



Appeal Decision

Site visit made on 17 May 2022

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2022

Appeal Ref: APP/J2210/D/22/3292233

126 Canterbury Road, Herne Bay CT6 5SE

- 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 Oyedeki and Miss Tosh against the decision of Canterbury City Council.
 - The application Ref CA/21/01100 dated 28 April 2021, was refused by notice dated 2 December 2021.
 - The proposed development is the use of the garage as ancillary accommodation, a single-storey extension to rear elevation, addition of a dormer window to the rear and rooflights to the front and side elevations, replacement windows and doors, and the erection of single-storey detached outbuilding for use as home office fronting Spenser Road.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the Council's description in the decision notice as it refers to the erection of the single storey detached outbuilding for use as a home office fronting Spenser Road, which is the element in dispute.

Main Issue

3. The main issue is the effect of the development on the character of the surrounds, including the siting within the Herne Bay Conservation Area (CA).

Reasons

4. The appeal site relates to a large detached house sited prominently on a corner plot at the junction between Canterbury Road and Spenser Road. The local neighbourhood is predominantly residential in nature.
 5. Paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
 6. The special architectural and historic interest of the CA derives from its early 19th century 'planned' seaside resort layout, developed and extended through the 19th and 20th centuries. Amongst other things, Canterbury Road comprises semis, detached houses and terraces lining the road into Herne Bay town.
-

7. The layout of built form along Spenser Road is fairly regimented; the front and side building lines are laid out in well-defined linear patterns along each side of the highway. The distance between elevations and the public highway is therefore fairly consistent and uniform; due to the prominent location this arrangement is particularly noticeable at the junction with Canterbury Road.
8. The proposal for a home office would interrupt this pattern, projecting into the side garden of the appeal site and beyond the established front and flank building lines. Although I recognise that it is of modest proportions, the scheme would still be clearly evident from the public domain within the vicinity of the site and would be a prominent incursion within the context of the locality, resulting in an uncharacteristic feature at the junction.
9. I am aware that the home office would be finished in materials to match the house, there would be no harm to the living conditions of the occupants of local properties and no objections were received from residents. However, these matters do not counterbalance the detriment I have identified above. I also appreciate that the development could be screened with hedging, but any such planting would need to be of a height, extent and density that of itself would look unusual or out of place within the context of this residential area.
10. Paragraph 200 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. The harm would be less than substantial, on account of the fact that the proposal would only affect part of the character of the CA and would not alter the built form or the townscape. Nevertheless, taking account of the statutory duty to have special regard to enhancing or preserving the character and appearance of a Conservation Area, importance and weight must be attached to the harm identified. I appreciate that the proposal would provide a homeworking facility and enhance the living arrangements at the residence, but this benefit does not outweigh the harm.
11. I note that the Council does not object to the other works to the property and I have no reason to disagree. They would appear to harmonise with the building in relation to depth, width, height and overall design.
12. I conclude that the scheme would be deleterious to the character of the surrounds, including the siting within the CA. It would be in conflict with Policies HE1, HE6 and DBE3 of the the Canterbury District Local Plan 2017 which seek to secure new development of acceptable scale and appearance that preserves or enhances special architectural or historic character. It would also be inconsistent with the heritage aims of the Framework, and bearing in mind that good design is a key aspect of sustainable development.

Conclusion

13. Having regard to all matters raised and based on my reasoning above, the appeal is dismissed.

C Hall

INSPECTOR