



Appeal Decision

Site visit made on 22 May 2023

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 June 2023

Appeal Ref: APP/E2205/D/23/3316918

37 Queen Street, Ashford, Kent TN23 1RF

- 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 Eric Dodd against the decision of Ashford Borough Council.
 - The application Ref PA/2022/2091, dated 26 July 2022, was refused by notice dated 1 December 2022.
 - The development proposed is replacement windows and door to front elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effects of the proposal on the character and appearance of the conservation area.

Reasons

3. The appeal relates to this terraced house which is located within a street of mainly Victorian terraced properties. The property has accommodation over 3 floors, plus a basement level which is served by a lightwell at the front. The street contains a variety of 2 and 3 storey houses, all of which are rendered and painted and with slate roofs. The street sits within the Ashford Town Centre Conservation Area.
4. Notwithstanding the variations of the properties within the street, there is a strong unified appearance due to the consistent building line, painted render, slate roofs and regularity and rhythm of the windows and doors. A number of the properties have timber windows which appear to be original. I consider that these features make a strong and positive contribution to the character and appearance of the conservation area. I noted that there are a number of properties which contain uPVC windows, including the top floor of the appeal property.
5. The appeal proposal would involve the replacement of the basement, ground and first floor windows and the front door and its surround. The ground floor contains a bay window with a main front section and 2 smaller side windows, all of which are proposed for replacement. The windows to be replaced have single glazing and narrow glazing bars and appear historic and consistent with the character of the property. The proposed windows would have uPVC frames with double glazing and applied sections and spacers which are designed to

- have the appearance of glazing bars. The Council also refer to the proposed replacement window frames as being thicker than the existing ones.
6. The proposed replacement door would also be of uPVC with uPVC surrounds and fanlight above. The existing door is of timber with a timber frame which, similarly, has a traditional appearance, consistent with the age and appearance of the property and area.
 7. From my inspection of the area and from the details submitted with the appeal, I consider that the proposed replacement windows would represent an obvious change to the property and the area. The appearance, style and detailing would fail to be consistent with those positive aspects of the area. Some of the detailing in particular, such as the attempt to replicate the glazing bars, would not be successful and also the change in design from sash to top-hung casement window would alter the appearance of the windows detrimentally. Similarly, notwithstanding the proposed 'grained' effect of the door, I consider that its appearance would not be consistent with the qualities of the area.
 8. The existing windows and doors are in a poor state of repair. The appellant indicates that their replacement with the proposal would be cheaper than with timber frames and would offer better insulation than the existing windows. However, the Council are critical of the fact that no detailed assessment has been made of the possibility of repairing the existing windows. Even if it were to be concluded that the existing windows and door are beyond repair, there is no convincing evidence which indicates that the proposed uPVC replacements are the only solution. The appellant also makes reference to the effects of the existing failing windows on his health. Again, there is no evidence that the proposed windows and door are the only solution to resolve this.
 9. In relation to existing uPVC windows in the area, the appellant states that these are numerous and acceptable to the area. I have noted their presence and, in my opinion, they fail to reflect the qualities of the area and are not successful additions to it. Therefore, I consider that they are not examples that should be followed; the presence of unacceptable forms of development does not justify further harmful development. As a result, the proposal is in conflict with Policies SP1, SP6 and ENV14, of the Ashford Local Plan 2030 (adopted in 2019).
 10. The National Planning Policy Framework states that when considering the impact of a proposal on the significance of a designated heritage asset, in this case the conservation area, great weight should be given to its conservation, irrespective of the level of harm. Adding that any harm should require clear and convincing justification. In the light of the advice in the Framework, I judge that the harm would amount to less than substantial harm. This needs to be weighed against the public benefits of the proposal. I have considered the benefits, as set out by the appellant and in my judgement, they would be insufficient to outweigh the harm to the significance of the conservation area.
 11. For the reasons set out above, the appeal is dismissed.

T Wood

INSPECTOR