



Appeal Decision

Site visit made on 28 August 2023 by C Glaister BSc (Hons) MSc

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 December 2023

Appeal Ref: APP/P2114/W/23/3315259

5 Tides Reach, Birmingham Road, Cowes, Isle of Wight PO31 7NU

- 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 Keith McCullagh against the decision of Isle of Wight Council.
 - The application Ref 22/01685/FUL, dated 15 September 2022, was refused by notice dated 17 November 2022.
 - The development proposed is described as "Proposed replacement dormers at ground floor of no 5 and one new dormer at first floor level; alterations; replacement balustrade to rear elevation (revised scheme)".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The Government published a revised version of the National Planning Policy Framework (Framework) on 19 December 2023. The revised national policy is a material consideration. Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. It is not therefore necessary to seek further submissions on the revised Framework, and no party shall be disadvantaged by this action.
4. There is an extant permission for the development proposed at the rear. This report will therefore focus on the proposed front dormers.

Main Issue

5. The main issue is whether the proposed dormers would preserve or enhance the character or appearance of the Cowes Conservation Area or effect the setting of a listed building.

Reasons for the Recommendation

6. The site is within the Town Centre Character Area of Cowes Conservation Area (the CA). This small scale, historic, and lively centre is tied strongly to its waterfront and this relationship, and the setting provided by the waterway,

make a considerable contribution to the significance of the CA. The Cowes Conservation Area Character Appraisal refers to a loss of historic character along Medina Road where modern apartment blocks are a defining feature. The historic character along Birmingham Road remains much stronger.

7. No 5 Tides Reach occupies 2 floors at roof level within a large end-of-terrace building. It adjoins Westbourne House, a Grade II listed building. Westbourne House has 2 small identical front-facing dormers with hipped roofs and sash windows. Between them is a smaller dormer which has a flat roof and casement windows. The listed building derives considerable significance from its age, architectural detailing, historic function and relationship with the road and waterfront. It is experienced as part of this terraced group, where its detailing makes it stand out in the terrace compared to the simple design and form of Tides Reach. This setting therefore also contributes to its significance, albeit that its southern wing has been replaced by Tides Reach.
8. The appeal site has 5 small front-facing dormers that are similar in size to the largest two at Westbourne House and one towards the centre that is larger. There is an element of continuity between Tides Reach and Westbourne House, including red-brick facades along the same building line, and parapets and ridgelines of a similar height. Although the dormers at Tides Reach do not replicate the design of those at Westbourne House, they are sympathetically sized.
9. On the other side of Westbourne House at the opposite end of the terrace is Spinlock, a building with its own historic character. This building has a predominantly white rendered façade and elements which extend forward from the front elevation. It also has two front-facing dormers with hipped roofs, both of which are larger than those at Westbourne House or Tides Reach, and a dormer all the way along the ridge of the roof. Most of the windows on this front elevation have multiple glazing bars. Spinlock and Westbourne House are both attractive and well-maintained and contribute positively to the CA.
10. Tides Reach occupies a prominent position at the junction and is highly visible from different directions. The existing building has less architectural and historic significance and significantly less detailing than its neighbours and incorporates some unsympathetic materials. It therefore does not contribute positively to the character and appearance of the CA. However, it makes some attempt to respect the design principles of its listed neighbour. Consequently, it has an overall neutral effect on the CA as a whole.
11. The existing front dormers are unevenly spaced along the roof and somewhat mismatched. Nevertheless, the windows within them generally relate well to those below, while the white window frames and cladding provide a visual link to the materials on Westbourne House and Spinlock. Therefore, despite design differences and unsympathetic materials, the dormers contribute to the appearance of the terrace as a related group of properties.
12. The lower set of proposed dormers would be larger than the existing. This would not in itself be out of context given the presence of larger dormers nearby, including at Spinlock. However, they would be noticeably wider than those of Westbourne House and Spinlock, and while the recessed sections would add some articulation, their overall size would still be apparent in wider views. They would be more evenly spaced across the roof than the existing dormers, however the degree of symmetry thereby achieved would be reduced

by the uneven spacing of the glazed elements. Although the dormer edges would in most cases align with the windows and door below, the glazing would not, being slightly offset in most instances. This would create an awkward visual relationship with the lower floors.

13. The building previously on the site had larger dormers, however they were significantly different in design and form to the appeal proposal and were more similar in design to those at Spinlock. They related well to the windows below them. As a result, the dormers and the building as a whole were sympathetically designed with respect to the wider terrace. They were not therefore comparable to the appeal scheme.
14. The use of anthracite grey cladding and frames on the proposed dormers would be more muted against the roof than the existing cladding, however it would not blend in sympathetically with the red/brown tiles. Therefore, in this prominent position the dormers would still be clearly visible. Moreover, the darker colour would create a stark contrast with the white frames of the windows on lower floors and the neighbouring properties. This visual contrast would be further emphasised by the different glazing arrangement proposed.
15. The size and design of the replacement lower dormers would therefore fail to respect the character or appearance of the appeal property or wider terrace, including Westbourne House. They would be clearly visible and appear as an overly dominant and incongruous element on the host building and the terrace as a whole.
16. The upper dormer would be the same scale as previously approved, however the proposed materials and glazing would also harmfully contrast with the remainder of the host building and terrace. Consequently, it would further increase the overall visual dominance of the proposed development.
17. On the opposite side of the road there is a former county police building. It has a contemporary extension at roof level. The extension is visible from the street, although it is set back from the front and sides which greatly minimises its visual impact, particularly at closer distances. The grey cladding is different to the roof colour but matches the windows of the property so has a clear visual relationship to the rest of the building. Furthermore, its siting and design mean that it is not seen as part of a group of buildings, rather it sits apart on a corner plot. It is not therefore comparable to the proposal before me and does not justify the design proposed for Tides Reach.
18. For the reasons above, the proposed dormers would detract from the appearance of the appeal property and its visual relationship to the rest of the terrace. Therefore, the proposal would diminish the contribution of Tides Reach and the terrace to the character and appearance of this part of the CA. Furthermore, the contrasting design and materials would make the host property stand out in the terrace more than at present, detracting from the prominence of Westbourne House in this group. This would detrimentally change the way in which the listed building is experienced, harmfully altering its setting and significance, albeit to a limited degree.
19. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas. Section 66(1) requires that special regard is paid to the desirability of preserving a listed

building or its setting. The Framework states that great weight should be given to the conservation of designated heritage assets.

20. The extent of the harm to the significance of the listed building and to the CA as a whole would both be less than substantial in the terms of the Framework. In such situations the Framework requires that the harm to a designated heritage asset should be weighed against the public benefits of the proposal.
21. The proposal would not enhance the appearance of the appeal building, so there would be no public benefit in that respect. It would increase the internal living space of the property, however this would be a private benefit for the appellant and occupiers, and therefore carries little weight. It would help to optimise the potential of the site as required by local policy, however it has not been demonstrated how that would result in a public benefit, so carries little weight. These matters would not therefore outweigh the harm identified to the significance of the heritage assets, which is a matter of considerable weight and importance.
22. For these reasons the proposed front dormers would fail to preserve the character and appearance of the Cowes Conservation Area and cause harm to the setting, and thereby the significance, of the adjacent listed building. The proposal would therefore fail to comply with Policies DM2 and DM11 of the Island Plan Isle of Wight Core Strategy (March 2012) which together seek to conserve and enhance the special character of the Island's historic and built environment and ensure development complements the character of the surrounding area.

Other Matter

23. The fallback position presented by the appellant is an approved development which bears a far greater resemblance to the existing arrangement of dormers, and which would therefore have a lesser impact than the appeal proposal. Accordingly, the fallback position does not justify granting permission for the appeal scheme.

Conclusion and Recommendation

24. For the reasons given above and having had regard to all other matters raised, I find that the proposal would conflict with the development plan and there are no material considerations that justify granting permission. I recommend that the appeal should be dismissed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

25. I have considered all the submitted evidence and my representative's recommendation and agree with the reasoning and conclusion set out above. On that basis the appeal is dismissed.

L McKay

INSPECTOR