



Appeal Decision

Site visit made on 9 January 2022

by Cullum J A Parker BA(Hons) MA MRTPI MCMI IHBC

an Inspector appointed by the Secretary of State

Decision date: 7th February 2022

Appeal Ref: APP/E2205/Y/21/3278078

This Ancient Boro, 3 East Cross, Tenterden, TN30 6AD

- 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 Sarah Cleaton of SCRP Ltd against the decision of Ashford Borough Council.
 - The application Ref 21/0448/AS, dated 9 March 2021, was refused by notice dated 25 May 2021.
 - The development proposed is described as '*To install an awning fixed to the property. Both buildings either side have awnings*'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Local Planning Authority¹ indicates that the Appellant does not appear to have appealed a related listed building consent application (ref 21/00449/AS). The decision notice before me references the details provided in the above header and to an appeal under s78 rather than s20 relating to listed building consent. I have proceeded on the basis that it is an appeal against the refusal of planning permission for consideration.

Main Issues

3. The main issues are whether the proposed development would preserve the listed building and the effect on the character and appearance of the Tenterden Conservation Area.

Reasons

4. The appeal site comprises a Grade II Listed Building located within the Tenterden Conservation Area. Adjacent to the appeal building are two traditional style shop frontages, with awnings located within recessed storage areas beneath the fascia. These differ from the appeal building which has a shallow monopitch roof located over two bays. I saw during my site inspection that the wider street scene has further examples of awnings being located within recessed elements set below the fascia element of the shop frontages.
5. The proposal seeks the attachment of an externally mounted awning on the monopitch shallow roof in order to provide cover for external seating on the pavement outside the building. It is unclear as to how the box for the awning

¹ Letter dated 17 December 2021

would be attached to the building given that there is limited space due to the existing guttering and shallow pitch eaves. Nonetheless, this feature would be at odds with the specific frontage of the appeal building where externally mounted awnings are not typically found.

6. The awning feature would therefore detract from the significance of the listed building and fail to preserve the character of the conservation area. As such it would fail to preserve the listed building. I note the public benefits suggested in respect of the business being able to continue to operate. However there is little evidence submitted which demonstrates that less invasive solutions could be used. Moreover, this does not outweigh the less than substantial harm to the significance of the listed building or wider conservation area.
7. I also note the correspondence in support of the proposal, including that of the Town Council. However that does not provide justification to address the harm arising from the proposal.
8. Accordingly, the proposal is contrary to Policies SP1, SP6, ENV13 and ENV14 of the Ashford Local Plan 2030 (adopted 2019) which, amongst other aims, seek to support proposals which preserve or enhance the heritage assets of the Borough. It would also fail to accord with the policies of the National Planning Policy Framework which seek similar aims.
9. For the reasons given above I conclude that the appeal should be dismissed.

C Parker

INSPECTOR