



Appeal Decision

Site visit made on 12 June 2019

by I A Dyer BSc (Eng) MIHT

an Inspector appointed by the Secretary of State

Decision date: 9 July 2019

Appeal Ref: APP/Z2260/W/19/3220837
16, Wrotham Road, Broadstairs CT10 1QG

- 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 & Mrs Dryden against the decision of Thanet District Council.
 - The application Ref F/TH/18/0502, dated 6 April 2018, was refused by notice dated 20 September 2018.
 - The development proposed is the erection of 1 no. new dwelling following demolition of existing bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A revised version of the National Planning Policy Framework was published in July 2018. Whilst there have been further revisions since to the Framework, contained in the new version published in February 2019 (the Framework), no changes have been made to the content directly relevant to the subject matter of this appeal. Consequently, I consider that no prejudice would occur to any parties as a result of me taking the Framework into account in my assessment of the appeal's merits.
3. The Draft Thanet Local Plan to 2031 (2018) has been submitted but has yet to be examined and found sound. Therefore, it attracts limited weight.

Main Issue

4. The main issue is the whether the proposal would preserve or enhance the character or appearance of the Broadstairs Conservation Area.

Reasons

5. The appeal site lies between Wrotham Road and Granville Road within the Broadstairs Conservation Area (CA), in a visually prominent position close to the junctions of those streets with Ramsgate Road.
6. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in making decisions on planning applications and appeals within a CA, special attention is paid to the desirability of preserving or enhancing the character or appearance of the area. In addition, Paragraph 193 of the Framework requires 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.

7. The character and appearance of the CA is defined by streets of detached and terraced 2 to 4 storey houses of varying design, often with prominent bay windows, giving the buildings a strong vertical emphasis. The dwellings are generally set back off the street behind small front gardens. The predominant older buildings are interspersed by occasional buildings of a more modern design. Roofs vary in design and form but are mainly slated or tiled traditional pitched roofs with the ridge running parallel to the street, but with some gables facing the street.
8. The proposal would demolish an existing bungalow and replace it with a three storey house of modern design with a monopitch roof and a frontage featuring prominent glazing and vertical timber louvres. The monopitch roof would be out-of-keeping with the other roof forms in the area and the angle of pitch of the roof is slightly at odds with the pitch of surrounding roofs and would produce a jarring effect within the street scene. The lack of projections to articulate the frontage would produce facades that would be out of keeping with the bay windows that feature so prominently in the area, whilst the vertical timber louvres have a grain contrary to that of the nearby horizontal shiplap cladding.
9. Whilst the existing bungalow is modest and makes a neutral contribution to the CA, its presence, in an area predominated by 2 to 4 storey buildings, could be seen as incongruous. However, the design of the proposed scheme would neither reflect nor successfully contrast with the buildings in the immediate vicinity. The design does not seek to replicate the surrounding buildings, but in doing so has resulted in a design that would introduce a discordant element to the neighbourhood that would be out-of-keeping with the CA.
10. Given the importance that I have placed on the roof form and strong features of the bay windows to the character and appearance of the area, the proposed development would be out of character and incongruous with the form of existing development when viewed from the street. In this particular context that lack of conformity would be so significant as to amount to harm.
11. The proposed design incorporates high quality materials, seeking to reflect materials used in the locality. However, the careful selection of materials, of itself, could not sufficiently reconcile the incongruous design of the proposed development and therefore would not overcome its impacts on the character and appearance of the CA.
12. I therefore find that the development would cause material harm to the character and appearance of the Broadstairs Conservation Area contrary to Policy D1 of the Thanet Local Plan (2006), which requires new development to respect or enhance the character or appearance of the surrounding area. Similarly, the proposal would be contrary to the provisions of Paragraphs 127 and 192 of the Framework which jointly aim to ensure that development is sympathetic to local character and history, including the surrounding built environment and does not unacceptably affect the historic environment.
13. The statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. As a consequence of its design the appeal scheme would have a harmful impact on the CA insofar as it would neither preserve nor enhance the character or appearance of the CA. The proposal would not lead to the loss of any buildings that make a positive contribution to the character or appearance

of the CA. As such, whilst material, I find that the harm would be less than substantial. Paragraph 196 of the Framework directs that where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.

14. There would be likely minor public benefits to the local economy in terms of short term employment in the construction industry. It is proposed that the design of the new dwelling would be highly sustainable and innovative. However, I am not persuaded on the basis of the evidence before me that the dwelling would be so outstanding or innovative in terms of design and level of sustainability as to represent the circumstances where the Framework considers that great weight should be afforded to such development. Further, the Framework requires that even in such cases the development must fit in with the overall form and layout of its surroundings. Taken together these benefits carry limited weight.
15. On the evidence before me I therefore conclude that the public benefit, in this case, has not been demonstrated to outweigh the less than substantial harm identified to the CA.

Other Matters

16. I appreciate that the appellant was disappointed to have the scheme refused, contrary to advice of the Council's officers. The Council Members in this case were entitled not to accept the professional advice of Officers so long as they gave planning reasons for coming to a contrary view, which are set out in the Decision Notice.

Conclusion

17. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

I Dyer

INSPECTOR