
Appeal Decision

Site visit made on 3 May 2017

by Cullum J A Parker BA(Hons) MA MRTPI IHBC

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

Decision date: 19th May 2017

Appeal Ref: APP/X2220/D/17/3172436

Preston Family Butchers, The Street, Preston CT3 1ED

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Williams against the decision of Dover District Council.
 - The application Ref DOV/16/01281, dated 3 November 2016, was refused by notice dated 27 January 2017.
 - The development proposed is first floor extension.
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Decision

1. The appeal is allowed and planning permission is granted for first floor extension at Preston Family Butchers, The Street, Preston CT3 1ED in accordance with the terms of the application, Ref DOV/16/01281, dated 27 January 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: TS/2097/PD/06, TS/2097/PD/01, TS/2097/PD/02 Rev A, TS/2097/PD/03 Rev E, TS/2097/PD/04 Rev F, & TS/2097/PD/05 Rev A.

Main Issues

2. The main issue are:
 - Whether the proposed development would preserve or enhance the character or appearance of the Conservation Area covering part of Preston, and;
 - The effect of the proposal on the living conditions of neighbouring occupiers with specific regard to the occupants of Pryor House.

Reasons

Character and appearance

3. The appeal sites consists of a mainly rectangular building with three parts; a single storey shop front facing onto The Street (albeit set back a short distance
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from the highway)), a single storey element which serves as a store and preparation room, and further to the rear a gable ended residential property; which I understand is occupied by the proprietors of the butchers shop. The site is location within Preston and also included within the conservation area which covers a large part of the centre of the settlement.

4. The local planning authority has not explained what they consider the significance of the conservation area, as a designated heritage asset, is or what it derives its significance from. I saw that the Conservation Area is characterised by a number of different building styles and types, including a number of differing materials and roof forms. In particular, a two storey height is typical of the street scene, with the buildings situated in a mainly linear form following The Street through the village. It is this linear layout and the mixture of styles mainly from the Victorian Period onwards that the significance of the conservation area partly derives.
5. The appeal scheme seeks the raising of the roof and its change from gable form to hipped in order to provide bedrooms within the roof space. This would include the insertion of rooflights into the roof slope facing the garden of Pryor House to the south and two full dormers arising from the eaves on the north facing slope. The shop to the front would remain the primary commercial focus of the building given its proximity to the main road.
6. Whilst the roof extension would be visible from both The Street and the Public Right of Way running alongside the north of the site, given that it is set back from the road on an existing building and would be of a typical height and form found within the conservation area, at worst the proposed alterations would have a neutral impact on the character or appearance of the conservation area. It would therefore not have a detrimental impact on the significance of the conservation area. I note that the Council refer to Pryor House as a 'non-designated heritage asset', but I have been provided with little evidence as to what its significance might be beyond its visual contribution to the street scene and the conservation area. In any case, I find that the proposal would not have any adverse impact on the significance of this building.
7. Accordingly, I find that the proposed development would preserve the character of the conservation area. For similar reasons, it would not have a materially harmful impact on the character of the street scene more generally. It would therefore be in accordance with the Policies of the *National Planning Policy Framework* (the Framework) which amongst other aims seeks to secure high quality design and be a creative exercise in finding ways in which to enhance and improve the places in which people live their lives.

Living conditions

8. In terms of living conditions, I saw during my site inspection that the proposed extension would be situated to the north of the garden serving Pryor House. There is also a gap between the side elevation of the appeal building and the shared boundary which itself has a close boarded fence of about 1.8 metres in height between the two properties. The Council suggests that the scale and proximity of the building would be overbearing to the occupants of Pryor House to the south.
9. However, I was able to see that the proposed extension would be to the north of the garden at Pryor House, that there would only be roof lights in the south

facing roof slope, the roof form would be hipped rather than gabled and that there is an existing gap between the shared boundary. Cumulatively these would mean that the proposal would not result in an overbearing or dominant extension.

10. I therefore find that the proposal would not led to a materially harmful sense of overbearing, loss of outlook or light for the occupiers of Pryor House. As such, the proposal would accord with the Framework which amongst other aims seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.

Conditions

11. Conditions requiring the proposal to be carried out in accordance with the submitted drawings and using matching materials are reasonable and necessary in the interests of preserving the character and appearance of the conservation area and to provide certainty.

Conclusion

12. For the reasons given above, I conclude that the appeal should be allowed.

Cullum J A Parker

INSPECTOR