The Planning Inspectorate

Appeal Decision

Site visit made on 6 February 2024

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2024

Appeal Ref: APP/A2525/W/23/3328531
Holland Villas, 10 & 11 High Street, Spalding PE11 1TW

- 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 and Mrs A Lord against the decision of South Holland District Council.
- The application Ref H16-0098 23, dated 31 January 2023, was refused by notice dated 24 March 2023.
- The development proposed is described as replacement windows.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issue

3. The main issue is the whether the development would preserve or enhance the character and appearance of the Spalding Conservation Area (SCA).

Reasons

4. The appeal site comprises a pair of three-storey semi-detached dwellings, located on the south-east bank of the River Welland. The frontage of the properties face onto the tree lined High Street, set back a short distance from the highway behind a small, landscaped frontage.

5. The appeal site lies within the designated SCA, with the properties having a date stone of 1893. The SCA has an extensive coverage that embraces the whole of the historic town centre and riverside. The SCA derives its significance from its high-quality townscape with the rich collection of buildings of architectural and historic merit associated with merchant, mills and warehouses. The appeal site is located within the north-eastern part of the conservation area that incorporates important buildings that line the banks of the River Welland. Together the appeal properties form substantial and high-quality buildings with traditional features and proportions which contribute positively to the character and appearance of the streetscene and the SCA.

6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

7. Whilst I observed No 11 to have two uPVC windows on its frontage at the third storey, the introduction of further uPVC double glazing would introduce modern materials in what is presently a largely intact historic frontage. I note the appellant's assertion that the proposed windows would have the same visual appearance as the existing timber windows, however, replacement windows of similar modern materials would not fully replicate the appearance of the timber-framed windows, including matters of finish and fine detailing. The installation of uPVC would therefore remove important historical fabric of this property and not replace 'like for like'. The frames of the uPVC windows would appear thicker than the existing timber-frames. This would detrimentally alter the appearance of the principal elevation of the building and harm to the historic integrity and significance of this heritage asset. Consequently, the proposal would undermine the quality of the streetscene and the SCA as a whole.

8. With regard to the windows on the rear elevation there would be limited views of this elevation. I therefore consider that the replacement windows to the rear elevation do not cause harm to the character or appearance of the SCA.

9. Nevertheless, overall, I find that the proposal would fail to preserve or enhance the character and appearance of the SCA, resulting in less than substantial harm to the significance of this designated heritage asset. Paragraph 208 of the Framework indicates that such harm should be weighed against the public benefits of the proposal.

10. I understand that the existing windows are in a poor state of repair and that the replacement would be more energy efficient, but there is no evidence before me to suggest that they could not be replaced in a more sympathetic manner. Moreover, the benefit of reduced running costs would largely accrue to private interests rather than being wider public benefits. The appellant suggests that the use of uPVC windows would be a more environmentally friendly solution for replacement windows because of the loss of trees. However, there is little before me to substantiate this claim. Indeed, many timber products are responsibly sourced, and the use of uPVC would likely have its own drawbacks from an environmental perspective. I therefore give this matter limited weight. I accept that the improved maintenance of the proposed windows would be of some benefit to the wider streetscene, however, given the scale of the proposal this benefit would be limited and would not outweigh the harm identified.

11. Having regard to the above, and in giving great weight to the conservation of the designated heritage asset, I consider that the less than substantial harm I have identified would not be outweighed by any public benefits. In failing to preserve or enhance the character or appearance of the SCA the proposal would conflict with Policy 29 of the South East Lincolnshire Local Plan (2019) which seeks to retain local distinctiveness with regards to traditional materials. The proposal would also fail to accord with the Framework which, amongst other things, seeks to preserve character and appearance and ensure that heritage assets are conserved in a manner appropriate to their significance.

Other Matters

12. My attention has been drawn to planning permission[1] for the installation of uPVC windows to the rear elevation of the property. I concur with the Council that these windows would not be visible within the public realm and so would not harm the special qualities of the SCA. This permission, however, does not alter my conclusions with respect to the appeal scheme before me.

Conclusion

13. The proposal conflicts with the development plan when considered as a whole and there are no material considerations, either individually or cumulatively that outweigh the identified harm.

14. For the reasons given above I conclude that the appeal should be dismissed.

R Gee

INSPECTOR

[1] H16-1048-22-Full