
Appeal Decision

Site visit made on 25 February 2025

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th March 2025

Appeal Ref: APP/R3515/D/24/3350268

23 Bolton Lane, Ipswich IP4 2BX

- 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 Danny on behalf of Sterling State Lettings Ltd against the decision of Ipswich Borough Council.
 - The application Ref is IP/24/00160/FUL.
 - The development proposed is described as PVC windows.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) on 12 December 2024 and updated it on 7 February 2025. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.
3. The appeal is retrospective in that the windows have already been installed. I have nevertheless determined the appeal on the basis of the submitted plans. I have taken the description of development in the banner heading above from the application form in doing so I have removed the word 'retrospective' as this is not an act of development.
4. The Council issued a split decision, granting planning permission for the installation of uPVC replacement sash windows on the north and west facing elevations. Whilst the whole proposal is before me, I have no reason to reach a different view to that of the Council in relation to rear and side elevation windows, and I note that concerns have not been raised by any other interested parties to this element of the proposed development. The main issues are therefore focussed primarily windows within the front elevation of the appeal property.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the host property and the area, with particular regard to whether it preserves or enhances the character or appearance of the Central Conservation Area.

Reasons

6. The appeal site comprises a three-storey, end terrace dwelling, situated on Bolton Lane to the edge of Christchurch Park. The appeal property is of red brick construction with a gable ended pitched roof. It has a prominent street frontage. There is architectural variety in the area, however, it is mostly comprised of large, traditional style dwellings.
7. The appeal site lies within the Central Conservation Area (the CA) and so I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing its character or appearance. Section 16 of the Framework also requires that great weight should be given to the conservation of designated heritage assets.
8. The significance of the CA is derived from its strong pre-medieval street pattern together with the Georgian and Victorian changes. The appeal property is an example of a C19th three-storey, red brick property with a slate roof and decorative brick banding at first and second floor levels. The third and second floor have two sash windows with stone headers and on the ground floor a bay window. The appeal site sits centrally within a row of properties of a similar style and appearance.
9. The appeal site is the subject of an Article 4 Direction¹, which removes permitted development rights for alterations affecting the street facing elevations. This is applicable to the works which have been carried out at the appeal site.
10. The windows in the front elevation of the property have been replaced with uPVC double-glazed windows. The replacement windows are seen clearly in the context of other terraced dwellings in the same terrace. However, whilst they are sash opening, the replacement windows have omitted the central glazing bar detail, which is evident in neighbouring properties, particularly in the upper floors. They also lack some of the detailing evident in the neighbouring properties ground floor windows. As a result, the uPVC sash frames which have been installed appear conspicuous by virtue of their appearance and thickness, which contrasts significantly with the traditional features of the appeal property and neighbouring properties.
11. Although the windows have already been replaced, I have no details as to whether the original windows in the appeal property could have been repaired. However, even where replacement windows are required, the use of uPVC is harmful to the character and appearance of the host property and surrounding area, in particular its contribution to the CA.
12. In the terms of the Framework, the harm that the development causes to the significance of the designated heritage asset, which is the CA, would amount to less than substantial harm. Accordingly, this should be weighed against the public benefits of the development.
13. The appellant states that the property was in a poor state of repair and that the works were needed to bring the property back into use. They further state that the cost of timber windows was prohibitive and would have made the project

¹ Dated 12 January 2004

infeasible. However, whilst I accept that timber double glazed windows may be more expensive than a similar uPVC product, I have not been provided with any evidence to demonstrate the difference in costs, and that the use of timber windows was considered. Furthermore, there is no substantive evidence before me to demonstrate that the appeal proposal is only solution to achieve these benefits. Therefore, I attach only limited positive weight to these matters and conclude that they do not outweigh the less than substantial harm that would be caused to the significance of the CA.

14. For the above reasons, I conclude that the development causes harm to the character and appearance of the host property and the area, and fails to preserve or enhance the character or appearance of the CA. Thus, it fails to comply with Policies DM12 and DM13 of the Ipswich Borough Local Plan Core Strategy and Policies Development Plan Document Review, adopted March 2022, which require amongst other things, development to be well-designed, to help to reinforce the attractive physical characteristics of local neighbourhood and the visual appearance of the immediate street scene and to protect and enhance the special interest, character and appearance of the area and its setting.

Conclusion

15. The development does not accord with the development plan as a whole and there are no material considerations, including the Framework, which indicate that I should take a different decision other than in accordance with this.
16. For the above reasons, I conclude that the appeal should be dismissed.

K Lancaster

INSPECTOR