



Appeal Decision

Site visit made on 27 November 2025

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2025

Appeal Ref: APP/L2250/W/25/3370816

12 and 12A Bouverie Road West, Folkestone, Kent CT20 2SZ

- 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 Cemile Aydugmus-Fox against the decision of Folkestone & Hythe District Council.
 - The application Ref is 25/0745/FH.
 - The development proposed is the change of windows and rear and side doors.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The planning application form indicates that the development has already taken place and I was able to view the replacement windows at the time of my visit.

Main Issues

3. The main issues raised by this appeal are the effect of the replacement uPVC windows on the character and appearance of the existing building and whether they would preserve or enhance the character or appearance of the Folkestone, Leas & Bayle Conservation Area (the CA).

Reasons

4. The building forms part of a row of commercial premises with upper storeys along this part of Bouverie Road West that is within the CA. This row of buildings retains a charm from its Victorian origins. The property is situated on a corner, which gives it a prominent siting within the street scape. Whilst some of the properties on the northern side of Bouverie Road West have replaced upper floor windows with uPVC, I saw that other timber windows remain. As such, the traditional timber windows are an important architectural feature which make a positive contribution to the character and appearance of this CA and that give this area architectural and heritage significance. The appeal property falls within the CA and, therefore, forms part of its significance.
5. The original windows were white painted timber sash. The replacements are uPVC casement with a tilt-and-turn method of opening. The use of uPVC introduces a modern material to the building. This alters the appearance of the windows as there is a shine to their finish. The uPVC frames, which incorporate external trickle vents, are larger in structure than those of timber windows. Furthermore, the

replacement windows have not achieved the same level of detailing as timber windows such as the horns that are an original feature of the timber windows. The windows are hinged and would open outwards unlike sash windows. When the windows are open they will appear at odds with the host property and character of the street scene. Overall, the finished materials, the profile of the uPVC windows and their method of opening has introduced a modern appearance to the building that is visually harmful to the character and appearance of this building within the CA.

6. The appellant contends that there is no discernible difference between the replacement uPVC windows and those that they replaced. I have been provided with an image of the appeal property prior to the alterations having been made. This shows the new uPVC windows to be markedly different to those of the original timber windows as a result of their finish, profile and method of opening. The uPVC windows have a noticeably different appearance and do not host the proportions and/or the finer detailing of the original timber windows.
7. The elevations of the host property are visible from the public realm within Bouverie Road West and Christ Church Road. The harm arising from the uPVC replacement windows is clearly visible in public views within the street scene and wider CA. The proposal would undermine the purposes of the CA designation. I give the visual harm arising from the development significant weight.
8. The appellant has highlighted, by way of photographs, other properties which have uPVC windows. Not all the examples are in the immediate vicinity of the appeal site. Whilst I acknowledge that some of the properties within this street scene have uPVC fenestration within the upper storeys, this has eroded the character and appearance of those buildings. The proposal would represent a further erosion to the character and appearance of the area. Photographs have been provided that show the original windows being in a decayed state. Whilst this may be so, this does not justify the replacement with inappropriately designed and detailed uPVC windows.
9. Given the size and scale of the proposal in the CA, I consider there would be less than substantial harm to the character or appearance of the CA. In accordance with paragraph 215 of the National Planning Policy Framework (the Framework), I must weigh the harm against the public benefits of the proposal.
10. The proposal would improve the property's thermal efficiency and assist with the upkeep of the building to maintain its viable use and prevent water ingress and improved acoustic requirements. Indeed, collectively the replacement windows, doors and shop front assist this and contribute to the ongoing commercial and residential use of the property. The repair and renovation of the building would therefore be in the public benefit. However, this could potentially be achieved by a more sensitive design to the windows. The public benefit would be limited primarily to that of the occupiers and their contribution to the vitality of the area. There would be no significant benefit to the public that would sufficiently outweigh the harm identified. I conclude therefore that the proposed development would fail to accord with national policy.
11. For these reasons, I conclude that the replacement uPVC windows would be harmful to the character and appearance of the existing building and would not preserve or enhance the character or appearance of the Folkestone, Leas & Bayle

CA. The proposal would, therefore, conflict with Policies HB1 and HB8 of the Folkestone & Hythe District Places and Policies Local Plan and the provisions of the Framework. These policies seek, amongst other matters, alterations to reflect the proportions and materials of the original building and for development to make a positive contribution to its location and surroundings and to respect existing buildings. This sets out the development plan context for the proposal whether or not the CA benefits from a separate CA appraisal.

Other Matters

12. The local planning authority's statement of case comments that the use of aluminium on the front, side and rear elevation of the property has resulted in harm to the character and appearance of the CA. However, the local planning authority have discussed within the delegated report that the matters relating to the shop front do not warrant a reason for refusal and have not included this matter within its reason for refusal as cited on the decision notice. I have not considered this matter further as the local planning authority have not clearly cited harm to the shop front within its reason for refusal.
13. The appellant asserts that the local planning authority have used an incorrect statutory test when applying national policy and that this undermines the robustness of the local planning authority's case. This is a matter that, if necessary, should be raised with the local planning authority separate to this appeal. In any event, I do not find this to be a critical matter pertaining to the appeal that might lead me to alter my above findings.

Conclusion

14. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR