The Planning Inspectorate

Appeal Decisions

Site visit made on 8 August 2017

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 16 August 2017

Appeal A: APP/Z2260/W/17/3173842
Cliff House, Rose Hill, Ramsgate CT11 9HX

- 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 E Bowra Group Ltd against the decision of Thanet District Council.
- The application Ref FH/TH/16/1667, dated 5 December 2016, was refused by notice dated 30 January 2017.
- The development proposed is the erection of a first floor extension.

Appeal B: APP/Z2260/Y/17/3173844
Cliff House, Rose Hill, Ramsgate CT11 9HX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by G E Bowra Group Ltd against the decision of Thanet District Council.
- The application Ref L/TH/16/1668, dated 5 December 2016, was refused by notice dated 30 January 2017.
- The works proposed are the erection of a first floor extension.

Decision Appeal A

1. I allow the appeal and grant planning permission for the erection of a first floor extension at Cliff House, Rose Hill, Ramsgate CT11 9HX in accordance with the terms of the application, Ref FH/TH/16/1667, dated 5 December 2016, subject to conditions 1) to 4) on the attached schedule.

Decision Appeal B

2. I allow the appeal and grant listed building consent for the erection of a first floor extension at Cliff House, Rose Hill, Ramsgate CT11 9HX in accordance with the terms of the application Ref L/TH/16/1668, dated 5 December 2016 and the plans submitted with it, namely 045-PLN-201, subject to conditions 1) to 4) on the attached schedule.

Main Issue

3. In both appeals this is the effect of the proposals on the architectural and historic significance of the listed building and its setting within the Ramsgate Conservation Area.

Reasons

4. The building is listed Grade II and sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the 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.

5. Paragraph 132 of the National Planning Policy 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. The courts have determined that considerable importance and weight should be given to harm found to the significance of listed buildings.

6. Policy D1 of Thanet Local Plan sets out design principles including that development reflects or enhances the character and appearance of the surrounding area, and is compatible with neighbouring buildings and spaces.

7. The significance of the building is in its architectural treatment and the quality of the workmanship of the brickwork and dressings, as well as its contribution to the character and appearance of the conservation area. The view of the appellant is concurred with as to its evidential value due to a possible former social use. The unusual plan form and arrangement of rooms is of social interest and is referred to in the listing description. There is historic value as part of the development of the town, but it is clear from the dates on the blue plaque that this refers to a previous building on the site. The architectural significance is high at the front elevation overlooking, and visible from, the Royal Harbour, and in views from Sion Hill and Rose Hill of the south-west corner and the return, entrance, elevation on the latter road. However, the significance reduces to the rear where the detailing is less flamboyant and there are large areas of unadorned brickwork. The window pattern rising with the staircase is a feature to the rear both outside and internally.

8. The planning history is of particular note in these appeals. A roof terrace was granted permission in 2011 (Ref; F/TH/11/0856) and now forms a prominent feature at high level when seen from the rear. More pertinent is a first floor addition approved in November 2016 (Refs; F/TH/16/01212 and L/TH/16/01213) which, as a result of amendments during the application stage, contains much of the layout now proposed, but without the high level flat roof and the reduction in the height of the first floor landing window now proposed. That proposal would however have a low level flat roof and drawing 045-PLN-200B shows this to have a cast iron balustrade, albeit the covering being a lead-roll roof. As asserted by the appellant, the 2016 permission and consent is a true 'fall-back' position since it is extant and capable of being carried out.

9. The unusual plan form referred to above severely limits the more cellular rooms available and it is clear, from both the listing description and the site inspection, that any substantial sub-division would be likely to cause harm. As a result, the building is lacking in reasonable bedroom accommodation considering its size; that to the present rear projection being high-ceilinged but limited in size, and the other is stated to be small also. That state of affairs has been recognised in the grant of the 2016 approvals, but results in the new

upper room being smaller than that below, and it would be significantly affected by the need to accommodate a staircase.

10. The appeal proposal would raise the level of the consented flat roof, remove the proposed balustrade, and would result in the landing window being reduced in height to match that of the upper window on the rear elevation. The Council claim the flat roof to be an incongruous feature, but have clearly accepted the same but at a lower level, with the addition of balustrading. The additional area of brickwork at the rear and the retention of the approved bulk and roof form of the consented addition would not cause harm to the significance of the listed building or to the character and appearance of the conservation area. The use of a flat roof is already a feature of the building at the rear and the raising of that which has already been approved would cause no further harm.

11. As to the landing window, there is at present a hierarchy of window height on the front and side elevations, with deep windows to the ground and first floors, and less deep to the second floor. That hierarchy exists at the rear, with the lower stair window and the first floor landing window being deeper than the upper window. However, with the carrying out of the extension in the extant approvals, the first floor landing window would not be seen in the same view as those on the side elevation due to the intervening roof and the hierarchy would be less pronounced. The proposed reduction in its height to match that of the upper floor would not strike at the significance of the listed building on what is already a secondary elevation. There would be no harm to the character and appearance of the Ramsgate Conservation Area.

12. To conclude, the extant permission and consent is a 'fall-back' position to which considerable weight attaches, and the amendments now proposed would be acceptable and would accord with the requirements of the 1990 Planning (Listed Buildings and Conservation Areas) Act, the Framework and Policy D1 of the Thanet Local Plan.

13. The Council suggested a condition to control the architectural treatment and use of materials, and this would be essential in order to avoid harm to the listed building and the conservation area. However, the brickwork of the present building is of such significance that samples of the brick and a sample panel of the bonding and pointing should be supplied. A condition should be added to ensure the joinery to the new door and frame internally matches those of the house, identified in the listing description as being unusual. A condition is required detailing the drawings to which this permission relates, for the avoidance of doubt and in the interests of the proper planning of the area. These provisions for greater flexibility in planning permissions do not apply to the listed building consent, where it is sufficient to list the drawings in the formal consent.

14. With conditions controlling the quality of the materials and workmanship, it is concluded that both appeals should be allowed.

S J Papworth

INSPECTOR

SCHEDULE OF CONDITIONS

Appeal A, Planning Permission

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plan; 045-PLN-201.

3) The development hereby permitted shall be constructed using bronzed metal windows, red brick with an English bond, stone dressings, cast iron with lead dressings and plain clay tiles, to match those existing, and as specified in the application form.

4) Further to Condition 3) above, no development shall commence until samples of the brick and tiles, together with a sample panel of the brickwork and pointing, have been made available to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved samples and panel. The sample panel shall be kept on site until the completion of the development.

Appeal B, Listed Building Consent

1) The works hereby permitted shall begin not later than 3 years from the date of this decision.

2) No works shall commence until details of the appearance and construction of all joinery items required to form the doorway from the landing to the addition, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out only in accordance with the approved details.

3) The works hereby permitted shall be constructed using bronzed metal windows, red brick with an English bond, stone dressings, cast iron with lead dressings and plain clay tiles, to match those existing, and as specified in the application form.

4) Further to Condition 3) above, no works shall commence until samples of the brick and tiles, together with a sample panel of the brickwork and pointing, have been made available to and approved in writing by the Local Planning Authority. The works shall be carried out only in accordance with the approved samples and panel. The sample panel shall be kept on site until the completion of the works.