



Planning & Heritage Statement

Prince Albert Public House Wrotham Road Gravesend
Kent DA11 0QF

Change of Use from Public House (now Sui Generis) to
a mixed use as Public House and Restaurant with
ancillary Shisha Area.

The Prince Albert DA11 0PW

22 July 2022

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Contents

1.0	Introduction.....	1
	Purpose of Statement	
2.0	Site and Surroundings.....	1
	Site Description and Context	
	Heritage Statement	
	Planning History	
	The Proposal	
3.0	Planning Policy	4
	National Planning Policy Framework(NPPF)	
	Local Development Plan	
4.0	Principles of Development	7
	Impact on the Conservation Area	
	Impact on Neighbours	
	Access & Parking	
5.0	Conclusions	9

1.0 Introduction

Purpose of Statement

1.1 This Planning Statement has been prepared on behalf of The Prince Albert in support of this planning application for the change of use of the ground floor from public house (Sui Generis) to a mixed use as public house and restaurant with ancillary shisha area at The Prince Albert 28 Wrotham Road Gravesend Kent DA11 0QF.

1.2 In addition to the application form and certificates the following documents are submitted;

Application plans:

- Drawing No.220502 – 001A (Existing & Proposed Block Plan and Location Plan)
- Drawing No.220502 – 002A (Existing Floor Plan)
- Drawing No.220502 – 003A (Existing Elevations)
- Drawing No.220502 – 004A (Proposed Floor Plan)
- Drawing No.220502 – 005A (Proposed Elevations)

- Planning Statement

2.0 Site Surroundings and Proposal

2.1 The site is located on the eastern side of Wrotham Road immediately on its junction with Zion Place and is located within the Upper Windmill Street Conservation Area. The building is physically attached to the terrace of dwellings on the southern side of Zion Place and is more related to these than the properties in Wrotham Road which sit outside the conservation area. The building is not in itself listed nor is it adjacent to any listed building .

2.2 It is a part three storey building and having a two storey projection to the rear with blue block elevations to the ground floor and white painted rendered elevations to the upper floors with decorative mouldings all under a slate roof. There are mouldings around the widow openings which are traditional sliding

sash proportions which have been retained although a number have been changed to UPVC over the years. In more recent times a timber outbuilding was erected within beer garden to form a smoking area which was enlarged earlier this year (March 2022) for the smoking of shisha.

2.3 The ground floor still operates as a public house but the upper floors are now used as individual letting rooms that are accessed via a metal staircase at the rear of the building from the car parking area.



Heritage Aspects

2.4 It is understood that the building was constructed between 1800 and 1874 as part of the terrace of residential dwellings fronting Zion Place and at the same time as the construction of Victoria Avenue to the rear. Historic maps show the building as being in existence in 1843. With Wrotham Road being constructed in 1825. The 2009 Upper Windmill Street Conservation Area Appraisal makes only a brief fleeting reference to the public house as being a positive building of local interest along with the other properties in Zion Place and Victoria Avenue.

2.5 The Albert is not a listed building and is not located in close proximity to any listed building. We are satisfied that the proposed change of use would not have any adverse impact on the conservation area

Planning History:

2.6 Little is known about the early history of the property but would appear to have constructed at the same time as Wrotham Road was constructed as a turnpike around 1843.

2.7 The only real change to the property came in 1976 when permission was granted for a small extension at the rear to provide toilet accommodation with some minor internal alterations. It is understood that at this time the pub operated on the ground floor with letting accommodation on the upper floors. No further applications, other than for consent to display advertisements, until 2007 when permission was sought for the remodelling of the front patio and the erection of planters to mark the front boundary which was refused on 8 August 2007 on the basis that the proposed works would be incongruous in the street scene and exacerbate noise to the disturbance of neighbours. The pub was a Shepherd Neame tied pub at the time. The pub then became vacant and became in a state of disrepair.

2.8 Further modifications were in 2012 in order to replace rotten timber windows and the creation of a fire escape to the rear (20120547). This involved the removal of a window from the Zion Place frontage and its replacement with double folding doors to match the existing fenestration. At the rear a window was removed to create a door as a fire escape from the letting accommodation on the upper floors. This opened onto the flat roof of the toilet accommodation which was provided with railings and a staircase to the car park area. The existing pub garden was used as a beer garden and smoking area.

2.9 In 2020 part of the rear garden was enclosed to form a covered smoking area which was subsequently enlarged early in 2022 and was used as a self-contained shisha lounge. The current layout being shown on drawing no. 220502.

2.10 This was investigated by the Council Environmental Health team as a breach of Licencing Regulations and the Health Act 2006. It was also under the investigation of the Council's Planning Enforcement team as permission for the structures had not been obtained.

The Proposal:

2.11 The proposal is seeks to regularise the building from both a planning and licencing viewpoint. The proposal now seeks a mixed use as a public house and restaurant, as a 'gastro-pub, with an ancillary area for the smoking of Shisha. The main food preparation and restaurant area will be within the main host building. The recently erected outbuilding will be modified to provide a largely open air dining area for the restaurant. The former pub smoking area will likewise be modified to be a separate structure which will meet the requirements of the Public Health and Licencing Regulations and will be used ancillary to the restaurant for the smoking of shisha.

3.0 Planning Policy Context

3.1 Section 70 of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that, when making a determination under the Planning Acts, the determination shall be made in accordance with the Development Plan unless material considerations indicate otherwise. Article 35 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, requires that, when issuing a decision, councils must also include a statement explaining, whether, and if so how, in dealing with the application, the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

National Planning Policy

3.2 National planning policy is enshrined within the revised National Planning Policy Framework (NPPF) issued in July 2021 and its accompanying revised the Planning Policy Guidance (PPG). The PPG seeks to set out how to implement the strategic vision contained within the NPPF.

3.3 With regards to decision-taking, the revised NPPF advises that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and should look for solutions rather than problems. Decision-takers at every level should seek to approve applications for sustainable development where possible (paragraphs 186 and 187).

3.4 Paragraph 7 of the NPPF states that, “the purpose of the planning system is to contribute to the achievement of sustainable development”. It goes on at paragraph 8, that there are three dimensions of sustainable development as: economic, social and environmental. Paragraph 10 of the NPPF states that a “presumption in favour of sustainable development’ which is at the heart of the Framework to ensure that sustainable development is pursued in a positive way. Paragraph 11 which states that there is a **‘presumption in favour of sustainable development’**. Para.12 goes on that the presumption in favour of sustainable development does not change the status of the development plan and states that where a development that is contrary to an up to date development plan that permission should not be granted.

3.5 Paragraph 86 seeks to ensure the viability and vitality of town centres are maintained to a high standard and specifically to the need to promote positive town centres as they are the heart of the community and Paragraph 86(a) states that Council’s should allow growth in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters. This is supported by the Council’s saved policy S7 and Core Strategy Policy CS05 which both seek to provide a sustainable mixed development in the Town Centre to ensure the continued vitality and viability of the Centre in providing a service that doesn’t currently exist.

3.6 Paragraph 126 says that the Government attaches great importance to the creation of high quality beautiful and sustainable buildings and that good design is a key aspect of sustainable development, which creates better places in which to live and work. Quality of design is indivisible from good planning, and should contribute positively to making places better for people. The Council does not have any design guides or codes as a supplementary planning document.

3.7 Paragraph 130 states that planning policies and decisions should ensure that developments:-

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

- Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- Are sympathetic to local character and history Including surrounding built environment and landscaped setting.
- Establish a strong sense of place, using streetscapes and buildings to create attractive, welcoming and distinctive places to live, work and visit.
- Optimise the potential of the site.
- Create places that are safe, which promote health and wellbeing with a high standard of amenity for existing and future users.

3.8 However, the main policy implications for the proposal relate to the preservation and enhancement of established heritage assets and the Upper Windmill Street Conservation Area generally. In this regard this would be totally compliant with the policies laid out in Paragraph 190 of the NPPF and particularly bullet points a & b. Paragraphs 195 & 199 add further to this by emphasising the importance of ensuring that any alterations or modifications are in keeping and character with the Conservation area and ensure the preservation of the heritage asset itself.

3.9 The development plan for the site comprises the Gravesham Core Strategy (September 2014) and the saved policies of the Gravesham Local Plan First Review (1994). The following policies of and were taken into consideration in the formulation of this application:

Core Strategy (September 2014)

Policy CS05 – Gravesend Town Centre Area of Opportunity

Policy CS 19 – Design & Development Principles

Policy CS20 Heritage and the Historic Environment.

Gravesend Town Centre Conservation Areas Management Plan 2009)

Upper Windmill Street Conservation Area Character Appraisal (2009)

Gravesham Local Plan (First Review) - 1994

Saved Policy TC3 – Developments affecting a Conservation Area

Saved Policy S7 – Restaurants & Hot Food Takeaways.

Saved Policy P3 - Parking Standards

4.0 Principle of Development

4.1 The NPPF sets out the Government's planning policies for England and how these should be applied. Paragraph 2 notes that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development and Paragraph 8 sets out the three objectives of achieving sustainable development being economic, social and environmental. In terms of decision-making, Paragraph 11 states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific Gravesham Borough Council policies in the Framework indicate development should be restricted. The NPPF further goes on to state at Paragraph 38 that LPAs should approach decisions on proposed developments in a positive and creative way and decision-makers at every level should seek to approve applications for sustainable development where possible.

4.2 In considering this application, it appears that the Council's main concerns would be the impact on the character of the Conservation Area and the impact of the proposal on the residential amenity of the occupiers in Zion Place and Victoria Avenue.

Impact of the Development on the Conservation Area

4.3 We are of the opinion that the proposal would have very little impact on the setting of the listed buildings in the Conservation Area which are located a substantial distance from the application site. The properties in Zion Place and Victoria Avenue are not listed building and only noted a properties of local historic interest.

4.4 It is our view that the proposal would have only a limited impact on the character and appearance of the area with the nearest Listed Building being

some 100m away in Windmill Street itself. We would question whether the proposal, with its extensions, would be even visible to them.

4.5 The application site is non-listed building lying within the Conservation Area with its main visual impact to Wrotham Road. Although the building is visible from the rear of the properties in Zion Place and Victoria Avenue its visual impact would be limited. The rear of the site is enclosed to the west and east by existing enclosing walls and fences to the former beer garden which help to screen the proposal and only its roofs would be visible. The detail provided clearly shows that the site can accommodate the proposed development without having any detrimental effect on the street scene or the amenity of neighbouring properties

Impact on Neighbouring Properties

4.6 Paragraphs 197, 200 and 201 of the revised NPPF all look at conserving and enhancing the historic environment with specific emphasis at restoring and preserving heritage assets. The site is of local historic value and we are satisfied that the application site is clearly an asset worthy of preservation and restoration and the application proposal will see the building completely renovated without affecting the continuity of the street scene.

4.7 The use and buildings are unlikely to generate any more noise than the existing beer garden and smoking shelter. Consideration has been given to the impact of the proposal on adjacent properties in Zion Place & Victoria Avenue, in regard to privacy and noise. Policy CS19 of the Core Strategy requires new development to safeguard the amenity including potential noise escape. The matter of amenity has been closely considered throughout the evolution of the proposal as the need to support residential amenity underpins policies from national to local level.

4.8 However it is not anticipated that the proposal would increase customer numbers significantly and the proposed mixed use is unlikely to increase any potential increase in noise nuisance to neighbouring properties from the existing public house. Given the relatively small scale of the development it is unlikely to effect the residential amenity of the adjoining properties where they exist.

4.9 In addition to the heritage aspects, it is necessary to consider the proposal in design terms and particularly Paragraph 126 of the NPPF which states that good design is the key to sustainable development which is emphasised in

Paragraph 10 and the 'presumption in favour of sustainable development'. Paragraphs 134, 135 and 136 all encourage councils to accept innovative designs that function well and add to the overall quality and distinctiveness of the street scene. We are satisfied that the application proposal would result in a pleasing visual improvement to the street scene and be totally in accord with NPPF and local policy.

Access and Car Parking

4.10 The proposal makes provision for a limited number of off- street parking spaces but given its Town Centre location and its proximity to shops and the public transport modes it is considered that no further provision is required, and that the site's location is totally sustainable.

5.0 Conclusion

5.1 The applicant has taken on board all the Council's and National policies to provide a sustainable mixed use for the property given its proximity to the Town Centre and with its shopping facilities and public transport modes. The prospective layout and design is in keeping with the good design principles outlined in the NPPF and Council's policies and would be in keeping with the character of the Conservation Area. We feel that the proposal would both preserve and enhance it and the heritage asset itself.

5.2 It is a site that fulfils the requirements of the NPPF in supporting a presumption in favour of sustainable development and particularly in compliance with Policy CS05 & Saved Policy AP1. The proposal is in keeping with the surrounding area and would make a positive contribution to the enhancement of the existing built development and street scene by ensuring that the property is refurbished and put to a more beneficial use given that the footfall in the public house has been seriously prejudiced by the Pandemic.

5.3 It would not be out of character or at odds with the area as it retains the existing uses which would be assisted by the additional footfall provided by the mixed use. There would be no adverse impact on the amenities of any nearby residents nor would it have any significant impact on the vitality and visual

amenity of the area. It is our view that the application should be supported and permission for the proposed development should be granted.

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Planning Director
July 2022