
Appeal Decision

Site visit made on 5 June 2023

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 July 2023

Appeal Ref: APP/K2230/W/22/3312982
29 Milton Road, Gravesend, Kent DA12 2RF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Takhar against the decision of Gravesend Borough Council.
 - The application Ref 20221092, dated 11 October 2022, was refused by notice dated 29 November 2022.
 - The development proposed is the change of the shopfront façade, including external security shutters.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effects of the development on the character and appearance of the conservation area.

Reasons

3. The appeal relates to the ground floor retail unit which forms part of a 3 storey building. The property is located within Gravesend town centre and the Milton Place Conservation Area. The property has a dual shop front which is divided by the entrance door to the upper residential uses. Nos 28 to 31 Milton Road are identified as a building of townscape merit.
4. Works have been undertaken to alter the frontage, without planning permission and an application for those works was refused by the Council. The current proposal seeks to retain those works with some alterations.
5. The Milton Place Conservation Area Appraisal notes that Nos 28-31 are buildings of townscape merit, being recognised as good examples of relatively unaltered historic buildings that make a positive contribution to the special interest of the conservation area. Whilst the document identifies that there are modern shopfronts on Milton Road, it states that the greatest threat to the character of the buildings on Milton Road is the introduction of unsuitable shopfronts and shop signage.
6. The unauthorised works have resulted in the removal of much of the original detailing of the shop front, including the pilasters and corbels, as identified by the appellant but I can see that it also included the removal of the timber doors, stall-risers, window frames and the upper windows running along both

sections of the frontage. The current proposal is to retain the unauthorised works with the addition of timber frames, pilasters and corbels. The area identified for the advertisement within the shop-front would also be reduced and divided.

7. The development has resulted in the loss of original and attractive features which made a positive contribution to the character and appearance of the conservation area. The new UPVC doors, framing and stall-risers have a modern appearance and lack the detailing and appearance of the originals. The loss of the higher-level windows and the introduction of external security shutters compounds the modern and unsympathetic appearance, in my judgement. Overall, I consider that these elements have a considerable and negative effect on the character and appearance of the conservation area. The other measures included within the proposal to re-introduce the timber framing, pilasters, corbels and a reduced area for the signage would have a small positive effect on the appearance of the building. In my judgement this would be insufficient to outweigh the negative impact that I have identified.
8. The appellant states that the development is necessary to provide the required level of security for the use of the ground floor and suggests that Policy TC9 of the Local Plan is of some age and does not account for more recent security needs, although I note that it was reviewed and 'saved' in 2014. I have taken account of the increased security that would be offered by the development. However, there is no information before me that would indicate that the proposal is the only way of achieving this. The National Planning Policy Framework states that when considering the impact of development on the significance of a designated heritage asset (in this case, the conservation area), great weight should be given to the asset's conservation, regardless of the level of identified harm. It adds that any harm to its significance should require clear and convincing justification. The level of harm that I identify which would result from the proposal is 'less than substantial' harm, as defined within the Framework. It is necessary to balance this harm with any public benefits that may arise. I have taken account of the potential for the proposal to reduce the potential for crime at the appeal site. In my judgement this is insufficient to outweigh the harm to the character and appearance of the conservation area and does not provide the clear and convincing justification which would be necessary.
9. As a result of my findings, I conclude that the proposal would fail to preserve or enhance the character and appearance of the conservation area. There are no matters sufficient to outweigh that harm. As a result, the proposal is contrary to Saved Policies TC3 and TC9 of the Local Plan and Policies CS05, CS19 and CS20 of the Local Plan Core Strategy (Adopted 2014). Consequently, the appeal is dismissed.

T Wood

INSPECTOR