
Appeal Decision

Site visit made on 7 October 2025

by **E Dade BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31st October 2025

Appeal Ref: APP/X2220/W/25/3368964

31 Water Street, Deal, Kent CT14 6DJ

- 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 T Brown on behalf of SC Developments 1 Ltd against the decision of Dover District Council.
 - The application Ref is 25/00439.
 - The development proposed is replacement windows (all elevations); fascia; timber repairs and installation of air bricks to front elevation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At time of my site visit, the proposed works had been carried out in part, notably the installation of uPVC windows and fascia boards. This weighs neither for nor against the proposal which I have determined on the basis on the submitted plans.
3. As the appeal site is in a conservation area, I have had special regard to s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The main issue is the effect of the proposal on the character and appearance of the Nelson Street Conservation Area.

Reasons

5. The appeal property is a mid-terrace, two-storey dwelling with basement constructed in the early 19th century. The appeal property is within Deal's urban area and is situated within the Nelson Street Conservation Area (CA).
6. The CA lies to the north and west of Deal High Street and is a relatively small area, encompassing five streets and St Andrews Church and grounds. The Nelson Street Conservation Area Appraisal 2009 (CA Appraisal) describes the CA as an area of rapid and cohesive development during the early 19th century, driven by a housing crisis linked to the Napoleonic wars and maritime activity. The area was subdivided into small plots, resulting in a tightly knit residential layout.
7. The informal grid pattern, influenced by early town planning ideas, led to streets of modest brick terraces built close to the pavement, creating a narrow and enclosed streetscape. Therefore, the CA's significance is primarily associated with its layout

and pattern of development, and the design and appearance of its buildings which were built within a small historical timeframe.

8. The appeal property is situated on the northern side of Water Street and forms a part of a short row of three dwellings which differ in architectural style from the adjoining terrace row to the immediate west. However, the appeal property is a contemporary of buildings within the CA and is typical of the form, materials, and architectural design of dwellings located at Water Street, which the CA Appraisal identifies as having variety in architectural style whilst maintaining a strong sense of cohesion and continuity.
9. Whilst the terraced dwellings to the west are set back from the highway by a small front garden, the appeal property is of particular visual prominence due to its siting against the edge of the pavement. The rear elevation is visible from a public car park behind the site.
10. The appeal property is finished in face brickwork to the front elevation and has a slate roof and tall chimney stack. The front door is of traditional hardwood timber within an arched door surround with a fanlight. Prior to replacement, the front elevation comprised a timber, double-hung sliding sash window at the ground floor and a timber sash, oriel window at first floor level. The building's fenestration is an important component in defining its visual and architectural character.
11. The appeal property is one of only two buildings in the street with an oriel window, which overhangs the pavement and forms a prominent and visually distinctive feature within the street scene. Through its design, architectural and historic features, the appeal property contributes positively to the character and appearance of the CA.
12. The proposal includes replacement of the timber windows and fascia with uPVC sash windows and fascia boards, and other works.
13. Whilst the appellant asserts the original single-glazed timber windows were cold and draughty, the submitted information does not demonstrate that the original windows could not have been repaired and upgraded to improve their thermal performance. Therefore, the loss of the building's historic fabric is not justified by evidence.
14. The CA Appraisal notes that 15 of 37 properties on Water Street have uPVC windows which pre-date the introduction of planning controls by the Council. However, the CA Appraisal identifies this very high number of uPVC windows as a negative feature of the CA and a matter of concern. Modern materials are not characteristic of the CA's significance and therefore the proposal is not justified by the prevalence of non-traditional materials within the street scene.
15. The replacement uPVC windows seek to replicate the appearance of traditional timber sashes. The box frame of the ground floor sash is set back behind the face brickwork so that only a small section is visible from the exterior, and the proportions of the lower window closely match the window it replaces. The glazing bars replicate the proportions of those of the former windows.
16. However, at the first-floor oriel window, the frames of the replacement windows appear bulky. At both ground floor and first floor windows, the prominent trickle vents add visual clutter, and the face-fixed glazing bars lack the authenticity of a

traditional design. The reflective, uniform finish of the window frames and fascia boards appears intrusive and out of keeping with the character of the appeal property and detracts from the materials of the wider terrace row.

17. Consequently, the replacement windows and fascia boards do not provide an accurate replica of the building's original features, and the use of uPVC is discernibly different in both materials and character to the traditional windows within the CA.
18. The appellant refers to a grant of planning permission by the Council for the installation and replacement of uPVC windows¹. However, the Council confirm the site is not in a conservation area and thus differs in context from the appeal site.
19. The significance of a CA is dependent upon how it is experienced, and proposals must be judged according to their effect on a CA as a whole. Due to the appeal property's siting and projecting form of its oriel window, the proposed alterations would be visually prominent and would appear out of keeping with the historic character of the appeal property and erode its architectural interest.
20. Through the replacement of traditional timber windows and fascia boards, the proposal would result in an unjustified loss of historic fabric and would contribute to the cumulative harms associated with the introduction of unsympathetic, modern materials within the CA. Therefore, I find that the proposal would fail to preserve the significance of the CA.
21. Paragraph 212 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. Given the proposal would result in the loss of historic fabric and would introduce unsympathetic materials to a single dwelling within the CA, I find the harm to be less than substantial in this instance but nevertheless of considerable importance.
22. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings. The appellant is of the opinion that the proposal would be beneficial, offering improved thermal efficiency thus improving the standard of living accommodation for the occupants.
23. Whilst this would principally be a private benefit, there would be a small public benefit associated with efficiency of the housing stock and reduction in energy use and emissions. In addition, some elements of the proposal, namely the repair of the timber panelling and insertion of terracotta airbricks are deemed beneficial to the CA as they involve the retention and repair of traditional fabric. However, the scale of benefits associated with the proposal would neither mitigate nor outweigh the harm that I have identified, which carries great weight against the proposal.
24. Given the above and in the absence of significant public benefit, I conclude that, on balance, the proposal would fail to preserve the character or appearance of the Nelson Street Conservation Area.

¹ LPA reference: 18/00646

25. This would fail to satisfy the requirements of the Act and paragraph 210 of the Framework. The proposal would conflict with Policies HE1, HE2 and PM1 of the Dover Local Plan 2024 which together supports proposals in conservation areas which preserve or enhance the special architectural or historic character and appearance of the area, are well-designed paying particular attention to use of materials appropriate to the locality and make a positive contribution to local character and distinctiveness.

Conclusion

26. The proposal would conflict with the development plan as a whole and there are no other considerations which outweigh this finding. Therefore, for the reasons given the appeal should be dismissed.

E Dade

INSPECTOR