
Appeal Decision

Site visit made on 29 January 2018

by S Harley BSc(Hons) MPhil MRTPI ARICS

an Inspector appointed by the Secretary of State

Decision date: 1 February 2018

Appeal Ref: APP/A2525/W/17/3187729

Flat 77A Church Street, Pinchbeck, Spalding PE11 3YA

- 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 D Drew against the decision of South Holland District Council.
 - The application Ref H14-0231-17, dated 7 March 2017, was refused by notice dated 2 May 2017.
 - The development proposed is replacement windows – retrospective (re-application following refusal of HH14-0257-16 and dismissal of appeal APP/A2525/W/16/3155306).
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. Following the granting of planning permission No 77 Church Street has been converted into two flats, one on the ground floor and one on the first floor. This appeal proposal relates to the windows in the first floor of the building only.
3. The first floor windows have uPVC frames and glazing bars. The appeal proposal, as set out in the accompanying Heritage Statement, is to change the front elevation windows back to timber and to retain the remaining windows as white uPVC in a 'like for like' Georgian style.
4. The main issue for this appeal is whether or not the development preserves or enhances the character or appearance of the Pinchbeck Conservation Area (the CA).

Reasons

5. The appeal site is in a prominent street front location in the CA. 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 conservation areas. There is a strong presumption in the National Planning Policy Framework (the Framework) against development which will harm the character or appearance of a conservation area and in favour of sustainable development of high quality design.
6. No 77 Church Street is a detached property at the end of four terraced dwellings opposite an access to the Bull Inn carpark. Immediately to the south is a single storey flat roofed building, in commercial use, set well back behind a surfaced forecourt.

7. The appeal building has two floors and a steep gable facing the street. It has three sections. The main part, closest to the street, has a predominantly brick side wall with one narrow window. It appears that a further first floor window has been bricked up. Behind there is a two storey out rigger with a lower ridge line and a window in the side elevation above a glazed door. Beyond that is a single storey projection.
8. Due to its prominent position the building makes a strong positive contribution to the character and appearance of the CA. I consider this to be the case for both the front elevation and the side elevation, the latter of which is also clearly visible across the adjoining forecourt both from Church Street and the carpark exit opposite.
9. The appellant's evidence indicates that the original first floor windows, at least in the front elevation, were a similar appearance to the ground floor windows which are still in situ. For clarity the first floor windows were six over six and eight over eight painted timber sashes with narrow glazing bars. However, the replacement uPVC frames, whilst emulating the design, have more substantial stiles and middle rails in particular, with a top opening design, giving a heavier and over dominant appearance to the replacement windows, and a more modern sheer external finish. The side and rear first floor windows also have vertical and horizontal decorative faux glazing bars and the framing elements are still overly wide and less tactile than would be appropriate.
10. Taken together these elements detract from the simple and traditional proportions and detailing of timber fenestration and amount to an unsympathetic alteration, out of character with the original design and appearance and the existing ground floor windows. The development is therefore an inappropriate alteration in a visually prominent position in the CA. The replacement of the front windows with appropriately designed timber framed ones would undoubtedly lessen the harm, although I have seen no detailing of the proposed windows. However, in my view the retention of uPVC windows elsewhere would still amount to harm for the reasons set out above.
11. As the development is relatively minor in scale, I conclude that the harm that would be caused to the CA, taken as a whole, would be less than substantial. In accordance with paragraph 134 of the Framework, less than substantial harm should be weighed against the public benefits of the proposal.
12. In this case, the uPVC units would be likely to increase energy efficiency which would contribute to reducing the appellant's carbon footprint and thus assist with the national drive to reduce energy consumption. I also note that uPVC units may require less maintenance from a sustainability perspective and may last longer than timber. However, I see no reason to suppose that other more appropriate solutions could not achieve similar benefits and also provide acoustic insulation. Other finishes for uPVC windows may be available but that is not the proposal before me. On balance, I do not consider that these factors, even when taken together, are sufficient to outweigh the harm that I have identified.
13. For the reasons set out above I conclude that the development fails to preserve or enhance the character or appearance of the building and consequently the CA. The development is therefore contrary to section 12 of the Framework which seeks to protect the historic environment from harm through inappropriate or damaging development.

Other Matters

14. My attention has been drawn to an earlier appeal decision where a proposal to retain all the uPVC first floor windows was dismissed¹. However, I have reached my own conclusions in relation to the evidence before me. Along with my colleague Inspector I accept that there are examples of uPVC frames in use in other buildings in the CA. I find this has had an eroding effect on the character and appearance of some of the CA's prominent and notable buildings. Nevertheless, this is not sufficient to justify further loss of traditional original features in what is clearly a building of some merit.
15. The appellant states the building was only built in 2007. This date may refer to the time that the building was converted into flats, but in any event the positive contribution of a building to a CA does not depend solely on the age of its individual components.

Conclusion

16. For the reasons set out above, and taking into account all other relevant matters raised, I conclude the appeal should not succeed.

S Harley

INSPECTOR

¹ APP/A2525/W/16/3155306