

Appeal Decision

Site visit made on 8 June 2023

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 July 2023

Appeal Ref: APP/X3540/W/22/3313896

Croylands, 2 Cliff Road, Lowestoft, Suffolk NR33 0BT

- 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 Jaffer against the decision of East Suffolk Council.
 - The application Ref DC/22/2729/FUL, dated 10 July 2022, was refused by notice dated 20 September 2022.
 - The development proposed is to change front and side windows to white sash windows and door to composite, repair brickwork around bay areas.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed replacement windows and door would preserve or enhance the character or appearance of the South Lowestoft Conservation Area, in which the appeal property is located.

Reasons

3. The conservation area comprises a long and narrow area which runs north-south along the coastline and includes the seafront and roads parallel to it, as well as shorter perpendicular streets. The conservation area is predominantly urban in character, with dense commercial development and stretches of terraced housing. London Road South is a principal road running through the area parallel to the seafront, while Cliff Road is a short road perpendicular to it.
 4. No 2 is on a corner plot at the junction of the two roads. It is a three storey building divided into flats, which is at the end of a terrace of similar dwellings with frontages on London Road South. These properties appear to be late nineteenth or early twentieth century buildings, which have retained much of their original detailing and uniformity. As such, these dwellings including the appeal property, make a positive contribution to the character and appearance of the area.
 5. The area is subject to an Article 4 direction which, amongst other matters, requires approval of replacement windows and doors. The proposal is to replace the existing timber-framed sash windows, which retain their original
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- appearance but which have been subject to repair or part replacement, with white UPVC double-glazed sash windows.
6. No 2 is in a prominent corner location and while there is a variety of building types in Cliff Road, it is also seen as part of the uniform terrace of dwellings on London Road South. Most of the dwellings along the terrace near to No 2 appear to have retained original wooden sash windows. Where replacement windows have been installed, this has been undertaken sympathetically, respecting the design and appearance of the original windows. As such, there is a good degree of uniformity across this prominent feature of the terrace. I acknowledge the Council's contention that the windows may be capable of repair, but the proposal involves replacement of the windows and, therefore, I have considered it is such.
 7. While pictures of sash windows have been provided, these are a generic commercial product and there is insufficient detail from the pictures and the application form to appreciate fully the effects of the changes proposed. In particular, the design of the windows in the material provided does not match that of the existing windows; and the width of glazing bars and the thickness and appearance of the glazing itself are unclear. As such, it is not possible to conclude on the basis of the information provided that the replacement windows would preserve the appearance of the property compared to the windows currently in situ. Replacement windows that introduced a more modern or materially different appearance would be particularly apparent and incongruous due to the contrast with the largely uniform windows in the adjoining terrace.
 8. While the existing front door is of modern appearance, I am not aware that a drawing of the replacement door has been provided. Therefore, as with the windows, it is not possible to assess whether the door would preserve the character and appearance of the area and would not result in harm.
 9. Therefore, for the above reasons, I must find that the proposed replacement windows and door would fail to preserve the character and appearance of the South Lowestoft Conservation Area. The National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation¹. Based on the above findings, I consider the harm to be less than substantial in this instance, but nevertheless of considerable importance and weight.
 10. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal². Therefore, I have had regard to the benefits put forward by the appellant, which relate to the need to replace the windows and door due to their poor state of repair and the improved thermal efficiency of replacements. However, I have found that there is insufficient information to assess these benefits against the effects on the conservation area and, therefore, these matters cannot outweigh the harm that has been found.

¹ Paragraph 199.

² Paragraph 202.

11. Therefore, for the above reasons, I conclude that the replacement windows and door would not preserve the character and appearance of the South Lowestoft Conservation Area. Consequently, the proposal is contrary to Policy WLP8.39 of the East Suffolk Council – Waveney Local Plan (2019), which concerns the effects of development within conservation areas. The proposal is also contrary to section 16 of the Framework, concerning the historic environment.
12. In reaching this conclusion I am particularly mindful of the statutory requirement that in exercising planning functions in conservation areas special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area³.

Other Matters

13. I have had regard to the representations made by interested parties. However, these do not raise any matters in addition to the main issue in this appeal that would lead to a different overall conclusion.

Conclusion

14. For the reasons given above it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR

³ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.