



Appeal Decisions

Site visit made on 21 November 2024

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th December 2024

Appeal A Ref: APP/Z2260/W/24/3338991

1 Astor Road, Broadstairs, Kent CT10 3BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Ms N Barnes against the decision of Thanet District Council.
- The application Ref is FH/TH/23/1370.
- The development proposed is the erection of a single storey rear extension following demolition of existing conservatory.

Appeal B Ref: APP/Z2260/Y/24/3338995

1 Astor Road, Broadstairs, Kent CT10 3BB

- 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 Ms N Barnes against the decision of Thanet District Council.
 - The application Ref is L/TH/23/1371.
 - The works proposed are the erection of a single storey rear extension following demolition of existing conservatory.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The works relate to a listed building located within a conservation area. In this respect I have had special regard to the requirements of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). Mindful of my statutory duty under section 72(1) of the Act, I have also paid special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.
4. 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.

Main Issue

5. The main issue is whether the proposed development and works would preserve the Grade II listed building, 1 Astor Road, 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 Reading Street Conservation Area.

Reasons

Special interest and significance

Listed building

6. The appeal property, 1 Astor Road (also referenced as The Corner Cottage), is set within a garden plot at the junction of Reading Street with Astor Road. It is a Grade II listed building, comprising 18th century origins with later extensions and alterations. Despite the extension and alteration of the listed building over time, the street-facing elevations of the building retain a picturesque and pleasing architectural form. Later additions have not unduly eroded the building's intrinsic heritage merit.
7. Based on the evidence before me, the listed building's special interest and significance is largely derived from its age and architectural style. Important contributors in these regards, which are pertinent to the appeals, are the use of traditional construction techniques and materials, surviving historic fabric, and the building's general simplicity in form. The building also has group value with nearby listed properties.

Conservation Area

8. The appeal property is also located within Reading Street Conservation Area. The special interest and significance of Reading Street Conservation Area (CA) is largely derived from the preservation of its historic townscape, focussed along Reading Street. Insofar as the appeal is concerned, there is variation in dwelling style and period along Reading Street, and neighbouring streets. However, the material palette is typically reserved, limited to brick, render and flint. The appeal property forms a prominent end-of-terrace house and positively contributes to the character and appearance of the CA and thereby to its significance as a designated heritage asset.

Appeal proposal and effects

Listed building

9. The proposal would involve the demolition of the existing conservatory extension and brick outbuilding and their replacement with a contemporary extension. An enlarged opening would be created between the historic core of the house and the new extension.
10. The proposed extension would be of a comparatively large scale relative to the existing extension, and historic core, extending further into the garden than any part of the existing dwelling. Although single-storey, its overall projection and atypical roof arrangement, irrespective of its pitch, would harmfully disrupt the modest scale and relatively simple form of the existing property.
11. The proposed extension, whilst remaining subservient to the main building, would conceal a significant part of the historic rear elevation of this part of the listed building, harmfully affecting its legibility, and would erode its integrity. Ultimately, the proposed extension would compete with and detract from the listed building.
12. Turning to the historic fabric of the building, the enlargement of the opening between the main dwelling and extension would include the removal of a small area of masonry. Whilst the resultant loss of historic fabric here would not be

significant, and effects a more recent phase of the dwelling, this would not lessen the harm to the listed building overall. Moreover, no detail of the structural interventions required has been provided.

13. I accept that the proposal would be positioned to the rear of the dwelling, and would not be readily visible from Reading Street. Nevertheless, the building is listed for its intrinsic architectural and historic interest and the visibility of the proposed works is not a determining factor in considering whether they would preserve the special architectural or historic interest of the building.
14. Overall, I conclude that the proposed works would fail to preserve the Grade II listed building, 1 Astor Road, 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 special interest and significance of this designated heritage asset.

Conservation Area

15. As set out above, the proposal would not be readily visible from Reading Street and it would, in part, be set behind an existing garden wall and landscaping. However, the proposal would be visible from within Astor Road and from some nearby private vantage points. The scale and atypical design of the roof profile would be in stark contrast with the host property, which has a prominent but unassuming appearance within the wider terrace and townscape. This includes a simple roof profile. The proposal would fail to correspond to the prevailing character and appearance of the street and would harm a building of prominence within the townscape, therefore diminishing the positive qualities of the CA as a whole.
16. Overall, I conclude that the proposed development and works would fail to preserve or enhance the character or appearance of the CA. This is contrary to the requirements of sections 72(1) of the Act. Consequently, the proposed development and works would harm the significance of this designated heritage asset. This harm is of considerable importance and weight in the planning balance.

Public benefits and balance

17. Paragraph 212 of the National Planning Policy Framework (the Framework, December 2024) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 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.
18. With reference to paragraphs 214 and 215 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, I find the harm to be 'less than substantial' in this instance but, nevertheless, of considerable importance and weight. Under such circumstances, paragraph 215 advises that this harm should be weighed against the public benefits of the development, which includes securing the asset's optimum viable use.

19. Economic benefits would be brought about through the construction phase and the general investment into the property. However, the scale of those benefits is short-term and very limited by the extent and nature of the proposal. The primary outcomes of the proposed development and works, namely the extension of the building and provision of a ground floor shower room, would be private benefits to the appellant that do not provide clear and convincing justification for allowing the appeal.
20. I accept that the existing rear conservatory is at odds with the older elements of the property and is of relatively low quality. However, taken as a whole the historic building remains intact and legible. I also accept that the removal of the conservatory structure would sustain and enhance the significance of the listed building and note the proposed use of matching materials in the new extension. Nevertheless, the conservatory's replacement with an oversized and irregular extension would override any public benefit gained from its removal.
21. I note that the design of the extension is, in part due to the need to avoid drainage infrastructure at the site and the existing cherry tree. However, I have no substantive evidence before me that demonstrates that this is the only scheme possible.
22. Conservation is an active process of managing change to heritage assets in ways that sustain, reveal or reinforce their heritage interests. I am not persuaded that the scheme before me is fundamentally necessary to secure the optimum viable use of the building, which provides reasonable levels of accommodation overall. Moreover, no substantive evidence has been put before me which verifies that the property would not be useable or viable as a dwelling now or in the future, or that its conservation as a designated heritage asset would be at risk, if the appeals were to fail and the proposal, as submitted, was not implemented.
23. 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 development and works would fail to preserve the Grade II listed building, 1 Astor Road, or any features of special architectural or historic interest which it possesses. The proposal would also fail to preserve or enhance the character or appearance of the CA. Consequently, the proposal would be contrary to the requirements of sections 16(2) and 72(1) of the Act. The proposal would also be contrary to the relevant provisions of Policies HE02 and HE03 of the Thanet Local Plan (2020) which seek to conserve and enhance the historic environment.

Other Matters

24. The appellant has set out personal circumstances in that the proposed development would allow for a needed ground floor bathroom at the property. I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. It does not follow from the PSED that the appeal should succeed and wider planning considerations are paramount but nevertheless the particular need for improved bathroom access

in this location is a matter to which I give moderate weight in assessing the proposal.

25. I have reasoned above the significant harm that the proposal would cause to the wider public. Moreover, the proposal would likely remain long after the current personal circumstances cease to be relevant. For these reasons, I therefore find that this factor is not sufficient to outweigh the harm that would be caused, and which is contrary to the objectives of the development plan and the Framework.

Conclusion

26. For the reasons above and having had regard to the development plan as a whole and all other relevant material considerations, I conclude that Appeal A and Appeal B should be dismissed.

A Price

INSPECTOR