

Appeal Decision

Site visit made on 19 July 2022

by S Edwards BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 October 2022

Appeal Ref: APP/D1265/Y/21/3286251

15 High Street, Swanage BH19 2LP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Peter Law against the decision of Dorset Council.
 - The application Ref 6/2021/0082, dated 11 April 2018, was refused by notice dated 7 October 2021.
 - The works proposed are "internal refurbishment including new suspended ceiling; erection of replacement store with extended canopy".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal scheme affects a listed building sited within a conservation area, and I have therefore had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The appellant has confirmed that the appeal scheme includes no changes to the front elevation of the listed building. Furthermore, no concerns were raised by the Council regarding the internal refurbishment of the premises. I have considered the appeal on this basis. Similarly, where the works that form part of the scheme have already been carried out, I have treated the appeal on that basis.

Main Issues

4. The main issues are whether the appeal scheme would preserve no 15 High Street, a Grade II listed building, the adjacent listed buildings fronting the High Street and Cliff Place, including any of the features of special architectural or historic interest that they possess, and preserve or enhance the character or appearance of the Swanage Conservation Area.

Reasons

5. Located within the retail precinct of Swanage Town Centre, the appeal site forms part of a terrace of three-storey properties which typically comprise commercial premises at ground floor level, with residential accommodation above. The terrace, which was built in 1835, is collectively listed at Grade II. According to the listing description, the properties were originally rendered and were built with slate roofs, but the two end buildings now have exposed Purbeck stone walls with brick window surrounds.

6. The significance of the terrace as a whole is primarily derived from its architectural and historic interest, in that it reflects the rapid growth of Swanage as a seaside resort during the nineteenth century. That said, and although the front elevations of the terraced properties are the most striking elements, the rear of the appeal site also has a role to play, as it enables an appreciation of the plainer back elevation, and helps with understanding the pattern and nature of housing at that particular time.
7. The imposing nature of the terrace contrasts with the separately listed cottages fronting the narrow alleyway known as Cliff Place. The significance of these properties resides largely in their architectural and historic interest, with particular regard to their modest scale, simple form and use of a limited palette of vernacular materials.
8. The appeal site lies within the Swanage Conservation Area, which owes much of its special interest to the "fusion of architectural forms and styles frequently underscored by the changing application of locally sourced materials and vernacular traditions in their construction¹". The listed terrace makes a significant contribution to the character and appearance of the Conservation Area, as a fine example of Regency architecture, reflecting the changes which the town underwent until it eventually developed as a seaside resort.
9. The appeal relates to an existing wooden clad outbuilding with flat roof sited to the rear of the site, which was erected without the benefit of planning permission and/or listed building consent. The Council served an Enforcement Notice seeking the removal of the structure and associated canopy, which was upheld at appeal², the Inspector considering that the wooden clad store structure fails to preserve or enhance the character or appearance of the area, having particular regard to designated heritage assets".
10. I share the concerns raised by the Council regarding the existing structure and associated canopy which, by reason of its construction, may have caused harm to the historic fabric of the listed building. The development is partially screened by the stone boundary wall adjacent to Cliff Place, but is nevertheless visible within the public realm and from neighbouring properties. Within such a constrained and sensitive setting, the appeal structure and associated canopy however constitute unwelcome additions to the rear of no 15 High Street (no 15) and other adjacent listed buildings.
11. The footprint of the building covers a significant proportion of the rear of the site, and its overall scale, which would be compounded by the proposed glass canopy, would remain excessive. Although a modern design approach may in some instances be appropriate, notably to create a visual contrast, the design, scale and use of uncharacteristic materials would give the structure a utilitarian and incongruous appearance. Moreover, the structure and associated canopy would lack subservience in relation to the main building, and appear out of kilter with their surroundings, thus failing to preserve the special interest of no 15 and other adjacent Grade II listed properties, as derived from their settings.
12. The appeal scheme would also fail to reflect the historic character and appearance of its wider surroundings, and thus erode the site's contribution to

¹ Swanage Conservation Area Appraisal Document (Adopted Document July 2008).

² APP/D1265/C/3233059.

the Conservation Area. As a result, the proposal would fail to preserve the special interest of the Swanage Conservation Area as a whole. Whilst I understand that the existing building has replaced a smaller, modern shed like structure, no substantive evidence has been presented to demonstrate that it was lawful. Furthermore, this provides no justification for a scheme which, for the reasons given above, would be harmful.

13. The appeal scheme would cause less than substantial harm to the special interest of no 15 and other adjacent listed buildings, as well as the listed buildings fronting Cliff Place and the Swanage Conservation Area, to which I ascribe considerable importance and weight. In such circumstances, the identified harm should be weighed against the public benefits of the proposal, in accordance with paragraph 202 of the National Planning Policy Framework (the Framework). The appeal scheme may support the commercial use of the ground floor premises and thus assist with sustaining the optimum viable use of the listed building, which may be regarded as public benefits. However, the presented benefits would be outweighed by the harm which I have identified.
14. For the foregoing reasons, the proposed works would fail to preserve the special interest of the appeal building and preserve or enhance the character and appearance of the Swanage Conservation Area. The appeal scheme would therefore fail to meet the requirements of the Act, Section 16 of the Framework, and Policies LHH and D of the Purbeck Local Plan Part 1 (Adopted November 2012). These require proposals for development and other works to positively integrate with their surroundings and conserve the appearance, setting, character, interest, integrity, health and vitality of landscape and heritage assets.

Conclusion

15. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal fails.

S Edwards

INSPECTOR