



Appeal Decision

Site visit made on 14 October 2025

by **G Roberts BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 November 2025

Appeal Ref: APP/N1160/W/25/3369588

39 Wolsdon Street, Plymouth, PL1 5EH

- 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 Hadland Care Group Ltd against the decision of Plymouth City Council.
 - The application Ref is 24/01626/FUL.
 - The development proposed is planning permission to replace metal/sheet casement windows with Georgian white finish uPVC with Argon WES toughened glass throughout.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have adopted the description of development from the application form.
3. The Council's Statement of Case (CSOC) highlights the fact that a number of the documents submitted with the appeal were not included at the application stage. These include, amongst others, a Surveyors Report on the condition of existing windows (April 2025) and a Heritage Statement (May 2025).
4. Paragraphs 16.1 – 16.2 of the 'Procedural Guide: Planning Appeals – England' (September 2024) state that it is important that what is considered by the Inspector is essentially the same as that considered by the Local Planning Authority, as well as interested parties, at the application stage. Paragraph 16.3 refers to the 'tests' that will be considered when new evidence or amended plans are proposed, 'tests' which since the *Wheatcroft Principles* have evolved through the judgement of *Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)*.
5. The CSOC does not raise any specific objection to the new documents and does in fact comment on these submissions. It is clear from the latter that the Council's position, notwithstanding this new information, remains the same and that they continue to object to the proposed uPVC windows. In view of this, I am satisfied that the new evidence should be accepted even at this late stage in the process and would, on balance, not cause any unlawful procedural unfairness to the Council.
6. I have, therefore, determined the appeal on the basis of this new evidence as well as that considered by the Council at the application stage.

Main Issue

7. The main issue is the effect of the development on the character and appearance of various heritage assets.

Reasons

8. The appeal site lies within the North Stonehouse Conservation Area (NSCA). Section 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 requires, therefore, that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. Similar advice is to be found in the National Planning Policy Framework (NPPF) and in policies DEV20 and DEV21 of the Plymouth & South West Devon Joint Local Plan 2014–2034 (JLP).
9. The designation of the conservation area is supported by the North Stonehouse Conservation Area Appraisal and Management Plan (CAAMP). The latter confirms that the host property is recognised as '*Buildings that make a positive contribution to the Conservation Area*'. The host is, therefore, a non-designated heritage asset (NDHA). Paragraph 216 of the NPPF states that when considering the effect of an application on the significance of a NDHA a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
10. The appeal proposal involves the replacement of the existing metal/steel casement and frame windows to the host property with uPVC windows. I understand that the host property is a former Board School, built as a result of the 1870 Education Act to provide education for children within the North Stonehouse area following its planned urbanisation in the mid-19th Century. It appears to have originally been constructed as two separate buildings which were subsequently joined together by infill extensions. It is a large and prominent building which lies on the southern side of Wolsdon Street and is surrounded by terraces of residential properties from the same period. The host property is currently used as a nursery and pre-school by Tops Day Nursery Ltd.
11. The Council have objected to the replacement windows due to their design and use of uPVC which they contend would fail to preserve or enhance the character or appearance of the NSCA and harm to the NDHA. As such, I have based my assessment on the CAAMP, the submitted evidence and my observations on site.
12. The CAAMP states that the area is primarily residential and is characterised by a number of fine terraces of houses and long street vistas interspersed with various major historic buildings, corner shops, pubs and a network of secondary lanes. The area retains a strong local distinctiveness through its architecture and materials. The host property, as a former school, is part of the strong educational association of the area. Most of the area was built as a suburb in the late Georgian and Victorian period, with the host itself appearing to date from the 1870's.
13. Wolsdon Street and Wyndham Square form the core on the Conservation Area with some of the best examples of late 19th Century terraces within the City. Both are identified in the CAAMP as falling within Character Area 1 '*Wyndham Square*'. The townscape analysis for this character area identifies views to landmark or other features which includes that to the west along Wolsdon Street past the host property. The CAAMP continues by identifying '*Issues*' that have had a significant impact on the character of the Conservation Area, which include the number of

inappropriate alterations that have taken place to existing properties such as the provision of new plastic doors and windows.

14. Based on the later, the CAAMP sets out the '*General Principles*' that will be applied to all new development in the Conservation Area. These include a requirement to respect and maintain its existing character, be of the highest quality design, with historic vistas and other views retained, enhanced and restored. Principle 3, referred to in the Council's reason for refusal, specifically states that "*Priority will always be given to the retention and enhancement of buildings of heritage value identified in the Conservation Area appraisal and management plans*".
15. As I confirmed, the host property is identified as a building that makes a positive contribution to the Conservation Area. Based on my observations on site, I fully concur with the findings of the CAAMP and the host property's designation as a NDHA. The appeal building is highly prominent within the streetscene largely as a consequence of the fact that it is a large stone building with red brick quoins and a slate roof that contrasts with the terraces of lightly coloured rendered houses that surround it. The host retains its original design and form, apart from hidden later alterations (links), and also retains its historic features and architectural detailing. In that respect, the parties appear to agree that the existing windows are original.
16. For all the above reasons, the host's contribution to the historic streetscene and its significance as a heritage asset is high. As an original building that is still used as a school it represents an important historical educational and communal building to the NSCA
17. All of the above factors contribute, in my judgement, to the special interest and significance of the NSCA as a whole.
18. Within the above context, I agree with the Council that the choice of window design and replacement materials (uPVC) as shown on the proposed plans and supporting manufacturers details is not acceptable. The host is a high quality former school building that has an important historical educational and communal association with the NSCA. As such, every effort should be made to retain, restore and enhance its historic value and significance. The existing original windows are an important and integral part of its historic fabric and special interest and their removal would have a significant and harmful impact on the building and the wider area.
19. I accept, as do the Council, that there is no objection in principle to the replacement of those windows that are in poor condition and/or not repairable, provided the new designs are of a high quality. Whilst the Surveyors Report states that the windows may be beyond repair, the survey is somewhat general and does not include details such as a schedule of the condition of all the existing windows surveyed. I am not convinced, therefore, that it provides the justification or demonstrates the need for replacing all of the windows, as proposed.
20. As well as the submitted plans, I have been provided with photographs that appear to show the new windows in front of the existing windows they would replace. All of this information simply demonstrates that the proposed uPVC windows would have a very different design, proportion and level of detailing to the original windows. The latter have a uniform appearance that reflect the age of the building, whereas the proposed windows not only fail to reflect the character and design of the current windows but appear overly modern with significant design differences, such as

sashes replaced by non-sashes and the use of standard white uPVC that does not reflect the appearance of the current windows or the historic fabric of the host. I agree with the Council that very little thought or consideration appears to have been given to the heritage impact of the proposed windows.

21. The above findings appear to be supported by the fact that the appeal follows previous applications for, I understand, the same replacement window designs. It would also appear that the replacement windows have already been purchased with the manufacturers details dating back to 2020 and an invoice from 2022. The Appellants Heritage Statement appears to reaffirm this but notably recommends that timber replacement windows would be preferable as they would reduce the level of harm. This recommendation does not appear to have been actioned or considered further and neither has the scope for well-designed heritage conscious windows to replace or repair existing appear to have been considered.
22. The case set out in the Heritage Statement is also not compelling in that it partly relies on other examples of uPVC windows in the area, even though the CAAMP identifies the use of uPVC as an ongoing concern and a change that has eroded the special character of the NSCA and should, therefore, be resisted. I also note that the statement concludes that the appeal proposal would result in "*less than substantial harm*" but does not then go on to assess this further in the context of the relevant planning policies. This is a matter that I address below.
23. The Appellant has referred to what they allege are other precedents in the City at New Street, Vauxhall Street and Stokes Lane. Whilst I have not been provided with the full planning background to these, the evidence provided indicates that all of these examples pre date the adoption of the JLP and recent revisions to the NPPF and were approved, therefore, under a different planning policy regime. A number of the sites are referred to in the Council Officers reports as not being prominent or where the changes were unnoticeable or had limited visibility within the streetscene. Some involved like for like replacements or similar designs or where there were already uPVC windows on part of the building in question or related to a modern block. None of the examples appear to relate to the NSCA.
24. These examples are not, therefore, comparable to the appeal proposal and they do not affect my findings on this issue. Even so, each application should be determined on its individual merits and local context, and that is the approach that I have adopted in this case.
25. For the reasons set out above, I find that the appeal proposal would result in a high level of harm to the significance of the NDHA and would not preserve or enhance the character or appearance of the NSCA. In view of the latter and as is required by the NPPF, considerable importance and weight must be attached to the harm to these heritage assets. The appeal proposal would lead to less than substantial harm to the significance of the heritage assets, with the level of harm being high, which must be weighed against any public benefits of the development.
26. I accept that the replacement windows would secure thermal improvements, be more energy efficiency and reduce energy costs, but there is nothing to indicate that those benefits could not be secured by higher and better quality replacement windows. As I confirmed earlier, there is no substantive before me to suggest that other options have been properly or thoroughly considered or as the Council suggest that a holistic approach has been considered that looks at the energy

efficiency within the building as a whole or the option of retrofitting upgrades to some of the existing windows. I am also unconvinced that the use of uPVC could be considered that sustainable when compared with to other options due to its likely lifespan and as it is harder to recycle.

27. I do recognise the benefits of a proposal that would promote an environmentally conscious building process and could act as a live teaching tool to young children of sustainable choices in action. However, I would only accord limited weight to these benefits and they are not sufficient to outweigh the significant harm that I have identified.
28. The Appellant has also referred to the prohibitive costs involved, the role in keeping fees at the school low, the need to provide a comfortable environment for children, reduce road noise and ensure the ongoing viable use of the building for educational purposes. However, there is no substantive or compelling evidence before me to support any of these statements. Some of the statements will also not unique to this case.
29. As such, none of the above benefits either individually or cumulatively nor any other public benefits, delivering either economic or social or environmental objectives, would, in my view, be sufficient to outweigh the harm I have identified to the significance of the heritage assets.
30. I have also had regard to the need to balance the impact of the appeal proposal on the significance of the heritage assets with the sustainable objectives of the NPPF, but this does not alter my overall findings. Even so, I note that the Appellant refers to section 192 and 193 of the NPPF. This appears to be an error as there is no such section and it cannot be a reference to paragraphs 192 and 193 as these relate to habitats and biodiversity.
31. Finally, there is a reference to existing uPVC windows on the host property to which the Council have responded by stating that these windows do not appear to benefit from planning permission. The Council's statement has not been challenged.
32. Accordingly, I find that the appeal proposal would be contrary to policies DEV20 and DEV21 of the JLP, Principle 3 of the CAAMP and paragraphs 135, 202, 210, 212 – 213, 215 and 216 of the NPPF.

Conclusions

33. For the reasons given above and having taken all other matters raised into account, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR