



Appeal Decision

Site visit made on 15 August 2023

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 21 August 2023

Appeal Ref: APP/G0908/D/23/3323977

Carlton Villa, 13 Carlton Road, Workington, Cumbria CA14 4BX

- 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 Kevin Hughes against the decision of Allerdale Borough Council.
 - The application Ref HOU/2022/0225, dated 12 December 2022, was refused by notice dated 24 March 2023.
 - The development proposed is replacement of front elevation timber windows to ECOSlide PVC-U sliding sash windows.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on Portland Square Conservation Area.

Reasons

3. The appeal property is a 3 storey semi-detached dwelling with a ground floor bay window and multi-pane traditional sliding sash windows to its principal elevation. It forms part of a group of imposing and distinctive Victorian villas that characterise this part of Portland Square Conservation Area (the CA). The CA encompasses the historic townscape, including densely developed modest terraces on narrow streets and more generously proportioned Victorian villas. Notwithstanding modern alterations to some properties, original and traditional windows, most notably sliding sash windows, are prevalent and contribute positively to local distinctiveness and sense of place. The significance of the CA derives in part from the consistent historic character and appearance of the townscape buildings and their original and historic features.
4. The proposal would be the replacement of the 7 single glazed sliding sash wooden windows in the principal elevation with double glazed ECOSlide PVC-U sliding sash windows. The evidence indicates that the windows would have a wood grain finish, a slim profile, slender astragal bars, traditional hardware and run-through sash horns. The windows would be the same design as the original windows and they would sit at the same external depth as the existing frames.
5. I have no doubt that the proposed windows would be a high quality product. However, even accepting they would have the same dimensions as the original sash windows, uPVC is a modern material that would be out of keeping with the traditional materials that contribute positively to the historic dwellings and surrounding townscape. Notwithstanding the wood grain effect, the uPVC would

have a more uniformly glossy and flat finish that would be visually distinct from painted wood with its natural grain and surface irregularities. Moreover, the uPVC windows would not soften or integrate into their surroundings over time. This is because, in contrast to the natural aging and weathering of painted wood frames, the uPVC would retain its artificial contemporary appearance. Consequently, the proposal would detract from the character and appearance of the appeal property and the surrounding built environment and it would diminish the positive contribution the appeal property makes to the CA.

6. My attention has been drawn to properties where traditional window frames have been replaced with unauthorised uPVC. At the time of my visit, I walked around part of the CA including Carlton Road, Elizabeth Street, Park End Road, Cavendish Street and Portland Square. In large part, the uPVC frames, even white sliding sash, are distinguishable from wood frames. Even where the traditional proportions of glazing bars and details are replicated, the uPVC frames nevertheless have a modern and somewhat bland appearance. They have a smoothness and shine distinct from painted wood and they do not age, or even collect dirt and debris, in the same way as traditional wood frames.
7. The Carlton Road terraced properties with uPVC windows are not directly comparable to the appeal Victorian villa and they are widely separated and do not form part of the visual context for the proposal. The unauthorised uPVC windows to 3 storey Victorian dwellings on the opposite side of Carlton Road detract from the authenticity of those properties, but they are limited in number and they do not fundamentally alter the prevailing historic character and appearance of the area nor would they be viewed with the proposal. Unauthorised uPVC windows elsewhere in the CA, and apparently primarily in more unassuming terraced properties, similarly do not provide a visual context or justification for the appeal scheme which would be viewed in the context of the relatively unspoilt group of Victorian villas with original window details.
8. Planning permission (ref HOU/2018/0167) was granted for replacement uPVC windows at 21 Elizabeth Street. The Council found that the windows were materially different to the original wooden windows, but the design and modern materials were acceptable given the prevalence of uPVC sliding sash windows on that terraced street. The same uPVC windows were also approved (ref HOU/2021/0202) at 25 Park End Road. This is more similar to the appeal property, being a 3 storey dwelling with bay windows at ground and first floors, at the end of a short terrace of substantially similar Victorian villas. However, the set back of those properties from the street behind parking and soft landscaped frontages means that there are not the same close views of the windows as there are at No 13. Even so, the uPVC windows in No 25 are visually distinct from traditional windows in neighbouring properties including in terms of their design and their uniform finish and harder appearance.
9. In contrast, there are a greater number of instances¹ where uPVC windows were refused including on appeal. Consequently, the approval of visually distinct uPVC windows in 2 cases in different contexts, albeit within the same CA, does not provide a justification for the dilution of the historic character and appearance of the appeal property and surrounding built environment.

¹ Refs 2/2013/0056, 2/2012/0292, HOU/2017/0249 and APP/G0908/D/18/3198453, 2/2016/0517, HOU/2022/0150, HOU/2022/0155 and APP/G0908/D/22/3308230

10. No 13 is a distinctive property that makes a positive contribution to the character and appearance of the CA. The proposed windows would diminish the historic frontage, sense of place and local distinctiveness. The proposal would be readily visible in public views and as such the visual harm would be capable of harming the wider character and appearance of the CA. However, while I find that the proposal would fail to preserve the significance of the CA, taking into account the scale of the proposal I find the harm to be less than substantial but nevertheless of considerable importance and weight, in accordance with the National Planning Policy Framework (the Framework).
11. Paragraph 202 of the Framework advises that the harm should be weighed against the public benefits. The appellant states the uPVC windows would be less expensive and they would not require the ongoing maintenance associated with wooden windows. However, there is little substantive evidence that a cost effective and affordable wood framed solution would not be possible. It is also suggested that the proposal would improve security, safety and energy efficiency, although it seems reasonably likely that replacement wood frames would provide similar benefits. Irrespective, these are largely private benefits and they do not outweigh the harm to the designated heritage asset.
12. In the absence of any substantiated public benefit, I conclude that on balance the proposal would fail to preserve the character or appearance of Portland Square Conservation Area. This would fail to satisfy the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraph 197 of the Framework and it would conflict with Policy S27 of the Allerdale Local Plan (Part 1) Strategic and Development Management Policies Adopted July 2014 (the LP) in relation to the conservation of heritage assets.
13. In addition, I conclude that the harm to the character and appearance of the historic built environment would conflict with LP Policies S2 and DM15 which require, among other things, that proposals should achieve a satisfactory visual relationship with adjoining development and the character of the area, ensuring that historic assets are conserved and where possible enhanced.

Other Matters

14. The appellant is frustrated by the planning decision and what he considers inconsistency in decision-making, given the proliferation of unauthorised uPVC windows in the CA and also planning permissions for uPVC windows. Questions surrounding unauthorised alterations are not a matter for the appeal. In terms of consistency in decision-making, while I have taken account of the schemes elsewhere, I am required to consider the appeal on its individual merits.
15. The existing sash windows are in a poor state of repair, some no longer function, and maintenance is routinely required. Planning permission (ref HOU/2021/0057) has been granted to replace existing windows to double glazed timber, but they have not been replaced due to the cost of wood windows and annual maintenance. However, there is little supporting evidence to demonstrate that wooden windows would be economically unviable or that onerous annual maintenance would be strictly necessary.
16. The replacement of single glazing with double glazing would help insulate the dwelling, improving the comfort of the occupiers, reducing energy usage and reducing noise disturbance. These would be benefits to the appellant. However, I cannot be certain that at least some existing windows do not benefit from

some form of shuttering or internal secondary glazing such as would perform similar functions. Moreover, similar benefits would in any case be achieved by the implementation of the existing permission. As such, these matters carry little weight in favour of the uPVC windows.

17. While ECOSlide may recycle uPVC, there is little substantive evidence that uPVC would be a more environmentally friendly or sustainable option than wooden frames, taking into account materials, manufacture and maintenance. The sustainability credentials of uPVC do not weigh in favour of the scheme.
18. Several of the neighbours the proposal, including one preparing a planning application to install uPVC windows and the occupier of 25 Park End Road where permission was granted for ECOSlide windows. The support from these, and other neighbours, does not weigh in favour of the proposal.

Conclusion

19. For the reasons set out above, I conclude that the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict.
20. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR