



Appeal Decision

Site visit made on 8 June 2021

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 June 2021

Appeal Ref: APP/J2210/W/21/3267631

2 Chapel Street, Herne Bay, Kent CT6 5GN

- 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 Richard Barnes of Catling Group Ltd against the decision of Canterbury City Council.
 - The application CA/20/02322, dated 20 October 2020, was refused by notice dated 14 December 2020.
 - The development proposed is a detached two and a half storey dwelling with rear dormer.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development would preserve or enhance the character or appearance of the Herne Bay Conservation Area; and
 - the effect on ecologically sensitive areas.

Reasons

Conservation Area

3. Chapel Street forms part of a grid of narrow streets behind the seafront. The character of the area is one of a tight knit townscape with buildings or boundary walls built hard up to the back edge of the pavement. Buildings are of mixed styles but are generally plain in form and detailing. The significance of the area lies in it being part of the early historic development of Herne Bay with unchanged street layout and examples of historic buildings. Where there has been infill or redevelopment, it generally reflects the small scale, simple forms of the original layout and buildings. Chapel Street has examples of both old and new buildings, all of 2 storeys with hipped or gabled roofs and plain elevations in brick and render.
4. There is no objection from the Council to the principle of a dwelling on the site, and permission has previously been granted for an alternative scheme¹. However, it is important for the character and appearance of Chapel Street that such a development respects the scale and design of other buildings in the Conservation Area.

¹ CA/15/01794/FUL

5. In this regard the proposed building would be higher than the buildings that flank it. This would appear discordant and out of place in views along this side of the street. There are other buildings of a similar height to that proposed in the appeal in the vicinity, including 165 Mortimer Street and Rodney's Head Public House, but these are some distance away or on the opposite side of the street, and therefore less comparable than those immediately neighbouring the site and with which it would be viewed.
6. Certain elements of the design of the building would also appear at odds with the simple forms of existing buildings within Chapel Street. The proposed building would have a crown roof instead of a simple ridge, it would have a terrace in the front roof slope, a large box dormer at the rear, and its fenestration would have a horizontal instead of a vertical emphasis.
7. The side elevation of the crown roof and to a lesser extent the box dormer would be visible in oblique views from Chapel Street and result in the building appearing bulkier, particularly at roof level, than its neighbours and would appear as an overdevelopment on what is a small site. There are other examples of dormer windows in the Conservation Area, but not of the scale as that proposed in the appeal scheme. The design would also contrast awkwardly with the simpler ridged or hipped roof forms of surrounding buildings.
8. The enclosed terrace would be an unusual feature, and not one that is characteristic of the simple and largely uninterrupted roof planes found in the surrounding roofscape. It would also draw attention to the size and form of the roof which as I have noted above is out of scale with surrounding buildings.
9. Lastly, the horizontal nature of the fenestration, their varied sizes, and the asymmetrical design of the windows and black timber weatherboard panels set alongside them, would contrast awkwardly with the vertically proportioned sash windows and greater use of symmetry found in the fenestration of other buildings in Chapel Street and more widely in the Conservation Area.
10. Taken together, these features would result in a building that would be out of scale with neighbouring buildings, particularly in terms of its roof form, and at odds with the prevailing appearance and design of buildings in this part of the Conservation Area. As a consequence, it would conflict with Policy DBE3 of the Canterbury District Local Plan 2017, which promotes good design.
11. The site is currently unused. Although a timber fence and gate screen the majority of the site from public view, the frontage is overgrown with weeds giving it an unkempt appearance. Development could therefore in principle improve the appearance of the site to the benefit of the Conservation Area. However, in this case the benefit arising from tidying up the site would not outweigh the harm that I have identified above.
12. I conclude that the development would fail to preserve or enhance the character and appearance of the Herne Bay Conservation Area.

Ecologically sensitive areas

13. The site lies within the zones of influence of the Stodmarsh Special Area of Conservation, Thanet Coast and Sandwich Bay Special Protection Area and the Thames, Medway and Swale Special Protection Area. These designations reflect the national and international ecological importance of the areas. It is possible that the development, when taken in combination with other residential

development, could have a significant effect on the ecological integrity of these areas through additional recreational pressure and/or increased pollution from nutrients.

14. I have been given insufficient information to inform an appropriate assessment of the likely significant effects on the designated sites. The absence of such information, or the means of mitigating any adverse effect that might arise as a result of the development, could in itself attract a reason for dismissal of the appeal. However, given my conclusion on the first issue there is no need for me to consider this second issue any further.

Conclusion

15. An additional dwelling would be of modest benefit in increasing the housing supply in the area, as would be the temporary economic benefit resulting from its construction. Since the Council has no objection in principle to a dwelling on the site, these benefits would in any case arise from an acceptable scheme, which has already been shown to be achievable. I therefore give these benefits limited weight.
16. Conversely, and in accordance with paragraph 193 of the National Planning Policy Framework, I give great weight to conserving the Herne Bay Conservation Area as a designated heritage asset. Although the development would lead to less than substantial harm to the significance of the heritage asset, that harm and the harm arising from the conflict with Policy DBE3 would outweigh the public benefits arising from the development. The proposal would therefore conflict with the development plan when taken as a whole.
17. I conclude that the appeal should be dismissed.

Guy Davies

INSPECTOR