



Appeal Decision

Site visit made on 6 June 2025

by J Heppell BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th July 2025

Appeal Ref: APP/L2250/W/25/3360581

3 Grace Hill, Folkestone, Kent CT20 1HA

- 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 Ms Miki Iizuka against the decision of Folkestone and Hythe District Council.
 - The application Ref is 24/0508/FH.
 - The development proposed is for the replacement of 6 single-glazed timber framed windows, 4 front & 2 rear, with timber-effect woodgrain uPVC EcoSlide windows on the first & second floors of the building. Flat 1 on the first floor to have 2 windows replaced on the front of the building, flat 2 on the second and upwards floors to have windows replaced on the front of the building and 2 further windows replaced at the rear of the building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have simplified the appellant's description of development, as above, to remove elements which are not necessary to describe the proposal.

Main Issues

3. The main issue in this appeal is whether the proposal would preserve or enhance the character and appearance of the Folkestone Leas & Bayle Conservation Area (CA).

Reasons

4. The appeal site is a three storey building within a terrace of historic properties which face east towards Payers Park. It comprises a shop on the ground floor with residential accommodation above. Constructed of brick and slate, it has dentil courses and sash windows at first and second floors, with a pilaster column on the right hand side. The rear of the building is screened by the adjoining building which wraps around behind it.
5. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 places a statutory duty on decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The site is situated within a CA whose significance derives from its historical background as a fishing village which developed into a resort with the coming of the railway in the nineteenth century. The Old High Street retains the village-like quality of the original settlement, with later Victorian elements of the resort exhibiting fashionable stucco and dressed stone, resulting in a great variety of architecture within the town. The appeal site forms part of a

nineteenth century terrace looking out over a built-up valley which descends to the seafront.

6. The Folkestone Conservation Area Appraisal (CAA) identifies the appeal site as being within the Old Town. The Old Town possesses a medieval core surrounded by rings of later development, and is characterised by hilly and winding topography, with occasional glimpses between buildings to open spaces, landmarks and the sea. The Appraisal aims to strongly resist material alterations to the external appearance of buildings. Whilst not referring to the appeal site, the Appraisal identifies the former Prince Albert Hotel at 29 Rendezvous Street as having a reasonably well-preserved façade with elaborate glazed tiles and its original joinery.
7. The properties in this part of Grace Hill and Rendezvous Street are three storeys high, with ground floor shop fronts and sash windows above, each floor being separated by dentil courses. The gradient of Grace Hill is apparent from the changing levels of the dentil courses across the buildings. Despite some of the buildings being rendered and some being faced in brick, they possess a regularity of form extending from 29 Rendezvous Street to 9 Grace Hill, the only exception being 5 Grace Hill which has a postwar façade of concrete panels. The regularity of the buildings' appearance is associated with the fact that, according to the appellant, 3-9 were constructed by the same builder. The buildings are visible in longer views by virtue of there being no buildings directly opposite.
8. The condition of the properties in the terrace varies, with some retaining their original features largely intact, and others having been altered, notably as a result of timber windows being replaced by UPVC windows. The appeal property and adjacent 1 Grace Hill and 29 Rendezvous Street form a row of three buildings which still have timber sash windows (albeit the dormer window of the appeal site, which makes a lesser contribution to the overall appearance of the building, has been replaced with UPVC), and as a result retain a notable charm and character. I attach great importance to the preservation of this group's character and appearance.
9. The appellant has made a detailed case for the installation of UPVC windows, highlighting that Paragraph 210 of the National Planning Policy Framework (the Framework) advises that a viable use needs to be found for heritage assets; which in this case means finding a viable way to make the building habitable for residential use. The appellant points out that this is not a good retail location and is not attractive to tourists, and a ground floor tenant has already been lost. In order to let the flats, an Energy Performance Certificate of C or above is required, and currently a C is only just achievable. Owing to lack of maintenance by previous owners, the existing windows are in a poor condition and must be replaced. Secondary glazing would not necessarily achieve C rating and is not practical as the windows frames are rotten and not square, and additionally has lower thermal and acoustic efficiency.
10. The appellant points out that it is not the up front cost that makes timber frames unviable, it is their lack of cost-effectiveness over time, because even if treated with preservative, softwood windows last a maximum of 25 years and require regular constant maintenance, which in this case means hiring scaffolding. The alternative of hardwood frames is too expensive and may not be available.

11. Although the proposed UPVC windows are not marketed as heritage style, the appellant considers that there would be no discernible difference from heritage style windows: vertical rather than mitred jointing would be used at the corners of the windows, trickle vents would be hidden, horns would match the existing, and the level of detailing would be the same. The appellant points out that double glazed UPVC windows are thinner than timber double glazed windows because they have steel strengtheners, and that UPVC has the same sheen as a satin finish on wood.
12. I saw on my site visit that the existing timber windows are in varying states of decay as a result of water ingress and subsidence, and that several of them cannot be opened or fully closed. I agree that the windows need to be replaced, and that double glazing is needed to meet modern thermal and acoustic requirements. The technical details supplied by the appellant indicate that the specification of the proposed UPVC windows has been tailored to try to match the appearance of the existing timber windows as far as possible.
13. However, wood effect UPVC window frames do not have identical proportions, detailing or finish to timber frames, and consequently would be perceived as being at odds with, and detracting from, the appearance of the building. The appellant acknowledges that UPVC may not look as convincing as timber initially, but that over time UPVC will maintain its appearance better while timber frames will start to rot and paint will flake off. I see no reason why softwood timber windows, if regularly maintained, could not achieve a reasonable life span whilst at the same time maintaining an attractive appearance. Moreover, I am not convinced that scaffolding is required to maintain the windows, and therefore the maintenance costs would not be as substantial as indicated.
14. The appellant has referred to softwood timber double-glazed windows which were fitted in new houses at William Judge Close in Tenterden in 2003/4, and which had to be replaced with UPVC windows within five years. However, I do not have sufficient detail to know whether the circumstances were similar in terms of the quality of the window frames and the effectiveness of the maintenance regime.
15. A recent appeal decision at the Clifton Hotel, 1-6 Clifton Gardens, Folkestone¹, located in the same CA, permitted the replacement of timber windows with UPVC windows on the second, third and fourth floors. In that case the determining issue was the importance of preserving the heritage asset in a viable use (a hotel) for the benefit of the community, which outweighed the less than substantial harm resulting from the installation of UPVC windows. In the present instance, the retention of two flats does not weigh so significantly in the planning balance as the retention of a historic hotel, and so does not outweigh the harm to the building which I have identified.
16. The appellant has presented a detailed history of Grace Hill, highlighting that of the four buildings which were constructed at the same time (Nos 3, 5, 7 and 9), only the appeal property still has timber windows at first and second floor. However, as I have pointed out, a more relevant comparison is with 1 Grace Hill and 29 Rendezvous Road, which retain their upper floor timber windows. The CAA has highlighted the “reasonably well-preserved façade . . . and its original joinery” of No 29 (the former Prince Albert Hotel).

¹ PINS reference APP/L2250/W/24/3341951

17. Planning permission was granted in 2015 for the conversion of the first and second floors of 15 Grace Hill to flats², with timber windows being replaced with UPVC windows on the basis that other buildings in the conservation had done similar. However, a different development plan was in force at the time and the Framework has since been updated, meaning that different heritage policies are now in force. Furthermore, the buildings adjacent to No 15 have UPVC windows. Therefore, this decision does not provide not a reliable precedent for the current proposal.
18. The appellant queries why there is such an emphasis on retaining timber windows, when Grace Hill is “tatty” and developments have occurred previously which have undermined its historic character. Whilst this part of Grace Hill has suffered in the past from poor maintenance and inappropriate changes, including a number of UPVC windows in buildings to the north of the appeal site, it is nonetheless a designated heritage asset which benefits from the protection afforded by Paragraph 215 of the Framework. This paragraph states that great weight should be given to the asset’s conservation, and that any harm to the significance of a heritage asset should require clear and convincing justification.
19. In the absence of clear evidence that replacement timber double-glazed windows would not be cost effective over time and could not be satisfactorily maintained, I consider that the replacement of the four timber sash windows with UPVC windows on the front of the property would harm the character and appearance of the CA. The replacement of the two rear windows would not have a wider impact on the setting of the CA and consequently less harm would result. Taken together, however, the proposal would result in a moderate degree of less than substantial harm to the significance of the designated heritage asset.
20. Paragraph 215 of the Framework states that in such circumstances the harm should be weighed against the public benefits. The proposal would allow the windows of the building to be made weatherproof and to be maintained in the longer term as such, thereby improving the thermal and acoustic qualities of the building. The maintenance of the building in good condition, thereby facilitating the continued residential use of the upper floors of the building, can be considered public benefits. However, there may be alternative ways of achieving similar outcomes using replacement timber windows.
21. Against these benefits I must weigh the harm to the heritage asset. The Framework states that great weight should be given to the asset’s conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to significance. Any harm to the significance of a heritage asset should require clear and convincing justification. In the heritage balance, I have given considerable weight to the economic and environmental benefits of the proposal as outlined by the appellant. However, the adverse impact on the CA is a matter of considerable importance and weight. Overall, I consider that the harm to the heritage asset outweighs the benefits.
22. I therefore conclude on this main issue that the proposal would fail to preserve or enhance the character or appearance of the CA. As a result, the proposal would be contrary to policies HB1, HB8 and HE1 of the Folkestone & Hythe District Places and Policies Local Plan adopted September 2020, which together promote quality places through design, by requiring alterations to reflect the materials and

² LPA reference Y15/0136

detailing of the original building, and which are consistent with their conservation and significance.

Other Matters

23. S66(1) of the Act places a statutory duty on decision makers to have special regard to preserving the setting of listed buildings. Dating from the mid nineteenth century, the Masonic Hall at 13 Grace Hill is Grade II listed. It has a rusticated ground floor with cambered headed windows with keystones and a Tuscan porch. Stone balustrading separates the ground and first floors. Four Roman Ionic half columns and two plain pilasters adorn the first floor, which is surmounted by a pediment with a modillion cornice. Although on the same side of Grace Hill as the appeal site, the Masonic Hall is separated from it by three intervening buildings, and as a consequence the proposal would not harm its setting.
24. The appellant has drawn attention to Folkestone Town Council's comment that UPVC windows are not recyclable, and has pointed out that UPVC is more easily recyclable than painted timber. However this does not alter my conclusion on the proposal.
25. The appellant has complained about the way in which the application was handled, including discussions with the Council and the way in which the site visit was undertaken. However, I have made my decision objectively, irrespective of these factors.

Conclusion

26. The development conflicts with the development plan, read as a whole, and material considerations do not lead me to a decision otherwise. Therefore, for the reasons given above, the appeal should be dismissed.

J Heppell

INSPECTOR