

R07

FH/TH/23/0031

PROPOSAL: Erection of a detached single storey, pitched roof, outbuilding (retrospective) following the demolition of existing outbuilding

LOCATION: Little Upton Vale Road BROADSTAIRS Kent CT10 2JJ

WARD: Viking

AGENT: Mr John Elvidge

APPLICANT: Mr & Mrs F & M Ulldemolins

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The retention of the outbuilding within the curtilage of this Grade II listed building would harm its setting by virtue of its location, footprint and scale. As a result the outbuilding would obscure views of the architecture of this building which is the reason for its listing. The proposal would not result in any public benefit to outweigh the identified harm. The proposal is therefore contrary to the setting of the listed building contrary to paragraphs 195, 197, 200 and 202 and policy HE03 of the Local Plan.

SITE, LOCATION AND DESCRIPTION

Little Upton is a two storey detached dwelling and is late 17th Century Grade II Listed property, which fronts and overlooks its garden to its eastern side, it is not within a Conservation Area.

The Listed shaped Dutch gable facing east is a prominent feature of this building that is visible from the highway. The property is set down slightly to Vale Road. Nos 5 & 6 (Upton Cottage) and Little Upton form a group. Upton Cottage is to the east of Little Upton. The site is enclosed to Vale Road by an attractive flint wall, vehicular entrance gates (timber) are located in the southeastern corner, close to the junction with Leatt Close.

RELEVANT PLANNING HISTORY

L/TH/23/0032 Application for Listed Building consent for repair, renovation and part replacement of existing casement windows (part-retrospective) Granted 07/03/23

F/TH/06/0154 Erection of a detached, pitched roof, single storey, double garage. Refused 29/03/2006

L/TH/01/0512 Internal alterations to main dwelling and erection of a two storey pitched roof extension to provide en suite bathroom, a single storey hipped roof conservatory and flat

roof link extension together with external and internal alteration to and conversion of outbuilding to provide 2 bedrooms and en-suite bathroom. Granted 23/08/2001

F/TH/01/0511 Erection of a two storey pitched roof extension to provide en-suite bathroom, a single storey hipped roof conservatory and flat roof link extension together with alterations to and conversion of outbuilding to provide 2 bedrooms and en-suite Granted 23/08/2001

L/TH/00/0868 Erection of a hipped roof rear extension together with the conversion of an existing outhouse with a pitched roof link to main dwelling house and the erection of a detached pitched roof garage and lych gate. Withdrawn 01/06/2001

F/TH/00/0867 Erection of a hipped roof rear extension together with the conversion of an existing outhouse with a pitched roof link to main dwelling house and the erection of a detached pitched roof garage and lych gate. Withdrawn 01/06/2001

F/TH/91/0735 Erection of fencing to increase height of boundary wall. Withdrawn 21/08/1992

PROPOSED DEVELOPMENT

The proposed development is for the erection of a detached single storey, pitched roof outbuilding, following the demolition of an existing outbuilding. The application is retrospective.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

HE03 - Heritage Assets

QD02 - General Design Principles

QD03 - Living Conditions

SP36 - Conservation and Enhancement of Thanet's Historic Environment

TP06 - Car Parking

Broadstairs & St. Peters Neighbourhood Plan

BSP9: Design in Broadstairs & St. Peter's

NOTIFICATIONS

Letters were sent to neighbouring property occupiers, a site notice was posted close to the site and an advert was posted in the local newspaper.

One response has been received objection to the proposal. The Concerns can be summarised as follows:

- Planning history - similar application refused in 2006
- Due to its size the building is an obtrusive feature and severely detracts from the property

- Does not respect the character and appearance of its surroundings
- Proposal is clearly visible from the public highway- following removal of vegetation
- Proposal within falling distance of an ancient oak (with Tree Preservation Order attached)

Broadstairs Town Council - The Committee recommends REFUSAL and are strongly against this development as it is unauthorised (retrospective), as was the previous building works. This application is also within the curtilage of a listed building. We await the Enforcement Officer carrying out their appropriate duties.

Broadstairs Society - As this is a retrospective application the Society has no comments to make on something that has already happened but assume an application for Listed Building consent will be forthcoming?

CONSULTATIONS

TDC Conservation Officer: - Little Upton is a grand and traditional Grade II listed property, set towards the rear of a large frontage in a prominent location in Broadstairs, outside the conservation area. According to the list description this is a group listing for properties and also includes the adjacent no 5 and 6. A pleasant boundary wall can also be seen on the site which is considered to be listed through curtilage.

Guidance under the National Design Guide Section C2, Paragraph 45 highlights that when determining how a site may be developed, it is important to understand the history of how the place has evolved. The local sense of place and identity are shaped by local history, culture and heritage, and how these have influenced the built environment and wider landscape and paragraph 47 which states Well-designed places and buildings are influenced positively by the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details.

Under the Listed Buildings and Conservation Areas Act 1990, Section 16 Paragraph 2 it states In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State 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.

This application is for the retention of an already constructed outbuilding, located at the forefront of the boundary of the Grade II listed property. There was previously a structure in the same location, however it was smaller in footprint and scale and much more 'shed-like' than its replacement. The main concern in regards to the proposed is the implication to the setting and appearance of the listed property given the proximity and scale constructed.

Previously the existing structure looked to be temporary, smaller scale and shed like in its character which appeared largely typical in its form for use within a garden setting, unassuming and subservient. What has since been constructed has gained size in both footprint and height, resulting in a more permanent and heavy setted structure which has a

poor relationship with the nearby Grade II listed property. Within the listing it details the significance of the decorative dutch gable end, of which this development directly blocks views from both internally and externally to the site, as such disrupting the site's setting and appearance.

The material palette for the proposed has not pulled cues from the main listed building on the site and instead takes reference from the later addition construction built as an extension in 2001. This 2001 extension is cited towards the North of the boundary wall as to reduce the implication to the main approach and setting of the listed building. Extending the material palette across the site elaborates the sense of contemporary fabric over the entirety of the site complex of which I believe to the detriment of the setting of the main property.

Internally and external views of the site have been negatively disrupted and encroached upon by the construction of the outbuilding as views through the site from Vale Road are incredibly prominent from both the South and the East, making the structure highly visible. In direct context of these views are the pleasant flint wall boundary which runs around the site, contributing positively to the surrounding character. The low topography of the site assists in the outbuilding being less visible externally, however, it still appears incongruous and awkward against the flint boundary wall. Views throughout the site have been congested to its detriment by the proposed.

Reviewing the building's planning history there was an application in 2006 for the construction of an outbuilding at the forefront of the site but in a different location, which was refused on the grounds that it caused harm to the overall street scene and approach to the listed property. Although this was under differing circumstances I would consider that the principle is relevant given that harm is considered to be caused to the setting and appearance of the site despite being outside of the Broadstairs Conservation Area.

Restoration of the windows of the main house has been referenced in this design and access documentation however this is not relevant or to be considered as part of this application.

Reading the design and access statement little reference has been made to any harm caused within the site itself or any harm caused to the wider setting and appearance of the site itself instead the approach has taken that this does nothing other than improve the site. A visual harm would be considered to be caused here rather than any tangible level of public benefit.

In conclusion, I do not think that this listed building consent application has fully considered the implication of the proposed to the setting of the site or the wider setting and appearance of the surrounding environment. As such I object to the application proposed and would not consider the site to be protected and preserved.

COMMENTS

This application is presented to the Planning Committee at the request of Cllr Saunders on the basis that the proposals design and the materials specified match a similar structure opposite within the curtilage of the property and as such would appear to be in keeping.

Principle

The principle of extending, altering or erecting an outbuilding within the curtilage of an existing dwelling is considered acceptable.

As such there is no principle objection to the erection of an out building in a residential curtilage.

Character and Appearance

The proposal would be positioned with the grounds of a Grade II listed building.

In line with the Planning (Listed Buildings and Conservation Areas) Act (1990), there is a legal duty to protect listed buildings and their setting. S.66 of the Planning (Listed Buildings and Conservation Areas) Act (1990) states: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority should have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historical interest which it possesses.'

The setting of a heritage asset is defined in the glossary of the NPPF as 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'

The NPPF makes it clear that the extent of the setting of a heritage asset is not fixed and may change as the asset and its surroundings evolve. Guidance published by Historic England in 2011 outlines the planning considerations relating to the conservation of listed buildings and their setting, with specific detail provided as to the potential impact of cumulative changes, stating: 'Where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset'

Policy SP36 of the Thanet Local Plan states that "The Council will support, value and have regard to the historic or archaeological significance of Heritage Assets.."

Policy HE02 of the Thanet Local Plan requires that appropriate materials and detailing are proposed and that developments would not result in the loss of features that contribute to the character or appearance of the conservation area. New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.

Paragraph 130 of the National Planning Policy Framework states that development should be sympathetic to local character and the surrounding built environment and establish and maintain a strong sense of place.

Policy QD02 of the Thanet Local Plan provides general design principles for new development and states that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects.

The proposed outbuilding measures 3.8m wide and a length of 6.4m, there is a smaller projecting element on its east elevation projecting out 1m x 1.4m with a door. The overall height of the ridge of the roof is 3.5m. In terms of materials the plans are annotated and detail a timber framed outbuilding, clad with black stained horizontal feather edged boarding, black stained timber fascias and bargeboards, natural slate roof, black rainwater goods and stained timber windows and doors. The proposal is positioned to the south east of the dwelling within its garden area and approximately 3.5m (minimum) distance to the Vale Road boundary- demarcated by an attractive flint wall. It is considered that the design in itself is acceptable in its own right, being single storey and having traditional materials.

Consideration has been given to any impact upon the Grade II listed property known as Little Upton located to the north west of the proposal. The outbuilding would be positioned between 3.5 - 4m away from the flint boundary wall, with its short side facing Vale Road. This flint wall would not be affected by the physical development of the outbuilding subject of this application. It is also acknowledged that there was an outbuilding previously within the grounds in a similar location to what now is proposed but also on a smaller scale. This appears to have had a felt roof and being more shed-like in terms of its appearance (photo on the English Heritage website).

The Council's Conservation Officer has expressed concerns in regard to the proposal in terms of its impact upon the setting and appearance of the listed property. The Conservation Officer considers that the replacement outbuilding which is larger in size; both footprint and height results in a more prominent and heavy setted structure and has a poor relationship with the nearby Grade II listed building. Also adding that the outbuilding directly blocks views of the decorative Dutch gable both within and outside (Vale Road- from the south and east) the site as such disrupting the site's setting and appearance. Concern is also expressed in terms of the material palette used which draws from a 2001 extension rather than the original listed property which also felt to be of detriment to the setting of the main property. Whilst the reduced levels of the site is noted by the Conservation Officer it is considered that the outbuilding appears incongruous and awkward against the flint boundary wall.

The site comprises part of the garden area to Little Upton, a two storey detached dwelling on Vale Road. The proposal involves the demolition of a former outbuilding and the retention of a dual pitched roof building. Double doors are provided within the west elevation and a window to either side of the central doors. Two doors are provided within the north elevation, one in the small projecting store area.

Given the building location it is considered by officers that it will overly dominate the setting of the Listed Building and adjacent cottages that form part of this group. The outbuilding that retrospective consent is sought for is visible from Vale Road above the attractive flint wall. There is not considered to be a detrimental sense of enclosure to the garden with this outbuilding in its own right, taking into account the dimensions of the building.

The views of the outbuilding that is subject to this application are more than glimpse views, and whilst being set down to the road and behind a flint wall the top portion of the building would be clearly visible outside the site; from Vale Road and Leatt Close the roof of the outbuildings roof is seen. Although it is acknowledged that the lower portion of the walls are shielded by the flint wall and lower level in height of the application site. In addition I would also concur with the Conservation Officer stances that the building would limit the views of the striking Dutch gable of this listed building, which is an important architectural feature of the building. The proposal therefore in officers' view harms the setting of the Listed Building.

Any harm to the setting of this designated heritage asset would be clearly less than substantial and the public benefits of this scheme would not outweigh any limited harm referred to in paragraph 196 of the NPPF.

This development is therefore considered to result in significant harm to the setting of the listed building and wider group contrary to policies HE03 and QD02 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The outbuilding is approx. 20m, at its closest point, north of the front elevation of the neighbouring dwellings on the opposite side of Vale Road. Properties to the west; no 6 Upton Cottages and those that front Leatt Close are a greater distance away. Considering the distance, there would be limited impacts to neighbour amenity.

It is, therefore, considered that this application would have no significant impact upon the living amenity of the neighbouring property occupiers, in line with policy QD03 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

The property does benefit from off street parking and no changes are proposed as part of this application.

The site is located in a highly sustainable location with good access to services, facilities and public transport and the addition of one bedroom is considered to be a minor increase in the size of the property. It is, therefore, considered that the proposed development would have no significant impact on parking or highway safety in the area.

Other Matters

Whilst it is regrettable that this is a retrospective application it is confirmed that retrospective planning applications can be made under Section 73A of Town and Country Planning Act 1990. As the application is recommended for refusal, the scheme will be passed onto Enforcement.

Conclusion

The proposal to retain the outbuilding within the grounds of this Grade II listed building is considered to result in harm to the setting of the listed building given its location, footprint and scale, with no tangible public benefit. The living conditions of the neighbouring property occupiers and highway safety aspects are considered acceptable. It is therefore recommended that Members refuse this application.

Case Officer

Gillian Daws

TITLE: FH/TH/23/0031

Project Little Upton Vale Road BROADSTAIRS Kent CT10 2JJ

Scale:

