



Appeal Decision

Site visit made on 15 August 2023

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 September 2023.

Appeal Ref: APP/E2205/W/22/3307931

2a Hollington Place, Ashford, Kent TN24 8UN

- 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 Shen Ufuk against the decision of Ashford Borough Council.
 - The application Ref 22/00909/AS, dated 6 June 2022, was refused by notice dated 25 August 2022.
 - The development proposed is demolition of existing building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council is relying on the delegated report as their statement of case, which was submitted late as part of this appeal. Although this delay is regrettable, given that the appellant has been provided with an opportunity to comment on the Council's statement of case, the appellant has not been prejudiced by me accepting this late submission.

Main Issue

3. The main issue is whether the demolition of the existing building would preserve the character and appearance of the Ashford (Queens Road) Conservation Area (CA).

Reasons

4. The appeal site relates to a detached 3 storey building, which is sited towards the end of Hollington Place and fronts onto Blue Line Lane. The rear elevation of the building backs onto a pavement adjacent to a dual carriageway. The front of the building is asymmetrical and comprises of jettied projecting bays, twin gables and ornamental dentil brick courses. The building has a distinctive mock Tudor timber finish to the upper external walls and includes some traditional windows, with decorative glazing bars and horns.
5. The appeal site lies within the CA. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of the CA. No CA appraisal is available; however, I was able to see from my site visit that the significance of the CA insofar as it relates to this appeal is derived from the grand residential buildings, which include features of architectural interest, such as jettied projecting bays, gables and mock Tudor timber finishes. Although the existing building needs some maintenance, it is of

- architectural merit. It also complements other buildings in the locality and makes a positive contribution to the character and appearance of the CA.
6. I acknowledge that the rear elevation has been altered to accommodate the road infrastructure and is rather bland in appearance. However, this is not a prominent elevation within the CA and is mainly visible in views from outside the CA and seen in the context of the surrounding road infrastructure. The front and side elevations are of architectural interest and are prominent in views from within the CA, including from Hollington Place, Blue Line Lane and Albert Road. The adjacent doctor's surgery is of a different design and partially screened from the wider CA by existing built form and trees. The petrol filling station lies outside of the CA and relates more to the road infrastructure than the more intimate nature of the CA.
 7. Paragraph 199 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, such as a CA, great weight should be given to its conservation. As the harm would be localised, I find the harm to be less than substantial, but nevertheless of considerable importance. In accordance with paragraph 202 of the Framework, that harm should be weighed against any public benefits of the proposal.
 8. While I do not doubt the appellant's intention to redevelop the site with a high quality scheme, there is no scheme before me to consider. I appreciate that the existing building may not comply with the national space standards and is thermally inefficient; however, the building could be retrofitted to improve its thermal performance and restored to improve parts of the building's fabric. Furthermore, there is limited evidence before me to demonstrate that internal alterations could not achieve the required national space standards. I therefore give these alleged benefits limited weight.
 9. I sympathise with the appellant that the site has been subject to anti-social behaviour. I note that the building needs some repair; however, I do not find that the existing building has a negative impact on the CA. Refurbishment of the existing building would address these issues and I therefore give these benefits limited weight. Taken as a whole, the public benefits of the proposal are accorded limited weight. The public benefits neither individually nor cumulatively outweigh the harm that would be caused to the significance of the CA.
 10. For the reasons given above, I conclude that the proposal would fail to preserve the character and appearance of the CA and would cause less than substantial harm to its significance as a designated heritage asset. The public benefits of the proposed development would not outweigh this harm. The proposal would fail to comply with Policies SP1, ENV13 and ENV14 of the Ashford Local Plan 2030 (LP) adopted in February 2019. These policies among other things require that proposals preserve or enhance heritage assets, while sustaining and enhancing their significance and the contribution they make to local character and distinctiveness. These policies also seek to retain buildings of townscape character which contribute positively to the character and appearance of an area. The proposal would also be contrary to the Framework, which requires that developments conserve and enhance the historic environment.

11. This appeal relates to the demolition of an existing building only and does not include new development. Consequently, Policy SP6 of the LP is not relevant to this main issue, as it requires development proposals to be of high quality design.

Other Matters

12. The appellant has drawn my attention to a modern development for 9 flats at 11 Sturges Road. No details of any previous building on the site have been submitted with this appeal. The buildings on Sturges Road do not display the same architectural features as those on and near the appeal site and this scheme is therefore not comparable.

Conclusion

13. For the reasons given above, having regard to the development plan as a whole, the Framework and all other relevant material considerations, I conclude that the appeal should be dismissed.

A James

INSPECTOR