
Appeal Decision

Site visit made on 18 March 2019

by A Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 9th August 2019

Appeal Ref: APP/A2525/W/18/3216194

Sense Charity Shop 3 -7 Station Street, Spalding, PE11 1EF.

- 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 Alan Bentley, Sense against the decision of South Holland District Council.
 - The application Ref H16-0377-18, dated 9 April 2018, was refused by notice dated 22 June 2018.
 - Replacement of rotten timber single glazed windows with sympathetically designed Georgian style energy efficient, double glazed UPVC windows. (retrospective).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the Spalding Conservation Area.

Procedural Matter

3. Since determination of this application a revised National Planning Policy Framework ('the Framework') has been published in February 2019. I have therefore had regard to any changes in the Government's position in assessing this appeal under the relevant sections of the revised Framework.
4. The Council's statement has drawn my attention to development plan policies including the recently adopted South East Lincolnshire Local Plan, as adopted March 2019 (SELLP). I am required to determine the appeal in light of the development plan. The appellant has been given the opportunity to comment on the Council's statement and I do not consider that the interests of any party will have been prejudiced by my determining the appeal in light of the new development plan.

Reasons

5. The appeal refers to the retrospective replacement of windows to the first floor of a shop within the Spalding Conservation Area.
6. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'Special Attention' should be given to the desirability of preserving or enhancing the character or appearance of conservation areas. This is reflected in paragraph 192 of The Framework, which illustrates the positive

contribution that heritage assets can make to the creation of sustainable and economically viable communities.

7. The appeal property is a two storey commercial building within the Spalding Conservation Area. The Conservation Area has been recognised for its architectural and historic interest. Although there is no current Conservation Area Appraisal, I consider that this interest is derived not only from the buildings and structures themselves, but also from the contribution derived from distinctive, historic details and features, that enhance the strong sense of place and historic character that are defining features of the town.
8. The appeal property is located to the edge of the Conservation Area and can be clearly seen from both Station Street and from Victoria Street that runs immediately opposite the site. Victoria Street is also within the Conservation Area boundary. The property is therefore clearly visible within the streetscene and I consider its contribution to the historic environment to be no less significant in light of its location on the edge of the Conservation Area. Indeed I consider that such a location on a major route through the area to potentially enhance the buildings' significance.
9. The property contains simple details typical of a mid 20th century commercial property. This includes brick construction, simple architectural motifs and typically well proportioned windows. A photograph supplied by the appellant shows what I consider would likely have been the original windows to this building. These windows consisted of 6 over 6 square panes in a sliding sash arrangement with characteristic horn details to the lower edge of the top sash. This design resulted in a partial reveal into the façade brickwork and the windows were surrounded by a moulded timber architrave.
10. The building also appears to have a strong architectural relationship to the adjoining building that sits on the corner of Station Street and Swan Street. In the absence of any evidence to the contrary, and based upon the similarities between the two buildings, I consider that the architectural style is near contemporary and that these buildings provide a positive entry into the Conservation Area, largely due to their architectural details and synonymous architectural design.
11. The replacement windows by contrast have removed the moulded timber architrave and are set almost flush with the surrounding brickwork. They have also removed the characteristics created by the sliding sash functionality of the windows. This includes the deep reveal into the window aperture and the sliding sash horn detail. Although the glazing bars have gone some way to reflect the details of the original windows I consider that such devices fail to reflect the more ornate and delicate attributes of the former fenestration.
12. My attention has been drawn to several other examples of UPVC style windows of varying types within the vicinity of the appeal site and the wider Conservation Area. I consider that the overriding impression of the Conservation Area is one where buildings largely retain their traditional windows and where such details contribute in a positive manner to the appreciation and character of the town. This is reflected in Policy 29 of the SELLP.
13. Although I note the cited replacements, I consider that such changes erode the special character and that further such changes would contribute to further

erosion. This would cause harm to the distinctive qualities of the conservation area to its overall detriment and would be contrary to Policy 29 of the SELLP.

14. In considering the impact of development upon the Spalding Conservation Area I consider that any harm will be less than substantial. The Framework highlights the need for identified harm to be weighted against any public benefits of the scheme. It has been suggested that the installation of new UPVC windows would improve energy efficiency to the property as well as reduce the impact of noise and pollution on staff working in the shop.
15. Whilst no evidence has been adduced to indicate that the proposed windows would be the only approach in improving energy efficiency, I nevertheless give some limited weight to the arguments raised and consider that any lower energy bills and improvements in staff comfort could constitute a public benefit due to the potential of the premises being more attractive to present and future tenants or owners. These would constitute public benefits under paragraph 198 of The Framework through enabling the Spalding Conservation Area to function in its traditional manner with shops and facilities.
16. However, I also consider that the attractiveness and viability of the Conservation Area is determined by its distinctive and traditional details and that the loss of such elements can cause more serious harm to the future viability of historic places.
17. Therefore, although I can attribute some limited weight to the need for increased energy efficiency, reduced noise and air pollution for occupiers of the shop, this does not outweigh the serious harm that I have identified whereby the character and appearance of the Spalding Conservation Area will be eroded through further cumulative loss of historic details.

Conclusion

18. For the reasons set out above, the appeal is dismissed.

INSPECTOR

A Graham