



Appeal Decision

Site visit made on 9 May 2023

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 May 2023

Appeal Ref: APP/L2250/W/22/3308163

Radnor Chambers, Cheriton Place, Folkestone CT20 2BB

- 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 William Coley against the decision of Folkestone and Hythe District Council.
 - The application Ref 22/0858/FH, dated 13 May 2022, was refused by notice dated 15 August 2022.
 - The development proposed is the installation of Upvc double-glazing windows to 6 residential units.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host building and area, having particular regard to whether the scheme would preserve or enhance the character or appearance of the Folkestone Leas & Bayle Conservation Area (the Conservation Area).

Reasons

3. The Conservation Area covers a fairly sizeable area, including some retail streets, The Leas and areas with Victorian villas that reflect the historic growth and history of this part of Folkestone.
4. The appeal site is located in Cheriton Place, off Sandgate Road. In this general area, the Conservation Area has a range of terrace buildings usually with commercial use on the ground floor and many with Victorian origins. While the shop fronts and other ground floor features tend to be much changed, the upper floors generally provide a more traditional appearance with less alterations. One of the features of some of the upper floors is the fenestration, often with a regular pattern of openings and there are still a noticeable number of buildings where timber window frames remain.
5. Nevertheless, quite a few of the upper floors of buildings have had the windows replaced with uPVC frames, some with different methods of openings while others function as sliding sash type windows. These uPVC window frames are usually discernible within the street scene compared with the more traditional wooden window frames. This includes, depending on the particular window, because of the finish of the uPVC, the size and variation in width of the surrounding frame and glazing bars, the lack of mouldings and/or the method of opening. Such windows are experienced throughout this section of the

Conservation Area and has resulted in an erosion of the character and features that contributes to its significance.

6. Radnor Chambers is a prominent brick clad building within, and adjoining the boundary of, the Conservation Area. On the upper floors of the front façade, the building is attractively decorated including with brick detailing, some arched, some round and some square headed windows, Dutch- like gables and decorated elements of parts of the substantial down pipes. The windows make an important contribution to the overall attractiveness of the building, with their timber frames, including sliding sashes and some with quite substantial mouldings to the glazing bars. There are other pleasantly proportioned windows, such as the round windows which have a distinctive slimmer cross pattern of glazing bars.
7. At the sides and rear of Radnor Chambers, the building is less articulated in its elevations but the predominance of timber sliding sash windows¹ provides a continuity of design and appearance with the front elevation.
8. The building forms part of a terrace of other well-articulated and attractive, brick clad buildings that starts with Radnor Chambers and continues around the corner and along Sandgate Road. In some street scene views, these buildings can be experienced as a group. The similar heights of the terrace, the red brick of the upper elevations, the rhythmical form of the Dutch-like gables and the white finished, usually timber framed windows make an important contribution to the significance of this part of the Conservation Area. There are a limited number of uPVC windows in this group, but they are not a dominant feature of the terrace, and the upper floors largely remain in a form that respects the original design and appearance of the buildings.
9. The appeal proposal would replace 29 No. timber framed windows on the upper floors of all the elevations of the Radnor Chambers building. The quotation details show drawings of the proposed uPVC replacement windows, although there are no larger scale drawings or cross sections. Based on the submitted information, the replacement windows would appear not to have especially moulded glazing bars/frames, some would have quite wide frames, most would be top hung, and the appearance of the frames is likely to have a machine made like finish that can come with a uPVC window.
10. It is explained that the windows would follow the same pattern as existing. However, the subtleties and visual quality of the timber frames would be replaced by more generic and less visually sensitive windows that would not reflect the locally distinctive nature of this building and the wider group within this part of the Conservation Area. Notably the proposed top hung uPVC frames would appear especially incongruous when open because they would draw the eye compared with the traditional appearance of the openings of the sliding sashes.
11. As a consequence of the proposal, the traditional, timber sliding sash windows, and the other existing framed windows, that provide a positive feature to the front façade of this building, and that complement the attached terrace, would be lost. For these reasons, the removal of the existing windows and the

¹ I noted the small number of timber, side hung casement windows, an upper side uPVC window and that the rear facing dormer has uPVC frames.

- proposed replacement windows would have the effect of detracting from the character and appearance of the host building and wider group.
12. The timber framed windows to the sides and rear of the building are not publicly visible, although some windows have very limited views from adjoining properties. Nevertheless, the sides and rear of the building are located within the Conservation Area. The loss of the timber window frames and replacement with uPVC windows would undermine the integrity of the building as a whole and is not development which would preserve or enhance the character or appearance of the host building within this part of the Conservation Area.
 13. I have taken into account the reasons and background that seek to justify the replacement windows. I have also considered the representations in support, including from occupants of the flats at Radnor Chambers, the views of Folkestone Town Council and those that object to the scheme, including local residents and the New Folkestone Society.
 14. The windows appear to be in need of repair and are single glazed. Replacement uPVC windows would likely be more thermally and acoustically efficient than the present situation and I note the costs which are quoted in terms of replacement wood alternatives. However, I am not satisfied that the windows are beyond repair, and other options, such as secondary glazing, could potentially be considered to improve thermal efficiency, sound insulation and thereby the living conditions for the occupants.
 15. The appellant has detailed a list of properties that have had uPVC windows installed in the vicinity and I saw many of these at my site visit. They are clearly evident within the Conservation Area, and there are many also installed to buildings along Cheriton Place, although beyond the boundary of the Conservation Area. These uPVC framed windows have a noticeable presence but generally are not a feature that preserves the character or appearance of the Conservation Area. I do not know the detailed planning history or circumstances that led to the installation of these windows. I am not satisfied that their presence and the effect on the character of the area would justify the addition of further uPVC windows to the appeal property that would be harmful in the ways I have described. That the appeal property is at the edge of the Conservation Area does not diminish the statutory and policy tests to be applied to the development.
 16. I am mindful of the duty to pay special attention to the desirability of preserving or enhancing the character or appearance of any land or buildings in a Conservation Area². In this case, for the reasons explained, the loss of the existing windows and the introduction of uPVC fenestration would result in harm to the character and appearance of the host building and area. Moreover, it would have a harmful and thus diminishing effect on the significance of the Conservation Area.
 17. The harm to the Conservation Area as a whole would be less than substantial within the meaning of paragraph 202 of the National Planning Policy Framework (the Framework). In accordance with the Framework, this harm should be weighed against the public benefits of the proposal.

² Section 72(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990.

18. I am conscious of the benefits to the occupants of the flats which would accrue from the replacement windows. However, the Planning Practice Guidance explains that public benefits to be weighed against any harm should flow from the proposed development and they should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. In this case, any benefits would predominantly be for the occupants of these private flats. I therefore afford the public benefits limited weight in the overall heritage balance.
19. The Framework advises that any harm to the significance of a designated heritage asset should require clear and convincing justification and that great weight should be given to the asset's conservation, irrespective of the level of potential harm. I have found that the public benefits of the proposal should afford limited weight and, therefore, they would not outweigh the harm to the Conservation Area and its significance, which in accordance with the Framework, is required to be attributed great weight.
20. In the light of the above analysis, I conclude that the proposal would harm the character and appearance of the host building and area, and would not preserve or enhance the character or appearance of the Conservation Area. It would therefore conflict with policies HB1, HB8 and HE1 of the Folkestone and Hythe District Council Places and Policies Local Plan 2020 and the Framework which require, amongst other things, that alterations should seek to reflect the proportions, materials and detailing of the original building and not have a detrimental impact on the street scene.
21. For the reasons given above, there are no material considerations that indicate the proposal should be determined otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR