



Appeal Decision

Site visit made on 31 July 2017

by Graham Chamberlain BA (Hons) MSc MRTPI

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

Decision date: 10 August 2017

Appeal Ref: APP/T3535/W/17/3171301

31 High Street, Southwold, Suffolk IP18 6AD

- 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 G.B. Chadd (Holdings) Ltd against the decision of Waveney District Council.
 - The application Ref DC/16/3522/FUL, dated 22 August 2016, was refused by notice dated 17 October 2016.
 - The development proposed is a ground floor front extension to retail unit.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether the proposed development would preserve or enhance the character or appearance of the Southwold Conservation Area.

Reasons

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Southwold Conservation Area (the 'CA').
4. In considering the significance of the CA, the Southwold Conservation Area Character Appraisal 2008 (CAA) explains the link between the development of the town and its coastal position, which resulted in a predominance of Regency and Victorian development. The CA is partially characterised by the period style of the architecture exhibited in the buildings, including classical details and proportions. The appeal property is probably an example of development from the Victorian era and therefore contributes positively to the character of the CA as a whole.
5. The CAA identifies the appeal site as being in the 'Old Town' character area, which is focused on the High Street. The appeal property partially closes a vista looking west along the High Street. It is therefore a prominent building within the town scape and thus of local importance. The broadly symmetrical façade exhibits classical details and proportions typical of the prevailing period of architecture in the CA. As such, it contributes positively to the street scene and the overall character and appearance of the CA. I therefore share the view of the Council that the building is a non-designated heritage asset that has a pleasing appearance. The forecourt to the front of the principal façade provides an open setting for the building and space around the York Road junction.

6. The appeal scheme is for the construction of a front extension that would intrude into the existing forecourt. The proposal would therefore erode and thus harm the positive contribution the open forecourt, at its current extent, makes to the street scene, particularly localised views towards and around the appeal building in the vicinity of the York Road junction.
7. The appellant intends to enhance the forecourt¹ as part of the proposal as he considers it currently has a 'shabby' appearance, but this could be done in time without the need for a front extension. Additionally, it is unlikely the extension itself would alleviate any existing problems with litter in the forecourt. As such, these are matters of limited weight in favour of the proposal.
8. The proposed extension would also harmfully obscure much of the original front façade of the building. However, this impact would be partially mitigated by it echoing the existing detailing of the ground floor, and its materials, which would go some way to integrating the extension with the host building. However, the flat roof form would set the extension apart and result in an overall jarring relationship between old and new. The flat roof would be visible in short and medium distance views. Thus, the proposal would not be a sympathetic addition to the appeal building and this would harm the CA. The harmful impact would be series given the prominent position of the appeal building in an important vista.
9. Although series, the harmful impact would be localised and aspects of the proposal would integrate with the host building, such as the sash windows. As such, the harm would be less than substantial within the meaning of the National Planning Policy Framework (the 'Framework').
10. The appellant has suggested that the proposed extension is an important component of a wider redevelopment², which would remove the more modern additions to the building and this would benefit the character and appearance of the CA. It would also enable the current occupiers of the shop - Fat Face – to stay in situ. This is because the enlarged shop floor would meet their business model³. In this respect the appellant considers the extension would facilitate the redevelopment of the building and this is a public benefit for both the CA and the vibrancy of the town centre.
11. However, I have not been presented with anything from Fat Face to suggest a smaller shop floor would be wholly unsuitable for their needs. Notwithstanding this, there is nothing of substance before me to suggest that if the approved redevelopment proceeds without the front extension, another retailer would not wish to occupy the retail unit, even though it would be smaller than the shop is currently. Nor have I been presented with anything to suggest Retail Unit 1, without the proposed front extension, would be disproportionately small relative to nearby shops or that its un-extended size would make it unviable for retail. In this respect, I note that Retail Unit 2 would be much smaller than Retail Unit 1 and this suggests the appellant considers there is a market for a smaller retail premise. Furthermore, it is unclear whether the option of amalgamating retail Units 1 and 2 has been explored as it is this subdivision that has created Fat Face's apparent 'need' for additional floor space.

¹ By laying a York stone surface

² Approved under Council reference DC/16/0305/FUL

³ It is understood that Fat Face seek shops of 2100 square feet as part of their business model

12. Thus, it has not been demonstrated that the public benefits arising from the approved redevelopment (to the CA and the town centre), are dependent on the front extension now proposed and therefore the public benefits of the front extension in this context are of very limited weight. This is particularly so as the appeal scheme in isolation would only result in a modest increase in retail floor space and there is no evidence before me to suggest this would have a notable effect on the retail offer in the town.
13. Moreover, in a general sense, substantive evidence has not been presented that suggests the town centre is currently struggling. Instead, at the time of my visit, which I accept is a snap shot in time, there were few retail vacancies and the town centre was apparently very busy and vibrant. The Council have suggested that Southwold has had the lowest vacancy rates in the district and I have no reason to doubt this. This would suggest the town centre is in good shape and this is likely to endure for the time being whether or not the approved redevelopment occurs.
14. Consequently, even if I had found the appeal scheme was necessary to facilitate the previously approved redevelopment of the building, the public benefits to the vibrancy of the town centre would be a matter of limited weight.
15. The appeal scheme would be constructed to modern standards and this would result in an enhanced level of insulation. However, this would be the case with any extension of a period property. The public benefit of an improved performance of the building would not outweigh the harm to the conservation area. Moreover, it has not been demonstrated that it would be impossible to improve the performance of the building in other less harmful ways.
16. I therefore find that the series harm of the proposal outweighs the very limited public benefits referred to by the appellant and this would result in a conflict with Paragraph 132 of the Framework. This is because the harm to the CA would not have a clear and convincing justification and the Framework requires great weight to be given to the conservation of designated heritage assets.
17. As such, my overall conclusion is that the proposal would result in series harm to the significance of the conservation area. The character or appearance of the conservation area would not be preserved. The proposal is therefore contrary to Policies CS02 and CS17 of the CS⁴ and Policies DM02 and DM30 of the DPD⁵, which seek to protect local character and heritage including conservation areas.
18. These development plan policies pre date the Framework but they are nevertheless consistent with Paragraphs 17 and 58 and Section 12 therein. Therefore, in accordance with Paragraph 215 of the Framework, the development plan policies I have referred to above, and the subsequent conflict with them, can be afforded significant weight.

Other Matters

19. My attention has been drawn to other flat roof front extensions added to shops in Southwold and Aldeburgh. The details behind these structures are not before, such as their age, the circumstances behind any planning permissions and to what extent they are typical. Moreover, they appear shallower in depth than the appeal

⁴ The Approach to Future Development in Waveney to 2021 – Core Strategy Development Plan Document Adopted January 2009

⁵ Policies to Help Make Decisions on Planning Applications – Development Management Policies – Development Plan Document Adopted January 2011

scheme and not in as prominent a position at the end of an important vista. As such, they do not justify the appeal scheme.

Conclusion

20. I conclude that the appeal scheme would be contrary to the development plan taken as a whole and material considerations do not indicate planning permission should be forthcoming in spite of this. Accordingly, for the reasons given above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Graham Chamberlain

INSPECTOR