

Appeal Decision

Site visit made on 12 December 2017

by Michael Evans BA MA MPhil DipTP MRTPI

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

Decision date: 27 December 2017

Appeal Ref: APP/J2210/D/17/3181266

6 Bourne Cottages, The Street, Bishopsbourne CT4 5HZ

- 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 Ms Lisa-Jayne Wooderson against the decision of Canterbury City Council.
 - The application Ref 17/00551 was refused by notice dated 23 May 2017.
 - The development proposed is a single storey rear kitchen extension.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is whether the development has preserved or enhanced the character or appearance of the Bishopsbourne Conservation Area.

Reasons

3. The buildings within the Conservation Area vary in matters such as their design details, form and materials. However, the architectural quality of the buildings is, nevertheless, an important element in the special interest of the Area. The appeal concerns a two storey dwelling within a terrace of similar properties, which is indicated to date from the mid to late 19th century. The Council's reason for refusal indicates that the terrace has locally listed status.
 4. The terrace has a particularly cohesive and attractive appearance deriving from the significant degree of design consistency, which includes matters such as the pattern of fenestration and facing materials. The main roof with its fairly steep pitch and hipped ends is a particularly important feature. Despite the white painted flank wall at no. 7 Bourne Cottages, the predominantly red brickwork at both the front and rear of the terrace is a distinctive element in its unified character. As a result, the terrace makes a positive contribution to the architectural quality of the Conservation Area.
 5. However, the proposed single storey rear extension would have a flat roof form with rendered walls. This would provide an abrupt and discordant contrast with the pitched roof character and brickwork of the host terrace, unacceptably detracting from its cohesive and unified character and appearance. There have been alterations to the rear of the terrace and the Appellant has identified planning permissions relating to extensions at 1 and 2 Bourne Cottages. However, I have not been provided with the Council's reports or the approved drawings in these cases. Nevertheless, I saw at my site visit that these
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extensions have pitched roofs and include brickwork in the walls. They can therefore be distinguished from the current proposal, which would be appreciably less sympathetic to the host terrace in its form and materials.

6. There is currently a small porch at the rear of the host dwelling but this has a sloping, mono-pitched, tiled roof. There is also a flat roof rear addition with UPVC at the back of the adjacent property, no. 5. However, these are both of an especially modest size and scale, due to their fairly limited depth in particular, so that the proposed extension would be significantly larger.
7. The proposed extension, while single storey would only be relatively modestly below the existing first floor cill level in height. It would also have a depth of 4m and span most of the rear elevation, leaving only a relatively modest gap to one side. This size and scale would be sufficient to unduly emphasise the presence of the unsympathetic flat roof and render.
8. The Appellant identifies planning permissions for rendered rear flat roof additions at the Old Post Office, which is a locally listed building. Sites where rendered and/or painted brick flat roof rear extensions have been built are also indicated. However, I have not been provided with the full details and background to these cases to enable a meaningful comparison with the appeal scheme.
9. Moreover, while I have carefully considered the submitted photographs, there is nothing to show that any of these developments have resulted in the character of a comparably lengthy and unified terrace being adversely affected, as would occur in this instance. There is also no evidence that the Council's decision making has been unreasonably inconsistent. The existing additions at the host terrace and other properties in the Area therefore provide no significant support for the appeal and would not justify accepting such an unsympathetic addition.
10. Because of its location at the rear of the terrace, the extension would not be readily visible from public viewpoints. However, its adverse impact would be apparent from the rear gardens of other properties in the terrace. Moreover, any suggestion that acceptability should be conferred on the basis of limited visibility would represent an implicit acknowledgement of the inappropriate nature of the extension, which concerns a building that forms part of the built fabric of the Area anyway.
11. The Appellant suggests that the rear of 6 Bourne Cottages does not have locally listed status and that policies concerning such properties do not therefore apply. However, no evidence has been submitted to support this claim. It is also suggested that the Article 4 Direction only applies to the front of the host terrace and a copy of the direction has been submitted. Nevertheless, given the above reasons, I conclude that the development would be detrimental to the architectural integrity of the host terrace and diminish the positive contribution that it makes to the Conservation Area anyway, regardless of these matters. In consequence, the character and appearance of the Conservation Area would be adversely affected and not preserved or enhanced.
12. The failure to achieve high quality design appropriate to the site would be in conflict with Canterbury District Local Plan 2017 Policy DBE3 d. The design and materials of the extension would be incompatible with the character of the original building, contrary to Policy DBE6 a.

13. In relation to designated heritage assets, the National Planning Policy Framework (The Framework) indicates that where there would be harm that is less than substantial, it must be weighed against the public benefits of the proposal. Although less than substantial harm would arise in this instance, considerable importance and weight must still be attached to it. This is necessary to reflect the statutory duty of paying special consideration to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
14. In this case there is no evidence of any public benefit sufficient to outweigh the harm, so that the development would, therefore, be contrary to the policies of the Framework in respect of heritage assets. The extension would also be at odds with the core planning principle of the Framework that planning should always seek to secure high quality design.
15. Having considered the flood risk assessment provided with the application the Council has raised no objections in relation to flooding and I have no reason to take a different view. The height of the extension would be insufficient to result in any adverse effect on the living conditions of the adjacent occupiers with respect to matters such as light and outlook.
16. Nevertheless, because of the detrimental effect on the Conservation Area and taking account of all other matters raised, it is determined that the appeal fails. In reaching this decision I have considered the views of local residents and other interested parties.

M Evans

INSPECTOR