

Appeal Decisions

Site visit made on 2 September 2024

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2024

Appeal A Ref: APP/E2205/W/24/3341259

Former Wye College Buildings, High Street, Wye, Kent TN25 4AH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with a condition subject to which a previous planning permission was granted.
 - The appeal is made by Telereal Property Developments 1 Ltd against the decision of Ashford Borough Council.
 - The application Ref is PA/2023/1054.
 - The application sought planning permission for the variation of condition 1 (approved plans) of planning permission PA/2023/0349 to allow for the insertion of 3 pairs of French doors into the eastern elevation of the Agricola Quad buildings.
 - The condition in dispute is No 1 which states that:
The development hereby permitted shall be carried out in accordance with the following approved plans and documents: [a list of the approved plans and documents is set out in appendix 1].
 - The reason given for the condition is:
For the avoidance of doubt and in the interests of proper planning.
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Appeal B Ref: APP/E2205/Y/24/3341254

Former Wye College Buildings High Street, Wye, Kent TN25 4AH

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Telereal Property Developments 1 Ltd against the decision of Ashford Borough Council.
 - The application reference is PA/2023/1053.
 - The works proposed are for the insertion of 3 pairs of French doors into existing window openings on eastern elevation of Agricola Quad building.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. I have simplified the description of development in the banner heading above to aid with understanding the purpose of the proposal, which is to vary previously approved plans to allow for the insertion of 3 pairs of French doors into the eastern elevation of the Agricola Quad facing Olantigh Road.
4. The planning permission granted under reference PA/2023/0349 was itself an application under section 73 of the Town and Country Planning Act 1990 to vary condition 2 (approved plans) on planning permission 17/00567/AS to incorporate external alterations to units 40 and 41, internal alterations to units 1, 2, 6, 7, 12 and 14, retention of doors on unit 22, amendments to parking layout and demolition of existing infill to the Agricola Quad.
5. Planning permission 17/00567/AS was granted on appeal for the conversion of former college buildings with associated restoration and alterations to buildings, demolition of later structures and rebuilding to provide 38 dwellings and community space; together with provision of two new dwellings, parking courts with parking barns, cycle storage and refuse stores on land to the north of the retained buildings and associated landscaping; and change to parking arrangements for Squires Cottages.
6. Squires Cottages has been granted planning permission under reference 16/00893/AS for the change of use from college residential accommodation back to 4 individual dwellings.

Main Issue

7. The main issue is whether the insertion of 3 pairs of French doors into the eastern elevation of the Agricola Quad would preserve the Grade II listed building or any features of special architectural or historic interest that it possesses, and whether the development would preserve or enhance the character or appearance of the Wye Conservation Area.

Reasons

8. The Agricola Quad forms part of a larger building complex that was used for educational purposes as Wye College. That use has ceased and planning permission has been granted for the conversion of part of the former college buildings to residential dwellings and community space. Development has commenced and works to implement the permission are underway.
9. The Agricola Quad is grade II listed, forming part of the listed buildings described in the list description as Wye College, entrance and hall quadrangles¹. These quadrangles were built during the late 19th and early 20th centuries when the site was significantly expanded for use as a regional agricultural college. The eastern range of the Agricola Quad was added in 1912-14. It is designed in an Arts and Crafts style, 2 storeys in height under pitched and gabled roofs.
10. The entrance range to the High Street is of ragstone on the ground floor with red brick above. The windows have stone mullions and surrounds with drip mouldings to the heads and those on the ground floor have decorative

¹ List entry number: 1217079

tracery. These details continue around the end of the range, which presents a gabled end to Olantigh Road on the eastern elevation. The remainder of this elevation is plainer in detailing being all of brick, and windows with stone mullions and surrounds but no tracery and (other than one window) without drip mouldings. For the most part it presents a regular façade, broken only by an oriel window lighting a staircase to centre left. The elevation is set back from Olantigh Road by a landscaped area with lawn and shrubs. About four fifths of the way along the elevation, the lawned area is enclosed by a wall and hedgerow, beyond which is a parking area and bin store adjacent to the northern end of the range.

11. The significance and special interest of the building lies in its institutional appearance, and its group value as part of the former Wye College in association with the mediaeval Grade I and Grade II* chantry school buildings to the west. Although there is a hierarchy in the elevations of the Agricola Quad with the front entrance range being the more detailed, the eastern range has nevertheless been carefully designed and built to a high standard to form one of the public elevations of the quad, seen across the lawned area from the High Street, Olantigh Road and the junction with Scotton Street.
12. Because of their formal appearance and institutional scale, the former college buildings collectively form a notable feature in the conservation area, contrasting with the domestic scale of neighbouring houses and the more open setting to St Gregory and St Martin's Church.
13. The insertion of 3 pairs of French doors in the eastern elevation would alter the uniform size of window openings in this public façade, introducing a degree of variance in what was designed to be seen as a continuous front, part of whose attraction is derived from the regular rhythm of its fenestration. The staircase oriel punctuates this rhythm to a certain extent, but not so that it detracts from the overall effect.
14. The thresholds of the French doors would be partly screened by a difference in level between the lawn and the narrow terrace in front of the façade. However, that difference in level is not so great as to prevent the sills of the ground floor windows being visible. The contrast between windows and French doors would therefore still be apparent in public views of the building.
15. One window towards the northern end of the façade has been permitted to be altered to a French door, initially in timber and more recently in metal as is proposed in the appeals scheme. The Council considers this change to be an acceptable compromise, as the contribution of that particular opening towards the façade has been historically concealed. I note that in the approved scheme, the opening will continue to be largely screened by the wall at the northern end of the lawn, and a bin store and parking area, such that it would not be read with the larger part of the façade open to public view. I therefore consider that it does not set a precedent for the French doors proposed in the appeals scheme.
16. Sections 16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act) require that special regard be given to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. The interruption to the size and regularity of openings in the façade would detract from the

appearance of the listed building and fail to preserve those features which are of special architectural interest. It would also give rise to the loss of historic fabric. Given the relatively modern age of the building and the small amount of material that would be removed, I give the loss of historic fabric lesser weight than the changes to its appearance.

17. Section 72(1) of the Act also requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Wye Conservation Area. As the eastern elevation of the Agricola Quad forms an important public elevation within the conservation area, the harm that would be caused to it would also have a detrimental effect on the character and appearance of the conservation area.
18. I consider that the harm so caused would be less than substantial. In such circumstances, paragraph 208 of the National Planning Policy Framework (the Framework) requires the harm to be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
19. The French doors would allow direct access to the terraces associated with 3 of the proposed dwellings. Without them, occupants would have to access the terraces from the communal lawn. To that extent it may make the units more desirable to potential occupiers and easier to sell, so helping to secure the use of the building as residential accommodation. However, direct access from the building to the private terraces would be largely a private benefit rather than a public one, and there is no evidence to suggest that the dwellings would be undesirable without such access. The conversion works are well underway which indicates to me that there is an expectation that the units will be viable for their intended use irrespective of the works now proposed.

Conclusion

20. Paragraph 205 of the Framework requires that great weight be given to the conservation of heritage assets. I conclude that the limited public benefit is insufficient to outweigh the harm that would be caused to the preservation of the listed building or the character and appearance of the conservation area.
21. For the same reason, I conclude that the proposal would conflict with Policies SP1, SP6, ENV13 and ENV14 of the Ashford Local Plan 2030 which together seek to promote high quality design and conserve and enhance heritage assets in the borough. Although only referred to in general terms in the Council's decision notice, I also consider that the proposal would conflict with Policy WNP2 of the Neighbourhood Plan which, in part, seeks to protect Wye's architectural heritage. I do not however consider it would harm the function of the local green space. Nevertheless, the proposal would be in conflict with the development plan when taken as a whole and there are no material considerations which suggest decisions other than in accordance with it.
22. Consequently, I conclude that the appeals should be dismissed.

Guy Davies

INSPECTOR

Appendix 1 – List of approved plans in condition 1 of planning permission PA/2023/0349

2742-01 Site Location P4
2742-02 Existing Site Plan P4
08722-LEP-SP-00-DR-A-20200 - Proposed Site Plan -T05
2742-04 Parking and Cycle Strategy P19
2742-06 Roof Plan P4
2742-07 Historical Development P1
2742-08 Demolition Site Plan P2
2742-10 Existing Ground Floor Overview P1
2742-11 Existing First Floor Overview P1
2742-12 Demolition- Ground Floor P1
2742-13 Demolition- First Floor P1
2742-20 Existing Ground Tile Detail 1 P1
2742-21 Existing Ground Tile Detail 2 P1
2742-22 Existing Ground Tile Detail 3 P1
2742-23 Existing Ground Tile Detail 4 P1
2742-24 Existing First Tile Detail 1 P1
2742-25 Existing First Tile Detail 2 P1
2742-26 Existing First Tile Detail 3 P1
2742-27 Existing First Tile Detail 4 P1
2742-28 Existing Second P1
2742-30 Existing Elevation 1 of 10 P1
2742-31 Existing Elevation 2 of 10 P1
2742-32 Existing Elevation 3 of 10 P1
2742-33 Existing Elevation 4 of 10 P1
2742-34 Existing Elevation 5 of 10 P1
2742-35 Existing Elevation 6 of 10 P1
2742-36 Existing Elevation 7 of 10 P1
2742-37 Existing Elevation 8 of 10 P1
2742-38 Existing Elevation 9 of 10 P1
2742-39 Existing Elevation 10 of 10 P1
2742-40 Demolition Elevation 1 of 10 P1
2742-41 Demolition Elevation 2 of 10 P1
2742-42 Demolition Elevation 3 of 10 P1
2742-43 Demolition Elevation 4 of 10 P1
2742-44 Demolition Elevation 5 of 10 P1
2742-45 Demolition Elevation 6 of 10 P2
2742-46 Demolition Elevation 7 of 10 P2
2742-47 Demolition Elevation 8 of 10 P1
2742-48 Demolition Elevation 9 of 10 P1
2742-49 Demolition Elevation 10 of 10 P1
08722-LEP-MB-00-DR-A-20020 Proposed Ground Floor Plan- S73 PLANNING- Rev T04 (20/06/2023)
08722-LEP-MB-ZZ-DR-A-20021 Proposed First Floor Plan-PLANNING- Rev T03
2742-53 First Floor Unit Mix P1
2742-54 Second Floor Unit Mix P1
2742-68 Proposed Second Floor Plan P1
2742-70 Proposed Elevation 1 of 10 P2
08722-LEP-MB-XX-DR-A-20031 Proposed Elevations Sheet 2 - Rev T05
2742-72 Proposed Elevation 3 of 10 P2

2742-73 Proposed Elevation 4 of 10 P1
2742-74 Proposed Elevation 5 of 10 P1
08722-LEP-MB-XX-DR-A-20215 Proposed
Elevations Sheet 6- Rev T04
2742-76 Proposed Elevation 7 of 10 P2
2742-77 Proposed Elevation 8 of 10 P2
2742-78 Proposed Elevation 9 of 10 P2
2742-79 Proposed Elevation 10 of 10 P1
08722-LEP-B3-XX-DR-A-20020 Proposed
Plans_Planning- Rev T01
2742-81 Car Barns A and B Plans and Elevations P1
2742-82 Car Barn C Plans and Elevations P2
08722-LEP-B3-XX-DR-A-20021 Proposed
Elevations_Planning- Rev T01
2742-85 Proposed Elevations Existing/Proposed Ground Line P3
2742-89 Proposed Ground Floor- Unit 32 Tile Detail P2
2742-90A Proposed First Floor- Unit 32
2742-91A Demolition- First Floor- Unit 32
2742-93 Proposed Second Floor- Unit 32 P2
2742-94 Proposed Section- Unit 32 P1
2742-95 Existing Section- Unit 32
2742-96 Existing Second Floor Plan- Unit 32
2742-97 Existing First Floor Plan- Unit 32
2742-98 Ridge Detail- Unit 32
2742-99 Eaves Detail- Unit 32
2742-100 Under tile vent detail- Unit 32
2742-102 First Floor Cloister Quad
2742-103 Proposed First Floor- Unit 32 P1
2742-105 Statue Locations P1
2742-106 Proposed First Floor- Services/Sound Insultation
2742-107 Proposed Ground Floor- Services/Sound Insultation
2742-108 Section A-A Unit 32
2742-109 Site Elevation View from Public Footpath
T0408722-SK15 (Revision 1st) - Proposed Section Views - Rev T04
08722-LEP-MB-ZZ-DR-A-31113 - Joinery Item ED04 - Details - Rev T03
08722-LEP-MB-ZZ-DR-A-31114 - Joinery Item ED05 - Details - Rev T03
08722-LEP-MB-ZZ-DR-A-31112 - Joinery Item ED03 - Details - Rev T03