



Appeal Decision

Site visits made on 17 December 2019 and 6 January 2020

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2020

Appeal Ref: APP/D1265/W/19/3238958

Ocean Watch, 33 Greenhill, Weymouth DT4 7SN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Hogg of Castleford Management against the decision of Dorset Council.
 - The application Ref WP/19/00420/FUL, dated 22 May 2019, was refused by notice dated 5 September 2019.
 - The development proposed is described as 'replace windows and doors (except entrance door) with white upvc units. Replace all fascia and soffit boards with white upvc'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Weymouth Town Centre Conservation Area.

Reasons

3. Located within the Weymouth Town Centre Conservation Area (CA), the appeal site comprises an attractive red brick property, which has previously been extended and converted into flats. Despite being set back some distance from the road frontage, Ocean Watch is highly visible within the street scene, and there is no doubt that it makes a positive contribution to the character and appearance of the CA.
4. The CA is subdivided into five distinct Sub-Areas, as detailed within the Conservation Area Appraisal¹ (CAA), which was adopted by the Council in 2012. The appeal property forms part of the Northern and Southern Greenhill Sub-Area, the significance of which notably derives from its historical and physical links to Georgian Weymouth and its display of grand Victorian and Edwardian individual houses. No 33 Greenhill retains many of its original features, and is identified within the CAA as one of Greenhill's important local buildings, particularly by reason of its bayed and balconied, dormers and brick nogging in false half-timber.
5. The cumulative loss of details with a variety of uPVC windows and doors is identified within the CAA as one of the matters of concern which is affecting this Sub-Area. Additionally, my attention has been drawn to Section 3.10 of the Council's Supplementary Planning Guidance 2 'Listed Buildings and Conservation Areas'. In respect of windows on principal elevations, this

¹ Weymouth Town Centre Conservation Area Appraisal.

document states that 'the replacement of wooden sliding sash or traditional side hung casement windows with windows of inappropriate design including the use of aluminium or uPVC windows will not normally be granted planning permission'.

6. The appellant argues that the appeal scheme would match the original detail and be of sufficient design standard to preserve the CA. However, I find that this cannot be established with certainty on the basis of the available evidence, despite the submission of drawings showing existing and proposed elevations, sill and jamb details, as well as a brochure of the manufacturer. The submitted information lacks clarity and detail in respect of the design, texture, finish, profile, nature of the openings and thickness of the frames for the different fenestration types. Limited details have also been provided to show how the leaded lights would be replicated.
7. In the absence of such information, it is not possible to determine whether the proposed windows would reproduce accurately the slender and elegant appearance of the original fenestration, particularly as uPVC frames are generally thicker than timber or metal frames. In all likelihood, the proposed uPVC windows would have a more artificial and manufactured appearance than the existing timber fenestration. I therefore find that it has not been satisfactorily demonstrated that the use of uPVC windows would not detract from the character or appearance of the appeal property and not add to the gradual erosion of the significance of the CA.
8. The harm to the significance of the CA would be less than substantial, but there would be, nevertheless, real and serious harm which requires clear and convincing justification. In accordance with the requirements of paragraph 196 of the National Planning Policy Framework, the harm identified should be weighed against the public benefits of the proposal. The appellant has indicated that the proposed windows would reduce maintenance costs and would be more thermally efficient. However, these considerations would not represent a public benefit which would outweigh the harm to the appeal property and the wider CA.
9. In reaching this conclusion, I have had regard to examples of uPVC windows within the CA, which have been approved by the Council at no 11A Greenhill², Swanery View (24 Park Street)³ and Garnet Court (Park Street)⁴, as referred to by the appellant. Whilst I do not have full details of the circumstances that led to these windows being accepted, they relate to buildings of a different character and style to the appeal property. I am therefore not certain that these particular schemes represent a direct parallel to the appeal proposal.
10. My attention has also been drawn to a number of properties with uPVC windows, which are located within proximity to the appeal site, including nos 7 to 35 Greenhill, together with no 42 Cranford Avenue. However, there are no details before me to indicate when these windows were installed or whether they benefit from planning permission. In any event, I am required to determine the appeal before me, based on its individual merits.

² Local Planning Authority Reference WP/14/0999/FUL.

³ Local Planning Authority Reference WP/18/00414/FUL.

⁴ Local Planning Authority Reference WP/14/00604/FUL.

11. Having regard to the evidence before me, I am unable to conclude that the proposal would preserve or enhance the character or appearance of Weymouth Town Centre CA. Consequently, it would not accord with Policy ENV4 of the West Dorset, Weymouth and Portland Local Plan (2015), which seeks to protect heritage assets such as conservation areas.

Conclusion

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

S Edwards

INSPECTOR