



Appeal Decision

Site visit made on 8 May 2025

by **B J Sims BSc (Hons) CEng MICE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 June 2025

Appeal Ref: APP/X1118/W/24/3357992

7-13 Bowering Court, Cyprus Terrace, Barnstaple, Devon, EX32 9LD.

- 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 Michael Gault – Live West Homes Limited, against the decision of North Devon Council.
 - The application Ref is 79169.
 - The development proposed is replacement of existing windows and doors with uPVC windows and doors.
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NOTE

This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 27 May 2025.

Decision

1. The appeal is allowed and planning permission is granted for replacement of existing windows and doors with uPVC windows and doors at 7-13 Bowering Court, Cyprus Terrace, Barnstaple, Devon, EX32 9LD, in accordance with the terms of the application, Ref 79169, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby approved shall be carried out only in accordance with the following approved plans:

AAA 314 01A	Proposed Window Type A
AAB 314 02B	Proposed Window Type B
AAC 314 03E	Proposed Window Type C
AAD 314 04C	Proposed Door/Window Type D
AAE 314 05A	Proposed Window Type E
AAF 314 06A	Proposed Window Type F
AAG 314 07A	Proposed Window Type G
AAH 314 08A	Proposed Window Type H
AAJ 314 09A	Proposed Window Type J
AAK 314 10C	Proposed Window Type K
AAC 314 302	Proposed Window Type C2
AAC 314 303C	Proposed Window Type C3
AAC 314 304A	Proposed Window Type C4
AL 4 - 02D	Proposed North Elevation
AL 4 - 01E	Proposed East Elevation
AL 4- 04D	Proposed South Elevation
AL 4- 03D	Proposed West Elevation

Main Issue

2. The sole main issue is the effect of the proposed replacement windows and doors on the character and appearance of the former school building at Bowering Court.

Reasons

3. The appeal building is neither listed nor in any conservation area and nor is there any evidence before me that it is locally listed. The Appellants dispute that the building is to be considered a non-designated heritage asset (NDHA). There is no evidence either, beyond assertion, that treating the former Victorian school as a NDHA is justified.
4. The appeal building stands out in its surroundings as a noticeable feature alongside varied rows of more conventional dwellings, due to its scale and architectural style. Many of the surrounding buildings have replacement uPVC windows but I see no precedent in this as none are visually directly comparable with Bowering Court. I am therefore left to judge the relative heritage value of the building and the effect of the proposed windows upon it from inspection and with regard to the individual merits of the case.
5. On that basis, I accept that it is reasonable for the purposes of this appeal to consider the building as a NDHA, such that any harm to its heritage significance is to be weighed in the planning balance.
6. The present top-hung, outward opening timber windows are themselves replacements of the original windows and appear to me to be in relatively poor condition necessitating further replacement. Visually, the proposed windows would differ only in that they would be of uPVC construction and the frames would be 15-25mm wider in section, reducing the glazed area to some extent.
7. I recognise that the wider uPVC frames would alter the relative proportions of glazing compared with framing but I consider that this effect on the larger panes would be barely noticeable and that on the smaller panes only minor. Clearly, the use of uPVC would be a departure from the original materials of the building. However, as represented on the submitted detailed drawings, I do not consider that the proposed windows would overall cause more than very slight harm to the character and appearance or the heritage value and significance of the building, compared with its present fenestration.
8. The officer report is largely silent regarding the replacement doors but I find similarly that these would be acceptable.
9. The proposed works would result in improved weather resistance and energy efficiency and a better quality of accommodation in seven homes for potentially vulnerable tenants of the Appellant Company, as a Registered Social Landlord.
10. I consider that these benefits carry a material degree of benefit sufficient to outweigh the slight planning harm I have identified.
11. I recognise that the Council has previously rejected uPVC windows at this property but I have reached my conclusions on fresh consideration of the detailed submitted plans and current circumstances.

12. I conclude overall that the proposed development would comply with Policies DM04 and DM07 of the adopted North Devon and Torridge Local Plan which, together, give great weight to preserving the Devon historic environment and require good design and an acceptable balance between harm and benefit.
13. This appeal should therefore be allowed, subject to compliance with the approved drawings.

B J Sims

INSPECTOR