



Appeal Decision

Site visit made on 12 February 2025

by **J Hills MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 February 2025

Appeal Ref: APP/Y1110/W/23/3332625

1 Upper Rooms, Polsloe Road, Exeter, Devon EX1 2HL

- 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 Mr John Allen against the decision of Exeter City Council.
 - The application Ref is 23/0547/FUL.
 - The development proposed is described in the application as “replacement of existing rotted sliding sash windows with good quality white pvcu sliding sash windows, fensa approved the other windows in the street are white pvcu but not sliding sashes, the proposal is for much more appropriate pattern”.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Following the Council's notice of decision, the National Planning Policy Framework (the Framework) was revised on 12 December 2024. Having regard to the matters that are most relevant to this appeal, there have been few substantive changes albeit that paragraph numbers have changed. Hence, I am satisfied that no one will be prejudiced by the changes to the national policy context.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Belmont Conservation Area (CA).

Reasons

4. The appeal site is located within the CA where there is a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special regard to the desirability of preserving or enhancing its character or appearance; and where great weight should be given to the asset's conservation. The significance of the CA derives from its historic routes and suburb development in the late 18th and 19th centuries. It is characterised by numerous terraces that display strong architectural features, and a large number of listed and other historic buildings.
5. The site comprises a characterful and imposing 3 storey building at the end and corner of a 2 storey terrace. It is not listed or in the setting of such a building and accordingly there is little evidence to show Section 66(1) of the Act, or that Policy C2 of the Exeter Local Plan First review (LP) would apply. Nevertheless, it includes a café at the ground floor and residential accommodation above, each complimented by ornate timber fenestration detail, albeit of tired appearance. The

building and its residential terrace make a significant positive contribution to the character of the area and are recognised as such within the Council's CA Appraisal and Management Plan (MP).

6. The MP highlights that the loss of traditional features through unsympathetic replacement is leading to the erosion of the character and appearance of the CA. Additionally, maintenance and repair is acknowledged as being an issue.
7. The appellant says the proposed replacement windows would bring a degree of uniformity to the area, in light of other windows on the terrace. However, this particular building is set apart from the rest of the terrace in that it stands a storey taller, as a defining bookend feature against a busy street junction. As such, it is important that any replacement materials used reinforce its existing distinctive features, as required in part by LP policies DG1 and C1. This is amplified within the Council's Householder's Guide to Extension Design Supplementary Planning Document (SPD) where it says external materials should match the original house.
8. In that context, the plans provide very little information in respect of how the ornate timber detailing and delicate window design would or could be replicated using the proposed uPVC. Moreover, it is not clear exactly which windows would be replaced or any elements of detailing that might be retained. In fact, the existing plans do not accurately contain any of this frontage detail, or the vertical glazing bars found on the building's side elevations. Given the variety and extent of windows that would be replaced, it is necessary to see what each new window frame, cill, glazing bar and ornate detailing would look like in order to assess their effect on the host property and immediate surrounding area.
9. Therefore, as proposed, the appeal windows would fail to preserve the significance of the CA through loss of traditional features. The harm is less than substantial in terms of the Framework, but there is still a need for the public benefits of the proposal to be weighed against that harm. It is submitted that double glazed uPVC windows do much to improve the environmental performance of properties. However, there may be other means available to address this without the loss of timber windows. Any such benefits do not outweigh the identified harm.
10. It is acknowledged that there are numerous examples of uPVC windows along the adjoining terrace, and these are said to have been replaced without sliding sash features. However, the Council suggests that many of these are unauthorised, and I therefore cannot be certain of their planning history. In any case, they highlight the harm to the significance of the CA through the loss of traditional features and do not justify the insertion of the appeal windows within the context of this appeal.
11. I therefore conclude that the proposed development would not preserve or enhance the character or appearance of the CA. There would be conflict with LP policies C1 and DG1. There would also be conflict with chapter 12 of the Framework which amongst other things, explains that account should be taken of the desirability of new development making a positive contribution to local character and distinctiveness.
12. I have not been provided with any evidence to show that there would be conflict with Objectives 8 or 9 of the LP or that paragraphs 194-195 of the Framework are relevant to this appeal.

Other Matter

13. The appellant refers to correspondence with the Council after the application was refused, highlighting the possibility of foil wrapped timber as a material finish. However, this is not proposed and consequently, it is not determinative to the outcome of this appeal.

Conclusion

14. For the reasons above, and taking into account all other matters raised, I conclude that the proposal would fail to accord with the development plan as a whole and there are no considerations individually or cumulatively that outweigh this. Therefore, the appeal is dismissed.

J Hills

INSPECTOR