



Appeal Decision

Site visit made on 29 December 2023

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 30.01.2024

Appeal Ref: APP/J2210/D/23/3325374

63 Canterbury Road, Whitstable, Kent, CT5 4HQ.

- 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 and Mrs Scott against the decision of Canterbury City Council
 - The application Ref CA/23/00187, dated 2 February 2023, was refused by notice dated 15 June 2023.
 - The development proposed is for dormer windows to rear.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have adopted the wording for the description of development in the bullet point above used by the Council in drafting its decision notice, as it more succinctly describes the development proposed rather than that set out on the original planning application form.

Main Issue

3. I consider the main issue to be whether the development would serve to preserve or enhance the character or appearance of the South Whitstable Conservation Area.

Reasons

4. The appeal property, 63 Canterbury Road, is a two-storey terraced house. It is located in the South Whitstable Conservation Area. This part of the conservation area is characterised by mixed development comprising mainly terraced vernacular residential development interspersed with retail and other commercial uses. As identified by the appellant there is also some larger contrasting and more contemporary forms of development.
5. Although part of a much longer terrace of houses number 63, together with 61 and 65 is one of what were designed as three identical terraced houses. They are linked to the neighbouring larger houses which are of a variety of designs. The group of three are more modest in scale and height than the remainder of the terrace.
6. Number 63, unlike number 61 and 65 currently has a small rear dormer window. As identified by the appellant, a number of the other larger houses in

the terrace currently have large flat roofed modern dormers in their rear roof slopes.

7. The appellant proposes a new and significantly larger rear, flat roofed dormer window to provide not just light but additional floor space at attic level.
8. In the context of the three smaller houses the proposed dormer due to its scale, massing and design would appear as an incongruous and dominant addition. It would thereby cause significant harm to the architectural integrity of the host building, the short terrace section of three smaller houses and thereby, by reason of its visibility, albeit limited, from Essex Street the character and appearance of the South Whitstable Town Conservation Area. Accordingly, I consider that to allow the proposed development would be to disregard the duties imposed by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
9. The National Planning Policy Framework (the Framework) requires great weight to be given to the conservation of designated heritage assets, which includes, amongst other things, conservation areas. It draws a distinction between substantial harm and less than substantial harm to such an asset. For the latter, which applies here, the test is that the harm should be weighed against public benefits, including securing the optimum viable use.
10. The proposed provision of additional habitable accommodation would provide some limited economic benefit. However, given the harm that has been identified I conclude that the public benefits would not outweigh this harm, or the conflict that the works would have with the objectives of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Framework and Policies DBE3, DBE6, HE1 and HE6 of the Canterbury District Local Plan (Adopted July 2017) as they relate to the quality of development, and the preservation or enhancement of the character or appearance of conservation areas.

Conclusions

11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Philip Willmer

INSPECTOR