



Appeal Decision

Site visit made on 13 September 2023

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th October 2023

Appeal Ref: APP/Z2260/Y/21/3289660

1 High Street, St Lawrence, Ramsgate CT11 0QH

- 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 J Anderson against the decision of Thanet District Council.
 - The application Ref L/TH/21/0349, dated 8 March 2021, was refused by notice dated 1 June 2021.
 - The works proposed are described as 'to erect a rear single storey extension following demolition of an existing single storey extension together with minor internal alterations and external alterations to front boundary wall including new entrance gates and brick piers.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal relates to an application for listed building consent for proposed works. In determining the appeal, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have paid special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
3. The Council's reason for refusal relates solely to the proposed extension and does not object to the demolition of the existing modern extension. It does not object to the remainder of the internal or external works proposed. Based on the evidence before me, and from my site visit, I have no reason to disagree with those findings and conclude that they would preserve the listed building's special interest in accordance with Section 16(2) of the Act.
4. I note that planning permission was granted at the site for the erection of a single storey extension following demolition of an existing single storey extension, together with external alterations to the front boundary wall including new entrance gates and brick piers (Ref: F/TH/21/0348). Although no substantive details of this have been submitted. Nonetheless, bearing in mind the statutory duty under Section 16(2) of the Act, in considering whether to grant listed building consent for any works, I am required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Consequently, I have determined the appeal scheme on its own merits.

Main Issue

5. The main issue is whether the proposed works would preserve the Grade II listed building, 1 And 3, High Street (hereafter referred to as '1 and 3 High

Street'), or any features of special architectural or historic interest which it possesses.

Reasons

Special interest and significance

6. The appeal property is set within a well-landscaped and large garden plot. It forms part of a Grade II listed building¹, with early 19th century origins. It is finished in stock brick, part rendered, with a slate roof over.
7. Despite its extension and alteration over time, the front of the appeal building retains a prominent architectural form along High Street. At the rear, previous extensions have, to some extent, degraded the integrity of the appeal property and resulted in the loss of homogeneity across the rear of the wider terrace. Nevertheless, this has not unduly eroded the building's intrinsic heritage merit.
8. Based on the evidence before me, I consider the special interest and significance of the listed building to be largely derived from its architectural and historic interest. Important contributors in these regards, which are pertinent to the appeal, are the architectural composition of the appeal property's front and rear elevations, and its surviving historic fabric.

Appeal proposal and effects

9. The proposed works, insofar as they relate to the appeal, involve the removal of an existing single-storey rear extension and its replacement with a larger, single-storey addition.
10. Whilst I accept that the existing rear addition is of a relatively low quality and is somewhat at odds with the older elements of the property in terms of its detailed design, materials and predominantly linear form of the building, taken as a whole, the historic building nonetheless remains intact and legible.
11. The proposed extension, whilst remaining subservient to the main building, would form a considerable addition to the property. It would conceal a significant part of the historic rear elevation of this part of the listed building, harmfully affecting its legibility, and would further erode its integrity. I accept that the extension has been designed to be set back from the furthest rear building line of this part of the listed building. However, this setback is minimal. Harm also arises from the style and size of the proposed window and door openings, which would compete with and detract from the largely consistent, modest fenestration across the rear elevation.
12. I acknowledge that the proposed extension has been designed with some attention paid to the use of facing materials and floor levels. I also note that the works would remain largely out of view from the public realm. However, this does not outweigh or overcome the harm identified and the building is listed for its intrinsic architectural and historic interest. That the proposal would not affect the front or side elevations would not compensate for the identified harm or sufficiently justify the proposal.
13. The proposed works would result in the loss of some historic fabric and the need to support a load bearing wall. Whilst the resultant loss of historic fabric would not be significant, and, in part, affects the more recent phase of the

¹ List Entry Number: 1336661

dwelling, this would not lessen the harm to the listed building overall. However, no detail of the structural interventions required has been provided.

14. Overall, I conclude that the proposed works would fail to preserve the Grade II listed building, 1 And 3 High Street, or any features of special architectural or historic interest which it possesses, contrary to the requirements of Section 16(2) of the Act. Consequently, the proposal would harm the significance of this designated heritage asset.

Public benefits and balance

15. Paragraph 199 of the Framework advises that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.
16. With reference to Paragraphs 201 and 202 of the Framework, in finding harm to the significance of designated heritage assets, the magnitude of that harm should be assessed. Given the extent of the works relative to the listed building as a whole, I find the harm would be 'less than substantial' in this instance but, nevertheless, of considerable importance and weight. Under such circumstances, Paragraph 202 advises that this harm should be weighed against the public benefits of the proposal, which includes securing the asset's optimum viable use.
17. Economic benefits would be brought about through the construction phase and the general investment into the property. However, the scale of those benefits would be short-term and limited by the modest extent and nature of the proposal. The primary outcomes of the proposed works, namely the extension of the building, would be private benefits to the appellant in terms of additional accommodation.
18. I accept that listed buildings need to evolve. However, I am not persuaded that the scheme before me is fundamentally necessary to facilitate the optimum viable use of the building. Moreover, whilst I accept the public benefits of the works, these would inevitably be limited and do not provide clear and convincing justification for allowing the appeal. I accept that the removal of the existing poor quality rear extension would sustain and enhance the significance of the listed building. Nevertheless, its replacement with an oversized extension would override any public benefit gained from its loss.
19. Overall, the weight that I ascribe to the public benefits that would accrue from the proposal is not sufficient to outweigh the considerable importance and weight that I attach to the harm I have found. Accordingly, the proposed works would fail to preserve the Grade II listed building, 1 and 3 High Street, or any features of special architectural or historic interest which it possesses, contrary to the requirements of section 16(2) of the Act.

Other Matters

20. I note the amendments made to the scheme during the course of the application and the appellant's offer of amending the design of the proposal. However, an appeal should not be used to evolve a scheme and I am assessing the proposal on the plans put before the Council.

21. I acknowledge that no objection was received from either the Ramsgate Town Council or neighbouring residents. However, this has not led me to an alternative conclusion on the main issue.
22. I also acknowledge comments in respect of the site not falling within a conservation area, being positioned in a relatively sustainable location and that no living conditions would be harmed. These matters are not in dispute between the Council and appellant and I have no reason to disagree. Nevertheless, they do not weigh for or against the appeal.

Conclusion

23. For the reasons given above, having had regard to all other relevant material considerations, I conclude that the appeal should be dismissed.

A Price

INSPECTOR