
Appeal Decision

Site visit made on 11 February 2020

by Matthew Woodward BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th March 2020

Appeal Ref: APP/D2510/D/20/3244186

2 St Michael's Road, Louth LN11 9DA

- 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 Alexander Thorne against the decision of East Lindsey District Council.
 - The application Ref N/105/02024/19, dated 3 November 2019, was refused by notice dated 3 January 2020.
 - The development proposed is described by the appellant as 'request to change 6 single glazed wooden sash windows for 6 replicate UPVC double glazed sash windows'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Part of the description of development contained in the application form appears to comprise part of the appellant's justification for the proposal. Therefore, in the interests of brevity, the description I have used in the banner heading above is a condensed version of the description given on the application form.
3. The Council have not submitted an officer report or a statement with this appeal. Therefore, the Council's case is mainly predicated on the decision notice which describes the reason for the Council's decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the Louth Conservation Area.

Reasons

5. The appeal property occupies a corner plot fronting both Newmarket and Aswell Street and is located within the Louth Conservation Area (CA). A conservation area appraisal for the CA has not been submitted to me but from my site visit and the evidence before me, I consider that the significance of the CA derives, in part, from the presence of mainly Victorian styled properties which are arranged in terraced blocks fronting the surrounding streets. Although a number of unremarkable buildings and spaces fragment the traditional character of the area, the general consistency in terms of building heights, architectural style and traditional materials imparts a prevailing historic character.

6. Due to the appearance of its façade, and the materials, fenestration pattern and architectural detailing of the building as a whole, the appeal property makes a significant contribution to the historic character and appearance of the CA. Its prominent corner position and historic and architectural richness reinforces its value as a local asset.
7. Even if I was to assume that the replacement windows would comprise frames with a similar glazing bar width, and the frames themselves would be positioned behind the main face of the building so as to retain the building's three dimensional quality, the UPVC frames would be features of modern design with an unnatural sheen and synthetic composition which would be at odds with the traditional style of the building, undermining the contribution it makes to its surroundings.
8. I was able to see on my site visit that a number of Victorian style properties on Newmarket and Aswell Street have been altered to include UPVC window frames. In several cases the significance of the CA has been diluted due to their presence. Moreover, despite some previous alterations to the rear of the appeal building, it retains its traditional appearance when viewed from the streets, and none of the modern window examples I saw on my visit occupied a building as distinctive and characterful as the appeal building. Nonetheless, the impact of the proposal would be localised, thus the harm to the character and appearance of the CA would be less than substantial in terms of the National Planning Policy Framework (the Framework).
9. Heritage assets are an irreplaceable resource, and therefore any harm requires clear and convincing justification. In accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 I must pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, which I have done in reaching my decision.
10. I appreciate that replacement window frames may reduce heat loss from the appeal building therefore reducing the appellant's carbon footprint. In relation to the building's position, being close to a public house, a petrol station and the road, the proposal would reduce the amount of noise entering the property, particularly at night. Moreover, I am told that the existing windows do not open and their replacement would also improve the security of the property. However, I do not know if other alternative measures to deal with the aforementioned issues have been explored by the appellant, and I am not persuaded that the proposal is the only means of achieving those stated objectives. In any event, having regard to paragraph 196 of the Framework, I do not consider that these public benefits would be sufficient to outweigh the less than substantial harm I have identified.
11. In conclusion, the proposal would harm the character and appearance of the Louth Conservation Area. It would conflict with Strategic Policy 11 of the East Lindsey Local Plan Core Strategy 2018 which requires that proposals preserve or enhance heritage assets and the special character and appearance of Conservation Areas. The proposal would also conflict with paragraphs 193 and 196 of the Framework as the public benefits would not outweigh the less than substantial harm to the heritage asset.

Conclusion

12. For the reasons given above I conclude that the appeal is dismissed.

Matthew Woodward

INSPECTOR