



Historic England

SOUTH EAST OFFICE

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

Direct Dial: 01483 252078

Our ref: P00434583

14 November 2018

Dear Mr Hart

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**GURU NANAK DARBAR GURDWARA CLARENCE PLACE GRAVESEND KENT
DA12 1LD**

Application No. 20140550

Thank you for your email of 29 October 2018 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

I am writing about the marketing exercise recently undertaken for the Gura Nanak Darbar Gurdwara about which you have requested our views. We recognise this is a challenging case and hope the following is helpful in reaching a view on the live application for the demolition of this building.

Historic England has previously given detailed advice on this application for the demolition of the unlisted Gura Nanak Darbar Gurdwara building in our letters to your Council of 14 October 2014 and 11 April 2017. We assess that the building makes a positive contribution to the character and appearance and thus also to the significance of the Windmill Hill conservation area and that its loss would cause harm to that significance. We therefore advised that your Council would need to judge if there was clear and convincing justification for this harm in the manner set out in Paragraph 194 of the NPPF. A marketing exercise to understand whether any other party would be willing and able to carry out a viable conversion without the need to demolish the building was requested to assist your Council in reaching a view on whether a clear and convincing justification for the loss of the building had been made.

Historic England's guidance *Managing Significance in Decision Taking in the Historic Environment, Good Practice Advice Note 2* includes for instances where marketing



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has been requested to demonstrate redundancy (Paras 49-50). While this is principally a guide for cases of substantial harm (where marketing is required as one of the four tests in this policy), we think the advice here about marketing is relevant to your case and we suggest you consider this.

We have reviewed the information submitted to support the recent marketing exercise and on the basis of this we have concerns principally about the asking price and terms of a proposed sale. Our detailed points on the marketing are set out below.

Asking Price

Savills refer to a benchmark land value of £500,000. BPS in their report (8 August 2016) arrive at £422,996 as the residual land value and on this basis the asking price of offers in excess of £500,000 does seem on the high side. When marketing a property to demonstrate redundancy it is good practice to see a figure that fairly reflects the market value of the property so as to avoid deterring potential enquiries (GPA2 (c)). The wording “**offers in the region of** say £350,000” would have generated more interest although having said that, the number of viewings for a property of this nature was not unreasonable.

Terms and Proposals

In our view the terms and proposals as set out could have deterred a number of potentially interested parties. We note that the offer of a “building agreement” will normally cause difficulty in securing external finance for a development scheme. We also note that in respect of “other interests” Party 2 did make an offer close to the asking price but the vendor’s condition that they retain a freehold interest until the completion of a refurbishment meant that this party was unable to secure finance. We understand how this came about however, it highlights the way in which the terms might be restrictive.

A requirement for prospective purchasers to include a “track record” of previous schemes will also deter some interested parties. It is often better to say that a team appointed by a purchaser must have the requisite experience in handling schemes for historic buildings. A requirement for a potential purchaser to submit a written indication of the “merits” of a proposed use, i.e. a fully worked up scheme and feedback from the Local Authority, might also deter potential purchasers.

Conclusions



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The objective of the marketing exercise is to establish whether any other party would be willing to carry out a viable scheme without the need for demolition

We have not had an opportunity to view the building again before giving this advice on the marketing exercise for it. However, that notwithstanding, we have reservations and concerns about both the asking price and more particularly the terms which we believe are erring towards being onerous and restrictive. We think this could have deterred the market and therefore the chances of finding a new purpose for the existing building. If you think that a less restrictive marketing might have resulted in additional and viable solutions and hence other expressions of interest to those made then redundancy of the building might not have been fully demonstrated.

It is for your Council to decide whether the marketing exercise was sufficiently robust to provide the clear and convincing justification required here in the manner set out in Paragraph 194 of the NPPF and where harm arises from the loss of a building which makes a positive contribution to the character and appearance of the Windmill Hill Conservation Area. We would be pleased to provide further advice if that would be helpful, but please note it is likely this would need to include for a site visit which could delay a decision about this matter.

Please contact me if I can be of any further assistance.

Yours sincerely

Alice Brockway

Inspector of Historic Buildings and Areas

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cc: Allan Cox



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