

Delegated Report

Listed Building Consent

Planning Application No: 20220721

Location: The Railway Bell Anglesea Place Gravesend Kent

Description: Application for Listed Building Consent for the internal alterations including the fitting of cooking units and flue extraction system and also includes the installation of a door in the later kitchen extension into the enclosed garden area

Applicant: Mr Anmol Kataria

Site Visit Date: Site Visit 24.08.2022

Submitted Documents/Plans

- Application form;
- Planning & Heritage Statement;
- Site Layout, Drawing no. 001 rev A;
- Block Plan, Drawing no. 002 rev A;
- Existing & Proposed Floor Plans, Drawing no. 003 rev A.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220720	Internal alterations including the fitting of cooking units and flue extraction system and also includes the installation of a door in the later kitchen extension into the enclosed garden area	Pending	-
20220719	Erection of a detached Class E(a) building	Pending	-
20200124	Erection of new building for takeaway shop.	Refused	09.04.2020
20191326	Application for Listed Building Consent for installation of new external stairs to first floor flat and renewal of the handrail around the balcony.	Approved	09.04.2020
19850384	Application for Listed Building Consent for erection of ornamental brick planters on the anglesea place frontage	Approved	19.06.1985
19850283	Use of land at the side as a patio garden area in connection with the adjoining Public House with ornamental painters on road frontage	Approved	18.06.1985
19830612	Application for Listed Building Consent for a installation of replacement sash windows b re opening of doorway to garrick st c installation of replacement door	Approved	30.01.1984

It should be noted that the application site has been subject to two recent enforcement investigations;

1. 18/00038/EN – in relation to the unauthorised stationing of a portacabin at The Railway Bell. The portacabin was removed and the enforcement case closed in April 2018.
2. 19/00229/EN – in relation to monitoring the listed building (The Railway Bell). Historic alterations may require listed building consent.
3. 21/00138/EN – Unauthorised changes to listed building – stickers to windows, banner displayed and unauthorised changes to sign.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS05 – Gravesend Town Centre Opportunity Area
- CS07 – Economy, Employment and Skills
- CS08 – Retail Leisure and Hierarchy of centres
- CS11 – Transport
- CS18 – Climate Change
- CS19 – Development and Design Principles
- CS20 – Heritage and Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- S3 – Maintenance of Shopping Frontages
- T1 – Impact of Development on Highway Network
- TC2 – Listed Buildings

Paragraph 33 of the NPPF (2021) 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 (2021)

- 2 – Achieving Sustainable Development
- 6 – Building a strong, competitive economy
- 7 – Ensuring the vitality of town centres
- 11 – Making effective use of land
- 12 – Achieving sustainable development and well-designed places
- 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006).

Consultations, Publicity and Representations

Consultees

Internal consultees

GBC Conservation Officer – Limited information received to determine the application.

Ward Councillors – concerns expressed regarding the extent of the application submitted at the site.

Neighbouring properties

A site notice was posted on 15.07.2022 and the application was also advertised by way of press notice, as the development is a listed building.

The overall date of expiry was 05.08.2022, no comments have been received.

Officer's Analysis

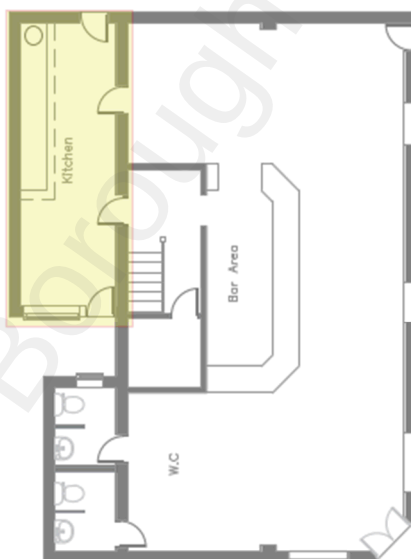
Impact on Grade II Listed Building

The Public House building is a grade II listed building. The description of development references that the works proposed are primarily internal to accommodate works that already have been carried out.

The plans submitted as part of the current application are extracted below for ease;

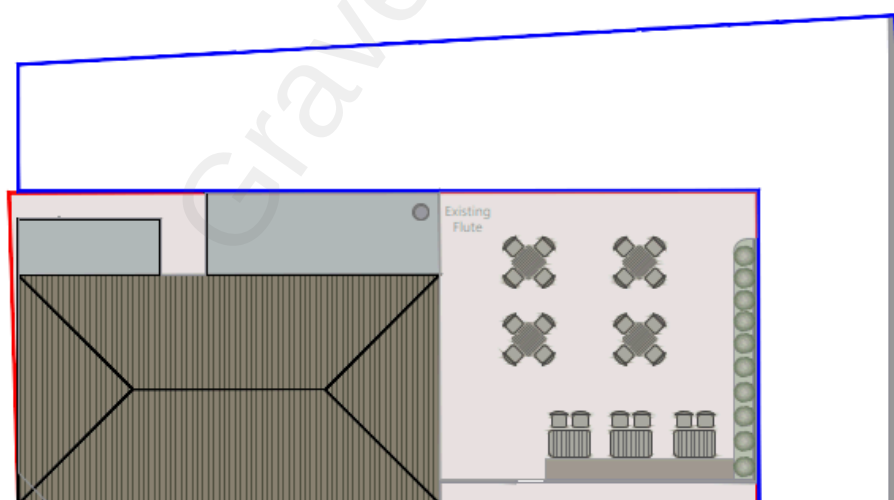


Existing Ground Floor Plan



Proposed Ground Floor Plan

Block Plan



The Planning & Heritage Statement supplied states the following;

'A LBC application is being submitted to regularise the works that have already been implemented within the LB in respect to the changes the toilet and kitchen areas. Full details are provided for the flue extraction system that currently terminates through the roof of the kitchen extension.'

The LPA note that the works to the grade II listed building have already been implemented without the benefit of the relevant consents. The works relate to the kitchen / toilet areas and the dividing walls have been removed to accommodate a larger kitchen area, presumably for the restaurant which is now operating from the site.

The Council's Heritage Advisor has commented on the application and made the following comments;

'....there was an concealed original rear window where a door was proposed for alternative toilet layout. If this has been carried out then it should be treated as an unauthorised alteration causing harm to the listed building as a result of removing the original boarded up window opening. If the work has not been carried out then evidence of the original timber frame wall and window opening to be altered should be submitted within the heritage statement, in the form of photographs and drawings.'

By the applicant's own admission, the unauthorised works have already taken place and the GBC Heritage Officer advises there has been harm to the listed building. The level of detail supplied in the current application is insufficient to appropriately assess the level of harm to the grade II listed building. The Heritage Statement fails to adequately address the significance of the heritage asset and how the proposed development might be affected by it. Furthermore, limited details of the internal/unauthorised works to the grade II listed building has not been forthcoming in the current application, other than the description of development stating . Based on the above, the application will be recommended for refusal on the basis of a lack of details, contrary to paragraph 194 of the NPPF (2021).

On that basis the proposal is contrary to policies CS19 and CS20 of the Core Strategy (2014) and saved Policies TC2 of the Local Plan First Review.

Any Other Material Planning Considerations

As noted above, the site has been subject of recent enforcement investigations prior to the submission of the current application. The application form submitted and Planning/Heritage Statement submitted for the current application indicates the internal and external works have commenced.

In light of this, further enforcement investigations may be required to assess the harm to the grade II listed building.

Conclusion & Recommendation

The proposal is recommended for refusal due to insufficient information submitted and follow up enforcement investigations are advised due to unauthorised works being carried out.

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

Case Officer:	Ms Genna Henry	Team Leader:	Richard Hart
Signed:	<i>G.Henry</i>	Signed:	<i>R Hart</i>
Dated:	25 August 2022	Dated:	25th August 2022