



Appeal Decision

Site visit made on 20 June 2025

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 July 2025

Appeal Ref: APP/X2220/D/25/3362022

11 Deal Castle Road, Deal, Kent CT14 7BB

- 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 Dr David Baker against the decision of Dover District Council.
 - The application Ref is 24/01127.
 - The development proposed is replacement front elevation windows.
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Decision

1. The appeal is allowed and planning permission is granted for replacement front elevation windows at 11 Deal Castle Road, Deal, Kent CT14 7BB in accordance with the terms of the application, Ref 24/01127, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those existing including through making good.

Procedural Matters.

2. The first floor windows of the appeal dwelling have already been replaced with UPVC double glazed units detailed in the proposal and is retrospective with regard to this element, I have considered the appeal accordingly.

Main Issue

3. The main issue is the effect on the character and appearance of the appeal dwelling and that of the Middle Street Deal Conservation Area (the CA).

Reasons

4. The appeal dwelling is a stucco double fronted 2 storey mid-terrace house with projecting bay windows at both ground and first floor levels. It sits between a significantly larger flatted red brick development that occupies the corner of the street where it turns onto the sea front, and a run of taller 3 storey late 19th Century single fronted properties that reach to the corner of the street with Victoria Road.
5. These 3 storey properties share the same design of bay windows at ground and first floor levels as the appeal dwelling and together, they provide an

architecturally coherent and quality streetscape on that side of Deal Castle Road, to which the red brick corner development makes no contribution.

6. The appeal dwelling faces directly onto Deal Castle on the other side of the street. The castle and the terrace of which the appeal dwelling forms part is located at the southern end of the CA. This is a large conservation area that encompasses much of the town centre and seafront, with a variety of architectural expressions and forms.
7. That part of the CA within which the appeal dwelling sits includes the castle as a truly significant feature, but the townscape is also notable for its streets of terraced properties, within many original, albeit somewhat altered, properties. These streets run from Victoria Road to the sea front creating orthogonal street blocks with a strong architectural cohesion, including Deal Castle Road, and are a significant feature in the character and appearance of the CA. As such, the appeal dwelling and the terrace of which it forms part contributes to the significance of the CA.
8. The CA is the subject of an Article 4(2) direction¹ that requires planning permission to be sought for replacement windows and doors. It is just such an application that is the subject of this appeal. In line with the duty imposed on me by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the CA.
9. The UPVC double glazed units used to replace the original timber windows in the first floor bay, do not have glazing bars quite as narrow in section as the original sash windows. These can be seen where they partly survive at ground level. However, in every other respect these first floor replacement windows represent an accurate facsimile of a late Victorian/Edwardian timber sash windows in design and form.
10. From my site visit it is evident that, with the exception of 1 Deal Castle Road, the other three storey houses in the terrace have all had their original windows replaced in a variety of designs and materials, many of which make little or no reference to timber sash windows that would have been originally installed in the properties. Both 8 and 10 Deal Castle Road's Windows are of notably poor quality, with no attempt to replicate or make any reference to the original sash windows. The Council notes that the windows in houses in the terrace would have likely been replaced over time and probably before the Article 4 Direction was in place.
11. In views of the appeal dwelling from the street, both right outside the appeal dwelling and in longer street views, the already implemented first floor UPVC windows give the appearance of being original sash windows that are contemporary with the period and architectural expression of the appeal dwelling. As such the appeal proposal, demonstrates a sensitivity to the design of the original windows and show that that it is possible to replicate their historic design used originally for the appeal dwelling in a different material, without any significant alteration to the appearance and character of their host building.

¹ Article 4(2), The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

12. Within the context of the existing streetscene and the mass of quite poor replacement windows in evidence, the proposal, by closely replicating the appearance of the original windows, would have no significant effect on the contribution that the appeal dwelling and terrace makes to the significance of the CA. The proposal would, therefore, preserve the character and appearance of the CA and have no detrimental effect on its significance as a heritage asset.
13. For these reasons, the proposal development would not result in any significant harm to the character and appearance of the appeal dwelling or that of the CA. This would accord with Policies PM1 and HE2 of the Dover District Local Plan to 2040 (2024) and section 16 of the Framework. Collectively these seek to ensure that development is of high quality design, demonstrates an understanding of context and historic architectural character and preserves or enhances heritage assets.

Conditions

14. As well as granting planning permission in accordance with the terms of the application and the plans submitted with it, I have attached the standard condition regarding the timing of implementation. In the interests of design quality, I have also attached a condition requiring matching materials, including by making good.

Conclusion

15. The appeal is allowed.

Victor Callister

INSPECTOR