

Appeal Decision

Site visit made on 29 June 2022

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2022

Appeal Ref: APP/L2250/W/21/3268204

Flat 5 Westbourne Lodge, 146 Sandgate Road, Folkestone CT20 2HS

- 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 James Selby against the decision of Folkestone and Hythe District Council.
 - The application Ref 20/1402/FH, dated 18 September 2020, was refused by notice dated 11 November 2020.
 - The development proposed is described as the replacement of existing wood-framed windows and doors with uPVC windows and doors.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Folkestone, Leas and Bayle Conservation Area (FLBCA).

Reasons

3. The Conservation Area Appraisal (CAA) explains that Folkestone is an ancient town in origin, which expanded over many centuries, eventually developing into a fashionable resort, with grand houses and facilities. The significance of the FLBCA is largely derived from its good quality period buildings which stand as a visual reminder of the growth of the area.
4. The appeal building is a large, detached property comprising several flats over 5 floors including part-basement and roof space accommodation. It sits at a prominent corner where Sandgate Road and Earls Avenue cross and has strong architectural detailing including its materials and articulation. While some smaller openings have been replaced with uPVC frames elsewhere on the appeal building, the broader use of timber for the larger frames in combination with its other design features, reinforce the positive contribution this building makes to the significance of the FLBCA.
5. The proposed development would replace the existing white painted timber windows / doors with uPVC double glazed openings. These sit in a prominent position at upper ground floor level on the front elevation and are broadly taller with a greater surface area than the openings on the floors above.
6. Proposals that could alter the character of a building which make a positive contribution to the special character of a conservation area require particularly special attention. In this case the proposed frames appear to be of standard

range with casement openings and there is limited information on frame depth and detailing. Furthermore, I have not been provided with any heritage assessment detailing, amongst other things, existing significance or how the proposed development has explored solutions to ensure the character of the FLBCA is preserved or enhanced. Consequently, it has not been shown that the proposed uPVC openings would preserve the finesse and craftsmanship of the existing timber framed openings.

7. While there are some harmful uPVC frames already installed to the existing building and elsewhere in the immediate area, this is not justification to create further harm particularly as the proposed development would be broadly taller and more prominent than these.
8. The limited attention to detail of the proposed development would, for the above reason fail to either preserve or enhance both the character and appearance of the host dwelling and FLBCA. In terms of the approach set out in the National Planning Policy Framework (the Framework), the proposal would cause less than substantial harm to the FLBCA's significance as a designated heritage asset. The Framework is clear that irrespective of the level of harm, great weight should be given to the asset's conservation and, where a development proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
9. I note the appellant states the existing frames are causing leakage of rainwater and have a low thermal and noise performance. While I accept the provision of new windows could improve this situation, given the special character of the FLBCA, I have not been convinced that other more appropriate solutions have not been ruled out. Consequently, these benefits only attract moderate weight and would not outweigh the harm to the significance of the FLBCA.
10. I also note the absence of objections in response to the planning application's consultation and publicity. However, this does not absolve me from making an assessment as to the main issue of the appeal.
11. For the above reasons, the appeal scheme would conflict with the relevant provisions of Policy DSD of the Shepway Core Strategy Local Plan 2013; Policies HB8 and HE1 of the Folkstone and Hythe District Places and Policies Local Plan 2020 and the Framework which, amongst other things, seek to ensure that development is sympathetic to the host dwelling and preserve or enhances the character and appearance of the Conservation Area.

Conclusion

12. The appeal scheme would conflict with the development plan for the reasons I have given. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

N Praine

INSPECTOR