



Appeal Decision

Site visit made on 5 July 2021 by Darren Ellis MPlan

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2021

Appeal Ref: APP/N2535/D/21/3274639

The Old Bakery, 4 Beck Hill, Tealby, Market Rasen, LN8 3XS

- 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 Samuel Routledge against the decision of West Lindsey District Council.
 - The application Ref 142547, dated 26 February 2021, was refused by notice dated 5 May 2021.
 - The development proposed is to replace all windows and the rear french doors of the property.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (the Framework). Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.
4. The description of the development shown on the application form includes a detailed explanation to justify the proposal. However, in the interests of conciseness and clarity, in the header above I have used just the first part of the description which clearly describes the proposal.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the property and whether or not it would preserve or enhance the character or appearance of the Tealby Conservation Area.
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Reasons for the Recommendation

6. The appeal site is a two-storey semi-detached property within a prominent location close to a four-way junction in the village within the Tealby Conservation Area (CA). The buildings in the CA, including the appeal property, are largely historic in nature and are constructed of stone with tiled roofs. Many buildings have timber windows of a traditional appearance that contribute to the CA's significance through, in part, their intricate detailing and historic origins. The appeal property, along with the others nearby, contributes positively towards the character and appearance of the CA and reflects the historic character of Tealby, with its windows being a vital part of its architectural style and design.
7. Although the design of the new windows and doors appears similar in the submitted drawings to the existing timber windows and doors, it is unlikely that the detailed design would be, because of the different nature of UPVC to timber, and its flatter, uniform appearance. Moreover, the use of whole glass sheets within the frame, with the glazing bars attached as decorative features as opposed to being structural would not have the finesse of the existing windows and doors with numerous sheets of glass found in the existing structural frames, irrespective of their colour. The introduction of such a modern material, with the drawbacks set out, would appear contextually incongruous and would result in the loss of historic fabric to the host property, which would be noticeable in this prominent location.
8. In reaching this view I am mindful that planning permission has been granted for UPVC windows on properties in the locality and that the attached property has UPVC windows, as have a number of other older properties in the CA. I find in the main, the context of these windows is not comparable to the appeal property, with the exception of the attached property where I find that the windows do not make a positive contribution to the significance of the CA as a designated heritage asset. Furthermore, newer dwellings in the village have UPVC windows, however their character, appearance and context differs to that associated with the appeal property. These examples do not provide justification for the proposal because of the identified harm that would be caused.
9. Given my findings, the proposal would be harmful to the appearance of the host property and would erode the positive contribution it makes to the character and appearance of the CA. It follows that the replacement windows and French doors would neither preserve or enhance the character or appearance of the CA and would result in harm to the significance of this designated heritage asset.
10. The harm that would arise would be localised and therefore, in the context of the approach in the Framework, the harm to the CA as a whole would be less than substantial. Paragraph 202 of the Framework states that where a development would lead to less than substantial harm to the significance of a heritage asset, that harm should be weighed against the public benefits of the proposal. The appellant has suggested that the proposed material may be more environmentally friendly than the loss of trees for the timber to make the frames. However, I have not been presented with substantive evidence to demonstrate that the proposed frames are more environmentally friendly in this regard.

11. I acknowledge that the proposed composite windows may be easier to maintain than timber windows. However, no substantive evidence has been submitted that demonstrates how quickly new timber windows, either with or without regular maintenance, would deteriorate to a condition that harms the appearance of the building. I also acknowledge that the existing windows are in a poor condition and that double-glazing would provide significant thermal improvements and given the current climate emergency I therefore attach moderate weight to this benefit. However, this would not outweigh the great weight I am required to give the conservation of designated heritage assets.
12. The proposed development would detract from the character and appearance of the appeal property and would neither preserve nor enhance character or appearance of the Tealby Conservation Area. As such the proposal conflicts with Policy LP25 of the Central Lincolnshire Local Plan (2017) (LP) which requires that all new development should protect, conserve or seek opportunities to enhance the historic environment, and Policy LP26 of the LP which requires development to contribute positively to local character. There would also be conflict with the statutory test contained in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Framework which requires that the historic environment is conserved and enhanced.

Other Matters

13. The appellant states that single glazing is the only option for new timber windows due to the design of the windows, and that this would be contrary to modern building standards. However, I note the Council's conservation officer's comments, with regards to building regulations, that buildings in conservation areas are allowed to have single glazing where character would be affected. Moreover, there may be other alternatives which would be suitable to improve thermal efficiency including secondary glazing options. Accordingly, I am not convinced that there are not less harmful options for replacing the windows and French doors than that proposed.
14. I note the concerns regarding the Council's handling of the case. However, this is a matter that would need to be taken up with the Council in the first instance, and in determining the appeal I have only had regard to the planning merits of the case.

Conclusion

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed because of the conflict with the development plan and there being no material considerations which indicate that a decision should be made other than in accordance with the development plan.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis, I agree with the recommendation and shall dismiss the appeal.

RC Kirby

INSPECTOR