



Appeal Decision

Site visit made on 16 April 2018

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: Monday 30th April 2018.

Appeal Ref: APP/K2230/W/17/3181596

The Granby Hotel, 1-2 The Hill, Northfleet, Gravesend DA11 9ES

- 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 Clifford Dawe against the decision of Gravesham Borough Council.
 - The application Ref 20170563, dated 23 May 2017, was refused by notice dated 19 July 2017.
 - The development proposed is the erection of external terrace to first floor bar area and alterations to the window openings to the front elevation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are as follows:
 - the effect of the proposed development on the setting of the adjacent Conservation Area and on the setting of the Grade II* listed Church of Our Lady Assumption and that of the Grade II listed Ye Olde Leather Bottel Public House.
 - The effect of the proposal on the living conditions of surrounding residents, with regard to noise, disturbance and overlooking.

Reasons

3. The appeal site lies adjacent to the The Hill Conservation Area (THCA). This is a fairly tightly drawn conservation area, based on the core of Northfleet, and is centred on a triangular shaped green. The Hill itself is a fairly busy road which follows the top of the chalk cliff just to the north. The THCA features 2 churches, with the Parish Church of St Botolph located at the northern end of the area and the Church of Our Lady of Assumption dominating the southern area. These buildings, along with other surviving historic structures, the historic layout of the area and its location on the chalk cliff are key factors in the area's significance.
4. The proposal seeks to construct an external terrace at first floor height on the façade of the Granby Hotel. The hotel is located close to the aforementioned Church of Our Lady of Assumption, which is Grade II* listed, and lies opposite the Grade II listed Ye Olde Leather Bottel Public House.

5. Section 66(1) of the Planning (Listed Building and Conservation Areas Act) 1990 states that when considering whether to grant planning permission for development which affects the setting of a listed building, special regard should be had to the desirability of preserving this setting.
6. Paragraph 132 of the National Planning Policy Framework (the Framework) says when considering the impact of a proposed development on the significance of a designated heritage asset (including conservation areas), great weight should be given to the asset's conservation. Significance can be harmed or lost through development within its setting. The Framework defines setting as the surroundings in which the asset is experienced. Elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral.
7. When read together, policies CS19 and CS20 of the Core Strategy¹ and saved Policies TC2 and TC3 of the Local Plan² state that new development will be visually attractive and will conserve the character of the local built and historic environment. Proposals will be supported which preserve and where appropriate enhance the significance of the Borough's heritage assets and their settings where it contributes to the significance of the asset.
8. The Grade II* listed Church of Our Lady of the Assumption was built between 1913 and 1916 to the designs of Sir Giles Gilbert Scott, and is constructed in reinforced concrete, faced in brown Crowborough bricks. The building has a simplified gothic strong vertical emphasis and dominates the surrounding area due to the height of its square tower. Due to the presence and ascendancy of the tower, the setting of the Church covers a large area.
9. The Ye Olde Leather Bottel is located on the opposite corner of the road to the appeal site. The two storey with attic building has a distinctive roofline, with two small pitched roof dormers facing the site. At first floor level the building is weatherboarded on its north east elevation, and mock timbered on the north west elevation, with sash windows. The pub has a prominent location and is clearly visible from the north and east.
10. The Granby Hotel is a three storey building with a central gabled feature within which are set two full height semi-circular bays. The upper two storeys of the building are hung with brown tiles, and the ground floor is white rendered white. A two storey extension is sited on the south side; this adjoins a driveway to a car park at the rear of the property. The main front entrance to the Hotel lies on the left hand side of the central bays, and is set at first floor level, being accessed by a flight of concrete steps. Although a large building, the Hotel is not especially conspicuous in the street scene, which is dominated by the nearby Church and the road junction. Lying to the north of the Hotel, and between the site and the Church lies the Presbytery, which is a two storey hipped roof property, fully rendered on its façade in a pink colour with an orange rendered flat roofed porch.
11. The proposed terrace would be sited at first floor level, would extend across the double bay feature at the front of the Hotel, and would be accessed by the existing stairs which lead to the front entrance; these would be modified to fit, and part of the existing bay windows would be modified to create doors to

¹ Gravesham Local Plan Core Strategy, September 2014

² Gravesham Local Plan First Review, September 2014

directly access the bar within the Hotel. Black painted steel railings would enclose the balcony, and the terrace would protrude some 2m out from the façade of the building.

12. While the proposed balcony would not therefore be especially large, the siting of the terrace set at first floor height and in the middle of the Hotel would ensure that the proposal would be noticeable in the street scene. This conspicuousness would be increased by the siting of the balcony directly across the central semi-circular bays, and the proposal would look somewhat out of place on the host building, adversely affecting the architectural form of the property. The design, siting and height of the terrace and its railings when combined would draw the eye in the street scene, causing some harm to the setting of both the Church and Ye Olde Leather Bottel, as well as to the setting of the THCA.
13. Having regard to the advice in Planning Practice Guidance I consider that the scheme would not reach the high hurdle of substantial harm (as defined in the Framework) to the significance of the heritage assets. However, though less than substantial, there would, nevertheless, be real harm which requires clear and convincing justification. Paragraph 134 of the Framework indicates that such harm is to be weighed against the public benefits of the proposal, including securing its optimum viable use.
14. A range of public benefits are raised by the appellant, including the view that the balcony would allow more people to appreciate the surrounding historic environment and that the proposal would increase the use of the Hotel, providing economic and social benefits. It is also raised that the Hotel has a 'closed' façade at present, and that the proposal would give more notice of the premises being open, increasing passing trade without the use of more intrusive frontage advertising, and it is stated that market research has shown that many local residents have heard of the Hotel but are not aware of its location.
15. I can appreciate that the proposal would potentially have a beneficial economic and social benefit; however, there is no substantive evidence of any viability issues at the Hotel. Furthermore, I noted at my site visit 3 large vertical banners outside the Hotel already advertising the presence of the premises. Therefore, whilst there would be some public benefits to the proposal I am not convinced that these would be sufficient to outweigh the less than substantial harm that the proposal would cause to the setting of the heritage assets.
16. I therefore conclude that the proposed development would cause less than substantial harm to the setting of the adjacent Conservation Area and the setting of the Grade II* listed Church of Our Lady Assumption and that of the Grade II listed Ye Olde Leather Bottel Public House. Such harm would not be outweighed by public benefits. The proposal would be contrary to policies CS19 and CS20 of the Core Strategy and saved Policies TC2 and TC3 of the Local Plan, as well as to the Framework.

Living Conditions

17. Adjacent to the hotel on the northern side lies the Presbytery, a residential dwelling. The creation of the balcony, and the uses which would occur upon it could have the potential to cause noise and disturbance. However, the extent of the balcony would stop somewhat short of the shared boundary with this

property. Furthermore, the surrounding environment, with the busy roads and junctions would already create a certain level of noise. The time of use of the balcony could, if necessary, be controlled by condition and I do not consider that the balcony would lead to unacceptable levels of noise and disturbance to the residents of the Presbytery.

18. Due to its raised level the balcony could lead to some overlooking of the front garden of the adjoining dwelling. However, I consider that such effects would be limited, due to the distance of the edge of the balcony away from the Presbytery and the boundary treatment, which at the time of my visit was a large hedge. I also noted the low front garden wall of the Presbytery and observed that the front garden is already in full view of passers-by on this busy street.
19. I therefore conclude that the proposal would not have an adverse effect on the living conditions of surrounding residents, with regard to noise, disturbance and overlooking. The proposal in this respect would comply with policy CS19 of the Core Strategy, which states that new development will be located, designed, and constructed to safeguard the amenity including privacy of neighbouring properties and avoid adverse noise pollution.

Conclusion

20. To summarise, while I do not consider that the proposal would create significant issues in terms of living conditions for neighbouring occupiers, I have concluded that the proposal would fail to preserve the setting, and therefore the significance of the Grade II* listed Church of Our Lady Assumption and that of the Grade II listed Ye Olde Leather Bottel Public House, as well as the setting of the adjacent conservation area.
21. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jon Hockley

INSPECTOR