



Appeal Decision

Site visit made on 25 May 2023

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 June 2023

Appeal Ref: APP/J2210/W/22/3307198

7 High Street, Canterbury, Kent CT1 2JH

- 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 TE Canterbury Ltd against the decision of Canterbury City Council.
 - The application Ref CA/22/00731, dated 28 March 2022, was refused by notice dated 19 July 2022.
 - The proposed development is for a new shopfront.
-

Decision

1. The appeal is allowed and planning permission is granted for a new shopfront at 7 High Street, Canterbury, Kent CT1 2JH in accordance with the terms of the application, Ref CA/22/00731, dated 28 March 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: site plan, 3328/PL001-A, 3328/PL112-A
 - 3) Prior to their first use in the development hereby approved, details of the materials to be used in the construction of the external surfaces of the development including cross-sections through glazing bars and frames, elevation, glazing, colour and finish at a scale of 1:10 of all new external windows and doors, shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be fully implemented prior to the first occupation of any part of the approved development and retained thereafter.

Preliminary Matter

2. At my site visit, I saw that development has been completed on an alternative scheme, which the Council has indicated was approved under application CA/22/00376.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the appeal building and the surrounds, including the Canterbury City Conservation Area (CA).

Reasons

4. The appeal site forms part of a larger terrace and is situated within a High Street location in Canterbury City Centre. The surrounding area comprises a mix of leisure and commercial uses including national retail chains and a mix of other smaller independent shops.
5. Being situated in the CA, special attention must be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Paragraph 199 of the National Planning Policy 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 this part of the CA derives from the mix of shops, cafes, pubs and restaurants, which result in a thoroughfare that is busy and bustling. The buildings are well-formed and produce an urban street that has substantial visual interest. The narrowness of the lanes and alleys that join the wider main street is a distinctive characteristic of the morphology of the city.
7. The Council's objection appears to relate primarily to the new door to the side of the main entrance to the retail outlet, which provides access to the flats above. Although this has resulted in the removal of an area of active glass frontage, I saw at my site visit that there are similar accesses to residential units on other premises in the local area.
8. The appeal outlet would continue to exhibit shop-like characteristics in that it has an entrance door and windows capable of window display and people can walk in directly in off the street. From the photographs provided, the central, recessed door re-instates the feature that previous existed when Jigsaw occupied the premises. I have also noted that the extant permission for a similar development on the shop frontage has been implemented. Taken in the round, in an area where there is a mix of styles, uses and designs, I am of the view that the proposal does not represent an unduly harmful element within the context of the appeal building and the wider CA.
9. I note the Council's contention regarding the use of unpainted timber, however this matter can be addressed through the imposition of a materials condition.
10. I conclude that the scheme would not be deleterious to the character and appearance of the appeal building and the surrounds, including the Canterbury City Conservation Area. It would meet Policies DBE3, DBE6, HE1, HE6, HE8, and HE10 of the Canterbury District Local Plan July 2017 and the Council's Shopfront Guidance Supplementary Planning Document 2020, which seek to retain good quality shopfronts of an acceptable scale and appearance that preserve and enhance the District's historic environment. It would also be consistent with the advice in the National Planning Policy Framework, which states that good design is a key aspect of sustainable development, and it is desirable for new proposals to make a positive contribution to local character and distinctiveness.

Conditions

11. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. In addition to the standard implementation condition, the approved plans are listed for certainty. Conditions requiring the submission of details in respect of external materials, glazing bars, frames and so on are necessary to ensure that the proposal integrates with the site and surrounding area.

Conclusion

12. Based on the preceding and accounting for all matters raised, the appeal is allowed.

C Hall

INSPECTOR