The Planning Inspectorate

Appeal Decision

Site visit made on 1 November 2016

by David Cross BA (Hons), PGDip, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 2 December 2016

Appeal Ref: APP/H2733/W/16/3155839
Flat 2, 9 Crown Crescent, Scarborough YO11 2BJ

- 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 & Mrs Bramhald against the decision of Scarborough Borough Council.
- The application Ref 16/00881/HS, dated 25 April 2016, was refused by notice dated 28 June 2016.
- The development proposed is two replacement windows to rear elevation from timber to upvc double glazed.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the replacement windows on the character and appearance of the host building and the Scarborough Conservation Area.

Reasons

3. Crown Crescent is within of the Scarborough Conservation Area (CA) which has a pleasing character and appearance arising from the scale, massing, detailing and setting of the predominantly residential properties that contribute to its significance as a designated heritage asset. The appeal proposal relates to the replacement of two wooden sash windows to the rear of the property with windows of a upvc casement design. The rear elevation of the host building and wider terrace is visible from a lane to the rear of the site which provides access to a number of properties.

4. The appellants state that the proposed rear windows are of a similar style to the existing windows. However, the window frames would be of a heavier appearance and the placement of glazing bars would differ in comparison to the windows they would replace and to the remaining sash windows on the elevation. The central horizontal rail of the replacement windows would also be significantly thicker than the meeting rails on the sash windows. In my view, the windows would appear to be a clumsy and incongruous pastiche compared to the more delicate features and proportions of the wooden sash windows on the host property and adjacent buildings.

5. The appellants also state that it has been the Council's policy to approve replacement windows as long as the designs are similar. However, for the

reasons stated previously I consider that the replacement windows are of a different design and appearance from those that they would replace. The appellants have referred to existing upvc windows in a rear dormer on the roof of the host building. However, these windows would appear to be set within the context of a more recent roof extension and in any case are of a different character and proportion to the sash windows on the main rear elevation. The windows in the rear dormer therefore, in my view, do not establish a precedent for the replacement of sash windows on the main rear elevation.

6. The appellants have also referred to the use of upvc windows on the rear elevation of a nearby property on Crown Crescent which I viewed on my site visit. I saw that the windows had been replaced over the whole of the rear elevation of this property although I am not aware of the circumstances in place at the time these windows were installed. In any case, the property I saw served to confirm that upvc windows can have a more crude, heavy and over prominent appearance compared to the traditional sash windows on neighbouring properties.

7. I have taken into account the appellants' reference to the poor state of repair of the existing windows. However, I am mindful that the windows could be replaced by a more sympathetic design than those proposed. In any event, this matter is not sufficient to outweigh the harm that I have identified. In particular, whilst the harm to the significance of the CA would be less than substantial, I consider that any benefits that would arise from the proposal would not outweigh the identified harm.

8. I conclude that the proposal would fail to complement the character of the host building and to preserve the character and appearance of the CA. The proposal would therefore be contrary to Policy E23 of the Scarborough Borough Local Plan 1999 (LP) which states that on period properties built prior to 1914 the replacement of authentic windows by modern units of an inauthentic design will be unacceptable except in exceptional circumstances. I consider that none of the circumstances brought to my attention are of such an exceptional nature to comply with the provisions of Policy E23. The proposal would also be contrary to Policy E14 of the LP which states that alterations should not detract from the character, appearance or historic significance of the building or otherwise harm the street scene. These policies are broadly consistent with the National Planning Policy Framework in relation to conserving and enhancing the historic environment.

9. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR