



Appeal Decision

Site visit made on 29 January 2025

by **R Bartlett PGDip URP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 January 2025

Appeal Ref: APP/D2510/D/24/3346692

25 Queen Street, Louth, Lincolnshire, LN11 9BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Elaine Middleton against the decision of East Lindsey District Council.
 - The application Ref is N/105/00143/24.
 - The development proposed is to change the existing timber windows and entrance door to the front elevation only of property to UPVC traditional style sash windows as like for like replacement.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. The replacement of windows and doors would not usually require planning permission. However, I am advised that an Article 4 Direction is in force in this area, which removes some permitted development rights. I have not been provided with a copy of the Article 4 Direction or advised whether it restricts changes to external doors. However, the purpose of such Directions is to manage rather than to prevent change. The Council's reason for refusal makes no reference to the proposed replacement front door, which would be of the same appearance as the existing one but UPVC rather than painted timber. The main issue is therefore the effect of the proposed replacement front windows on the character and appearance of the Louth Conservation Area (CA).

Reasons

3. There is a statutory duty under section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
4. Neither party has explained what they consider to be the special significance of the designated heritage asset (the CA). The Louth Conservation Area Appraisal 2008 summarises the special interest of the CA as being its traditional country market town character, comprising a medieval street pattern, and many C18 and later C19 buildings. Queen Street is identified as comprising a mixed-use area that has seen much redevelopment and is of varied townscape quality.
5. The appeal property comprises a traditional two-storey, semi-detached dwelling that sits hard up to the back edge of the pavement and as such is prominent in public views. The existing windows and doors were installed by the Appellant in 1998 to replace former casement windows with no glazing bars. As such they are not original, and their removal would not result in the loss of any historic fabric. The openings to the front of the dwelling are not symmetrically placed, there is little

detail surrounding them such as fanlights or decorative lintels, and the cills do not match those of the adjoining semi-detached property. The brickwork has been rendered over and rainwater goods are UPVC. There is little evidence before me to support the Council's view that the property should be treated as a non-designated heritage asset. Nevertheless, due to its age, architectural style and materials, the building in its current form still makes a positive contribution to the traditional appearance of the CA.

6. The existing windows, despite being installed less than 30 years ago, are single glazed, timber framed, vertical sliding sash units, with narrow timber glazing bars and sash horns. The windows each have 8 over 8 panes and one of the ground floor windows has 2 over 2 narrow margin lights to either side. The style and material of the windows reflects the age of the building and its surroundings. I noted that with a few exceptions, most buildings surrounding the site continue to have timber windows and doors.
7. The proposed windows would be double glazed, UPVC framed, vertical sliding sash units, with narrow UPVC glazing bars. The proposed building elevation and the image from the supplier's website shows that the windows would be of similar design and appearance to those to be replaced, with 8 over 8 panes and margin lights. The plans do not show hung casements with no glazing bars as suggested by the Council.
8. Drawing Nos OZZ-23001-QSL-100 Rev A00 Existing Elevation, OZZ-23001-QSL-002 Rev A00 Window and Door Elevations, and OZZ-23001-QSL-003 Rev A00 Window Details, all show the existing timber framed windows, with their squared joints, narrow glazing bars, 6mm glazing and sash horns. The proposed drawings do not show the same level of design detail. The proposed 1:100 scale building elevation shows windows of a similar style, albeit with angled corner joints, no sash horns, and wider frames between the central window and window margins on the main ground floor window.
9. No larger scaled detailed drawings of the proposed windows have been provided, only a non-specific technical guide for a Kommerling Evolve vertical sliding window, showing 24mm double glazing, in a vertical sliding sash unit, with no glazing bar details. The weblink image provided also shows a different window, with sash horns and a trickle vent, to the windows shown on the proposed building elevation, and the weblink refers to various design options and finishes, solid colours and woodgrain collections.
10. Although the weblink demonstrates that high quality UPVC sliding sash windows, designed to replicate the appearance of a traditional timber sash, are available, without having the same precisely detailed, large scale, labelled and dimensioned drawings for both the existing and proposed windows, for comparison, I cannot be certain what planning permission is being sought for or that the proposed replacement windows would preserve the appearance of the CA.
11. I have had regard to the presence of the UPVC windows at neighbouring 27A Queen Street, which do not preserve the traditional appearance of the CA, and to the UPVC sliding sash slimline double-glazed windows that were granted planning permission at 27 Queen Street, in May 2017. As I am unaware what these windows replaced, I afford these examples very little weight. I do however note that the new windows at number 27 Queen Street are only obviously UPVC and

double glazed when inspected very close up, and as such they do preserve the appearance of the CA.

12. I acknowledge the benefits of double glazing in terms of energy efficiency and noise reduction, but it has not been demonstrated that the same benefits could not be achieved using timber framed double glazing. In this respect I note that no objections were raised specifically to the use of double glazing, only to the frame design and material of the replacement windows. When visiting the site, I saw that 81 Queen Street has timber framed windows with slimline double glazing, and that windows being restored to the front of 77 Queen Street are timber framed with thick single glazing. These windows provide similar benefits to UPVC double glazing, whilst preserving the traditional appearance of the area.
13. The limited cost and inconvenience of maintaining timber windows is not in my view sufficient grounds on its own to justify the use of UPVC. Furthermore, it has not been demonstrated that the repair and restoration of the windows would be more costly than their replacement.
14. I therefore conclude that based upon the information before me, I cannot be certain that the proposed UPVC framed windows, would not detract from the traditional appearance of the building, which would in turn diminish the contribution that the building makes to the appearance of the CA, resulting in harm to the designated asset. As this harm would be localised it would cause less than substantial harm to the CA taken as a whole.
15. Paragraph 215 of the National Planning Policy Framework (the Framework) requires that where a proposal would result in less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this case there are no public benefits, and the appearance of flaky paintwork and rotting timber can be addressed by implementing restoration and maintenance measures.
16. Consequently, the proposal would conflict with Policy SP11 of the East Lindsey Local Plan Core Strategy 2018, which states that the Council will support proposals where they preserve or enhance the special character, appearance and setting of the District's Conservation Areas taking into account their significance. The proposal would also conflict with the Framework, which requires great weight to be given to the conservation of designated heritage assets.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

R Bartlett

INSPECTOR