



Appeal Decision

Site visit made on 19 September 2025

By S Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 23 September 2025

Appeal Ref: APP/V2004/W/25/3369198

Botanic Hotel, 231, Spring Bank, Kingston upon Hull, HU3 1LR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mrs Kelly Fitzgerald against the decision of Hull City Council.
 - The application reference is 24/01109/FULL.
 - The development proposed is for replacement windows and doors.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal is made retrospectively for development already carried out.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Spring Bank Conservation Area (CA) .

4. Reasons

5. The Botanic Hotel is a two-storey, public house located on the corner of Spring Bank and Derringham Street. It dates from 1840 and is designed in what can be described as a mock Tudor style. It has windows and doors installed in the frontages to both the north and east public facing elevations.
6. The Spring Bank Conservation Area Character Appraisal 2024 (CAA) describes the building as being within the Western Entrance zone. It is located within the CA and has been locally identified as a non-designated heritage asset.
7. The CAA notes that the public houses in this area, specifically including the Botanic Hotel, add a distinctive character to the CA. It adds that *'historically, windows throughout the Conservation Area comprised of timber framed vertical sliding sash windows with generally vertical proportions...Many of these original windows, however, have been replaced with modern UPVC or metal framed double glazed windows to improve the thermal performance and reduce maintenance. These are not appropriate for the conservation area and have a detrimental impact on the historic character of the area. Many of these replacement windows have also not been designed to be sympathetic to the historic proportions of the historic glazing style....Doors were historically either solid timber doors or timber doors with glazed panels to the upper section to allow daylight into hallways. Fanlights are also typical above the door to residential units. Although some of the original fanlight details*

have been retained, doors have often been replaced by new UPVC or solid timber doors that do not reflect the level of detail of the original doors’.

8. Evidence has been submitted as part of the appeal which indicates that, prior to their recent replacement, the windows had wooden frames. They had slender vertical glazing bars, with a cross bar at approximately one third from the top. The overall design and the materials used added positively and distinctively to the overall traditional style, character and appearance of the CA.
9. The replacement windows at ground floor level have fewer vertical glazing bars and include top opening lights and have Upvc frames. By their design and the use of plastic they detract substantially from the traditional Tudor style of the building and from the character and appearance of the CA. While the entrance door is of a composite material, I consider that, by its design and appearance it is less harmful. Nonetheless, it is not finished in a traditional material which would better assimilate and accord with the significance of the CA.
10. Paragraph 212 of the National Planning Policy Framework 2025 (the Framework) states that *‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’.*
11. Paragraph 215 of the Framework states that *‘where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’.*
12. In this instance, I find that the replacement windows and doors have caused less than substantial harm to the significance of the CA, having regard to paragraph 215 of the Framework. Such adverse harm is moderate on the spectrum of less than substantial harm. For the same reasons, I find that the development has harmed the significance of the host property as a non-designated heritage asset.
13. The nature of public benefits is not described in the Framework. However, the appellant has provided evidence of the work which has been undertaken to renovate the building and to prevent its further decline. In addition, I appreciate that the better insulation provided by the new windows and doors will contribute in a small way to carbon reduction and efforts to combat climate change. Nevertheless, while such measures can be regarded as public benefits, they are not sufficient to outweigh the harm which I have identified.
14. Therefore, I conclude that the development does not accord with policies 14.15 and 16 of the Hull Local Plan 2017, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, or with chapter 16 of the Framework, all of which require high quality development which respects local distinctiveness, character and appearance and does not harm heritage assets. LP policy 19, while concerned with shop fronts, is nevertheless pertinent in so far as it advocates that designs should have regard to the character of the building in question.

Other Matters

15. The appellant has submitted a number of photographs of other buildings with , ostensibly plastic windows. However, I do not know the exact circumstances which led to them being installed and I have no knowledge of whether they are within the CA or indeed if they are non-designated heritage assets. In any event, I have determined this appeal upon its individual planning merits.

Conclusion

16. There are no material planning considerations that indicate that the application should be determined other than in accordance with the development plan. Therefore, the appeal should be dismissed.

S. Hartley

INSPECTOR