



Appeal Decision

Site visit made on 1 November 2022

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 DECEMBER 2022

Appeal Ref: APP/T1410/W/21/3284842

Flat 2, 5 Burlington Place, Eastbourne, East Sussex BN21 4AS

- 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 Davina Spray against the decision of Eastbourne Borough Council.
 - The application Ref PC/210464, dated 14 May 2021, was refused by notice dated 18 August 2021.
 - The development proposed is replacement windows to front bay.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have noted that the planning application form did not provide the appellant's full name. The appellant has since confirmed their full name, which I have used in the above heading.
3. The planning application form used the address Flat 1, 5 Burlington Place. However, it is clear to me from the appeal form and the appeal documents that the appeal relates to Flat 2, 5 Burlington Place. For this reason, I have used this address for this decision.
4. As the proposal is in a conservation area (CA), I have paid special attention to the desirability of preserving or enhancing the character or appearance of that area, as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the host property and the Town Centre and Seafront CA.

Reasons

6. The appeal building is a large residential property sub-divided into self-contained flats. The front elevation displays features characteristic of its period such as a bay window, timber sash windows, and decorative architectural banding. Its front elevation addresses the street and, as a result, is highly visible within the CA. The character of this part of the Town Centre and Seafront CA and its significance stems from, amongst other aspects, the arrangement of grand Italianate villas and terraced properties, set along a consistent building line, a little way back from enclosed frontages. The high level of survival of architectural detailing, including timber sash windows, two

storey canted bay windows and arched, recessed porches appeared, from my observations, of particular importance in this part of the CA, and as a whole. With its timber windows, including bay windows, architectural detailing and recessed porch, the appeal property makes a positive contribution to the character and appearance of the CA.

7. All windows on the front elevation are constructed with white painted timber frames. Whilst the level of maintenance of the timber windows may vary, the use of the same material ensures a visual unity across the building's front elevation. The replacement windows would be constructed in uPVC frames, and this would introduce a new material and finish to the appeal building that does not currently exist. uPVC is a material that has an artificial texture and a more uniform finish, when new and when aging, than painted timber windows. The proposed white finish of the uPVC windows could be selected to match the colour of the other windows in the building's front elevation as far as possible. The promotional material from the appellant's chosen glazing supplier indicates that a high-quality product, with good attention to detail would be used. I understand that it may have been used in a number of settings, but I have little information about the particular circumstances. Nevertheless, as a result of the material, it is likely that it would still be possible to discern the new windows as discordant insertions that appear incongruous alongside the remaining timber windows within the elevations.
8. There is a mix of building styles within the CA and some uPVC windows, notably at the block of flats opposite the appeal property. Unlike the appeal property, the block of flats was constructed in the twentieth century, and timber windows may not have been an original feature of that building. Conversely, the timber windows which are found within the period buildings on Burlington Place are an important characteristic of this part of the CA.
9. While I note that there is some support from neighbouring residents, for the above reasons, I conclude that the proposed development, due to the materials and finish of the windows would harm the character and appearance of the host property and the surrounding area. It would therefore fail to preserve the character and appearance of the CA as a whole. I therefore find that it would conflict with saved Policies UHT4 and UHT15 of the Eastbourne Borough Plan 2001-2011 (2003) and Policies D10 and D10a of the Eastbourne Core Strategy Local Plan (2013). Amongst other aspects, these policies seek to ensure that the historic environment is safeguarded from harm, the value and significance of conservation areas are maintained, and new development is of a high standard of design that respects local character.
10. In failing to preserve the character and appearance of the CA, I find that the proposed development would, in the words of the National Planning Policy Framework (Framework), result in less than substantial harm to the significance of a designated heritage asset. In such circumstances, the Framework requires that the less than substantial harm should be weighed against the public benefits. I note the affected room has high ceilings and a northerly aspect resulting in limited sunlight. Consequently, the appellant considers the proposal would be of benefit because it would improve the flat's thermal efficiency whilst helping reduce energy consumption in a time of high energy costs.

11. I have not been presented with evidence to demonstrate that alternative measures such as secondary double glazing or replacement timber windows could not provide similar performance improvements. As such, I attribute only limited weight to this potential benefit. This does not therefore outweigh the harm I have identified to the CA and the great weight given to the conservation of designated heritage assets. The proposed development therefore conflicts with the provisions of the Framework in relation to conserving and enhancing the historic environment.

Conclusion

12. The proposal would harm the character and appearance of the host property and the Town Centre and Seafront CA. For the above reasons, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed

B Pattison

INSPECTOR