Limited* [2019] EWHC 2899 (Admin). Whilst this was a case concerning development within the setting of a conservation area the judgement is helpful in defining the categories of harm that are central to the Framework's policy tests.

3.3.9 The Court held that there are only three gradations of harm in heritage terms:

- 34. In my judgment the three categories of harm recognised in the NPPF are clear. There is substantial harm, less than substantial harm and no harm. There are no other grades or categories of harm, and it is inevitable that each of the categories of substantial harm, and less than substantial harm will cover a broad range of harm ...

3.3.10 The Court went on to say that even limited or negligible harm was enough to fall within the bracket of 'less than substantial harm':

- 34.... It will be a matter of planning judgement as to the point at which a particular degree of harm moves from substantial to less than substantial, but it is equally the case that there will be a number of types of harm that will fall into less than substantial, including harm which might otherwise be described as very much less than substantial. There is no intermediate bracket at the bottom end of the less than substantial category of harm for something which is limited, or even negligible, but nevertheless has a harmful impact. The fact that the harm may be limited or negligible will plainly go to the weight to be given to it as recognised in Paragraph 193 NPPF. However, in my judgment, minimal harm must fall to be considered within the category of less than substantial harm.

⁷ Paragraph: 018 Reference ID: 18a-018-20190723

- 3.3.11 This is an important clarification of the policy because it is not uncommon to acknowledge a heritage impact but then to seek to discount it as being irrelevant on the basis that it is a 'negligible harm'. This judgment clarifies that even this level of harm is sufficient to engage the heritage paragraphs within the NPPF.
- 3.3.12 Bedford BC v SSCLG [2013] EWHC 2847 (Admin) clarified the meaning of 'substantial harm' - as harm so severe as to practically remove the rationale for designation. The critical paragraph is 25 –
- 'One was looking for an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced'.
- 3.3.13 These interpretations by the Courts are instructive in determining the impact on the significance of heritage assets and the policy and statutory implications.

4 Assessment

4.1 Character & Appearance

- 4.1.1 Windmill Hill, Gravesend Conservation Area was first designated on 29th July 1975 by Gravesham Borough Council. The boundary was extended to the north to include a stretch of Parrock Street in 1991 and was extended again to include two groups of buildings on the west side of Windmill Street following a review in 1999. The Conservation Area's boundary comprises the roads that skirt the base of the topographical landmark of Windmill Hill, including Leith Park Road, a section of Windmill Street and Clarence Place. The eastern boundary is formed by Parrock Road, connecting to the southern part of Parrock Street, and encompassing the streets around Christ Church Gardens.
- 4.1.2 The Windmill Hill Conservation Area Appraisal defines the character of the conservation area as follows:
- 'Residential suburb, containing a large number of buildings of architectural and historic interest. The buildings are relatively unaltered and generally in a good state of repair. The topography has shaped the street pattern, with narrow lanes meandering up the steep slopes of the hill, and buildings arranged to take full effect of attractive views, both of Windmill Hill, and across the countryside of Kent. The two typical forms of buildings are paired villas and terraces, many of which are set back from the pavement line behind front gardens. These front gardens, together with other large private gardens contribute to the spacious and green character of the streetscene. Windmill Hill Gardens and Windmill Hill itself are significant green spaces within the town, and cater to various leisure and recreational uses.'*
- 4.1.3 South Hill Road itself is located within Character Area 2a as identified in the Windmill Hill Conservation Area Appraisal. Notably, *'this area and Character Area 2b both follow the steeper slopes of the hill as it rises toward the summit. This underlying topography creates an overlapping character between the two areas, with narrow, twisting lanes climbing the hill from the north, south and east, and the higher ground allowing clear views across the town and beyond.'*
- 4.1.4 The principal features of the built form within this character area are outlined as follows, although it is noted that not all these features directly apply to the applicant property:
- Urban character, but containing some older rural buildings, and with connections to the open green space of Windmill Hill;
 - Buildings typically of two and three storeys;
 - Landmark building of nos. 1-4 Constitution Crescent, which is much larger in scale, being of three storeys and attic over a full-height basement;
 - A few buildings dating from the 18th century, but otherwise predominantly mid-19th century with some 20th century residential infill;
 - Good groupings of grade II listed buildings;
 - Buildings mainly arranged as groups of terraces, with some detached and paired cottages and villas;

- Buildings generally set back from the street frontage behind front gardens; many of the buildings follow the meandering orientation of the roads, creating varied plot sizes and visual interest;
- Groups of buildings set on terraces up the hillside, creating important views up to, and down across buildings and roofscapes. The rear elevations of many of the buildings are visible;
- Use of local brick, some with an applied render coat, a few examples of weatherboarding, and a variety of architectural details all add interest.

4.1.5 A number of negative features and issues are also identified within the character area, these are outlined as follows:

- Loss of original architectural features, such as doors and windows, for example on nos. 40-53 South Hill Road;
- Some inappropriate 20th century residential infill development, for example on Constitution Hill and South Hill Road;
- Some unsympathetic alterations to rear elevations that are highly visible from within the Conservation Area, e.g. Primrose Terrace, which can be seen from South Hill Road;
- The forecourt of The Windmill Tavern and The Millers Tavern are used for car parking; the areas could be enhanced through a well-considered landscape treatment;
- The access path to Primrose Terrace is in a poor state of repair and requires attention.

4.2 Significance

4.2.1 In terms of the contribution that the application property makes to the significance of the heritage asset this is considered to comprise the following:

- Its contribution to a pair of semi-detached three storey villas;
- Its position set back from the street frontage;
- The building line following the meandering orientation of the roads around the summit of Windmill Hill

4.2.2 In summary, the contribution of the application property to the significance of the conservation area (the 'heritage asset') is based principally on its appearance as one of a pair of semi-detached villas, set back from the street and following a meandering building line around the summit of Windmill Hill. It is noted that the wider area has been subject to numerous modern infill additions, including directly adjacent to the heritage asset, which have had a negative impact on the significance of the heritage asset. However, even where there have been unsympathetic infill additions, these have generally retained the prevailing building form and height.

4.2.3 The application property is not specifically identified as either a positive or negative contributor to the character or appearance of the conservation area.

4.3 Impact on Significance

4.3.1 The proposed alterations to the building are primarily confined to the ground floor level and comprise the following

- *Demolition of an existing rear conservatory structure and its replacement with a new single storey side and rear extension.*

4.3.2 The rear and side elevations of the applicant property are considered to represent the least sensitive elements of the property in terms of heritage significance. As illustrated in the following aerial image, the rear elevation of the property and other comparable properties located along South Hill Road have been subject to a range of different rear additions of differing scales, form, materiality and building lines with no uniformity. The proposed single storey replacement rear addition is therefore judged to be in keeping with the existing varied rear building line. Furthermore, it is noted that the principle of demolition of the existing conservatory and construction of a replacement rear extension has previously been deemed acceptable by the Council as a result of planning permission 200902018. Whilst it is acknowledged that this permission has since lapsed, the principle of the proposed replacement rear extension is considered similarly acceptable in heritage terms.



- 4.3.3 The side infill extension is discreetly located at the side of the property and will directly adjoin the unsympathetic modern infill development to the north of the property, which resulted from a planning approval granted in 1975 (Ref: 19750088). Views of the north side elevation of the heritage asset are limited and have been compromised by the adjacent modern infill development. The side addition will be significantly set back from the front elevation to ensure that the balance and symmetry of the existing pair of villas will be maintained when viewed within the streetscene. This is important in terms of the impact on significance of the appearance of the conservation area.
- 4.3.4 In addition, careful consideration has been made to the style of fenestration and materiality to ensure that both the proposed side and rear additions represent sympathetic and aesthetically integrated extensions to the application property. The walls will be rendered and painted to match the existing property.

4.4 Level of Harm

- 4.4.1 Based on the preceding assessment, there is not considered to be any harm to the conservation area as a result of the single storey rear and side extension. The principle of the demolition of the existing rear conservatory and a replacement rear extension was previously accepted and approved by the Council following planning approval 200902018. This decision was made with the conservation area already in place and heritage considerations would have been applied.
- 4.4.2 The significance of the application property in terms of the conservation area is derived from its position set back from the street frontage, following the meandering building line around the summit of Windmill Hill, and forming part of a pair of semi-detached three storey villas. The proposed single storey additions to the rear and side will have no impact on this significance and will retain the balance and symmetry of the properties from the front elevation in particular.
- 4.4.3 The additions by being single storey will be consistent with other similar additions elsewhere along South Hill Road, and will maintain subservience to the main part of the villa. The side extension will be significantly set back from the front elevation, thus maintaining existing views of the application property when viewed within the wider streetscene. The design approach has sought to use sympathetic materials to match the existing building in terms of external material treatment and fenestration to further seamlessly integrate with the existing dwelling.
- 4.4.4 Accordingly, in terms of the statutory requirements, the assessment confirms that there will be no impact on the significance of the conservation area and the character and appearance of the area will be unharmed by the development proposal. The proposals will therefore satisfy both the statutory and policy tests.

4.5 Summary

- 4.5.1 In summary, this assessment has considered the impact of the proposed single storey extension on the significance of the Windmill Hill Conservation Area. The relevant HER has been reviewed which in this case comprises the Windmill Hill Conservation Area Appraisal. From the appraisal, and specifically the identified attributes of Character Area 2a, the principal significance of the application property in heritage terms is derived from its set back from the street frontage, following a meandering building line around the summit of Windmill Hill, and its forming part of a pair of semi-detached three storey villas.
- 4.5.2 The proposed additions are to the rear and side of the application property, thus not impacting within wider streetscape views from the more sensitive front elevation. The rear elevation of properties fronting onto South Hill Road is characterised by a varied building line and mix of rear extensions of a range of scales and material treatments. The additions are single storey retaining the established subservience to the main building, and the side addition will be significantly set back from the front elevation. The use of materials and fenestration have been chosen to be sympathetic to the existing dwelling, using the same finish and design to match existing. Notably, the proposals will have no bearing on the building line – a feature of importance in the conservation area, nor on its set back from the street frontage.

- 4.5.3 The proposed alterations are considered to have no negative impact on the external appearance of the building and consequently no negative impact on the character and appearance of the conservation area. The proposed extensions are of an appropriately proportioned scale and will be finished in materials and fenestration to match the existing building, thus representing a sympathetic and sensitively designed addition. As a result of there being no harm to the significance of the heritage assets, Paragraph 196 of the Framework is consequently not engaged.
- 4.5.4 The Planning (Listed Buildings and Conservation Areas) Act (1990) Section 72 sets out regarding applications for planning permission within conservation areas that:
- 's.72(1) in the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'*
- 4.5.5 It has been determined that the proposals would preserve the character and appearance of the conservation area in causing no harm. The proposed extension would therefore comply with Section 72 of the Act.
- 4.5.6 In line with paragraph 189 of the NPPF, the significance of the heritage asset has been identified in Section 4.2 of this Heritage Statement, including any contribution made by setting to the significance of the identified heritage asset.
- 4.5.7 In section 4.2 of this statement, an assessment of the heritage impacts relating to the proposals has also been undertaken. The proposed rear and side extension is considered to be well informed by the context, using sympathetic materials and in keeping with the built form to the rear of nearby buildings within the conservation area. The proposals will enhance the internal configuration of the property and also include replacement fenestration which are considered improvements to the heritage asset. Further to the assessment of the significance of the heritage asset, the proposed extension will preserve the significance of the character and appearance of the conservation area. Accordingly, paragraphs 195 and 196 of the NPPF in relation to harm to heritage assets do not apply.
- 4.5.8 With regard to the local planning policy context, particular consideration has been made to Saved Policy TC3 (Development affecting Conservation Areas) and Core Strategy Policy CS20 (Heritage and the Historic Environment). Policy TC3 states that the borough will expect *'applications to contain sufficient details to enable the impact of the proposal upon the conservation area to be assessed.'* Furthermore, development *'will be expected to make a positive contribution to the conservation area.'* Policy CS20 affords *'high priority towards the preservation, protection and enhancement of its heritage and historic environment.'* In addition, the policy outlines that *'proposals and initiatives will be supported which preserve and, where appropriate, enhance the significance of the Borough's heritage assets.'* The proposals will preserve the appearance of the conservation area and maintain the significance of the heritage asset. Furthermore, the proposed additions have been sympathetically designed to make a positive contribution to the conservation area through the use of sensitive materials to match the existing property as well as fenestration to reflect the existing windows, and those of nearby properties within the conservation area.

- 4.5.9 In terms of the statutory requirement, in terms of proposals affecting a conservation area, a local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This Statement has considered this requirement and the desirability of preserving and enhancing the character or appearance of the conservation area. It is concluded that there will be no harm to the character and appearance of the conservation area. Given the interpretation of this statutory requirement and the guidance in the NPPG, the statutory obligation is therefore fulfilled. It is considered that the proposal satisfies the statutory and national policy requirements and the related local planning policy requirements that mirror the statutory requirement.

5 Conclusion

- 5.1.1 In conclusion, this statement comprises the Heritage Statement submitted in support of a planning application for single storey rear and side extension at 23 South Hill Road, Gravesend, DA12 1LA.
- 5.1.2 The statement has adopted the approach advocated in the Framework. The relevant HER has been examined to determine the significance of the heritage asset which in this case comprises the Windmill Hill Conservation Area. The significance of the application property in heritage terms is based on its set back from the street frontage, its meandering building line following the contours of Windmill Hill itself, and finally it forming a pair of semi-detached three storey villas typical of the conservation area.
- 5.1.3 This assessment concludes that there will be no harm to the significance of the conservation area. The proposals will preserve the appearance of the application property, particularly from its more prominent front elevation, ensuring the proposals will result in a neutral impact on the heritage asset. The principle of a replacement rear extension has already been established as a result of a previous planning consent, reflecting the varied and altered rear building line along properties fronting onto South Hill Road. The proposals have been sensitively designed, with materiality and fenestration to match the existing property and will result in an enhanced internal configuration.
- 5.1.4 The assessment has also considered the statutory requirement to have regard to the desirability of preserving or enhancing the character or appearance of the conservation area, the interpretation that the Courts have placed on this and the resultant local heritage development plan policies and has concluded that the statutory and local policy tests are met.
- 5.1.5 In heritage terms the proposals are promoted on the basis that the legal and policy (both national and local) requirements have been considered and their requirements complied with and that in heritage terms a grant of planning permission is justified.