

Delegated Report

Listed Building Consent Application

Planning Application No: 20241001

Location: SLC Alarms And CCTV 20 Stone Street
Gravesend Kent

Description: Application for Listed Building Consent for the change of use of the upper floors for use as 2 x 1bed 1 person residential units.

Applicant: Mr Jagjoht Johal, Forma Property Ltd

Site Visit Date: 19/12/2024

Submitted Documents/Plans

- Cover Letter;
- Application form;
- Drawing no. A01 – Block Plan & Location Plan;
- Drawing no. A001-2D – Existing Drawings;
- Drawing no. PL01 – Proposed Drawings;
- Images of Property; and
- Noise Impact Assessment.

Relevant Planning History

Reference	Description	Decision	Decision Date
19890759	Application for Listed Building consent for demolition of chimney breast and internal wall on the ground floor.	Permitted	05.10.1989
19871002	Application for Listed Building Consent for for the erection of replacement chimney stacks repairs to part of roof and replacement of glazing bars to nos 21 and 22 stone street	Permitted	08.01.1983

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC2 – Listed Buildings
- TC3 – Development Affecting Conservation Areas

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

Other material considerations

The Council has a statutory requirement under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, states that with respect to 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.

National Planning Policy Framework (2024)

- 2 – Achieving Sustainable Development
- 4 – Decision-making
- 12 – Achieving well-designed places
- 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- Upper Windmill Street Conservation Area Character Appraisal (2009)
- Management Plan Gravesend Town Centre Conservation Areas (2009)

Informal Guidance

Listed Buildings A guide for owners and occupiers (2020)

Consultations, Publicity and Representations

Consultees

No response from:

- GBC Conservation Officer
- National Amenity Societies
- Ward Councillors

Neighbouring properties

This Listed Building Consent application was advertised by way of site and press notices – overall consultation expiry date was 13 December 2024 – no comments received.

Officer's Analysis

The application site consists of a three storey building plus basement situated on the western side of Milton Road opposite Community Square. The application site consists of a shop at ground floor (Class E(a))– 'SLC Alarms and CCTV' which sells alarms and CCTV with offices currently used as storage above.

The building is grade II listed, located in the Upper Windmill Street Conservation Area, on the A226 One Way System, the front of the building is located in the Gravesend A226 One Way System Air Quality

Management Area (AQMA), with the Thames Estuary And Marshes Ramsar Buffer Zone, the Gravesend Town Centre Opportunity Area and in an Area of Archaeological Potential.

The proposal is for Listed Building Consent for the change of use of the upper floors for use as 2 x 1bed 1 person residential units.

It should be noted that the applicant has also submitted a Prior Approval application to determine if prior approval is required for a proposed; change of use of the upper floors for use as 2 x 1bed 1 person residential units (Class C3) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class G (application reference 20241006).

The principal consideration in the assessment of this application is:

- Whether the proposal would protect the architectural and historic interest of this grade II listed building and preserve or enhance the character and appearance of the Upper Windmill Street Conservation Area.

Whether the proposal would protect the architectural and historic interest of this grade II listed building and preserve or enhance the character and appearance of the Upper Windmill Street Conservation Area

The application building is grade II listed and situated in the Upper Windmill Street Conservation Area.

The covering letter submitted with the application states that much of the interior has been stripped out and replaced over time and submits a photographic survey. It advises that there will be no external changes but the following internal changes will be as follows:

- Removal of non-original suspended ceilings and stud walls
- Insertion of internal stud walls as indicated on proposal plans
- Replacement of all internal doors (non-original)
- Removal of coverings and re-instatement of fire places (dependent on what is behind)
- New secondary double glazing
- Rewiring and decoration throughout

It states that the original partition line between the front and rear of the first and second floors will be retained, which it is stated will ensure that the original proportions of the residential property are kept.

A Heritage Statement has been included within the covering letter submitted with the application. The Statement begins with the Listing Description and concludes that it would suggest that the property is lower value than the neighbouring building and that the primary concern would relate to the exterior rather than the internal layouts and chimney breasts. The Heritage Statement states that the interior of the property has been substantially changed and adapted over time to suit the commercial use and as a result there is very little (if any) of the original interior surviving and refers to the photographic survey. It states that the property is listed for its group value and its external appearance rather than its interior. The Statement advises that the proposal will require an upgrade to the windows to improve acoustic attenuation and that this can be achieved through the retention and restoration of the existing windows and the use of secondary double glazing. It states that if this is later found to not be possible, the windows would be replaced like-for-like, which it considers could be carried out without planning permission making reference to the Council's Guidance on Windows and Doors within Conservation Areas.

In response to the comments made in the Heritage Statement the officer comments are as follows. The comment regarding the listed building being of lower value by referring to the listing description is completely incorrect. A listing description is purely for identification purposes only it does not denote what is the special interest of a listed building. All listed buildings are buildings of **national** architectural and historic interest, only a small portion of all buildings in England are listed (401,172 in 2023), any listed building is therefore important. Furthermore, when a building is listed the whole building is listed, internally

and externally. Certain areas of a listed building may hold more special interest than others but the whole of a listed building is covered by a listing.

In reference to the statement about there being very little of the original interior surviving and the building has only been listed for its group value and external appearance rather than its interior, a site visit has been carried out and it can be seen that there are a number of changes which have been made to the building (which appear to have been made without the benefit of listed building consent). However, there are some original/period features remaining including some windows, staircase, skirting up staircase and cupboards. The Heritage Statement does not go through each of the rooms with an itinerary of the proposed works and how they would impact on the listed building. It merely makes a general statement that there is not really anything of interest left and the building is not listed because of its interior.

The proposal shows new internal walls in the back room at first and second floor levels to create bathrooms and storage cupboards to the side of the chimney breasts. The bathroom walls would alter the original plan form and the cupboards would result in the loss of some original/period cupboards in the front and back rooms at second floor level and would be very crude insertions projecting out from the chimney breasts. At first floor level in the front room the modern walls would be removed which would be an enhancement as it would return that room to its original plan form. The listing description does not state that no. 20 is only listed for its group value, it states that nos. 20 – 24 form a group.

The plans do not show the works that the Noise Impact Assessment states are required. The Noise Impact Assessment submitted with the application states that the main noise source likely to disrupt the inhabitants of the new dwellings is the traffic from Stone Street to the front and also the potential of rail traffic noise from the main Gravesend station to the rear of the development. It's findings are that the measured LAeq values for both day and night at both the front and back of the property would be above the limit for indoor noise levels. The report states that formal mitigation is required in order to bring internal noise levels to a compliant level. This includes secondary glazing, windows fixed shut, trickle vents for ventilation or if that is not possible a mechanical ventilation scheme would be required. No details have been submitted of any of these works and therefore no assessment of the impact of those works on the architectural and historic interest of this listed building can take place. Certainly fixing the windows shut would not be acceptable as the sliding sash windows are a part of the special interest of this listed building, nor would trickle vents which are not an authentic feature on a listed building of this age and would be harmful to its special interest. With no details of the mechanical ventilation scheme which may need to be installed the impact on the listed building cannot be made.

The Heritage Statement submitted with the application is lacking in detail and does not contain the level of detail of what a Heritage Statement should do. No information regarding the impact the proposal would have on the fabric of the building and records none of the surviving historic fabric. A Heritage Statement should include a description of the significance of this heritage asset and a description of the contribution of its setting to that significance; provide a schedule of, and justification for the proposed works, provide an assessment of the impact of the proposals on the asset's significance and an assessment of how harm will be minimised and the significance will be preserved and enhanced.

The Heritage Statement just states that there is not really anything left internally and the building is only listed for its external appearance not its interior. However, the application does not actually provide the information or level of detail that is required to demonstrate that there would be no harmful impact on this listed building or the Conservation Area. The Heritage Statement does not provide sufficient detail on the significance of the listed building, what features it retains together with how the building has evolved and how the proposed works will impact on the significance of the listed building. The drawings do not contain the proposed works which the Noise Impact Statement states are required. The photographic survey of each room is helpful but this needs to be backed up by fully detailed drawings of all works and the Heritage Statement should then provide the detailed information on the schedule of proposed works and the impact they would have on the significance of the listed building.

From the information submitted, the proposed internal new walls would affect the original plan form and some original/period features. Insufficient information has also been submitted to demonstrate what the full

impact of the proposal would be on the rest of the fabric of the listed building.

Furthermore, with such proposals as this and being a flat conversion in a listed building, the Council would require the proposed plans to show full details of all of the works that would be required under the Building Regulations for the flat conversion to take place at application stage in order that the full impact of the proposal could be assessed for the impact on the listed building. This detail has not been shown on the proposed plans. Works to the building in order to satisfy, for example, fire, noise and energy requirements under the Building Regulations could cause an impact on the listed building. In the absence of the detail on what works would be required under the Building Regulations it cannot be known for sure that the proposal would not impact on the architectural or historic interest of this grade II listed building or the character or appearance of the Conservation Area.

There is also the case that due to the location of the site in the Gravesend A226 One Way System Air Quality Management Area (AQMA), a ventilation extraction system would be required and therefore details would be needed of this at application stage to ensure the system would not cause harm to the listed building or the Conservation Area. Noise mitigation would also be required given the site's location in the town centre and also from traffic and rail noise. As stated above, the Noise Assessment submitted with the application states that formal mitigation is required in the form of secondary glazing, windows fixed shut, trickle vents for ventilation or if that is not possible a mechanical ventilation scheme however, no details have been submitted of any of these works. The details of the noise mitigation measures required are needed at application stage in order to assess the full impact of the proposal on the listed building and Conservation Area and without these no assessment of the impact of those works on the architectural and historic interest of this listed building or the Conservation Area can take place. There is concern at the mitigation works that are proposed in respect of the listed building and the conservation area.

It is also the case that the proposal as it stands shows that future occupiers of the flats would enter the rear door and pass directly behind the office to the shop and the shop's toilet at the half landing level between ground and first floors on route to their flats. Occupiers could seemingly if they wished also wander into any part of the shop's area including the shop floor and down to the basement staff canteen and safe room. There are no details in the application in relation to this matter. It seems odd if occupiers of the flats would have such easy access to the alarm shop's part of the building. If division is not proposed this would not lead to particularly good amenity for the shop's owner with occupiers of the flats able to pass in such close proximity to the shop's areas. It is considered further details are needed to clarify if it is correct that no works are proposed to secure the shop from the access to the flats above. If works are proposed, then again the Council requires such details to be shown in an application in order that the full impact on the listed building and Conservation Area; without this confirmation/details no assessment can take place.

The harm that would be caused is considered to be less than substantial, in such circumstances the NPPF (2024) advises at paragraph 215 that where a proposal would cause less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. The proposal would provide a net gain of two residential units however, this is not considered to outweigh the harm that has been identified to the listed building and Conservation Area.

In summary, the proposal would result in an erosion of the original plan form of the building in part through the proposed bathrooms and storage and would appear to result in the removal of some original/period fabric. The proposal would also however, remove an existing internal modern wall which is currently harmful to the plan form. Nonetheless, there is a lack of supporting information submitted with the application to demonstrate the impact of the proposal on the fabric of the listed building. Although a Heritage Statement has been submitted it does not sufficiently contain what a Heritage Statement should. Its main point being that there is not really anything left internally and the building is only listed for its external appearance not its interior. However, that is incorrect as there are some original/period features remaining and when a building is listed it is listed in whole inside and outside. There may be areas which hold more special interest than others but the building is listed in its entirety. The application does not actually provide the information or level of detail that is required to demonstrate that there would be no harmful impact on this listed building or the Conservation Area. It does not show the works that may be required under the Building Regulations or to mitigate poor air quality and noise impacts, nor how the lower

commercial unit would be protected from the proposed flats. Such information is needed in order to assess the impact of all works on this listed building and the Upper Windmill Street Conservation Area. On the basis of the submitted information therefore it must be concluded that the proposal would be harmful to the significance and architectural and historic interest of this grade II listed building and the character and appearance of the Upper Windmill Street Conservation Area contrary to Policies CS19 and CS20 (LPCS), saved Policies TC2 and TC3 (LPFR) and section 16 of the NPPF (2024).

Any Other Material Planning Considerations

None.

Balancing Exercise/Conclusion

The proposal would be unacceptable in respect of the architectural and historic interest of this grade II listed building in respect of an erosion of the plan form, removal of some original/period fabric and insufficient information to assess the full impact of the proposal on the listed building and the Conservation Area including any works that may be required under the Building Regulations, air quality and noise mitigation and how the lower commercial unit and the upper floor flats would work regarding access.

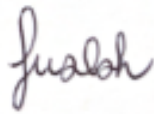
Paragraph 212 of the NPPF (2024) requires that great weight be given to conserving and enhancing designated heritage assets.

As set out above the weight of all the other considerations does not outweigh the harm identified and provides a clear reason for refusing permission. The proposed development is therefore contrary to Policies CS19 and CS20 (LPCS) and saved Policies TC2 and TC3 (LPFR).

Recommendation

Refusal

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

Case Officer:	Ms Rebecca Harrison	Team Leader:	Mrs Faye Walsh
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	30th December 2024	Dated:	30 December 2024