



Appeal Decision

Site visit made on 5 January 2022

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2022

Appeal Ref: APP/L2250/D/21/3276849

14 New Street, Lydd TN29 9DJ

- 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 Andrew Lissamore against the decision of Folkestone and Hythe District Council.
 - The application Ref 21/0347/FH dated 20 January 2021, was refused by notice dated 21 April 2021.
 - The development proposed is "Replace single glass wooden casement windows and single glazed wooden front door with modern double glazed equivalent. The replacements will be double glazed uPVC sash windows and a composite door."
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Decision

1. The appeal is allowed and planning permission is granted to "replace single glazed wooden casement windows and door with double glazed uPVC sash windows and a composite door" at 14 New Street, Lydd TN29 9DJ in accordance with the terms of the application, Ref 21/0347/FH, dated 20 January 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan and Block Plans titled "14, New Street, Lydd, Kent, TN29 9DJ"; untitled door specification and door cross section; "Detail Sheets- Vertical Section V1"; "Detail Sheets Vertical Section-V3"; "Detail Sheets- Horizontal Section- H1"; "Existing front elevation"; Window specifications contained in document titled "Vertical Slider Windows" by Spectus Window Systems.

Preliminary Matters

2. The Council have amended the description of development to describe the proposals more succinctly and this has been used by the appellant on the appeal form. I have therefore used the following description in the assessment of this appeal: "Replace single glazed wooden casement windows and door with double glazed uPVC sash windows and a composite door."
3. During the course of the appeal the revised National Planning Policy Framework (the Framework) was published. There are no substantive changes relevant to the appeal before me and therefore no interested parties would be prejudiced by my consideration of the 2021 version of the Framework.

Main Issue

4. The main issue is whether the development proposed would preserve or enhance the character or appearance of the Lydd Conservation Area.

Reasons

5. The appeal property is a red brick building situated within the Lydd Conservation Area. The historic core of the Conservation Area is characterised by relatively tight knit buildings lining narrow streets which surround the Church and its grounds. The buildings on New Street sit close to the edge of the street and vary in their period, character and design, and include a number of more modern infill developments.
6. The appeal property is one of three terraced dwellings of which numbers 14 and 12 New Street have their front doors facing the street. The materials and design of the windows facing the street in all three properties varies.
7. Based on the evidence available, I understand the existing windows in number 14 to be later additions to date from the 1960s or 70s. The Council suggest that the original window form in this location would have been wooden sashes and I have no reason to disagree. In terms of the design of the windows proposed and their method of opening, they would match those on number 12 and would reinstate some consistency in the window designs in this terrace while also better respecting the original window designs of the property. The Council have raised concerns for the inclusion of horns within the sash windows. However these would match those existing on the neighbouring property at number 12 and I consider this to be an acceptable design feature in this context.
8. I appreciate the concerns that the use of uPVC would introduce thicker window frames than the existing timber, and that uPVC is not a material traditionally used on historic buildings. However in this particular case, the proposed use of uPVC frames would match that on the large majority of buildings on this side of New Street, where uPVC windows exist on multiple properties of varying age and character. Those other uPVC frames within the street vary in their thickness and detailed design, and I note the Council's concerns for the appearance of the uPVC windows that exist on one of the attached buildings. However based on the information available, including detailed sections and images of the proposed window frames, I am satisfied that the proposed design and thickness of the frames has been carefully considered and would likely appear as an improvement on many existing in the immediate area including those in this terrace. In combination with the retention of the surrounding wooden window structures as described by the appellant, I am satisfied that the windows proposed would sit comfortably in this context.
9. I appreciate that many of these nearby properties may not have planning permission for the installation of such windows, nonetheless they are in such abundance that they form an established part of the character of this side of New Street.
10. Overall, taking into account the unoriginal design of the existing windows, the prevailing appearance of windows in this particular part of the Conservation Area, and as the proposals would reintroduce a design that would reinstate some consistency with the neighbouring property, I am satisfied that the

proposals would preserve the character and appearance of the property and of the Lydd Conservation Area.

11. With regard to the replacement door, the Council consider the proposed replacement to be an improvement to the current situation in terms of its appearance, with the exception of the double glazed elements. However the framing to the glazing would be integral within the door design and would not facilitate additional bulky frames. When viewed in the context of the other windows in the property, and again the varied appearance of glazed panels within doors in this streetscape, I do not consider that harm would be caused by the areas of double glazing.
12. While timber sash windows may be the most appropriate to the character and appearance of this historic building, this is not the proposal before me and it falls to be considered whether the development proposed is acceptable.
13. I therefore find that in this particular case, the development proposed would not cause harm to the heritage asset of the Conservation Area and would preserve the character and appearance of the Lydd Conservation Area. It therefore follows that the proposals would adhere to the aims of policies HE1 and HB1 of the Places and Policies Local Plan 2020 which, among other things, require proposals to make a positive contribution to their location and surroundings and promote appropriate and viable use of heritage assets. The development would also comply with the principles of paragraph 199 of the Framework.

Conditions

14. The Council have suggested a number of conditions. I have considered these against advice contained in the Framework and Planning Practice Guidance. I have imposed a condition requiring compliance with the supporting plans and I consider this to be necessary as my assessment and the acceptability of the proposals is based on the specific information which has been provided. As the application form contains information that is at odds with the submitted drawings, I have not included reference to the details in this form, only the supporting plans and drawings.

Conclusion

15. For the reasons discussed above, having taken account of the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed.

C Shearing

INSPECTOR