

**R02**

**L/TH/18/1568**

PROPOSAL: Erection of first floor balcony with railings together with installation of two french doors to front elevation

LOCATION:

8 Belmont House 2B Pegwell Road RAMSGATE Kent CT11 0GD

WARD: Cliffsend And Pegwell

AGENT: Miss K Banks

APPLICANT: Mr & Mrs C Beukes

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The proposed balcony together with the structural works to install it would result in substantial alterations to the historic layout and character of the building, detracting from the understanding of the structure and its features. The proposed works would therefore result in significant harm to the historic and architectural importance of the grade II listed building, which is not outweighed by the public benefits of the development, contrary to paragraphs 131, 132 and 134 of the National Planning Policy Framework.

#### SITE, LOCATION AND DESCRIPTION

Belmont House is a grade II listed building (date of listing 1974) within the Royal Esplanade Conservation Area in Ramsgate. The original part of the property dates back to 1795, but it has been extended in both the nineteenth and twentieth centuries. The conversion of the property to apartments was approved in 2001. The Belmont House site is a gated residential development, extensively landscaped and with two residential terraces (Victoria Row and Albert Row) within the grounds. The former gardens to the development extend from Pegwell Road to the north to Royal Esplanade and, due to the sloping nature of the site, Belmont House is visible from Royal Esplanade. The application site - apartment 8 - lies within the rear of the original part of Belmont House.

The surrounding area is mainly residential in character with a mix of type, form, scale, character and age of dwellings.

#### RELEVANT PLANNING HISTORY

An application for listed building consent for the installation of two French doors and balcony with timber deck and metal railings to first floor rear elevation including additional structural support was refused in April 2018 (L/TH/17/1761 refers). The reason for refusal for that application is set out below:

The proposed balcony together with the structural works to install it would result in substantial alterations to the historic layout and character of the building, detracting from the understanding of the structure and its features. The proposed works would, therefore, result in significant harm to the historic and architectural importance of the grade II listed building, which is not outweighed by the public benefits of the development, contrary to paragraphs 131, 132 and 134 of the National Planning Policy Framework.

### PROPOSED DEVELOPMENT

This application seeks listed building consent for the replacement of two windows with two doors together with the installation of a balcony with timber deck and metal railings to the first floor rear elevation of apartment 8 of Belmont House.

### DEVELOPMENT PLAN POLICIES

#### ***Thanet Local Plan 2006 - Saved Policies***

D1 - Design Principles

### NOTIFICATIONS

Letters were sent to the occupiers of adjoining properties, a site notice posted close to the site and the application publicised in a local newspaper.

9 letters have been received objecting to the application and their comments are summarised below.

- Close to adjoining properties;
- General dislike of proposals;
- Loss of light; noise nuisance;
- Out of keeping with the character of the area;
- Over development;
- Potentially contaminated land;
- No new information or justification given for the new proposal as opposed to last years application;
- The listed building should not have its character altered;
- Many people to choose to buy listed buildings because of the restrictions on altering their character and appearance;
- Construction works will cause considerable disruption to other residents and only benefit the one household;
- Potential incremental costs and potential damage and reduction in the value of other households in the property;
- Overlooking of my private amenity area from proposed balcony;
- Proposals do not comply with saved Local Plan Policies;
- Building is listed and within a conservation area and is considered to be an historic seat in the area;

- There has never been a balcony or french doors in the location proposed. Therefore, no evidence that this would be a reintroduction;
- The alterations to the building would be clearly seen from Royal Esplanade;
- Granting this application would set a precedent for other residents within the property;
- Will not give party wall consent for any building works;
- No discussions have been entered into with neighbours;
- Issues about maintenance/repairs of adjoining flats;
- The assessment of the application should not be made on whether the development would harm the listed asset or the character or appearance of the conservation area, but whether there is any public benefit from the alteration of the heritage assets;
- Previous alterations to the property almost all related to the internal;
- Any works to this property would affect the whole of Belmont House and would not be seen within the envelope of no. 8; and
- There is no evidence nor living person with a recollection other than what Belmont House substantially is today.

Three letters has been received supporting the application. Their comments are summarised below.

- Will be directly affected by building works at the proposed property, but appreciate that they will only last a few weeks;
- The proposed Victorian style balcony will enhance the facade of the building;
- The building has evolved over the years including a roof balcony for flat 12:
- It is unclear how structural damage would be caused;
- Would be in keeping with the area and say something of the fact that Queen Victoria herself stayed here;
- It is clear that balconies existed in the past in this location; and
- Almost all residences in Ramsgate have a first floor balcony.

## CONSULTATIONS

**Conservation Officer** - Belmont House was built in the late 18th century as a "Marine House" and was originally built in Gothic castellated style now best displayed on the south elevation of the house. In my view, the primary significance of Belmont House is derived largely from its inherent architectural and historic interest. In addition, the building has socio-cultural heritage. In essence therefore, the significance of the building largely derives from its age, historic fabric and features of special interest, form, former uses and its association with famous people all of which contribute to its significance. Furthermore, the setting of the building with gardens reflects the status of the building and makes an important contribution to its significance.

Whilst I do not disagree with the applicant's statement that the House has "evidential and communal value", I do not agree that the "evidential and communal" values renders principally the significance of Belmont House compared to its "aesthetic and historic" values. The Historic England "Conservation Principles, Policies and Guidance" support my consideration and states that 'heritage values are recognised by the statutory designation and regulation of significant places where a particular value, such as architectural or historic

interest or scientific interest are judged to be 'special', that is above the defined threshold of importance.

Moreover, the significance of this part of the Conservation Area is greatly influenced by former uses as the private gardens of Belmont House which it forms an integral part of. In this case in my view, the significance and special interest of this part of the Conservation Area and its contribution to the setting of Belmont House is subsumed by the combination of the historic and architectural interest of the building. Built as a private estate, the gardens still retains an imprint of large grounds it once possessed with numerous mature trees and lawns to the front and rear of the building which provided the setting of the building. The boundary treatments of the site with early 18th century flint walls reinforce the special identity of this area. To-date, apart from the surrounding grounds having been recently developed, the setting of Belmont House has retained much of its historic integrity and make a significant and positive contribution not only to the character and appearance of the Conservation Area but also to the setting of the listed building.

The proposal is for the installation of first floor balcony with railings together with installation of two French doors on the south facade of the main building. The building has undergone some extensive alterations over time. However, notwithstanding these previous alterations and changes undertaken over time, the building has maintained its character as a building of special architectural and historic interest. In the absence of a clear and convincing justification of the existence of a balcony on the first floor on this facade, and balconies not being characteristic of the main building, the proposed works to install a balcony would in my view, be a significant alteration to the south facade and would have a detrimental effect on the current form and integrity of the listed building, including the visual and physical relationship of its components on the south facade.

The insertion of the balcony and balustrading on this part of the building would require a significant amount of structural intervention on the historic fabric of the buildings which would affect its aesthetic value (in terms of its appearance due to alterations of the south facade) and evidential value (in terms of fabric removal and disturbance during construction). I therefore have the opinion that the proposed works would harm the overall significance of Belmont House as recognised during its designation and would not be acceptable.

Whilst it is indicated in the applicant's Design & Access Statement (including Heritage Statement) that the insertion of the balcony would be relatively minor intervention and that there have been previous extensive extension, remodelling and structural works on the building approved in 2004, even so, in my view, this does not justify further erosion of the character of the building and the proposed works would result in unduly interventions and cannot be reasonably argued that the works would collectively preserve the special architectural interest. In addition decision on any application is based on the planning merits of the application.

In considering a proposal for listed building consent, the duty imposed by section 16 of the Planning (Listed Buildings and Conservation Areas) (P(LB&CA) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Act

requires that special attention must be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

National policy guidance set out in the National Planning Policy Framework ('NPPF') confirms the great weight in favour of the conservation of 'heritage assets' such as listed buildings and conservation areas. The particular significance of any element of the historic environment likely to be affected by a proposal should be identified and assessed. Any harm should require clear and convincing justification.

I find that the proposal would have a harmful effect and would fail to preserve the special interest of the listed building. It would therefore be contrary to the desirability of which is clearly anticipated by section 16(2) of the P(LB&CA) Act and in my opinion is a matter of considerable importance and weight in this case.

For the same reasons the proposal would conflict with the expectations of paragraph 193 of the NPPF which anticipates that great weight should be given to the designated asset's conservation and this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

In my opinion, there would be no considerable harm to the character and appearance of the Conservation Area as a whole.

## COMMENTS

This application is called to Planning Committee at the request of Councillor Rogers to allow Members to consider the impact of the proposed balcony and doors on the architectural and historic interest of the listed building and the character and appearance of its conservation area setting.

### **Impact on Listed Building**

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when *'considering whether to grant listed building consent for any works the local planning authority ... shall 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'*. Paragraph 192 of the National Planning Policy Framework requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage asset, and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 193 of the NPPF goes on to advise 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The only considerations in its determination are the impact of the proposals on the buildings significance bearing in mind national guidance contained within the NPPF which states that conservation of historic assets is a core principle of the planning system and that the significance of listed buildings can be harmed by alteration to them. Where a development

proposal will lead to less than substantial harm, this should be weighed against the public benefits of the proposal, including securing its optimum viable use.

This application seeks to overcome the reason for refusal on the previous application and is supported by a new Planning, Design and Access Statement (including Heritage information). This statement concludes that there is evidence that a balcony once existed to the rear of Belmont House in the location now proposed in this application and that the proposed works would reintroduce the a feature that once existed. The works are proposed as a whim, but following appropriate and detailed consideration of how the works will complement the designated heritage asset. The intervention works required as a result of the proposed balcony will not destroy historic fabric or result in its loss and relevant legislation can ensure that the work is carried out appropriately and without risk to the heritage asset. The statement also advises that the main significance of Belmont House is evidential and communal.

This additional information has been reviewed by Council Officers including the Conservation Officer. The Conservation Officer advises that whilst he agrees that Belmont House has evidential and communal value, he believes the principle significance of Belmont House, and moreover the significance and special interest of the part of the conservation area surrounding this site, is from its historic and architectural interest. He acknowledges that the main building has been the subject of previous alterations and changes, but it has, however, maintained its character and architectural merit. In the absence of of clear and convincing justification of the existence of a previous balcony in this location and balconies not being a characteristic of the main building, the proposed works to install the balcony is considered to be a significant alteration to the south facade of the main building. This is considered to have a detrimental effect on the architectural form and integrity of the listed building. The insertion of the balcony together with the installation works would require a significant amount of structural intervention to the historic fabrics of the building which would affect both its aesthetic value (in terms of its appearance of the south facade) and its evidential value (in terms of fabric removal and disturbance during construction). It is concluded that even with a capable contractor and the safeguard of Building Regulations that the amount of structural works proposed could result in undue disturbance or damage (even inadvertently) to the historic fabric of the building.

Given the above, it is considered that the proposed works would harm the overall significance and architectural and historic interest of Belmont House contrary to paragraphs 193 and 196 of the NPPF.

### **Other Matters**

Some concerns have been raised by local residents in relation to issues such as loss of light and privacy, noise nuisance, over development and potential of contamination land. These issues are planning concerns and are not relevant to the consideration of a listed building application. In this instance, it should be noted that planning consent was granted for the installation of two french doors and balcony with timber deck and metal railings to first floor rear elevation including additional structural support in April 2018 (F/TH/17/1760 refers).

Other concerns such as disturbance during construction works and the devaluation of surrounding properties are not material planning considerations.

## **CONCLUSION**

This application seeks listed building consent for the replacement of two windows with two doors together with the installation of a balcony with timber deck and metal railings to the first floor rear elevation of apartment 8 of Belmont House.

The only considerations for the determination of this application are the impact of the proposals on the buildings significance bearing in mind national guidance contained within the NPPF which states that conservation of historic assets is a core principle of the planning system and that the significance of listed buildings can be harmed by alteration to them. Where a development proposal will lead to less than substantial harm, this should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Overall, it is considered that the proposed works fail to accord with the tests in sections 16(2) and 17((1) of the 1990 Act and would be contrary to the requirements set out in paragraphs 193 and 196 of the NPPF for the preservation of designated heritage assets. The public benefits of the proposal are not considered to outweigh the harm to the special architectural and historic interest of the building from the insertion of the doors as proposed.

### **Case Officer**

Annabel Hemmings

TITLE: L/TH/18/1568

Project 8 Belmont House 2B Pegwell Road RAMSGATE Kent CT11 0GD

Scale:

