



Appeal Decision

Site visit made on 25 January 2021

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2021

Appeal Ref: APP/L2250/D/20/3262445

32 Sandgate Esplanade, Sandgate, Folkestone CT20 3EA

- 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 William Brown against the decision of Folkestone & Hythe District Council.
 - The application Ref 20/0775/FH, dated 20 June 2020, was refused by notice dated 10 August 2020.
 - The development proposed is the erection of a steel and glass front balcony at upper ground floor level and construction of a part block/render and part gabion basket wall to the southern boundary (fronting Sandgate Esplanade) and eastern boundary (fronting Prospect Road).
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Decision

1. The appeal is allowed and planning permission is granted for the development described as the erection of a steel and glass front balcony at upper ground floor level and construction of a part block/render and part gabion basket wall to the southern boundary (fronting Sandgate Esplanade) and eastern boundary (fronting Prospect Road) at 32 Sandgate Esplanade, Sandgate, Folkestone CT20 3EA in accordance with the terms of the application, Ref 20/0775/FH, dated 20 June 2020, subject to the conditions listed below: -
 - a. The development hereby permitted shall begin no later than three years from the date of this decision.
 - b. The development hereby permitted shall be carried out and retained in accordance with the following approved plans: 001 Rev No P1; 002 Rev No P1 and 003 Rev No P1.

Preliminary Matters

2. The description of proposed development in the header above is taken from the planning application form albeit I have removed wording which is not an act of development.
3. An upper ground floor front balcony and a wall to the southern and eastern boundaries have been erected at the site. Whilst the parties both describe the developments that have taken place to be retrospective, it may be that the works that have taken place would not be in full accordance with the plans/drawings that are before me. To avoid any doubt, I have considered the appeal as a standalone development on the basis of the plans/drawings that

are before me, irrespective of any works that have taken place at the appeal site.

Main Issues

4. The main issues are the effect of the proposed development on the appearance of the host dwelling and the setting of the adjoining Listed building, 31 Sandgate Esplanade, and, upon the character or appearance of the Sandgate Conservation Area (the CA) and the visual appearance of the street scene.

Reasons

5. The CA as a whole derives its significance from its historic buildings, including that of adjoining Listed property, 31 Sandgate Esplanade, and the pattern of development which is shaped by its relationship fronting onto the sea and the rising topography of the land behind the sea front esplanade. Frontage boundary walls along the Esplanade within the CA are mainly brick, stone or render, often finished over a base material. Boundary treatments along this part of the Esplanade frontage are varied. Some have low level front boundaries with relatively open frontages whilst other boundaries are of some height, many of those supporting elevated land behind that take the appearance of tall retaining walls.
6. The appeal site is seen as part of a group of three terraced buildings of similar siting set back from the Esplanade with front gardens of similar lengths. The topography means that the front gardens of these properties, as well as the properties themselves, are positioned at a higher ground level to that of the Esplanade. The proposed wall would be taller than that of the boundary wall of the other two properties in this group. Notwithstanding this, these three properties clearly form part of the properties along the wider Esplanade and there is no discernible consistency to the heights or styles to the boundary frontages.
7. The Grade II Listed building is seen in the context of the terrace being the central property within it. Given the elevated siting of the host property, the proposed wall would not obscure views of this group of three properties from the public realm, which includes that of the Listed building. Although the proposed wall would be different in height to that the frontage walls of the adjoining Listed building and No 30, I do not consider it would appear significantly harmful to the setting of the adjoining Listed building given the variety of heights of walls within its wider setting.
8. The wall would wrap around the corner into Prospect Road. I observed that the property on the opposite corner hosts a wall topped by a closeboard fence that extends along Prospect Road. That existing boundary treatment is not of dissimilar height to that of the proposed wall. I observed that to the east and not far from the appeal site there is a tall boundary wall around the property at the corner of Sandgate Esplanade and Encombe that is within the CA.
9. The proposed part block/render and part gabion basket wall would be of modern design, nonetheless there are examples of both stone and render boundaries along the Esplanade. In view of the mix of heights of walls along the Esplanade, I do not consider the proposed wall would be overly dominant within this existing street scene. The proposed boundary wall would be similar in height and constructed of similar materials to that of other boundaries along

the Esplanade frontage and within the CA. Consequently, I consider the proposed wall would assimilate with the other frontage boundaries along the Esplanade, as well as that of the adjoining terrace.

10. The Council Officer's Report sets out that the proposed steel and glass front balcony at upper ground floor level is considered acceptable. I see no substantive reason that would lead me to come to a different view on this part of the proposed development.
11. For the above reasons, I concluded that the proposed development would not have a harmful effect upon the appearance of the host property or the setting of the adjoining Listed building, 31 Sandgate Esplanade. It would preserve the character and appearance of the CA and would not visually harm the street scene. As such, the proposal would not conflict with Policies BE1, BE4, BE5 and BE8 of the Shepway District Local Plan Review 2006 that seek, amongst other matters, to achieve a high standard of design, to preserve or enhance the character or appearance of CAs, to preserve listed buildings and their settings and that require alterations to respect the original building and not to have a detrimental impact on the street scene.
12. The Council has also referred to emerging policies within the Places and Policies Local Plan, however I have not been advised as to what stage that plan is at. Whilst it may be progressing toward adoption, the 2006 Local Plan remains the extant development plan. I, therefore, give little weight to those emerging plan policies cited by the Council.

Conditions

13. I have considered the planning conditions suggested by the Council in light of paragraph 55 of the National Planning Policy Framework and the advice in the Planning Practice Guidance. I consider the standard time limit condition to be appropriate in the event that the works that have taken place at the site have not been constructed in accordance with the plans/drawing that are the subject of this appeal. In the interests of certainty, it is appropriate that there is a condition requiring that the development is carried out and retained in accordance with the approved plans.

Conclusion

14. For the reasons set out above, and subject to the conditions listed, this appeal should be allowed.

Nicola Davies

INSPECTOR