



Appeal Decisions

Site visit made on 13 September 2023

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th October 2023

Appeal A Ref: APP/J2210/W/22/3310053

8 Blackfriars Street, Canterbury CT1 2AP

- 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 James Lawrence against the decision of Canterbury City Council.
 - The application Ref CA/21/02813, dated 12 November 2021, was refused by notice dated 8 June 2022.
 - The development proposed is single storey rear extension.
-

Appeal B Ref: APP/J2210/Y/22/3310054

8 Blackfriars Street, Canterbury CT1 2AP

- 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 James Lawrence against the decision of Canterbury City Council.
 - The application Ref CA/21/02814, dated 12 November 2021, was refused by notice dated 8 June 2022.
 - The works proposed are single storey rear extension and internal alterations.
-

Decision

1. Appeals A and B are dismissed.

Preliminary Matters

2. I have used the Council's descriptions of development and works as these more accurately and concisely describe the proposal.
3. Both Appeals A and B concern the same scheme under different, complementary legislation. To avoid duplication, I have dealt with both appeals together in my reasoning. Whilst I am aware that the site has some planning history, those other schemes are not before me for consideration.
4. Appeal A and Appeal B relate to development and works to a listed building located within a conservation area. In this respect I have had special regard to the requirements of sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
5. As the proposal would be physically attached to the historic core of the building, it, by virtue of section 1(5)(a) of the Act, would form part of the listed building. As such, I have considered the proposal to constitute development and works to the listed building, rather than within its setting, and have determined the appeals on this basis.

Main Issue

6. The main issue is whether the proposed works would preserve the Grade II listed building, 1-10 Blackfriars Street, or any features of special architectural or historic interest which it possesses, and the extent to which the works would preserve or enhance the character or appearance of the Canterbury Conservation Area.

Reasons

Special interest and significance

Listed Building

7. The appeal site comprises a dwelling known as 8 Blackfriars Street. It forms part of a Grade II listed building¹ known as 1-10 Blackfriars Street, built as 'artisan houses', dating from the early nineteenth century. It backs directly onto the River Stour and Abbot's Mill Garden beyond.
8. The appeal building maintains an aesthetically pleasing form, constructed in red brick with a pitched roof over, consistent with much of the wider listed terrace. A number of changes have occurred to the rear of the appeal building over time, including the replacement of window and door openings. Nevertheless, this has not unduly eroded the appeal building's intrinsic heritage merit, or the contribution it makes to the listed terrace. Further changes have taken place to the wider terrace, including various extensions. However, in a similar vein to the above, these changes have not unduly eroded the intrinsic heritage merit of the listed terrace.
9. Based on the evidence before me, I find that the listed building's special interest and significance is primarily associated with its architectural and historic interest as an illustration of nineteenth century urban domestic architecture, together with its value as part of a group. Important contributors in these regards, which are pertinent to the appeals, are its surviving historic fabric, the use of traditional construction techniques and materials, the legibility of the historic core and the status differentiation reflected in the building's front and rear elevations.

Conservation Area

10. The appeal property is also located within the Canterbury Conservation Area (CA) and specifically within Character Area x: St Radigund's.
11. The special interest and significance of the CA is largely derived from the preservation of its historic core, and includes significant buildings such as Canterbury Cathedral, St Martin's Church and St Augustine's Abbey. The appeal property and wider terrace positively contribute to the character and appearance of the CA and thereby to its significance as a designated heritage asset.

¹ List Entry Number: 1085130

Appeal proposal and effects

Listed Building

12. The proposal would involve the erection of a single-storey rear addition, together with associated alterations, including the enlargement of an existing door opening. The extension would span the rear elevation, finished in brickwork, and would feature two large glazed roof lanterns.
13. I accept that existing rear additions along the wider listed terrace are of varied quality and are somewhat at odds with the older elements of the terrace in terms of its detailed design, materials and predominantly linear form. However, taken as a whole, the historic core of the building nonetheless remains largely intact and legible.
14. The proposed extension, whilst remaining subservient to the appeal property, would compromise this legibility, forming a considerable addition to the building. It would obscure and dominate a significant part of the rear elevation, competing with the primacy of the historic core. In doing so, the proposal would harmfully erode the historic and architectural integrity of the listed building and would not conserve it in a manner appropriate to its significance.
15. Harm would also arise from the large, formal and uniform style of the proposed window and door openings. Whilst I note the appellant's comments in respect of precedent being taken from the surrounding area, the design of the extension is such that it would compete with and detract from the more modest fenestration across the rear elevation of the appeal building.
16. I note the appellant's ambition to create a 'secondary principal elevation which reflects and complements the front facade of the property'. However, this is entirely at odds with the historic orientation and design of the terrace, with its principal elevation fronting Blackfriars Street, and the modest, restrained appearance of the rear elevation.
17. The proposed works would result in the loss of some historic fabric and, it would appear, the need to support a load bearing wall in the location of the widened door. However, no substantive detail of the structural interventions required has been provided. Whilst the resultant loss of historic fabric would not be significant, this would not lessen the harm to the listed building overall.
18. The proposal would not affect the principal front elevation of the building. Nor would it be visible from Blackfriars Street. However, it would be highly visible from the river and green space to the rear. Therefore, the lack of visibility from the front would not compensate for the identified harm or sufficiently justify the proposal.
19. Overall, I conclude that the proposal would fail to preserve the Grade II listed building, 1-10 Blackfriars Street, or any features of special architectural or historic interest which it possesses, contrary to the requirements of sections 16(2) and 66(1) of the Act. Consequently, the proposal would harm the significance of this designated heritage asset.

Conservation Area

20. The proposal would be visible in public views within the open space to the rear and from the River Stour itself, which is in active use. From these vantage

points the proposal would have a stark, uniform appearance and the ambition to create a secondary principal elevation would confuse the intended orientation of the appeal property. This is at odds with the historic appearance of the appeal property and wider terrace which has an unassuming, modest appearance and more informal and varied approach to extensions. The proposal would fail to correspond to the prevailing character and appearance of the CA when taken as a whole.

21. Accordingly, the proposed development would harm a building of relative prominence within the townscape and therefore diminish the positive qualities of the CA as a whole, contrary to the requirements of section 72(1) of the Act.

Conclusion

22. Overall, I conclude that the proposal would fail to preserve the Grade II listed building, 1-10 Blackfriars Street, or any features of special architectural or historic interest which it possesses; and fail to preserve or enhance the character or appearance of the CA. This would be contrary to the requirements of sections 16(2), 66(1) and 72(1) of the Act. Consequently, the proposal would harm the significance of these designated heritage assets.

Public benefits and balance

23. 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.
24. 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 development and 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.
25. Economic benefits would be brought about through the construction phase and the general investment into the property and the site is located within a sustainable location. 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, and future occupants, in terms of additional accommodation.
26. 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, or without it that investment into the property would not be forthcoming. Moreover, whilst I accept the public benefits of the development and works, these would inevitably be limited and do not provide clear and convincing justification for allowing the appeal.

27. 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. The proposal would fail to preserve the Grade II listed building, 1-10 Blackfriars Street, or any features of special architectural or historic interest which it possesses, and fail to preserve or enhance the character or appearance of the CA. Accordingly, the proposal would be contrary to the requirements of sections 16(2), 66(1) and 72(1) of the Act, and the relevant provisions of the National Planning Policy Framework (Framework). The proposals would also conflict with the relevant provisions of Policies HE1, HE4, HE5 and HE6 of the Canterbury District Local Plan (2017) which, taken as a whole, seek to protect heritage assets.

Other Matters

28. I note that the proposal would meet other planning objectives, including in respect of flood risk and, subject to a condition, archaeology. However, these matters are not in dispute between the appellant and Council and do not lead me to an alternative conclusion on the main issue.

29. My attention is drawn to a number of other schemes that have been granted consent over the years, including several within Blackfriars Street. From the evidence before me, and my observations on site, it is apparent that many of these are historic alterations, determined under a different planning regime, prior to the publication of the Framework and adopted local plan. Some schemes provide conservatory style extensions which are more lightweight in appearance than the proposal before me. From that perspective, these other schemes are not directly comparable and have not led me to an alternative conclusion on the main issue.

30. I also acknowledge the appellant's comments in respect of procedure and reasonableness relating to the Council's determination of the appeal. These matters are not within the remit of this appeal and would be considered under an application for costs.

Conclusion

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

A Price

INSPECTOR