



ENGLISH HERITAGE

SOUTH EAST OFFICE

Mr Richard Hart
Gravesham Borough Council
Civic Centre
Windmill Street
Gravesend
DA12 1AU

Direct Dial: 01483 252035
Direct Fax: 01483 252001



Our ref: P00434583

14 October 2014

Dear Mr Hart

**Notifications under Circular 01/2001, Circular 08/2009 &
T&CP (Development Management Procedure) Order 2010
GURU NANAK DARBAR GURDWARA CLARENCE PLACE GRAVESEND KENT
DA12 1LD
Application No 20140550**

Thank you for your letter of 17 September 2014 notifying us of the application for planning permission relating to the above site. We do not wish to comment in detail, but offer the following general observations.

English Heritage Advice

The Guru Nanak Darbar Gurdwara is a late nineteenth-century former Congregational Church, designed by Sir John Sulman. Your Council's conservation area character appraisal for the Windmill Hill area describes the temple as 'a significant landmark' (p. 13), and indicates that its renovation and reuse is one of the most pressing issues in the conservation area and a potential for enhancement (p. 31).

Your Council's 2009 decision to approve a previous application for demolition of the temple and to redevelop the site was subject to a successful legal challenge arguing that such a decision would be contrary to local and national planning policy. Current planning policies for the historic environment contained in the NPPF are not substantially different to PPG 15 on which that previous judicial review was based. Para 138 of the NPPF advises that loss of building which makes a positive contribution to the significance of the conservation area (as your own conservation area appraisal indicates this one does) should be treated as either substantial harm (and determined in accordance with paragraph 133) or less than substantial harm (and determined inline with para 134).

In determining the level of harm that you think is relevant in this case you should be aware of the advice contained in the Planning Practice Guidance (Conserving and Enhancing the Historic Environment/ Decision Taking/ para. 018). Your Council should



EASTGATE COURT 195-205 HIGH STREET GUILDFORD SURREY GU1 3EH

Telephone 01483 252000 Facsimile 01483 252001
www.english-heritage.org.uk

*English Heritage is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR).
All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.*



ENGLISH HERITAGE

SOUTH EAST OFFICE

in any event give great weight to the conservation of the designated heritage asset (the conservation area) and require clear and convincing justification for any loss of its significance (NPPF, para 132). Such justification would need to explain, for example, why the existing building is not capable of beneficial reuse. These are high tests and should not be dismissed lightly.

The recent Barnwell Manor Court of Appeal judgement provides an important reminder that where harm does not reach the very high threshold of 'substantial harm' this should not be interpreted as a 'less than substantial objection to the grant of planning permission'; the requirements still apply for clear and convincing justification and the 'great weight' and 'special attention' tests from the NPPF and Planning (Listed Buildings and Conservation Areas) Act 1990 (para. 72 (1)).

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

Yours sincerely

Tom Foxall

Inspector of Historic Buildings and Areas

E-mail: tom.foxall@english-heritage.org.uk



EASTGATE COURT 195-205 HIGH STREET GUILDFORD SURREY GU1 3EH

Telephone 01483 252000 Facsimile 01483 252001
www.english-heritage.org.uk

English Heritage is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.