



Appeal Decision

Site visit made on 24 October 2023

by K Jones BA (Hons) DipLA CMLI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/D0121/W/23/3319856

24 Clarence Road South, Weston-super-Mare, North Somerset BS23 4BN

- 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 Mrs T Troupe of Stoneleigh Residential Care Home Ltd against the decision of North Somerset Council.
 - The application Ref 22/P/2964/FUL, dated 12 December 2022, was refused by notice dated 16 February 2023.
 - The development proposed is a first floor link extension and replacement of 38no windows.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor link extension and replacement of 38no windows at 24 Clarence Road South, Weston-super-Mare, North Somerset BS23 4BN in accordance with the terms of the application, Ref 22/P/2964/FUL, dated 12 December 2022, subject to the attached schedule of conditions.

Preliminary Matters

2. The description of development in the banner heading and decision above is taken from the application form which accurately describes the development proposed. In its decision notice the Council used a different description, but neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the description given on the original application form, amended to remove words which are not acts of development.
3. The proposed first floor link extension does not form part of the Council's reason for refusal, nor does the Council identify any conflict with the development plan in relation to this aspect of the application. Following my site visit I see no reason to disagree. Therefore the focus of this appeal is the proposed replacement of 38no windows.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host building and the surrounding area, and whether it would preserve or enhance the character or appearance of the Great Weston Conservation Area (GWCA).

Reasons

5. In accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the GWCA.

6. The significance of the GWCA as a whole derives from the quality of its historic built environment, focussed on the Victorian growth of the town, the pattern of its streets and spaces, and the relationship between the town and its seaside setting. The appeal site lies at the junction of Clarence Road South and Walliscote Road, within the Whitecross Character Area, and Walliscote Sub-area of the GWCA. The Character Area Appraisal and Management Plan for Whitecross (2018) (the CAAMP) identifies that this sub-area comprises a regular grid of Victorian villas and terraces. Other relevant key characteristics of the Character Area include the use of local stone in combination with Bath stone to provide a consistent tonal palette, and a rich architectural ornament and repeated patterns of bays, gables, roof patterns and other details.
7. I note that the CAAMP identifies the loss of architectural features as a negative feature within the Walliscote Sub-area, though it does not specifically highlight the harmful loss of sash windows as it does for a nearby sub-area. The Council acknowledges the presence of uPVC windows in the street scene, but does not agree that this gives a precedent for further uPVC windows or confirms their acceptability within heritage assets. My own observations of the site context are that there are very few isolated buildings in the local area that retain their original windows, and an overwhelming majority have uPVC replacements in some form. In this particular context, the contribution that windows make to the significance of the area does not therefore derive appreciably from their material or age, but from the elegant proportions of the vertical window openings, and from their repeated pattern within the bays and building façades.
8. I accept that in many cases the use of uPVC windows can be harmful to the overall appearance of an individual building and its wider heritage context. I observed many examples of insensitive window replacements in the context of the site, primarily where sliding sash windows have been replaced by uPVC casement windows with wide frames and varied opening mechanisms, which appear incongruous against the elegant proportions of the sliding sash window frames. However, that is not the case with all replacement windows in the locality, and there are several uPVC sliding sash windows in the vicinity of the site which are well designed and sensitively implemented.
9. The appeal building comprises a two-storey local stone villa, with feature bays and stonework detailing. It is one of a series of attractive villa properties on Clarence Road South with a striking repeated pattern of architectural detailing and materiality. The windows to be replaced are timber-framed sliding sash windows located within the elevation of the host building addressing Clarence Road South and part of the elevation addressing Walliscote Road. The remaining windows within the Walliscote Road elevation are uPVC windows on a more recent two-storey extension to the building.
10. The proposed windows represent a well thought out design, seeking to maintain the simple form and vertical emphasis of the characteristic pattern of window openings, successfully replicating the style and design of the original sliding sash windows of the building. Whilst the Council maintains that the different material would be an obvious modern addition, I consider that with sensitive specification, including horn detailing and the use of a grained finish, it would be very difficult to differentiate between the original windows and those of the proposed development.

11. Whilst the replacement windows would result in the loss of an element of the historic fabric of the building, the proposed development would preserve the consistent stonework and architectural ornament of the villa, and its repeated pattern of bays and vertical window openings. In this context, these are the aspects of the building that contribute most to the significance of the GWCA.
12. Consequently, with appropriate controls on their detailed design and finish which could be secured by condition, the proposed windows would not harm the character and appearance of the host building or the surrounding area, and would preserve the character and appearance of the GWCA. The proposal would therefore accord with Policies CS5 and CS12 of the North Somerset Council Core Strategy, and Policies DM3 and DM32 of the North Somerset Council Development Management Policies Sites and Policies Plan Part 1. Taken together these policies seek, amongst other matters, development of a high-quality design which conserves the historic environment, which demonstrates sensitivity to the existing local character, and which prevents harm to the character and appearance of the conservation area.

Conditions

13. I have reviewed the conditions suggested by the Council in accordance with the Planning Practice Guidance. While I have adopted the suggested conditions, I have made minor changes to wording to add clarity and to meet the six tests as appropriate.
14. In the interests of certainty, I have attached conditions relating to the commencement of development (1) and specifying the approved plans (2). Given the location of the appeal site, conditions requiring the full details of the glazed link extension (3) and windows (4) are necessary in the interests of preserving the character and appearance of the host building and the GWCA.

Conclusion

15. For the reasons given above I find that the development would comply with the development plan when read as a whole, and there are no material considerations that carry sufficient weight to indicate a decision otherwise than in accordance with it. Accordingly, I conclude that the appeal should be allowed.

K Jones

INSPECTOR

Appendix

Schedule of Conditions:

- 1) The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - TQRQM22318151004677 - Site location plan
 - Drawing No 03 - Proposed partial ground floor plan
 - Drawing No 04 - Proposed first floor plan
 - Drawing No 05 - Elevation plan 1
 - Drawing No 06 - Section and rear elevation
 - Drawing No 07 - Sliding sash window section
- 3) Before the first-floor glazed link extension is installed, detailed working drawings at a scale of not less than 1:20 showing plan, section and elevation details shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter be retained.
- 4) Before the windows hereby approved are installed, details of their design, specification, finish and method of fixing shall have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter be retained.