



Appeal Decision

Site visit made on 25 February 2025

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 18 March 2025

Appeal Ref: APP/H0724/D/24/3352563

54 Grange Road, Hartlepool, Cleveland TS26 8JF

- 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 Shaun Porritt against the decision of Hartlepool Borough Council.
 - The application Ref is H/2024/0070.
 - The development proposed is replacement of existing black UPVC casement windows with new black PVCU sliding sashes to front bay window and new footpath and paved garden to front.
-

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for an award of costs by Mr Shaun Porritt against Hartlepool Borough Council has been made. This is the subject of a separate decision.

Preliminary Matters

3. A revised version of the National Planning Policy Framework (the Framework) was published in December 2024, however, the principles relevant to this decision remain the same. Therefore, it has not been necessary to request observations from the main parties upon any implications of the revised Framework's publication.

Background and Main Issue

4. The site is within the Grange Conservation Area (CA). The whole of the CA is subject to an Article 4(2) Direction where planning permission is required for a number of works to the front of a dwellinghouse, which includes the replacement of windows and the construction of a hard surface within the curtilage of the dwellinghouse where it would front a highway.
5. I saw when I visited the site that in the front garden the tree and bushes had been removed and paving slabs had been laid. The front path had been re-laid in red and black tiles with rope edging. However, these works are not matters of dispute. Therefore, the main issue is:
 - whether the replacement windows would preserve or enhance the CA.

Reasons

6. The appeal site is a two-storey, mid-terraced house, with an attic storey shown by the original front gabled dormer. The house is constructed of a pale, buff brick,

known as Pease brick, with an ornamental brick cornice below the eaves. There are decorative red bricks around the front doorway, where there is an original, wooden panelled door.

7. The site is in a terraced row of substantial houses, with small front gardens and tall, brick, chimney stacks. The CA is a mainly residential area of large, Victorian, terraced and semi-detached housing to the west of the town centre. The design of the houses varies, but the significance of the CA as it relates to this case are the bay windows, slate roofs and panelled doors which characterise the area. As the topography of the area is flat, there are long views along the roads which highlights the repetition of bay windows and gables and recurring architectural features and detailing.
8. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 212 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, in this case the CA, great weight should be given to the asset's conservation.
9. The house has on the front elevation, sliding sash, black, wooden windows on the 1st and 2nd floors¹, however, the ground floor bay window is single glazed, black, uPVC, with a top bar. The appellant states that the bay window is in poor condition. The proposal is to change it to black, uPVC, EcoSlide, sash style windows, with horns and a central bar, and 24mm double glazed units. They consider that these would be safe and secure, and with an A rating would be energy efficient and save costs. Whilst the appellant acknowledges that timber windows are more traditional, they contend that they are more expensive, require greater maintenance, and the proposed windows would be of a higher standard.
10. The Grange Conservation Area Character Appraisal, 2009, (CACA) highlights that timber bay windows are a prominent feature in the area, used to enliven elevations. Instead, the side windows of the bay would be a sash style window with horns, whilst the central window would be fixed, although appearing as a sash. However, although traditional windows in the CA are generally double-hung, vertical sliding timber sashes, large numbers of ground floor bay windows have fixed central windows with one large pane of glass. It is thought that this may have been the result of developers at the time trying to impress potential customers with what was the latest fashion. Therefore, the design of the proposed central window would not be typical of that originally found in the CA.
11. Additionally, uPVC windows produce a uniformity of design, resulting in a smooth texture which lacks detail, particularly in joinery joints. Moreover, whilst uPVC windows have become more refined, they do not age like painted windows, and they alter the appearance of a building. This is more so on a prominently located front bay window, as is found at the appeal site.
12. Although many houses within the CA already have uPVC windows, these replacements are intrusive. The CACA states that the character of the area is being eroded by the number of inappropriate uPVC windows that have replaced

¹ H/2009/0342

original frames. Cumulatively, over time this erodes the area's special character. It is the details found in the design of timber windows that is essential in retaining the architecture of the buildings, which in turn sustains the character and appearance of the area. Therefore, the style and use of uPVC for the bay window would not preserve or enhance the CA.

13. In assessing the degree of harm to the significance of the CA, as set out in the National Planning Policy Framework (the Framework), the harm would be less than substantial as the changes proposed are localised in terms of the CA as a whole. However, regardless of the level of harm, the Framework indicates that great weight should be attributed to the conservation of heritage assets. In such circumstances paragraph 215 of the Framework requires the harm to be weighed against the public benefits of the proposal.
14. Whilst the appellant has set out the reasons for replacing the window in the style and materials proposed, this is essentially a private benefit. Although the proposed windows would be energy efficient, there is no substantive evidence of what the energy rating of alternative, new wooden windows would be, and only limited evidence of any financial benefits for current and future owners. Whilst the Council has acknowledged that replacing the existing windows with Victorian style sash windows would be an improvement, no wider public benefits have been set out. Therefore, the private benefit resulting from the proposal would not outweigh the less than substantial harm to the designated heritage asset to which I must give great weight.
15. I have found that the replacement of the windows would harm the significance of the CA, a designated heritage asset. Consequently, as it would fail to preserve or enhance the character or appearance of the CA, it would conflict with section 72(1) of the Act.
16. Therefore, I conclude that the proposal would fail to preserve or enhance the CA and there are no public benefits to outweigh the harm that would be caused to the significance of the CA. It would conflict with Policies HE1 and HE3 of the Hartlepool Local Plan, 2018, which requires the preservation and enhancement of heritage assets, including conservation areas. It would also conflict with chapter 16 of the Framework.

Conclusion

17. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, including the Framework, that outweigh the identified harm and associated development plan conflict.
18. For the reasons given above, I conclude that the appeal is dismissed.

M J Francis

INSPECTOR