



Appeal Decision

Site visit made on 1 February 2022

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 February 2022

Appeal Ref: APP/Y2003/D/21/3287692

1 George Street, Kirton Lindsey, Gainsborough DN21 4NA

- 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 Ms Patricia Parsons against the decision of North Lincolnshire Council.
 - The application Ref PA/2021/307, dated 23 January 2021, was refused by notice dated 14 October 2021.
 - The development proposed is the replacement and installation of 4x windows and 1x door at the front of the property (the highway) and to retain the development undertaken.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development for which planning permission is sought has taken place. Accordingly, I shall deal with the proposal as one under s73A of the Town and Country Planning Act 1990 for development already carried out.

Main Issues

3. The main issue is whether or not the development preserves or enhances the character or appearance of the Kirton in Lindsey Conservation Area.

Reasons

4. The site consists of an extended and altered 2-storey brick cottage with an outbuilding to the rear. The main building is situated immediately to the back of a narrow pavement on the eastern side of George Street. The dwelling is built off a stone plinth and retains some original stone headers to the main first floor windows and front door. The original sills remain to the upper front windows. Additionally, the building features dentilated brickwork detailing at the eaves with bracketed gutters; blocked angled brickwork with pattress plates from the roof verges to the visible gable below a chimneystack. It is identified as a building of Townscape Merit by the Council and contributes positively to the surrounding Kirton in Lindsey Conservation Area (the CA).
5. As the site is located within the CA, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving or enhancing the character or appearance of the CA.
6. The CA covers the areas about the historic St Andrew's Church and the town's former marketplace. The CA's significance derives from its organic narrow

street pattern and interest associated with individually styled buildings, particularly those from the C18 & C19, many of which are linked with various original uses. George Street extends from behind stone and brick buildings fronting on to the market square and continues towards The Green open space.

7. The Council's Kirton in Lindsey Conservation Area Appraisal (CAA) identifies the use of modern windows and doors in historic buildings as a threat to the character of the CA. It states that the use of traditional materials and careful detailing of windows and doors is important, and the use of uPVC should be avoided.
8. The development consists of the insertion of 4 uPVC double glazed windows in an off-white finish. The units consist of equal top-hung openers above fixed lower panes. Each double-glazed pane is divided into 6 by external glazing bars and the windows are set into the aperture in the outer skin of brickwork. Additionally, a composite front door containing a single diamond light has a wood-effect surface. This is finished in light green with contrasting black door furniture. A narrow glazed window is present above the transom.
9. The use of the modern material framing and door results in a different appearance and texture to painted timber. Although the windows utilise a typical 6 over 6 split design, the highly uniform appearance of the window frames, with integrated stiles and seamed mitred joints, results in a visibly modern construction. The wider faces of the cross rails and glazing bars are distinct from their more refined traditional timber counterparts. All of these elements are emphasised by the forward position of the windows in the openings whereby the oversailing upper opener is set only a short distance behind the face of the building's front elevation.
10. The more profiled surfacing and finish of the door provides a more realistic representation of painted timber. However, similar to the windows, the upper casing and continuous threshold framing and sill are distinctly modern in appearance. Additionally, the thickset header and infill panel, provide a transom window of limited proportioning.
11. I acknowledge that aside from confirmation of their timber construction, there is little evidence before me to demonstrate the style, appearance or mode of opening of the windows and a 1980's door which were replaced. As the Council has done, I have compared the development to traditional windows and doors fitting of the age of the building.
12. The introduction of the modern materials, top-hung window opening mechanism and forward fixing contrast with the typical architectural detailing and timber construction of characteristic original features. The use of uPVC conflicts with the advice in the Council's Kirton in Lindsey Conservation Area Supplementary Planning Guidance [2004] (SPG) which requires windows and doors to be of timber construction. Furthermore, as a building of townscape merit, the treatment of the openings contrast with the age and style of the building.
13. In support of the appeal, the appellant directs me to numerous other examples of uPVC windows and doors in the locality and wider CA. However, as a particular aspect of development identified as detracting from the character and appearance of the CA in the CAA, I do not find those other examples provide justification for a further retrograde impact to the non-designated

heritage asset (the building of merit) or the CA through replacement of the timber windows and door with modern uPVC equivalents. The development has thereby failed to preserve the character and appearance of the CA.

14. In the context of the National Planning Policy Framework (the Framework), the extent of overall harm of the proposal is less than substantial given the nature of the development. Paragraph 202 of the Framework advises that such harm should be weighed against the public benefits of the proposals.
15. I acknowledge that the windows replaced former timber windows and a door that were rotting. The new windows and doors may have provided a tidier appearance preventing the building from appearing in disrepair and drawing compliments and support from the public. The replacements could also be sustained through reduced maintenance requirements and give rise to environmental benefits through improved insulation of the property and the recyclable nature of the windows.
16. However, those benefits are not necessarily dependent on the specific design and materials used. They are therefore of limited weight in favour of the development and they do not outweigh the less than substantial harm identified.
17. For the above reasons, I find that the development fails to preserve the character and appearance of the CA. It thereby conflicts with Policy CS6 of the North Lincolnshire Local Development Framework Core Strategy [2011], Policy HE2 of the North Lincolnshire Local Plan [2003] and the guidance in the SPG as they seek to protect, conserve and enhance the character and appearance of the designated heritage asset.

Other Matters

18. The appellant highlights that the new windows and door have provided reduced noise, fumes and damp within the home. However, there is little to suggest that the use of traditional materials would not enable those private benefits to be achieved. Accordingly, they are a matter of limited weight in the circumstances of the case.
19. I note the frustrations expressed by the appellant in relation to the level of communication from the Council leading up to this appeal, and the concerns that could arise should a requirement to replace the windows and door be imposed. However, these are not matters for this appeal which I have determined on its own merits.

Conclusion

20. The development conflicts with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not be allowed.

R Hitchcock

INSPECTOR