

Planning & Heritage Statement

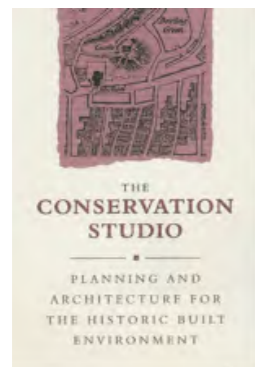
The George
98 High Street
Rye

February, 2022
Rev A

Prepared by:
Eimear Murphy
BSc (Hons) EP PGDipUD MSc (York) Hist Bldgs MRTPI IHBC

PAS and HESPR accredited.

Murphy Associates (UK) Ltd trade as Murphy Associates and
The Conservation Studio:



w. www.theconservationstudio.uk
e. info@theconservationstudio.uk

Based in Hove, Sussex providing services to the public and private sectors throughout the UK.

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1.0 Introduction

- 1.1 The purpose of this document is to provide planning and heritage support for the external colour scheme to the main elevations, windows and doors of The George, 98 High Street, Rye. The George also includes 96 and 97 High Street.
- 1.2 It follows the grant of planning permission and Listed Building Consent for repairs, reinstatements and alterations under application references RR/2020/573 and 574. These arising from a substantial fire which damaged the roof and upper floor of this important historic hotel in central Rye on July, 20, 2019.
- 1.3 The fire, while mercifully without human injury, resulted in a significant loss of historic fabric. A full perimeter scaffold and temporary roof was erected to protect the damaged building and to provide safe and controlled access for the duration of the reinstatement works.
- 1.4 Due to what can only be described as an impasse, the Applicants and owners of this important heritage asset appointed Murphy Associates/The Conservation Studio to review the issue of the colour scheme and to arrive at a way forward to enable the main applications to be determined. On that basis, Murphy Associates/The Conservation Studio concurred with the views of the replacement Case Officer, that the colour scheme be removed from the two main applications, allowing those to be progressed and for separate applications to be lodged, albeit retrospectively.
- 1.5 Whilst the carrying out of works to a listed building without first obtaining consent is not condoned, there were clear reasons that led to the Applicants to progress the work including:
- the fact that the original Case Officer who was also the Conservation Officer, did not object to the colour scheme. It was accepted that grey colour to windows was in fact undercoat
 - said Case Officer's untimely departure from Rother District Council
 - the views of a third party consultee
- the period for the retention of the scaffolding was coming to an end and the associated costs if retained
 - delays affecting the reopening of this important establishment
 - the rising costs sustained due to delays, the onset of Covid and lockdowns, labour availability and rising costs of materials due to a lack of availability
- 1.6 With the delays experienced, the Applicants were not in a position to progress works as expediently as they had hoped with the result that this once provided a popular catering and hotel offer that was bespoke and in contrast to the anonymity of the standard hotel chain alternative. The George had maintained its long established tradition as a 'local' pub and offered a valued dining option for day trippers to Rye. This 'offer' is a significant loss to Rye and all the while it is in a state of paralysis, it is not generating an income.
- 1.7 As set out in previous supporting statements, the overall project sought to:
- To reinstate, repair and fully restore the George.
 - To use the opportunity presented by the fire to understand and reinterpret the component historic buildings following the historic research of David and Barbara Martin, and also Allan Cox
 - To take the opportunity to review the arrangement of the hotel to better comply with current building control regulations, namely fire and accessibility
- 1.8 With permissions/consent in hand, the Applicants are able to progress works to a degree. However, the issue with the colour came unexpected and soon after the original Case Officer's departure. It now remains a significant concern for the applicants as the then Case/Conservation Officer was fully aware of the work being undertaken, the approach to and evidence to support the colour scheme, with the only confusion being the assumption that grey would be used for the windows which is not and was not the case.
- 1.9 Therefore, and whilst combining both planning and heritage into one supporting statement, it is intended that a sound and robust case can be put forward to demonstrate to Rother District Council, that whilst the colour scheme results in a visual change to the character and appearance of the listed building and how it reads in this part of the Conservation Area, it is not harmful. Not all change is automatically deemed to be harmful. Indeed, the statutory legislation was written on the basis that change does not always harm a building's special architectural or historic interest. It recognises that change occurs and needs to be managed. This position follows through to the National Planning Policy Framework, July 2021, which also seeks to avoid harm, whilst indicating that significance is related to importance and status as is harm. Where it is deemed harm would arise, the NPPF sets the task that other factors be taken into consideration including public benefits.
- 1.10 This statement describes the heritage asset and its role in townscape terms and being part of the Rye Conservation Area. It explains the significance of the elevations and their visual interest as well as evidence of the fact that the buildings comprising the George were not always cream, or off-white.
- 1.11 The report will conclude that the change of colour and colour scheme, result in positive change and a change that should be supported on the basis that no harm arises to either the listed building or the Conservation Area.

2.0 Understanding

- 2.1 The 'George' has already benefited from two historic reports carried out by David and Barbara Martin for both its main building at 98 High Street, and its neighbouring property at 12 Lion Street, which has been a part of the hotel since at least the 19th century. There are also two adjacent buildings, 96 and 97 High Street, both owned by the Hotel with further back-land ranges behind them which serve as bedroom and bathroom suites.
- 2.2 In addition to the reports made by the Martins, after the fire, the heritage consultant Allan Cox was able to undertake invaluable work in November 2019 researching the later development of the building, including the 20th century developments, many of which had blurred and obscured the earlier historic building. These archival findings are helpful and assisted in the present re-interpretation of the building. Reference should be made to the Martin's works and Allan Cox's report for more detailed accounts.

Rye

- 2.3 Topography plays an important role in contributing to Rye as a place, how it evolved, its pattern of development and street sections as well as intimate twittens and lanes. It is situated at the junction of the High Weald, Walland and Romney Marshes. The historic town sits on a low hill which rises above the surrounding reclaimed marshes.
- 2.4 The hill rises on all sides near the parish church which is higher than the land to the south and east sides of the town. The town is at the junction of the River Brede, the River Tillingham and the River Rother which flows south-eastwards from Rye to reach the sea at Rye Bay.
- 2.5 The principal street of the town is the south-west to north-east High Street, although the adjacent streets (especially The Mint, East Cliff and Cinque Ports Street) also have numerous shops and businesses. The main town is in the northern half of Rye Civil Parish and walled area of the historic town.

- 2.6 Today, Rye is situated three miles inland at the eastern end of the county of Sussex on a sandstone outcrop at the edge of the Weald and at the meeting of three rivers, the Rother, Tillingham and Brede.
- 2.7 The town itself is not located within the High Weald area of Outstanding Natural Beauty, though much of the surrounding countryside to the west is. Early maps show a physical landscape much different than today's, with Rye sitting as a port at the mouth of the river Rother. It once was a major port on the estuary of the river Rother and also occupied a strategic defence position overlooking the harbour.

- 2.8 As stated in the Rye Conservation Area Appraisal:

'The visual appearance of the town of Rye is almost entirely a function of its unique geographical and geological situation. Positioned atop a rocky sandstone outcrop, the historic core of the town, generally known as the Citadel and defined by cliffs and remnants of the town wall, overlooks the flat level marshland that surrounds it to the north-east, east and south. Consequently the town possesses a distinctive outline in silhouette and is a focal point for many miles around, particularly from the neighbouring settlement of Winchelsea, and the low-lying areas of Romney Marsh and Rye Harbour.'



Fig 1. 1578 Survey of the Coast



Fig. 2 1590 Survey of the Marshes



Fig. 3 1610- Speed

- 2.9 The town has early origins including the Saxon period and fell into Norman possession until the 13th century. By 1189, Henry II had granted Rye the status of a Cinque Port as a 'limb' of the Head Port of Hastings. In its importance geographical and in terms of defence, was recognised in 1336 when it became of the Cinque Ports in its own right. Its chartership was received from Edward I.
- 2.10 The Conservation Area Appraisal provides an overview of the historical development of Rye which need not be repeated in this statement but perhaps, more pointedly, to note that the High Street was called 'The Longer Street' – it still retains its curvilinear arrangements to the east (Strand Gate which no longer exists and west (Landgate).
- 2.11 As identified by the Conservation Area Appraisal, the topography and townscape of Rye lends itself to being perceived as a citadel sitting on a hill rising above the marshes and separated from the surrounding marshes. This is not unlike many Italian hilltop towns and villages with views that reinforce that perception. Although buildings are visible, the subject grouping now comprising The George, are not readily identifiable being within the more densely developed High Street and Lion Street. Prominent buildings act as landmarks such as St. Mary's Church with its short spire with the surrounding tightly knit historic buildings cascading along its streets.
- 2.12 its defensive town wall to the north and west, high cliffs and unstable marshes below to the south and east ensured that for centuries development was contained creating a compact and cohesive historic built core.
- 2.13 Today, Rye retains a high percentage of surviving timber framed buildings and some stone buildings. Much of the architecture within the Citadel itself is medieval in origin, with a substantial amount of Georgian and Victorian re-facing and gentrification to reflect wealth, status, the fashions of the time and changing tastes as well as trading/retail patterns with shopfronts inserted into a number of properties.
- 2.14 Some timber framed buildings remain exposed. Others are concealed behind 'new' fronts – either being part underbuilt with brick, completely refronted with brick, faced with weather-boarding, render/stucco, part tile hanging or brick tiles (more commonly referred to as 'mathematical' tiles). Some have been provided with parapets and display uncharacteristic floor to ceiling heights.
- 2.15 The Conservation Area Appraisal acknowledges that the character and appearance of each street differs due to 'variations in the proportions of the building plots, the width and surfacing of the roadway, the apparent age of the various buildings and their appearance, while each building possesses its own individuality by more subtle variations in design details of windows and doors and materials' and one would also add colour, tone and texture.
- Character Area 4
- 2.16 The part of the High Street within which The George is located is identified as Character Area 4. It is described as:
- '... a thriving and bustling shopping street, displaying buildings of varying periods, designs and materials, all largely maintaining the characteristic qualities and scale of Rye, with a high proportion of inserted shopfronts at ground floor level.'
- 2.17 Buildings are noted to vary between 2 and 3 storeys, some with attics. The differing heights, roof types, presence of dormers, bay windows, door canopies and shopfronts all add to its visual interest and townscape character. It is accepted that many buildings are Georgian in origin but are the result of re-facing and remodelling.
- 2.18 The George is referred to as a notable building - an imposing brick and mathematical-tile fronted building of three storeys, pitched roof, dormers, extended to west with bow windows. The appearance is Georgian but the building behind the elevation is of an earlier period. It turns the corner to the east climbing up one part of Lion Street which retains a number of shopfronts introduced to the ground floor of former cottages.
- 2.19 The Statutory List identifies the listed buildings comprising The George as follows:
- 96 High Street**
Details
 Date first listed: 11th September 1972
1. 1578 HIGH STREET (South Side)
- Nos 92 to 96 (consec) TQ 9220 1/84
- II GV**
2. Late C18 or early C19 facades. 3 storeys. No 92 has 3 windows, the others have one window each. Stuccoed. Nos 93 to 96 have bay windows on the 1st floor and Nos 93 and 94, on the 2nd floor also. Most glazing bars intact. Nos 92, 93 and 95 have C19 shop fronts with iron glazing bars.
- Nos 92 to 97 (consec) George Hotel and Nos 99 to 104A (consec) form a group.
- Listing NGR: TQ9206420376
- 97 High Street**
Details
 Date first listed: 11th September 1972
1. 1578 HIGH STREET (South Side)
- No 97 TQ 9220 1/84
- II GV**
2. Late C18 or early C19 facade. 3 storeys, 2 windows. Bay windows on both upper floors with C19 sashes. Ground floor has a modern double shop window. The corner of the ground floor has been cut away and the upper floor is supported by a column.
- Nos 92 to 97 (consec) George Hotel and Nos 99 to 104A (consec) form a group.
- Listing NGR: TQ9208320388

98 High Street – George Hotel

Details

Date first listed: 12th October 1951

1. 1578 HIGH STREET (South Side)

The George Hotel TQ 9220 1/85 12.10.51.

II GV

2. The hotel included several originally separate buildings of various dates from C15 to early C19. The Lion Street frontage consists of 2 timber framed cottages. The southern cottage dates from C15, the northern one from about 1600. 2 storeys, 2 windows each. Upper floors have been reconstructed and heightened probably in C18 but the jettying is still evident. Tiled roof. Upper storey tile hung, lower storey underbuilt with brick, now stuccoed. Upper storeys have C19 sash windows. Lower storeys have bay windows, those of the northern cottage with original glazing bars. Southern cottage has central doorway and passage through southern end to the back of the hotel. The VCH says that this lower storey and gateway have C15 ceiling beams. The main hotel block facing High Street has been underbuilt and has an C18 facade. 3 storeys and attic. Painted brick. Wooden dentil eaves cornice. Tiled roof and 4 dormers. Windows with segmental heads, the centre one on the 1st floor surmounted by a heavy pediment. Porch with Doric columns and an iron railing above it in front of the pedimented window. The interior has open timbered ceilings and fireplaces and early C17 panelling. The western half of the High Street facade and the former Assembly Rooms (now the dining room) were built in 1818. Painted brick. 2 large, 3-light bow windows on the 1st floor. Later mansard roof with 3 dormers. Beneath the westernmost 1st floor window is the entrance to the Stable Yard now converted into a garage. The Assembly Rooms have a plastered ceiling and a Musicians' Gallery.

Nos 92 to 97 (consec) George Hotel and Nos 99 to 104A (consec) form a group.

Listing NGR: TQ9210920388

Author's underlining



Fig.4 – 96 High Street – 'John Dennis'(Images of England, 2006)



Fig. 5 – 97 High Street (Images of England, 2002)



Fig. 6 – The George Hotel, 98 High Street (Images of England, 2002)



Fig. 7 – 12 and 13 Lion Street (Pinterest)

2.20 The images predate the present-day appearance of the listed buildings but do provide a reasonable impression of the creamy yellow tone that once covered the main High Street frontage. Pre-fire the external walls of The George were painted with acrylic (plasticised) paints of the same colour which resulted in a disproportionate facade formed by different-period buildings that had lost their individual legibility. The use of plasticised paints also trapped moisture which was causing damage to the brickwork and tiling behind. Prior to this use of burgundy for the signage and shopfronts etc, these elements were painted dark green.

2.21 As main building/s of the George Hotel retain their more formal adapted Georgian frontages and embellishments concealing the timber frame behind but also, its painted finishes covering the mathematical tiles.

2.22 The Georgian frontage reads as being of a formal commercial nature with large curved oriel bays to the first floor adjacent to 97 High Street which reads in contrast to the floor to ceiling heights of the buildings to each side, which and although there is general consistency in eaves heights, they do differ.

2.23 The George Hotel in its expansion includes buildings that retain their commercial frontages. Those particular buildings read more as retail units which had living accommodation above. No.96 has a C20th shopfront. No. 97 has a late C19th frontage and those to the former cottages in Lion Street, have late C19th frontages. The buildings range in date from the C15th to the C19th.

2.24 Beyond no.98 and the buildings comprising 96 and 97 were not always the same colour as 98. The same applies to Lion Street which was at one time a sage green tone to the ground floor with a darker green door and white painted bay and window frames to Lion Street. Before the fire, and the proposals first time round, the ground floor of No. 11 was more of a stone coloured paint.

2.25 Information already presented to the LPA indicates that the external walls and fenestration of The George Hotel were the result of major refurbishment that took place during the 18th century. Before then and based on research carried out by Archaeology South East indicated that the George The site encompassed 96 High Street, a shop leased out by The George at the time, associated rooms to the rear of the shop (behind 97 High Street), a covered garage area which formed the western part of the ground floor of the hotel (98 High Street, below the assembly room) and the hayloft within the yard to 98 High Street/12 Lion Street). Prior to the incorporation of 96 High Street into the hotel complex the establishment included 97 and 98 High Street, as well as the hayloft, number 12 and, historically, numbers 13 and 14 Lion Street. No.14 Lion Street is the corner plot.

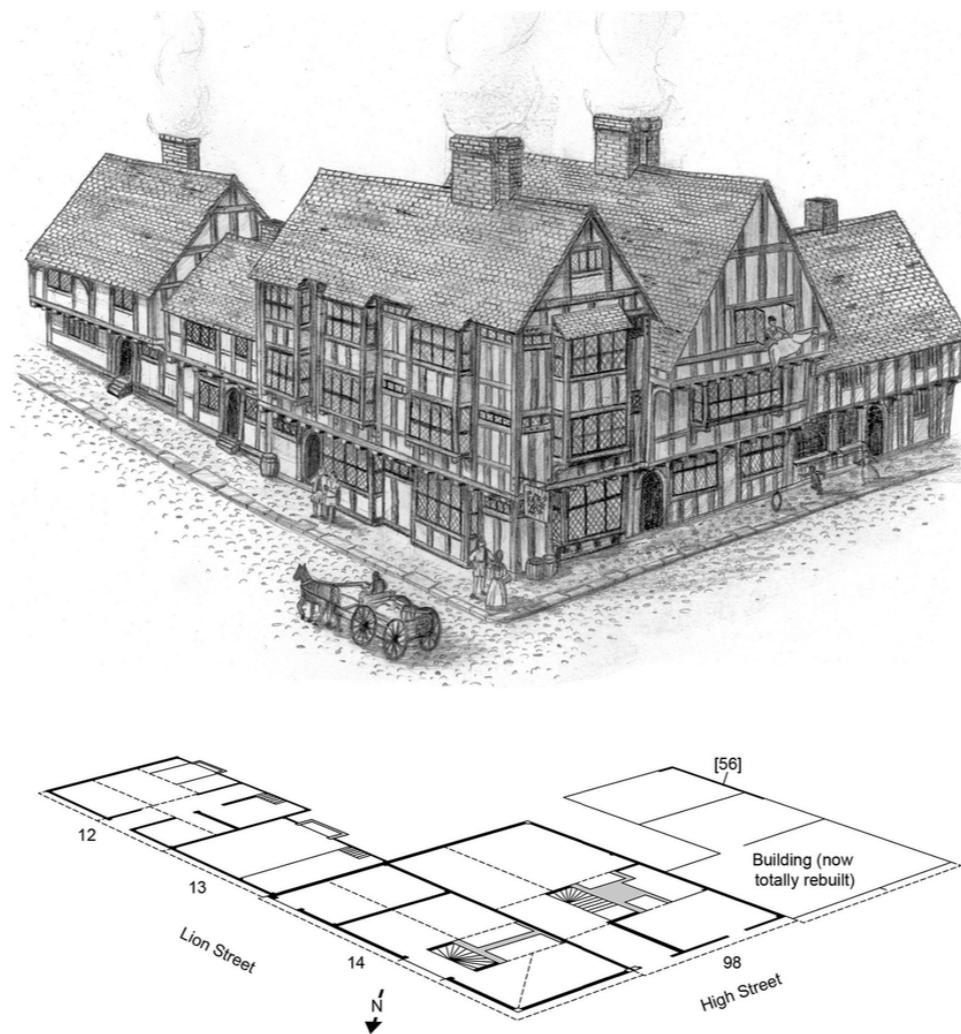


Fig. 8 – Archaeology South East Reconstruction in the mid-late C16th

2.26 Figure 8 opposite provides an impression of how the building may have appeared including the floor plan of the individual buildings and respective burgage plots. Based on the research carried out by David and Barbara Martin in 2009, indicates that the George at no.98, is one of the largest buildings forming part of the larger complex. No. 12 Lion Street was the last buildings along Lion Street to be assimilated into the complex with 96 High Street, then 97 following. However, it originated as a late C15th, very well-finished, two-bay Wealden hall house (Martin and Martin, 2009). In addition to the Wealden hall, there was also a substantial, fully detached, late 15th-century house on the site of 98 High Street. This was aligned parallel to the High Street and comprised a medieval cross-wing possibly used as a shop. Though only the westernmost wall of this structure survives (retained within the party wall of the assembly rooms).

2.27 As Rye's population grew, the building was subdivided sometime in the early/mid-16th century to form both 14 Lion Street and 98 High Street. These separate tenements would subsequently be re-amalgamated to form the core of the present hotel.

2.28 Population growth in the first half of the C16th saw an increase in plot subdivision as well as rebuilding. This saw No. 14 being transformed from the mid-16th to mid-18th centuries. Part of this transformation comprised the construction of 14 Lion Street, a tall, three-and-a-half storeyed, three-cell house, originally continuously jettied on the first floor against both streets. By the latter part of the 16th century it is thought to have served as an inn called The Red Lion (Martin and Martin, 2009). This continued to No. 13 which was also redeveloped to create a small two-cell continuous jettied house. Only fragmentary evidences survives of its presence today.

2.29 Between roughly 1560 and 1600 the plot on the corner of High Street and Lion Street was significantly rebuilt, with the eastern part being remodelled as The Red Lion. was demolished and replaced by a substantial two and-a-half/three-storey building (Martin and Martin, 2009).

2.30 The building complex at number 98 appears to have been little altered until the mid/late 18th century, when the two historic parts fronting onto High Street were unified. Number 14 Lion Street is also thought to have been incorporated back into this larger plot around this time. However, the amalgamation could have alternatively occurred as early as the late 17th century. This set of buildings would form the historic core of the present hotel. Late in the 18th century, the exterior of both parts were altered so that, from the street, they give the impression of being of one date (ASE, 2006 and 2019).

2.31 It is known that The George evolved from at least five properties dating from the late medieval and early post-medieval periods. The premises occupied an area that had once been 13th- and 14th-century burgage plots. The long process of changes, demolition, reconstruction, amalgamation, re-assimilation and more construction created an Inn of an hotchpotch appearance. (Russell, 2014). The fact that Rye was described as smelling of fish and punch and the George as ‘a dirty seaport inn, with a wretched stable...as we were on such bad terms with our inn, the sooner we were gone the better’ by Colonel John Byng, who visited during 1778 (Souden 1991, 70–1) is important.

2.32 Up to this point, the building would have presented two gable ends to the street High Street frontage would have been presented with two gable ends with the conjectural image provided by Martin and Martin representing c.1590 (Figure 9) differing from that provided by ASE at Figure 8. Nevertheless, there is clear evidence of progressive change pre the late C18th and afterwards.

2.33 As recounted by Cox and Dean, It is clear that the two gable ended ‘Period B’ and ‘Period C’ ranges were altered and conjoined by a unifying C18 century façade of five bays in width with a central front door. The 2 gable ends were replaced with a hipped roof return to cleverly transform a pair of C16th ranges into what appeared to be a single and h ‘Georgian’ building.

2.34 The work was nevertheless only a front, and was expediently carried out to incorporate pre-existing floor levels and structures of the Periods ‘B’ and ‘C’ ranges that did not align with one another. This gave the hotel much of its character, but also some of its challenge.

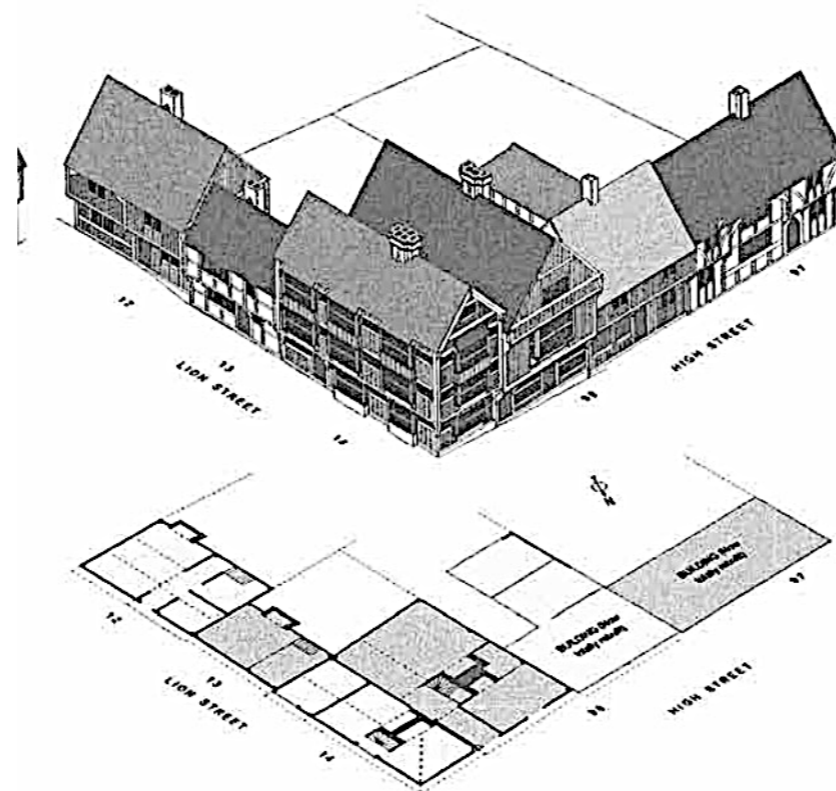


Fig. 9 - Martin and Martin reconstruction incl. Periods A, B & C with conjecture for two buildings to right side.

2.35 It is accepted that change was inevitable and whilst the front elevation to the High Street presented a more formal appearance of the Georgian style, it was still obvious that what is referred to today as 98 High Street is the product of the amalgamation with 14 Lion Street.

2.36 It was obvious that change was needed and the inn was refronted in the late C18th. It is possible that it was at this time that mathematical tiles which were gaining popularity and offered a less expensive method to provide a new façade (Brunskill, 1990).

2.37 Other buildings in Rye have been quoted a being re-fronted in 1817 and 1819. The technique seems to have died out in the second half of the C19th with a brief re-emergence in the 1950s. Although the Brick Tax may have been partly responsible for its falling popularity. Brick tiles or mathematical tiles, give the impression of brickwork and can be attached to a building to create the effect of a ‘bond’. It’s use came at a time when exposed timber-framed buildings and all but the best stone went out of fashion. Among the reasons for its use was the convenience of using it on the jettied upper floors of older buildings which had been underbuilt in brick. They were light-weight, did not project too far from the battens and elevation, and cost less than 9” brickwork, provided protection from the elements and provided precision of line, surface and consistency of colour. And except when deliberately revealed on the sides of buildings, they were entirely convincing in their deception.

2.38 With the George, the change from solid brick at ground floor level, to mathematical tiles hung on timber stud-work on the first floor and above, can be seen both externally and internally (Dean, 2021). It is noted that mathematical tiles also extended to the ground floor of part of the building to the plinth.

Historic paint analysis

2.39 During the course of the assessment of the George by Dean and Cox. Catherine Hassell carried out a paint analysis in November 2020. This revealed that The George had been painted more than 53 times since the 18th century, equating to the building being painted approximately once every 5 to 6 years.

2.40 Hassell, an expert in her field, states that the C18th front façade was painted soon after the mathematical tiles were attached. This evidenced by the fact that no layer of dirt was present between the mathematical tiles and first paint cover. The testing revealed that the first colour to be applied was a cream coloured oil paint based on lead white tinted with yellow ochre and a small amount of carbon black. This was used on the main wall surfaces as well as on window sills and on the plinth.

2.41 A very similar cream colour was also used for the wood of the windows. It was found on the easternmost dormer, and on the sash window frame. It was a slightly paler shade of cream compared to the walls, but the difference in colour would not be obvious to the naked eye. No evidence was found for treatment of the doors (which may have been replaced over time) but the doorcase for the front door at ground floor level [and the pedimented doorcase situated on the balcony were painted the same cream colour as the walls and windows.

2.42 Hassell indicates that the porch columns reveal that very little early paint survived but one had the remains of a red/brown oil paint with a varnish finish. This is an early finish, but was not possible to confirm as being C18th. Also there was no evidence or trace of paint to the railings above the porch and was more than likely removed at some point. Little or no evidence was revealed on rainwater goods pre-C19th probably due to replacement.

2.43 Hassell has provided evidence of the paint colours from the late C18th through to 1818 and onward to the early C19th explaining and evidencing change in colour to the main elevation. As evidence has shown, shortly after refronting, a limewash was applied. At the time that the ballroom was built in 1818 using gault brick, a stone coloured lime-wash was applied. This included the plinth and was followed by a bluish

2.44 The Analysis continues the next phase up to the mid C19th and correlates with observations made by Dean and Cox in respect of the elevational treatment when referring to a photograph dated c1860 (Figure 10). The photograph shows a clear difference in the tone to the range that includes the first floor oriel bow windows. The analysis confirmed this assumption and the fact that it was during the mid C19th that red lettering with green shading was applied to the warm stone coloured tones. were also painted a dark reddish colour and a reddish/brown was applied to the rainwater goods.. Figure 12 shows part of photograph showing the lettering, taken during the late C19th. Plinths. This photograph appears in the Ptolemy Dean report previously submitted.

2.45 Later in the C19th Hassell indicates that the previous scheme was repeated for the next 3 times. Based on historic photographs it appears that one part of the building was consistently a lighter tone than the other side (Figures 10 and 11). Hassell refers to the shade of stone colour was initially quite dark in tone, with one of the schemes being almost a light brown but the last ones were a pinkish colour (Figure 13). By now the paints used for the walls were also being used for the woodwork of the windows, door cases and cornices.

2.46 In 1942 an 'English Heritage' photograph shows that the plinth and a section above was painted a dark colour, presumably brown according to the recorded layers. The same tone appears to have been applied to the ground floor windows, dormer windows, doors including that to the first floor above the portico. Post WWII the windows, porch and columns, doors and the first floor railing, door and pedimented surround were painted black. This would appear to correlate with the findings of Hassell's evidence of the use of black, not only to the ground but also upper floors post WWII. It is noted that the stepped cornice was painted cream as per the remainder of the elevations to High Street but the rainwater goods were also painted black.

2.47 Since 2004, Hassell's evidence shows that there was a return to a stone colour for the elevations with black plinths and dark green doors. In fact, the records of Jonathon Dunn Architects indicate that the front elevation was a stoney-green with dark green plinths and doors (Figure 15). Before the fire, to east side saw dark bluish grey plinths as well as the door and frame with pediment to the first floor. Menu boards and display cases where a dark green where the two main doors and window with full height shutters to the west side where a dark green. Windows were an off-white/cream and the upper floors were painted two different tones of light green.



Fig 10 – The George, c.1860 (Robert Baggallay Thorpe)



Fig. 11 – c.1890 (R Baggallay Thorpe)



Fig 12- Presumed c.1899



Fig. 13 – Late C19th photograph



Fig. 14 – 1942 English Heritage

2.48 The Lion Street properties including the return side elevation to the former no.14, no. 13 and no.12. During C19th the side elevation of No.14 was painted with reddish brown oil based paints. There was no evidence of this section having been a stone colour apart from the cornice. The brickwork to the second portion of no.14 was left as is.

2.49 As a lot of dirt was found on the face of the bricks, it is considered that the side return was left unpainted for some time. By C20th the brickwork was also painted, with the bricks not cleaned.

2.50 No.13 retains its tile hanging to the first floor. The rendered walls show evidence of C20th paints apart from in one sample from the side of the door architrave we can see layers of lime wash sandwiched between layers of oil paint used for the door, and the facade of this part of the building must have been lime washed through the nineteenth century.

2.51 Concluding on the issue of historic colour changes, it is considered that sufficient evidence has been presented to provide a relevant overview of the evolution of the building from the buildings on medieval burgage plots through to the present-day. And with that the combined Martin and Martin, Hassell, Manorwood, Ptolemy Dean and Allan Cox reports all lead to the conclusion that this building has seen change. It has evolved and has been altered with each and every owner, past and present. C20th and C21st owners are referred to in the Ptolemy Dean report and include:

- 1575 – Edward Bryan
- 1648 – William Coaker
- 1670 – John Prowze
- 1670 – John Crouch
- 1707 – John Carr
- 1709 – John Russell
- 1722 – Giles Palmer
- 1724 – William Bird
- 1731 – Wiltshire Slade
- 1736 – Michael Woollett
- 1753 – William Cooper
- 1756 – Thomas Hovenden
- 1770 – Thomas Robins

- 1771 – John Lawrence
- 1777 – William Brooman
- 1779 – Desper Rumens
- 1793 – James Elliott
- 1794 – Richard Tutt
- 1796 – Thomas Stockwell
- 1800 – William Mayo
- 1804 – John Beake
- 1807 – John Meryon
- 1807 – James Rogers
- 1808 – Ann Knight
- 1808 – Thomas Godfrey
- 1827 – Josiah Hollyer
- 1835 – Joseph Hollyer
- 1840 – John Meryon
- 1845 – Mrs Harriet Hilder
- 1849 – Edmund Hilder
- 1859 – Frederick King
- 1863 – Richard Smith
- 1877 – William Cowtan
- 1900 – Henry Weale
- 1915 – Mrs Ada Hall
- 1918 – Walter Wood
- 1930 – Mrs Annie Wood
- 1932 - Hythe Brewery, Mackeson and Co
- 1939 – Trust House Ltd who later became Trust Houses Forte Ltd under Charles Forte
- 2004 – Current owners

2.52 In considering this case, the state of the mathematical tiles should not be ignored. Once the paint layers were sensitively removed, not only were Gault bricks revealed but also the mathematical tiles. A percentage were noticed as having failed – blown, cracked with broken pegs causing slippage once the 53 layers of paint was removed.

2.52 The Manorwood Document (along with a report from Weaver Construction) set out details of ‘Repairs to Mathematical Tiles – Proposed Approach and Specification’. An element of re-torching was required; areas required removal and re-hanging and repointing. This report should be referred to for more details.

2.53 The Conservation Area Appraisal sets out an assessment of the positive aspects of Rye’s mix of architectural styles, materials and details displayed in individual buildings referring to the visual character being an *‘eclectic mix between two ‘extremes’ – a grandiose and heavily embellished Georgian façade and a fine well-preserved stock of late medieval timber-framed buildings in vernacular styles and materials.’* What it does not refer to are the later interventions and facelifts that have taken place during the later periods including up to the present-day.

2.54 Today the general palette of material on display include:

- timber framing, some heavy waxed, tarred or coated with thick black paint
- lime washed infill panels to timber framed buildings
- tile- hanging to some with examples of having been painted
- mathematical tile cladding with some including vitrified ‘headers’ and evidence of some having been painted or rendered
- weatherboarding, often painted
- different coloured renders ranging from light pastel tones to more vibrant earthen influenced tones including a brash burgundy wine/red
- full brick elevations some plain (red brick or gault) and some with vitrified headers or contrasting quoins
- plain clay tiled roofs and upper floors
- slated roofs
- window frames in contrasting colour to the elevation

Significance

2.55 The presence of medieval buildings on burgage plots and timber framed buildings concealed behind gentrified frontages reinforces its importance and significance to Rye. The town itself is of Regional, National, historical significance. The highest concentration of shopfronts are within the High Street adding to the visual interest and vibrancy of the town including colour variations.



Fig 16 – Pre-fire. C.2016 with the two light green tones to the elevations, dark green to the doors, surrounds and plinths, windows frames etc cream



Fig 15 – Jonathon Dunn Architect, approved drawings for the north elevation, 2009 (JD Architects website)

2.56 Rye is not only a place that has a high density of development, particularly within its historic core but it is also a place to live, work, shop and enjoy. It is a destination for tourists and visitors. The architectural character and quality of the place, including the abundance of historic buildings and narrow streets and the integrity of the historic core, is a key attractor. It resonates of cultural, architectural, historic, aesthetic and communal value.

2.57 The George has medieval origins and exhibits of number of phases of change ad adaption as well as expansion and amalgamation with adjacent properties. It also occupies an important located within the core of town. Its extent, scale and mass add to its prominence and its Georgian frontage provides a sense of esteem. Being listed Grade II indicates its level of significance, nationally and locally. This is reflected in the fact that the historic town of Rye is a designated Conservation Area and with a high concentration of listed buildings.

2.58 The George itself is a dominant building in a key location in the High Street. It extends to include 96 and 97 High Street, 98 High Street which incorporates the former 14 Lion Street and former Red Lion public house and Nos. 12 and 13 Lion Street. The principle frontage to High Street which is clearly understood as comprising two separate buildings, can still be read despite the ubiquitous external decoration, colour prior the retrospective changes. This distinction is readily read in the ‘break’ to the front elevation and cornice line as well as roof treatment. Prior to change, the application of the one colour to both buildings created a heighten presence in the High Street. It is now known that as the George is an amalgam of other once separate buildings, it would not be surprising to accept that they each were treated differently. Indeed, as timber framed buildings, there were differences in their appearance and framing.

2.59 As noted the Georgian applied façade was painted approximately 53 times and invariably, there were periods when the colour to each was not the same, either through choice or because each section had been painted at different times.

2.60 The presence of the George with its impressive High Street frontage, also enjoys a frontage to Lion Street which rises uphill (to the south). It should be noted that the ‘experience’ of the George is not immediate but revealed as part of a moving experience as one progresses through the High Street and on and on the approach from the south descending down Lion Street toward the High Street. From this aspect, a visual stop created by the T-Junction, a Grade I listed building referred to as the ‘Rye Working Men’s Conservative Club’ Grammar School Records, formerly Peacock’s School and dating from 1636. It is a heavy building constructed of brick with dominant rising dormers with raised parapet around them to create a complete surround pediment. This building is also a Scheduled Ancient Monument. This building stands out against the rest as it is of a strongly contrasting architectural language in comparison to rendered/painted or tile hung elevations.

2.61 On the main High Street and on the approach from the west, it is not until rises up the High Street and reaches 30a, Rye Library that part of the mansard roof is visible in long views with the side return of the long terrace comprising Nos. 92 to 97 (96 and 97 now forming part of the George). However, the view of West Street, framed by the two corner buildings attract more attention than the longer view along High Street.

2.62 Progressing westward the view reveals the gault bricks to the upper floors of the 3 storey No.86 with its distinctive C20th shopfront and parapet at a height that sits significantly above that of the adjacent No. 85 High Street. Long fascias, some of garish colours and material, contrasting finishes and colours intrude into views as the townscape is revealed is particularly evident. Of note, is the treatment of the upper floors to ‘Craft Magic’, the corporate colours of Nationwide and Boots as well as signage, the contrast between white rendered elevations adjacent to the natural colours of tile hanging and brick. Red tones are more prevalent in buildings constructed of brick but the light buttery tones of gault bricks do make an appearance.

2.63 The approach from the east via Landgate and East Cliff Lion Street provides open views across the lower landscape to the east and south east including the marshes and River Rother, emphasising the higher topography. The road gently sweeps to the west to become the High Street and is marked by the red bricked elevations with vitrified headers on one side of the street and gault with white/off white quoins and dressings to other. The gault frontages continue to the north side up to Radclyffe Hall where a dark red brick with tile hanging above is used.

2.64 At this point, the George is not in view. It is masked by the converging view created by the alignment of the High Street and by the Nos. 8/9 which steps forward and Nos. 104/104a and 105. No. 104 effectively pulls the colour around the corner into East Street whereas the subdivided bay being 104a sees a curved bay shopfront window and door of different tones of red in contrast to the red and cream of its counterpart and darker red painted mathematical tiles to the upper floors and parapet. The colour comparisons of buildings in this location on the High Street is of relevance to the colours used on the George and likewise, that from the other direction including to ‘Craft Magic’ and as stated, the contrasts between paler tones, richer reds and gaults.

2.65 At the junction of East Street/High Street, the view unfolds to reveal the ‘settled’ slanted frontage of jettied timber framed building at No. 103 which stimulates interest when compared with the flush frontages adjacent and nearby. When looking beyond to the clock and rising bays of and up to the rising bays that one’s eye is drawn to the dormers punctuating the roofscape and the gambrel roof of the higher part of the George and dormer windows. At this point and pre-fire, the hanging signs attracted more attention than the building itself. The mix of colours, tones and materials as well as roof forms, parapets and dormers create a rich assemblage of buildings create the visually rich townscape/skyline interest of Rye.

2.66 Obviously, the nearer one gets to the George, the more it is in view and better one is able to read the distinctions between the buildings in a palette of colours that are appropriate to the experience of the building and its context.



Fig 17 – Example of progressive street views from west to east

3.0 Summary of Colour Changes (Retrospective)

3.1 Today, the changed. Instead of being a creamy yellow, light pink painted render and white painted weatherboarding, the group comprising the George Hotel are as follows:

96 High Street:
Keim 9125 to walls (first and second floor); Keim match to RAL 7013 to the shopfront and window frames

97 High Street:
Keim 9285 to walls (first and second floor); shopfront and window frames Keim to match RAL 7013

98 High Street (incl. 14 Lion Street)
Building 1 - Keim 9122 to walls; Keim match to RAL 7013 to plinth, door, window surround and window frames

Building 2 – Keim 9125 to walls; Plinth, portico, first floor pedimented door and surround, windows Keim match to RAL 7013. Ground floor to return to Lion Street to be Keim 9125. Windows as stated, Tile hanging as is.

Lion Street
13 Lion Street
Keim 9285 to ground floor wall, Keim match to RAL 7013 to door and windows as well as cornice moulding. Tile hanging as is.

12. Lion Street
Keim 9122 to ground floor wall. Keim match to RAL 7013 to doors, windows as well as cornice moulding. Tile hanging as is.



Fig 18 – Extract of the colour scheme from the submitted drawings.

- 3.2 In putting forward the proposals initially, it is clear that much research was carried out to present a cogent and sound case and to demonstrate that the colour scheme was appropriate and historically correct. Georgian paint colours varied far more than is often realised. It was not all creams and off-whites.
- 3.3 Indeed if one considers the evidence that had been produced, including a C19th photograph, apart from window frames, the colour scheme present now and albeit, retrospective, resonates of the Georgian/Regency period. As stated, the colour scheme reflects the fact that the George comprises a number of buildings. It also reflects the eclectic mix of building types, styles, materials and finishes as well as colour. Colour and contrast is not absent in this part of Rye.



Fig. 19 – C19th photograph post re-fronting and alteration

- 3.4 It is well known and accepted that the start of the Georgian period saw the publication of two works which were to have a powerful impact on architecture and design in the Georgian period (1714-1830): the first English edition of Palladio and the initial volumes of Vitruvius Britannicus. Both are now seen as manifestos for the adoption of a classical approach to the design of buildings. The ‘new’ classical style was replicated throughout the country and as in the case of the George, buildings were refronted to reflect Georgian tastes and mannerisms, including the choice of external colour – depending on the fashion at that time.
- 3.5 Perhaps because mathematical tiles over a timber frame never really produced a smooth flush finish, the decision was made to paint over it almost immediately as referred to in the Catherine Hassell report. Catherine Hassell’s report was prepared before the paint was removed. This analysis is key to understand the original external appearance of the building and its evolution over the centuries. Hassell’s reputation as an expert in her field is unquestionable and provided a robust case for the use of more appropriate colours and tones. This is evidenced in the emails dated 3rd November 2020 to 10th November 2020 between the Conservation Officer/Case Officer and James Stevens who was representing the applicants (see Appendix B).
- 3.6 Over the Georgian period the colour palette gradually grew stronger. Whereas pale greens and blues were the default colour, by the end of the C18th (at the time that the George was refronted) and with the advances in manufacturing and processing of paint ingredient, as well as fashion, the colour choice extended to include earthy tones of deep reds, reddish/browns, terracotta, salmon, deep grey/green or brown/green, salmon tones and not forgetting the off-whites and creams.
- 3.7 Windows for instance, were often painted in darker hues which were surprisingly a popular choice including Nash’s Regent’s Park development where he specifically called for the repainting of windows in a brown imitation oak grain and to be redone every 4 years. Green was also used on windows during the Regency period particularly in rural villages and towns.
- 3.8 Officers will acknowledge that the proposals to reinstate the George followed extensive fire damage. Numerous conversations and communications were held with the Conservation Officer which resulted in extensive negotiations. The Conservation Officer was also the appointed Planning Case Officer with a dual role to assess the proposals and their impact on the significance of the listed building and conservation area and to carry out the planning balancing exercise.
- 3.9 An email trail of communications reveals that there was no objection ‘in principle’ to the proposed colour scheme. No objection was raised. Having driven past Conservation Officer sought further information, justification and clarification for the colour scheme presented as well as an expression of concern that the window frames appeared to be dark grey, not brown/greenish tone as per the Keim / RAL swatch. This point was clarified as the undercoat, with details confirmed and accepted as per the content of the email trail of 30th June 2020 (see Appendix B).
- 3.10 Unfortunately that Conservation / Case Officer moved to another position and the applications remained undetermined. With that important communications and emails had not been uploaded to the public access record which may have left element of doubt amongst third parties and to a degree, the replacement Case Officer and another Conservation Officer. However, Minutes of the Rye Conservation Society (RCS) dated 7th July 2021 with updates in Red, implying that had they not seen the colour report. The update states ‘*In the end what the George has done is likely to be consented on the basis that any damage to the listed building is not sufficiently significant to overcome the social and economic advantages of The George to Rye.*’ (see Appendix B).
- 3.11 It was therefore surprising that RCC issued a letter of objection dated 5th August 2021 to the external colours. What appears to have been ignored is that James Stevens, an expert on exterior colours and interiors was heavily involved in the colour choice, and worked with Catherine Hassell on this project to reinforce the fact that the colours were and remain appropriate to this refronted building and parts thereof.

4.0 Legislation and Policy Requirements

Legislation

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be taken in accordance with the development plan unless material considerations indicate otherwise. In that regard, the legislative requirement is that the development plan is the starting point for the assessment of planning applications and where material circumstances indicate otherwise, consideration should be given to more recent national policy documents, and a local authority's own supplementary planning guidance.
- 4.2 Primary legislation in respect of listed buildings and conservation areas is contained within the Listed Buildings and Conservation Areas Act 1990. (PLBCAA). At Section 16 Section 66(1) reads:
- “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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.”*
- 4.3 Section 72(1) reads:
- “Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*
- 4.4 The Courts have determined that “preserve” in the context of the Planning Acts, means the minimum requirements of the Act would be met if there is an absence of harm. This statutory requirement relates to designated heritage assets. An absence of harm does not imply no change but managed and informed change.
- 4.5 The NPPF, July 2021 and Historic England's Good Practice Guide in Planning No.2 'Managing Significance in Decision Taking in the Historic Environment ' (July 2015) and Good Practice in Planning No. 3 'The Setting of Heritage Assets (Historic England) [GPA3] makes it clear that the significance of heritage asset must be understood but do not present a position of no change or that heritage assets are not to be preserved in aspic.
- 4.6 Clearly setting is a material consideration and although not a designation in its own right, can play a positive role in contributing to the significance of a heritage asset. Setting is the surroundings in which a heritage asset is experienced; where an asset is not in view, this sometimes does not lessen its presence and the extent of setting. The experience of setting can vary diurnally, nocturnally and seasonably. Setting may be both tangible and intangible.
- 4.7 In this case as the George is located within the designated Rye Conservation Area, its setting and the role that it plays is enhanced. Therefore and taking account of *R v Canterbury City Council ex parte David Halford (February 1992)* (CO/2794/1991), 'the Courts have held that it is legitimate in appropriate circumstances to include within a conservation area the setting of buildings that form the heart of that area and NPPF paragraph 80*, for example, makes it clear that historic towns are regarded as having a setting.'
- * now updated in the NPPF, July 2021
- 4.8 The NPPF considers the Conservation Areas also have setting that contribute toward its significance on the basis that the experience of Conservation Area can only be experienced in views toward and of the designated area – its setting. At the same time, there is no statutory requirement to consider the setting of a Conservation Area but a national policy requirement and good practice according to Historic England guidance. In this case the setting of the Conservation Area is not affected.
- 4.9 National Planning Policy Framework (July, 2021)
As this is both a Planning and Heritage Statement, the NPPF is a material consideration. It strives to achieve sustainable development that reinforces local distinctiveness, character and good quality design and development that not only accords with the legislative duties in respect of designated heritage assets but also material policy considerations under Chapter 16. Paragraph 8 of the NPPF explains the three objectives of sustainable development and the fact that it is accepted that tensions may arise, with decision making requiring an appropriate planning balance to be undertaken. If not undertaken it can be deemed that the LPA has not carried out its duties correctly.
- 4.10 Whilst acknowledging the weight that is afforded to heritage assets, significant material weight is afforded to the need to support economic growth (Chapter 6), taking account of local business needs, with each area building on its strengths. And ensure the vitality of town centres (Chapter 7) by taking a positive approach to their management and adaptation.
- 4.11 Chapter 12 'Achieving well-designed places' explains good design is a key aspect of sustainable design. Design policies are required to be delivered with local communities so that they reflect local aspirations and are grounded in an understanding and evaluation of each area's defining characteristics. Design policies and guides are required to be consistent with the principles set out in the National Design Guide (NDG) and National Model Design Code (NMDC) and which reflect local character and design preferences. Paragraph 129 advises that these national documents should be used to guide decisions where there are no locally produced design guides or codes.
- 4.12 Paragraph 130 explains that policies and decisions should ensure developments, inter alia, function well, add to the quality of the area, are visually attractive; are in-keeping with local character, history, the built environment; maintain a strong sense of place and create attractive and welcoming places to live, work and visit.

- 4.13 Paragraph 134 indicates that development that is not well designed should be refused where it fails to reflect local design policies and government guidance on design including local design guides, supplementary planning documents.
- 4.14 A warning is shot across the bows in that the NPPF advises that designs that fit in with their surroundings should not be merely dismissed.
- 4.15 As the George is listed, falls within the setting of other listed buildings and is within a Conservation Area, decision-making and the planning balance is carried out under paragraphs 201 or 202 depending on the level of harm considered or arise and 206-207 of Chapter 16. This does not mean that the national policy intent contained in Chapters 2, 4, 6, 7 and 12 are ignored but are afforded the appropriate weight in the planning balancing exercise.
- 4.16 The aforementioned paragraphs also do not seek to prevent change but in effect are permissive of change particularly where it can be demonstrated that the changes are in-keeping with and promote local distinctiveness. As the building is listed and falls within a designated conservation area, is within the setting of other listed buildings and Scheduled Ancient Monument it is requirement to consider strands of sustainable development and if there are public benefits and mitigation that any harms would be outweighed.
- 4.17 This is particularly pertinent when one considers the fact that a building such as these offers much more than a link to the past. It is a building that performs a key role in Rye town centre and what Rye has to offer as a place to live, work and visit, offering employment, economic benefits and a vitality that has been missed since its untimely closure. Other considerations such as the social and economic role and benefit that the use of a heritage building provides to a town and a community are not to be disregarded.
- 4.18 In this case, it is considered that if the LPA consider that harm arises from the change of colour to the external elevations including doors and windows, it does not amount to ‘substantial harm’ but the lower echelons of ‘less than substantial harm’ as per paragraph 202. Nevertheless, we are reminded that any level of harm to significance must be given great weight in the decision-making process.
- Historic England ‘Making Changes to Heritage Assets Historic England Advice Note 2 (2016)
- 4.19 Historic England sets out in this document a logical approach to making decisions, offering guidance about all aspects of the historic environment, including changes affecting significant places. It states that:
- “New work or alteration to a significant place should normally be acceptable if: a. there is sufficient information comprehensively to understand the impacts of the proposal on the significance of the place; b. the proposal would not materially harm the values of the place, which, where appropriate, would be reinforced or further revealed; c. the proposals aspire to a quality of design and execution which may be valued now and in the future; d. the long-term consequences of the proposals can, from experience, be valued now and in the future; e. the long-term consequences of the proposals can, from experience, be demonstrated to be benign, or the proposals are designed not to prejudice alternative solutions in the future” (page 59).”*
- Historic England Making Changes to Heritage Assets Advice Note 2 (February 2016)
- 4.20 This advice note provides information on repair, restoration, addition and alteration works to heritage assets. It does not advocate a ‘no change’ position but similar to previous guidance and advice that promotes positive, well-informed and collaborative conservation that reinforces the historic significance of place. At the same time, ensuring that people continue to use and enjoy them. And also reinforcing that each case is assessed on its individual merits with the decision-maker setting personal preference to one side.
- 4.21 Paragraph 11 refers to ‘original’ ‘colour’ for instance but does not state that a change of colour is not acceptable provided it is appropriate (paragraph 30) and can contribute to the building’s significance (paragraph 50).
- Historic England ‘Managing Significance in Decision Taking in the Historic Environment Historic Environment Good Practice Advice (GPA 2) in Planning Note 2 (July 2015)
- 4.22 This advice note sets out clear information to assist all relevant stake holders in implementing historic environment policy in line with the National Planning Policy Framework.
- 4.23 These include:
- “assessing the significance of heritage assets, using appropriate expertise; historic environment records, recording and furthering understanding, neglect and unauthorised works, marketing and design and distinctiveness” (page 1)*
- 4.24 The guidance is clear that proposals should be investigated by a suitably qualified person/s and research carried out where necessary to provide evidence and a justification for change.
- 4.25 Although now updated by the revisions to the NPPF, the Conservation Principles (2008) are not so different today. It identifies four types of heritage value that an asset may hold: aesthetic, communal, historic and evidential value – covering archaeological and artistic interest. Understanding values accords with the approach laid down in International Charters and BS 7913:2013 Guide to the Conservation of Historic Buildings. The benefit is that one can demonstrate that certain change will not affect the overall value of a heritage asset to society.
- 4.26 Paragraph 26 refers to ‘successful sustainable development achieves economic, social and environmental gains jointly and simultaneously through planning decisions’. Paragraph 26 follows to explain that substantial harm is a high test that does not arise in many cases and therefore the NPPF tests will need to considered the level of harm arising and in carrying out the planning balance the public benefits and mitigating harm.

4.27 Paragraphs 52-53 reiterate the support for sustainable development that seeks positive change to the quality of a historic environment, enhancing the significance of heritage assets and promoting local distinctiveness which would include colour and in this case, evidence of past colour usage.

Historic England The Setting of Heritage Assets Historic Environment Good Practice Advice (GPA3) in Planning Note 3 (July 2015)

4.28 This document presents guidance on managing change within the settings of heritage assets, including archaeological remains and historic buildings, sites, areas and landscapes. Bullet point 4 on page 2 of GPA3 states that:

" Setting in urban areas, given the potential numbers and proximity of heritage assets, is therefore intimately linked to consideration of townscape and urban design and of the character and appearance of conservation areas. The character of the conservation area, and of the surrounding area, and the cumulative impact of proposed development adjacent, would suggest how much impact on the setting should be taken into account."

4.29 Under the heading 'Views and setting' we note that the contribution of setting to the significance of a heritage asset is often expressed by reference to views which can be static, dynamic, include a variety of views across or including that asset, and views of the surroundings from or through the asset. At the same time it is noted that one does not need to be in direct view of a heritage asset to be within its setting. It does not depend on public rights or the ability to access it.

4.30 GPA3 sets out a stepped approach to assessing setting and the role that it plays in contributing to the significance of a heritage asset/s. This process requires one to have an understanding about the significance of the asset/s in order to be able to determine if harm would arise. It is advised that the following steps are undertaken:

- Step 1 - identify which heritage assets and their settings are affected.

- Step 2 - assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s).
- Step 3 - assess the effects of the proposed development, whether beneficial or harmful, on that significance;
- Step 4 - explore the way of maximizing enhancement and avoiding or minimizing harm;
- Step 5 - make and document the decision and monitor outcomes

Development Plan Core Strategy (2014)

4.31 Although predating the NPPF, 2021, the Core Strategy remains part of the Plan setting the overall vision for the District up to 2028. It is generally aligned with the NPPF and is considered to be up-to-date, apart from for housing purposes. Without repeating all policies and their wording, attention is drawn to:

Overall and General:
Policy PC1: 'The presumption in favour of sustainable development'.

Policy OSS4: 'General Development Consideration' requiring all development to:
(iii) respect and not detract from the character and appearance of the locality

4.32 With reference to Rye including Rye Harbour

Policy RY1: 'Policy Framework for Rye and Rye Harbour' requires development and change to:
(iii) Preserve and enhance the character and historic environment of the Citadel and wider Conservation Area ...'

4.33 Other relevant policies are as follows:

Economy

Policy EC6: 'Tourism Activities and Facilities' with proposals relating to tourist activities and facilities will be encouraged where in accordance with, inter alia:
(i) provides for the enhancement of existing accommodation to meet customer expectations

Design Quality and the Built Environment

Policy EN2 'Stewardship of the Historic Built Environment' requires development affecting the historic built environment including statutorily and non-statutorily protected to, inter alia,

- (i) Reinforce the special character of historic settlements etc
- (ii) Take opportunities to improve areas of poor visual character or with poor townscape qualities
- (iii) Preserve and ensure clear legibility of locally distinctive vernacular building forms, setting, features, fabric and materials etc
- (iv) Refer to the character analysis in the Conservation Area Appraisals where relevant
- (v) Reflect current best practise guidance produced by English Heritage (*now Historic England*)
- (vi) Ensure appropriate archaeological research is undertaken

Policy EN3: 'Design Quality' requires all development to be of high quality design by, inter alia (noting the content of Appendix 4) ,

- (i) Contributing positively to the character of the site and surroundings, improving areas of poor visual character or with poor townscape qualities
- (ii) Demonstrating robust design solutions with criteria (a), (f) and (g) are of relevance

Rother District Local Plan (2006) 'saved policies'

4.34 This Local Plan is now over 15 years old, yet some of its policies are 'saved' on the basis that they complied with the NPPF, July 2012 – no statement has been made to suggest that position has changed despite the NPPF having been revised for the 3rd time with the latest version dated July 2021. 'Saved' Policies DS1: 'Development Principles' and GD1 'General Development Criteria' remain relevant.

Emerging Local Plan 2019 - 2023

4.35 The revised/new Local Plan is yet to reach a stage where it can be given weight.

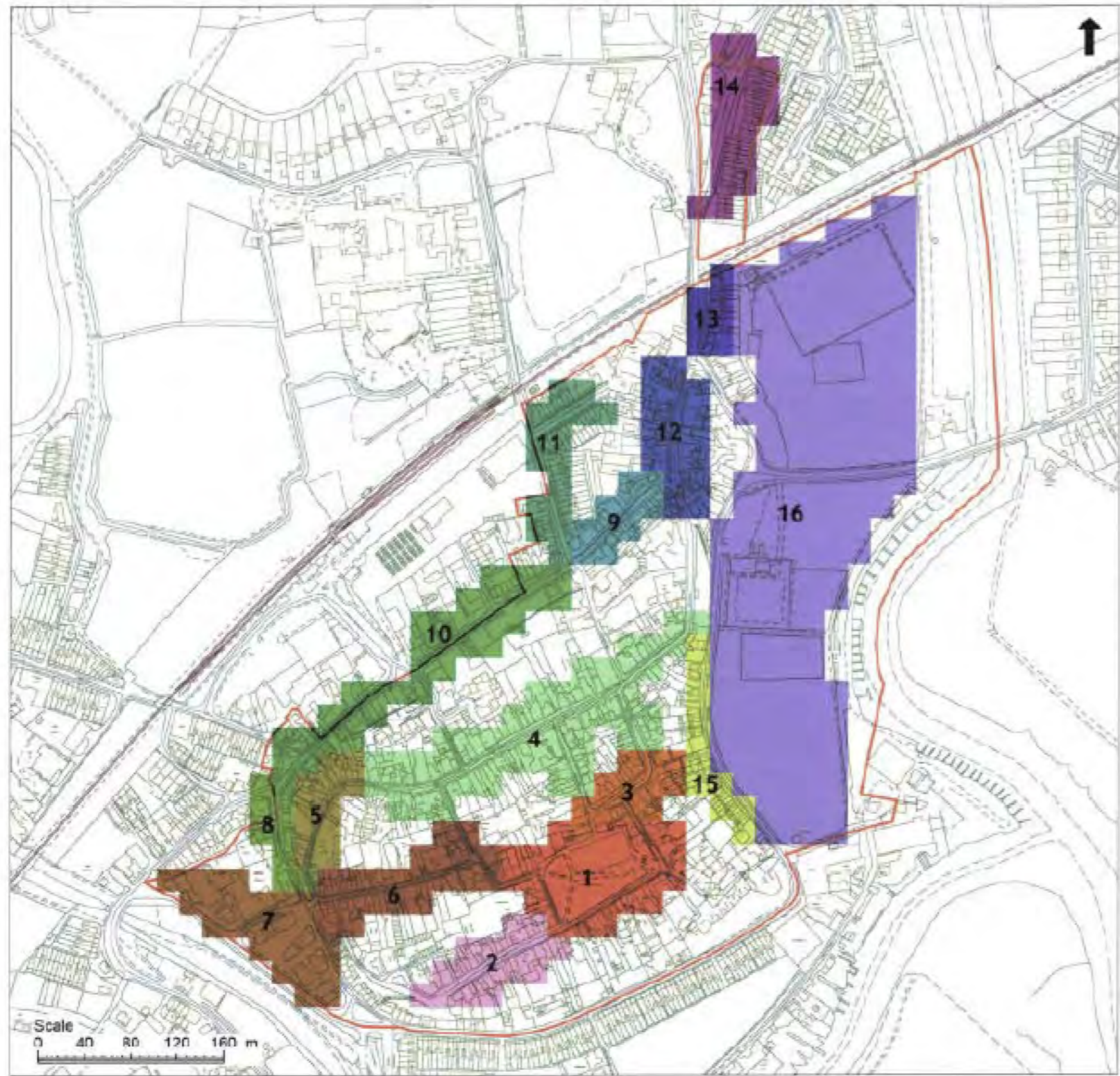
Development and Site Allocations (DaSA) Local Plan (2019)

4.36 The DaSA relates to specific development site and site allocations building upon the implementation of the Adopted Core Strategy. It contains no policies of relevance to the subject matter of these applications.

5.0 Assessment of Change

- 5.1 This Planning and Heritage Statements has sought to explain the significance of the George and how it contributes to the identity, character and appearance of Rye as an important historic town. It is acknowledged that the external decoration of the building is now retrospective. However, the applicants and their Agents actively engaged with the LPA throughout the life of the previous application to ensure that the Conservation/Case Officer was fully informed of activity on site. Apart from a query in relation to the window colouring, no discontent was expressed in relation to the colour palette, the differentiation of the buildings that comprise the George today.
- 5.2 Having considered the significance of the statutorily listed building, its component parts and how it is read in a sequence of unfolding views, it is considered that sound evidence has been provided to demonstrate that the building/s have not only experienced significant alteration over time but historic changes in colour since it was refronted in the late 18th century. The 53 layers of paint and different tones are evidence of different owners putting their stamp on the establishment and reflecting fashions of the time. Mathematical tiles provided a cheaper method of creating the impression of wealth than brick at the time. However 53 layers of paint clearer has caused damage and preventing the material from breathing. Its careful removal, repair / replacement of some tiles and painting with Keim, will ensure that they survive for a significant number of years – breathing.
- 5.3 There is a very clear understanding of significance / special interest in relation to the listed building and the role that it plays in contributing to the character and identity of this part of the Conservation Area. And with that, it is considered that the statutory duty which expresses a ‘desirability’ to preserve in the case of listed buildings or to conserve in relation to conservation areas has been met. A desirability does not present change but expressly seeks to ensure that harm does not arise, recognising therefore, that not all change equates to harm.
- 5.4 The interpretation of legislation is not one of ‘preserve in aspic’ but and as noted in the various good practice advice and guidance notes issued by Historic England, there has been a marked shift in practice toward a more informed approach to management of heritage assets – both buildings and areas. This approach is reflected in the NPPF, 2021 which adopts a similar stance and in accepting that change is inevitable, where harm is considered to arise, it provides a mechanism to offset through mitigation and where public benefit would arise. It is opined that the retrospective redecoration of the external elevations does not detract from the special architectural or historic interest of the subject listed building/s or this part of the Conservation Area. It is opined that the colour scheme is appropriate and correct for the buildings and actually enhances the understanding of how the George has grown over time.
- 5.5 Consideration has been given to the relevant Development Plan Policies (Core Strategy and ‘saved’ Local Plan Policies) and the Rye Conservation Area Character Appraisal. It is contended that the appearance of the buildings comprising the George are not in conflict but accord with policy. Indeed, it has demonstrated that the colour scheme is not only typical of the Georgian and Regency periods, but reflects that local distinctive colour palette that is clearly evident along the High Street.
- 5.6 The George is a renowned establishment, not only for its position in the High Street, but its long history including its origins as the Red Lion and then as *‘a dirty seaport inn, with a wretched stable...as we were on such bad terms with our inn, the sooner we were gone the better’* in 1778 when the landlord was William Brooman to the establishment it was transformed into and to the grander premises modern-day premises before it was ravaged by a fire in 2019.
- 5.7 Not only does it have a physical, historical and townscape presence but it also has an economic and social presence in the town. When it was fully operational, it provided all year round employment It was draw for locals as well as visitors, a place for large gatherings including weddings with the added bonus of having high quality accommodation for guests to stay and enjoy Rye as a place. It was an ‘attractor’ and an income generator, not only for the premises itself but for the town.
- 5.8 It also added to the vitality and liveliness of the High Street where large windows to part of the restaurant open to allow engagement with the street outside whilst enjoying the ambience inside, adds to the intangible contribution to ‘place’.
- 5.9 The significance of the George is nationally and locally recognised including its function as a place to host people. It therefore hold a high level of communal value and is a valuable asset to the town of Rye. The change to its exterior colours, may have come as a surprise, particularly as the building has been shrouded in scaffolding for a number of years. However, and noting the prevalence for reddish browns, reds and orange tones and other examples of more vibrant colour schemes. Clearly Rye town is not pickled in aspic and embraces positive change, even when it involves the external colours of shopfronts and façades be that the natural tones of a building material or an applied treatment such as un-painted tile hanging; painted mathematical tiles, tile-hanging, weatherboarding, renders and stuccos.
- 5.10 The colour scheme is more appealing and appropriate than the wave of grey that has become the ‘trend’ and ‘fashion’ of this time for many establishments. In fact, the Conservation Case Officer made it very clear that grey would not be acceptable even for window frames. on many establishments. Instead the palette harks back to a previous time when they were ‘contemporary’ for that period. The colours and hue are timeless. They blend well with the brick and tile-hung elevations, the variety of colours to shopfronts, enriching the streetscene and the conservation area.

-
- 5.11 The fire caused extensive damage to the George and a need for not only reinstatement but pain-staking repairs. It is also offered the opportunity to better understand the listed building and the series of changes it sustained.
- 5.12 It cannot therefore be said that the colour scheme, differentiating the former buildings is harmful to significance of either the building or this part of the conservation area. It is therefore opined that the retrospective proposals enhance the significance of the heritage assets and cause no harm. Therefore, it can be concluded that the proposals are in accordance with the legislative requirements (Case law has established that the provisions of the NPPF are similar to the statutory duty in s.66 and s.72 of the 1990 Act, meaning that the statutory duty in the Act is complied with) as well as national and local policies.
- 5.13 Should the LPA consider harm does arise, it cannot be said to be 'substantial' but at the lower rungs of 'less than substantial harm'. As such, turning to paragraph 202 of the NPPF, 2021, and the low level of harm that may be perceived to have arisen, this must be weighed in a planning balancing exercise against the public benefits of the proposal, including heritage-specific benefits. We have explained the heritage-specific benefits, the historical, economic and social benefits that arise from ensuring that the George is sustained for present and future generations and its important role in the town of Rye. It should be recognised that the public benefits of Rye as a place, with a conservation area and an abundance of listed buildings flow beyond the town and its inhabitants.
- 5.14 Whilst the George is one establishment comprising a number of buildings, the communal value and the public benefits derived and that which it provides to Rye are experienced more widely. In terms of the planning balance, and despite our view that no harm arises, the low level of harm that LPA may perceive arises is greatly and significantly outweighed by the extent of public benefits that it delivers and heritage benefits arising.
- 5.15 Setting aside personal preferences, it wholeheartedly remains the view that the external colours and finishes do not cause harm and do not detract from the listed building, the setting of others or this part of the conservation area. Having presented a robust and balanced case, it is anticipated that Rother District Council will agree with this position and grant both retrospective planning permission and listed building consent.
- 5.16 We acknowledge and note the comments received in relation to the previous application/s including those from 3rd Parties / Amenity Groups. However, it would appear that the email trail attached as Appendix B did not make its way to the public domain and this may have led to the assumption that the then Conservation / Case Officer was not in favour of the colour scheme which is quite the contrary.
- 5.17 In recognition of the importance of this building and the delivery of a positive planning service, we welcome early engagement with Rother District Council and its officers.



Rye Conservation Area Appraisal

Annex 3: Character Map of Conservation Area

Key	
	Proposed Conservation Area Boundary
Rye Character Areas	
1	Church Square
2	Watchbell Street
3	Market Street
4	High Street (Including East & Lion Street)
5	The Mint
6	Mermaid Street
7	Strand Quay
8	Wish Ward
9	Tower Street
10	Cinque Ports Street
11	Rope Walk & Eagle Road
12	Landgate
13	Bridge Place
14	Military Road
15	Fishmarket Road
16	The Salts



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Appendix B – Emails between Case Officer and Applicants' representatives

It is noted that the following emails do not include all communications. A lot of communications had noted been uploaded to public access for the public record..

On 30 Jun 2021, at 10:21, Tanya Szendeffy <Tanya.Szendeffy@rother.gov.uk> wrote:

Dear All,

I went to Rye this weekend and the window surrounds look grey.

I'm afraid it looks nothing like the colour I had on my screen when I looked at the scheme – which looks more green than grey.

As I explained from day one and oft repeated I would not support the colour grey as inappropriate.

Does the report show that the colour you have used was originally on the windows? From what I can see there is no precedent for this.

I have repeatedly refused the use of grey in this way in Rye and considering this colour inappropriate for window surrounds has been supported by conversations with Steven Parissien and Patrick Baty that I have had over time. I look forward to an answer today or tomorrow if possible as as you know I am leaving and really hoped this would all have been done and dusted by now.

I had OKd the report on the basis that it had been carried out by an expert but having been on site and now looked at the report I cannot see how the two tie up.

Best regards,

Tanya Szendeffy BA, MSc Sustainable Heritage, IHBC
Conservation and Design Officer
Strategy and Planning

01424 787629
www.rother.gov.uk

From: James Stevens <james@james-stevens.co.uk>

Sent: 30 June 2021 11:26

To: Tanya Szendeffy <Tanya.Szendeffy@rother.gov.uk>

Cc: alex@thegeorgeinrye.com; Neil Stevenson <neil@sprojectmanagement.co.uk>; allan@heritageconsultant-uk.com

Subject: Re: Paint colour window surrounds - The George

Good Morning Tanya,

I believe (and very much hope) there is a strait-forward answer to your question; all but the top floor windows are still in the their undercoat, which is decidedly grey! Please see enclosed a site photo from the street and another photograph showing one of the 2nd floor windows, which now has its final coat of green/brown paint. You can see a little of the undercoat on the left hand side of the second picture, which will be touched up in the wall colour, but gives a useful comparison between what you've seen and what will be.

I hope this is more what you were expecting?

Best,
James

JAMES STEVENS
T. 07766 401681
<image005.jpg>
<image006.jpg>

On 30 Jun 2021, at 12:23, Tanya Szendeffy <Tanya.Szendeffy@rother.gov.uk> wrote:

Dear James,

Thank you for your email

I was expecting this colour – see below, which looks a greeny/browny grey (not grey), not the colour that the window has been painted which is decidedly grey – the colour I have been saying since day one is not acceptable.

I only said the RAL 7013 was acceptable as I had been advised that this was what the windows were once painted.

Please advise

Thank you.
Best wishes,

Tanya Szendeffy
<image007.jpg>

From: "James Stevens" <james@james-stevens.co.uk>
Subject: Re: Paint colour window surrounds - The George
Date: 30 June 2021 at 14:59:17 BST
To: "Tanya Szendeffy" <Tanya.Szendeffy@rother.gov.uk>
Cc: <alex@thegeorgeinrye.com>, "Neil Stevenson" <neil@sprojectmanagement.co.uk>, <allan@heritageconsultant-uk.com>

JAMES STEVENS
T. 07766 401681

Hello again Tanya,

It is our desire and intention for the windows to be brown, not grey. We agree with you that grey is not an appropriate colour for the building or the street scape and I think we may just be dealing with a problem of colour perception through technology.

I'm not onsite myself today but have received a further site photo of the top coat paint which looks much more representative of the colour in real life - this has not been digitally altered in any way. The portico below is still in its grey primer. Please also be aware that screen calibration can massively also alter perception.

As a solution could be if you able to look directly at a RAL chart and let us know if you are happy with the colour on the chart, we can then supply an image of the chart colour next to the painted surface.

On the previous justification sent, the following was submitted (original document also enclosed)

Wood and metal work

Though we wish to soften the street presence of the large composite building by using different façade colours, there is a commercial need to have the buildings read as a whole. We propose to do this by using a confident unified colour on all of the wood and metalwork; doors, windows, cornice and rainwater goods.

We propose using the same dark brown colour as that proposed for the plinth. Precedent for a colour of this nature has been shown on the building from the mid to late C19th (B29 - Front door case, C11 - Iron guttering, C12 – Wooden cornice, A13 – Lion street north wall)

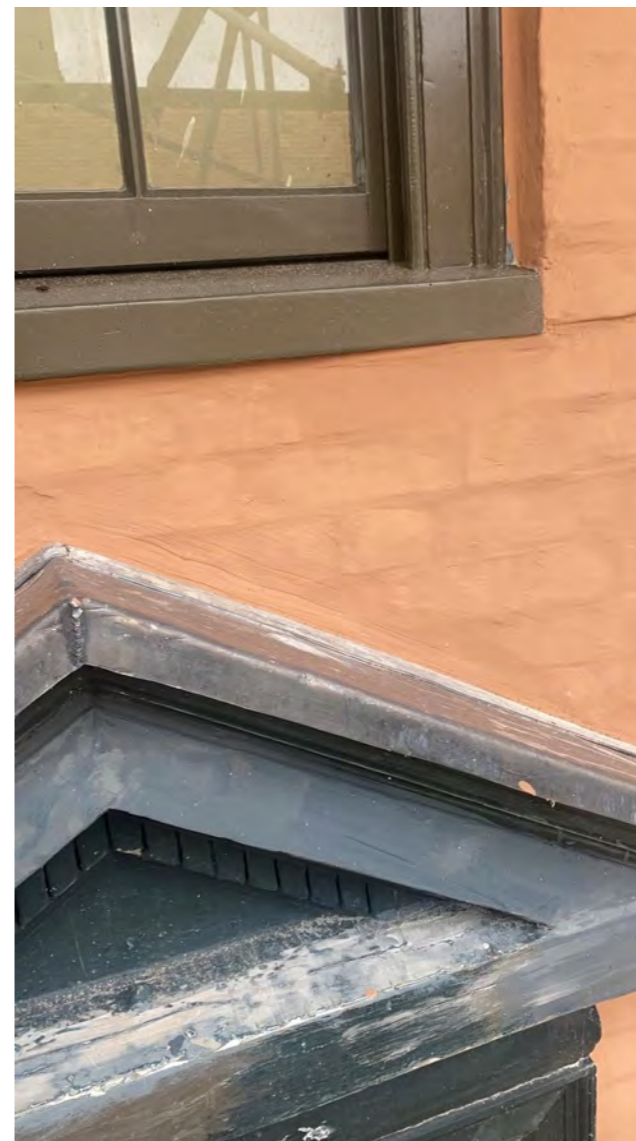
And in the 1930's, when all of the wood work was last painted a dark brown.

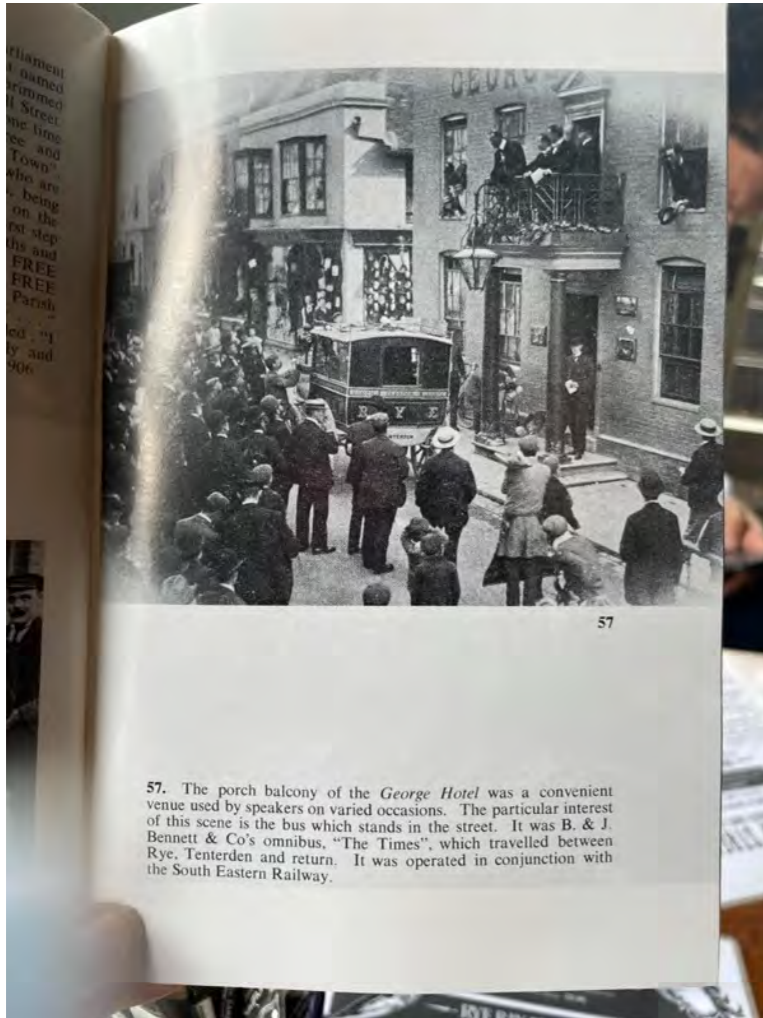
Historical precedence for this approach is also set by old photographs taken nearby. Appendix 3 shows a view of a drapery shop on Rye High Street, photographed c1865 and clearly showing dark shop fronts and windows to the central portion of the building. Appendix 4 shows another view of Rye High Street, photographed around 1905 and very close to the George. This shows that the majority if not all of the windows and shop fronts were painted a dark colour.

A number of windows in Rye remain painted black. These are largely part of black and white paint schemes, probably dating to the 1950s. These are not included here for precedent as the hard black is less historically appropriate; the amount of pigment would have left traditional paints unable to dry until the introduction of artificial hardening agents. It is for this reason that we have chosen the use of a dark brown pigment.

Since sending I've also come across the enclosed image of the building, showing the early C20th dark scheme. I really hope this is a way forward with the matter. Let me know your thoughts, especially on the RAL chart colour.

Best,
James





From: Tanya Szendeffy Tanya.Szendeffy@rother.gov.uk
Subject: RE: Paint colour window surrounds - The George
Date: 30 June 2021 at 15:22
To: James Stevens james@james-stevens.co.uk
Cc: Alex Clarke Alex@thegeorgeinrye.com, Neil Stevenson neil@sprojectmanagement.co.uk,
allan@heritageconsultant-uk.com

Dear James,
Thank you. That colour appears to be closer to RAL 7013. It may be the way the colours play off each other . It was definitely looking grey when I walked by. If it is 7013 then that is fine if as you say it has been used previously orange.
Please check and let me know.

Thank you.

Best wishes,

Tanya
Tanya Szendeffy BA, MSc Sustainable Heritage, IHBC
ConservaGon and Design Officer
Strategy and Planning
01424 787629
www.rother.gov.uk

From: Neil Stevenson <neil@sprojectmanagement.co.uk>
Sent: 03 November 2020 09:22
To: Tanya Szendeffy <Tanya.Szendeffy@rother.gov.uk>
Cc: Allan Cox (allan@heritageconsultant-uk.com)
<allan@heritageconsultant-uk.com>; Zaneta Subikova
<zaneta@rxarchitects.com>; Alex Clarke <Alex@thegeorgeinrye.com>
Subject: George in Rye - External Paint Removal

Hi Tanya
Further to my previous emails regarding external elevations of the George in Rye. I would be grateful for LBC for the removal of external paintwork using a DOFF type system.
The system proposed is ThermaTech and is a less aggressive but more efficient system than DOFF. It is used extensively on historic buildings.
Please find attached the following:

1. Street elevations showing the extent of paint removal – sections of internal courtyard paint also proposed to be removed
2. Email confirmation from Allan Cox confirming the recommendation for paint removal
3. ThermaTech information brochure
4. Email correspondence from Restorative Techniques who supply the ThermaTech system



See Supplementary Reports provided as part of the main application (submitted with this email)

5. Method statement from Mackays confirming how the work will be Undertaken

When the paint has been removed we will be able to assess the condition and appearance of the exposed elevations and determine whether redecoration is appropriate. I confirm that a paint specialist has taken samples and is preparing a report regarding historic paint colours.

We would like to commence this work imminently. I know that you have a heavy workload and I would appreciate if this request could be reviewed as soon as possible.

Please let me know if you require any additional information.

Many thanks

Regards

Neil Stevenson

SPM Ltd

Registered Office:

Chart Corner, 73 Chart Lane, Reigate, Surrey RH2 7EA

From: Tanya Szendeffy <Tanya.Szendeffy@rother.gov.uk>

Sent: Tuesday, November 3, 2020 8:55:12 PM

To: Neil Stevenson <neil@sprojectmanagement.co.uk>

Cc: Allan Cox (allan@heritageconsultant-uk.com)

<allan@heritageconsultant-uk.com>; Zaneta Subikova

<zaneta@rxarchitects.com>; Alex Clarke <Alex@thegeorgeinrye.com>

Subject: RE: George in Rye - External Paint Removal

Hi Neil,

Thank you. If you submit the applicaXon ASAP I will look at it ASAP.

Best wishes,

Tanya

Tanya Szendeffy Conservation and Design Officer

Strategy and Planning

From: Neil Stevenson <neil@sprojectmanagement.co.uk>

Sent: 03 November 2020 21:05

To: Tanya Szendeffy <Tanya.Szendeffy@rother.gov.uk>

Cc: Allan Cox (allan@heritageconsultant-uk.com)

<allan@heritageconsultant-uk.com>; Zaneta Subikova

<zaneta@rxarchitects.com>; Alex Clarke <Alex@thegeorgeinrye.com>

Subject: Re: George in Rye - External Paint Removal

Hi Tanya

Does this need a separate application? Can it not be part of the existing application?

Regards

Neil Stevenson

From: Tanya Szendeffy <Tanya.Szendeffy@rother.gov.uk>

Sent: 04 November 2020 18:00

To: Neil Stevenson <neil@sprojectmanagement.co.uk>

Cc: Allan Cox (allan@heritageconsultant-uk.com)

<allan@heritageconsultant-uk.com>; Zaneta Subikova

<zaneta@rxarchitects.com>; Alex Clarke <Alex@thegeorgeinrye.com>

Subject: RE: George in Rye - External Paint Removal

Hi Neil,

We don't need a separate application. Will add to this one. 😊

Best wishes,

Tanya

Tanya Szendeffy

Conservation and Design Officer

Strategy and Planning

From: Neil Stevenson <neil@sprojectmanagement.co.uk>

Sent: 09 November 2020 07:52

To: Tanya Szendeffy <Tanya.Szendeffy@rother.gov.uk>

Cc: Allan Cox (allan@heritageconsultant-uk.com)

<allan@heritageconsultant-uk.com>; Zaneta Subikova

<zaneta@rxarchitects.com>; Alex Clarke <Alex@thegeorgeinrye.com>;

James Stevens <james@james-stevens.co.uk>

Subject: RE: George in Rye - External Paint Removal

Hi Tanya

We are awaiting the final paint sample report but please see the attached showing locations where samples were taken.

I would be grateful if you could confirm that paint removal can now take place.

Many thanks

Regards

Neil Stevenson

SPM Ltd

Registered Office:

Chart Corner, 73 Chart Lane, Reigate, Surrey RH2 7EA

On 9 Nov 2020, at 13:29, Tanya Szendeffy <Tanya.Szendeffy@rother.gov.uk> wrote:

Hi Neil,

Can I ask who is doing the paint analysis work please. I am just slightly cautious about giving you the go-ahead without seeing the report or knowing who is doing it. Could you at least provide a sample report even if not the whole report.

Maybe I would add just one location which could be a B22A just in case there is an alternative colour scheme adjacent to the windows not just above and maybe add this area to the other windows.

If you can confirm this, or can advise which this is not necessary, please go ahead.

If I can see a sample report for one area, with a method statement then I will feel confident to give you the go ahead.

Best wishes,

Tanya Szendeffy
Conservation and Design Officer
Strategy and Planning
01424 787629
www.rother.gov.uk

From: James Stevens <james@james-stevens.co.uk>
Sent: 10 November 2020 10:57

To: Tanya Szendeffy <Tanya.Szendeffy@rother.gov.uk>
Cc: Neil Stevenson <neil@sprojectmanagement.co.uk>; Allan Cox (allan@heritageconsultant-uk.com) <allan@heritageconsultant-uk.com>; Zaneta Subikova <zaneta@rxarchitects.com>; Alex Clarke <Alex@thegeorgeinrye.com>
Subject: Re: George in Rye - External Paint Removal

Hello Tanya,
The report has been conducted by Catherine Hassall, have your paths crossed? We should be in receipt of the report in the next few days, but if you know Catherine's work and are confident to give approval to remove paint on this basis, I know the team would be thrilled - every day counts...!

Best,

James
JAMES STEVENS

On 10 Nov 2020, at 13:48, Tanya Szendeffy <Tanya.Szendeffy@rother.gov.uk> wrote:

Hi James,

Thanks for your response. I have not worked with Catherine but her reputation does precede her! 😊 As I advised earlier, I am fully confident her work is of the best quality, and very excited about reading her report.

I cannot informally 'approve' anything I'm afraid, as you know but do know of Catherine's work so am confident in the quality of it.

I must nonetheless caveat my comments in order to protect myself and you, by advising that any work undertaken prior to your receiving formal listed building consent will be done so at your own risk.

Best wishes,

Tanya
Tanya Szendeffy
Conservation and Design Officer
Strategy and Planning

From: James Stevens <james@james-stevens.co.uk>
Sent: 10 November 2020 14:34
To: Tanya Szendeffy <Tanya.Szendeffy@rother.gov.uk>
Cc: Neil Stevenson <neil@sprojectmanagement.co.uk>; Allan Cox (allan@heritageconsultantuk.com) <allan@heritageconsultant-uk.com>; Zaneta Subikova <zaneta@rxarchitects.com>; Alex Clarke <Alex@thegeorgeinrye.com>
Subject: Re: George in Rye - External Paint Removal

Thanks for clarifying Tanya, I'm glad you're able to put Cathrine in context and quite understand your position with the approval. We hope to have something more specific for your consideration soon.

As ever,

James
JAMES STEVENS
T. 07766 401681

Appendix C – Georgian and Regency Colour Palettes



Typical pigments on the Georgian palette (The Georgian Group)



Examples from Littlegreene



A selection of pigments prepared by Patrick Baty for the Building of Bath Museum including White Lead, Ochres, Umbers, Burnt Sienna, Venetian Red, Terte Verde, Potter's Pink, Prussian Blue, Vermilion and indigo. (The Georgian Group)



A dark brown coloured early sash window and frame sitting within orange/red brick dressings. (The Georgian Group)



A typical palette of Georgian colours



RTPI
Chartered Town Planner

