

Appeal Decision

Site visit made on 13 June 2017

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 21 June 2017

Appeal Ref: APP/Z2260/D/17/3172099
224 High Street, Margate CT9 1LG

- 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 Hawthorn Homes against the decision of Thanet District Council.
 - The application Ref FH/TH/1342, dated 27 September 2016, was refused by notice dated 22 February 2017.
 - The development proposed is erection of first floor extension.
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Decision

1. I dismiss the appeal.

Main Issues

2. These are;
 - The effect of the proposal on the character and appearance of the Margate Conservation Area and the setting of listed buildings.
 - The effect of the proposal on the living conditions of neighbouring residential occupiers with particular regard to outlook.

Reasons

Character and Appearance

3. The Council do not claim that the single storey building at 224 is listed by attachment or association, but the dwellings along Vicarage Place to the rear are listed, and the site is within the Margate Conservation Area. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the same Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
 4. Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
 5. Saved Policy D1 of the 2006 Thanet Local Plan requires all new development to provide high quality and inclusive design, and will only be permitted if, among
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other matters, it respects or enhances the character or appearance of the surrounding area.

6. The appeal building is a low, unassuming structure seen from the High Street and from open land to the north, but it does not share the historic interest of the adjoining commercial building, and it has a poor layout of windows. Whilst the slate roof is referred to by the Council, it has little architectural or historic significance. However, the low stance of the building does permit appreciation of the rear of the listed buildings, and to the west there are only the rear boundary walls on High Street. It is clear that the greater part of the significance of the listed buildings is to the front, to Vicarage Place.
7. The proposed raising of the frontage wall to match that of the commercial number 226 would allow a more attractive arrangement of windows, and would improve the relationship with number 226 without seriously eroding the view of the listed terrace from the slightly higher ground of the open space opposite. The view from the High Street is too close for the properties behind to be seen and there is no footway on the north side. There would remain a substantial length of the low boundary with High Street for the limited significance of the varied rear elevations to be appreciated.
8. There would be limited harm in obscuring part of the listed number 16, and the level of harm would be 'less than substantial', a differentiation required between paragraphs 133 and 134 of the Framework. In this case the latter applies and this states that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The low building, described as a bed-sit, is in a poor state of repair and poorly laid out. The proposed work would add further accommodation in a sustainable location close to the town centre, employment, shopping, transport and other services. There would be a public benefit in bringing the dwelling up to a higher standard.
9. On balance, the proposed development would accord with the requirements of Policy D1 in its effect on the conservation area and the setting of listed buildings, and hence once the public benefits have been taken into account, the statutory tests to have special regard to the preservation of designated heritage assets, and the requirements of the Framework are met.

Living Conditions

10. Policy D1 also requires development to be compatible with neighbouring buildings and spaces, and not to lead to unacceptable loss of amenity, including through a sense of enclosure. Paragraph 56 of the National Planning Policy Framework states that the Government attaches great importance to the design of the built environment; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is clear that the Council's concern is with regard to outlook, which has a qualitative as well as a quantitative dimension, and is not just a matter of a view of any particular feature being lost.
11. Reference has been made to a previous arrangement whereby the yard between number 16 and number 224 was used by the occupier of the latter bedsit, whereas as proposed, the yard would be used by the occupier of the house on Vicarage Place and the rear of 224 would have no access to the yard. Number 16 was, at the time of the site inspection, being refurbished and re-

fitted to an apparently high standard as befits its listed status, and this includes access from the rear kitchen/diner to the yard.

12. The proposed addition of the first floor would raise the height of the masonry wall on the boundary line, after which there would be a reformed pitch away from number 16, and a new wall on the same plane as that to the rear of number 226, extending over the full width to the boundary with the adjoining number 15 at which location a narrow slot would be left open. The result would be an unacceptable reduction in the quality of the outlook from number 16, felt particularly in the yard and from the ground floor windows, but also adversely affecting the outlook from the bedroom window upstairs where from a location just in from the window, a significant part of the outlook would be taken over by masonry.
13. In the terms of Policy D1 the proposed development would not be compatible with neighbouring buildings and spaces, and would lead to unacceptable loss of amenity through an increased sense of enclosure. The proposal fails to reach the standard of design sought in paragraph 56 of the Framework.

Conclusions

14. The provision of improved accommodation in a sustainable location is sufficient to outweigh the limited effect on designated heritage assets. However, the same benefits do not justify the resulting poor standard of outlook for the original house at 16 Vicarage Place, and that failing would be contrary to the Development Plan policy previously referred to. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR