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## 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: 31<sup>st</sup> October 2025**

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**Appeal Ref: APP/Z2260/W/25/3369757**

**11 Lyndhurst Avenue, Margate, Kent CT9 2PS**

- 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 Genet against the decision of Thanet District Council.
  - The application Ref is F/TH/24/1164.
  - The development proposed is replacement windows and external alterations around the building.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. 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 Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the Northdown Road Conservation Area.

### Reasons

4. The appeal property is a two-storey building which has been modified, including through conversion into a ground floor flat and maisonette on the upper floors. However, the building retains the appearance of a detached dwelling.
5. The appeal site is within the Northdown Road Conservation Area (CA). The CA has a linear form, encompassing a section of Northdown Road containing a parade of shops and commercial uses at street level, and incorporates some adjoining residential streets such as Lyndhurst Avenue.
6. The Character Appraisal and Management Plan 2016 (CA Appraisal) describes Northdown Road as a 'spine' to the well-preserved, Victorian seaside resort of Cliftonville, a 19th century expansion of Margate. Most buildings in the CA are commercial premises built during Cliftonville's heyday between the 1870s and the early 20th century to provide goods and services to visitors and residents. However, the CA's significance is derived from its rows of well-detailed shops, landmark church buildings, and well-detailed late-19th and early-20th century houses, which contribute to the architectural and historic interest associated with the development of Margate.
7. The appeal property is at the end of a row of dwellings. Whilst partially obscured by foliage in the front garden, the appeal property faces a bend in the road and is

therefore sited in a visually prominent location, particularly from the vantage point of pedestrians and road users approaching from Lyndhurst Avenue.

8. The appeal property's front elevation is dominated by its large bay windows situated below a gable. Whilst there is some variation in dwelling types, the appeal property is typical of the design of dwellings at Lyndhurst Avenue and appears contemporary in age with buildings within the CA.
9. The existing first-floor bay window is single glazed and has timber frames. There are three lights at the front, with an angled light on each side. Above each casement is a top opening panel with glazing bars and decorative coloured glass with a mottled texture. The first-floor bay window is in a dilapidated, rotten condition which diminishes the quality of its appearance. Nonetheless, the first-floor bay window is a prominent feature which forms an important component of the building's visual and architectural character and contributes visual interest to the street scene.
10. The front facing, large bay window at the ground floor flat is a modern replacement, constructed of white uPVC double-glazing. The ground floor uPVC window broadly reflects the design of the first-floor timber window. However, the thicker, bulkier profile and flat, uniform finish of the uPVC frames is somewhat unsympathetic and detracts from the building's character.
11. Nonetheless, despite the existing condition and modern alterations, through its design and architectural features including the historic fabric of its original timber windows, the appeal property contributes positively to the character of the CA.
12. The proposal seeks various repairs and alterations to the building's exterior. As indicated in the delegated report, the solar panels, new window opening, and replacement windows at the southwest elevation would face the rear boundary of properties fronting Northdown Avenue and would not be immediately visible from the wider public realm. I am satisfied these elements of the scheme would have limited visual impact on the appearance of the appeal property and wider street scene, and therefore would have a neutral effect on the character of the CA.
13. The proposal would also involve replacement of the first-floor, front bay window with white uPVC, double-glazed casement windows. The arrangement of windows with top openings and three front panels would seek to reflect the form and design of the existing bay window and provide a cohesive appearance with the ground floor uPVC window. However, full details of the proposed windows have not been supplied, and no assessment of the effects of the proposal on the CA's historic character has been provided.
14. In addition to the appeal property, other dwellings within Lyndhurst Avenue include uPVC windows and doors. However, these are understood to generally precede the designation of the CA in 2015, including a grant of planning permission for a replacement timber door and window at Lyndhurst Avenue<sup>1</sup>.
15. The CA Appraisal identifies the change of windows and front doors to modern materials such as uPVC as one of the most significant negative features of the CA, and one of the most pressing matters to be addressed through a management plan and planning controls. Therefore, whilst uPVC fenestration exists within the

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<sup>1</sup> LPA reference: F/TH/12/0622

street scene, it has a negative effect that detracts from the CA's character and historic significance. Therefore, the proposal would not be justified by the prevalence of uPVC in the area.

16. The appellant commissioned a RICS structural survey report<sup>2</sup> which included assessment of external joinery, where windows, fascia and soffits were described as being in poor condition and requiring replacement. In addition, installation of secondary glazing would not be practicable. Therefore, the structural survey report suggests existing windows are not likely to be repairable and the loss of the building's historic fabric is unavoidable. However, it does not follow that such replacements must be of uPVC construction.
17. Modern uPVC windows typically have a contemporary form which lacks historic integrity. The Council's Conservation Officer advises that uPVC appears heavy, clunky and unsympathetic within the historic environment. Conversely, timber frames would reflect traditional materials and methods of construction within the CA and normally appear lighter and have a textured grain that is sympathetic to the fabric of the building.
18. The appellant indicates they are aware of good quality uPVC windows available on the market from manufacturers that specialise in producing heritage style fenestration. The appellant would agree to a high-quality product, for example, with a wood grain finish to emulate timber and suggests a planning condition be imposed, requiring manufacturers details or drawings of any replacement windows be submitted for formal approval by the Council. However, in the absence of assessment of the effects of such materials on the character of the CA, I cannot be certain that harm to the character of the CA as a whole would not occur.
19. The appellant has provided other examples of grants of planning permission by the Council for uPVC windows at Fort Road and Zion Place<sup>3</sup>. However, these locations appear to be outside the Northdown Road CA, and therefore materially differ in context.
20. As set out above, whilst the loss of historic fabric would be unavoidable, I have not been provided sufficient information to demonstrate the proposed replacement fenestration and other uPVC features to the front elevation would not harm the character of the CA. I therefore conclude the proposal would contribute further harm to the CA through the cumulative effect of introducing unsympathetic modern materials, namely uPVC fenestration.
21. Given the above, I find that the proposal would fail to preserve the character of the CA. Consequently, I give this harm considerable importance and weight in the planning balance of this appeal.
22. 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.

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<sup>2</sup> Urban Surveying & Design Ltd

<sup>3</sup> LPA reference: F/TH/23/1214 & FH/TH/24/0059

23. The extent of the introduction of modern materials would be relatively small, relating to the front elevation of a single dwelling, and I find the harm to be less than substantial in this instance. Nevertheless, this harm is of considerable importance and weight.
24. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appellant is of the opinion that the proposal would be beneficial as it would improve the appeal property's thermal efficiency thereby reducing heating costs and emissions and ensuring compliance with legal requirements for energy efficiency standards for tenancies.
25. The appellant indicates that high-interest rates from mortgage lenders mean there is no surplus available toward a project of this scale and the cost of replacement timber windows would be prohibitively expensive, suggesting the proposal would be necessary to realise the public benefits identified above. However, no evidence of financial viability has been provided to substantiate this position.
26. Whilst the proposal would provide social, economic and environmental benefits through improving the quality of the appeal property's living accommodation, the scale of benefit would be small and would not be sufficient to outweigh the harm that I have identified above, which carries great weight against the proposal.
27. Given the above, I conclude that the proposal would fail to preserve the special historic interest of the character and appearance of the Northdown Road Conservation Area, thus failing to satisfy the requirements of the Act and paragraph 210 of the Framework.
28. The proposal would therefore conflict with Policies QD02 and HE02 of the Thanet Local Plan 2020 which together require development respect and enhance the character of the area, including preserving or enhancing the character or appearance of conservation areas, and supporting proposals which provide materials and detailing appropriate to the locality.

### **Conclusion**

29. 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