



Appeal Decision

Site visit made on 5 November 2025

by **S F Barnes MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 December 2025

Appeal Ref: APP/X2220/W/25/3371163

44 The Strand, Walmer, Kent, CT14 7DX

- 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 Darren Cockburn against the decision of Dover District Council.
 - The application Ref is 25/00632.
 - The development proposed is Replacement windows.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the extent to which the proposal would preserve or enhance the character or appearance of the Walmer Seafront Conservation Area (WSCA).

Reasons

3. The appeal building is a mid-terrace townhouse with projecting front bay windows and rear projections, the upper parts of which are visible from York Road. The site is within the WSCA which is drawn around a small area comprising properties adjoining or fronting the beach and seafront. Insofar as it relates to this appeal, the significance of the WSCA is associated with The Strand's traditional building styles - including tall, narrow townhouses - and their unifying language of features such as sash windows. Timber sash windows of similar proportions and detailing are dominant features of immediately adjoining properties, although some variation exists where later replacements make use of uPVC or aluminium frames in the wider WSCA.
4. With the exception of a later uPVC replacement rear bathroom window, the host building's windows are timber. Although they are understood to be post-war replacements, these generally share a sash opening style and traditional detailing. The appeal building is a positive contributor to the street scene at The Strand, where it is prominent, and to York Road, as well as the character and appearance of the WSCA as a whole, and thereby to its significance as a designated heritage asset.
5. The proposal would replace existing windows throughout the building with heritage-style uPVC sliding sash units in a matt, woodgrain finish. I agree with the Council that uPVC is likely to be a smoother material and therefore its surfaces would have more of a reflective sheen compared to timber. I appreciate that the proposals would have a woodgrain finish, but the limited details and photographic evidence provided do not persuade me that this would convincingly replicate timber. The

appearance is of particular importance in this case as prominent front window units would adjoin timber 'apron' and bay window angle covers. The mismatch in the appearance of materials here would have a pronounced adverse effect on the appearance of the building.

6. I find that the proposal would fail to respect the materials of the host building and have a detrimental effect on its appearance and the contribution it makes to the streetscene. This would fail to preserve the character or appearance, and thereby the significance, of the WSCA.
7. My attention has been drawn to examples of windows within the WSCA that are either of uPVC or aluminium construction. Examples include properties on both The Strand and York Road. I have also been referred to a number of extensions and a dwelling said to have been approved on York Road¹, all of which are said to feature uPVC windows. However, properties on York Road form a distinct streetscene where built form, in building type and scale, defers to the more prominent seafront properties at The Strand.
8. At The Strand, I note that the appellant's study finds that there is greater use of timber, either alone or as part of a mix, than there is of uPVC alone. I observed some examples of the uPVC windows during my site visit. While I accept some variation in materials used at The Strand, overall the examples of uPVC demonstrated the harm that arises where materials fail to respect the appearance of traditional timber joinery, particularly in windows closer to eye-level.
9. Particular reference has been made to approved schemes at 28, 37, 40 and 51 The Strand. I have limited information before me as to their planning history and any planning balance undertaken in those cases. In any case, their existence does not justify the harm I have found to the host building or the WSCA from the proposals before me. I have also been referred to an application at 7 Golden Street, which is located within a different conservation area and it is unclear whether or not it has been approved. Given the differences in circumstances between those schemes and the appeal scheme, these factors have not led me to an alternative conclusion about the appeal scheme.
10. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. In addition, 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. The proposal is modest but, in Framework terms, would cause a moderate degree of less than substantial harm to the significance of the WSCA. Paragraph 215 of the Framework states that where a development proposal would lead to less than substantial harm to the significance of heritage assets, that harm should be weighed against the public benefits of the proposal.
11. The appellant states that the proposal includes retaining and refurbishing the distinctive timber 'apron' and bay window angle covers to the front bay windows. That work is not shown in the plans or described in application documents, and no

¹ 2a York Road (Application Ref: DOV/17/00913), 9 York Road (DOV/19/00891), 11 York Road (DOV 18/00659), 14 York Road (DOV/24/00662), 16 York Road (DOV/12/00283) and 49 York Road (DOV/05/1434)

condition has been suggested to secure it. Given the limited details before me, I attach very limited weight to this factor.

12. I am not persuaded that the scheme before me is fundamentally necessary to secure the optimum viable use of either the building or WSCA, as has been suggested. Moreover, no substantive evidence has been put before me which verifies that the property would not be habitable or viable as a dwelling if the appeal was to fail and the proposal, in the precise form submitted, was not implemented.
13. The appellant contends that the proposal would deliver wider environmental benefits by reducing carbon emissions of the appeal building. However, the claimed percentage reduction is unsubstantiated, as is the assertion that heat pumps or other, more efficient energy sources would not work in the absence of the appeal scheme. Likewise, I have no evidence to confirm that the scheme would ensure compliance with the Energy Act.
14. The proposal would improve local housing stock by enhancing thermal performance of the appeal building and help bring back into use what is presently a vacant dwelling. The Framework broadly supports such social, environmental and economic improvements. However, given the small scale of the development, the benefits would be modest. It has not been shown that these benefits could not be achieved through an alternative or less harmful scheme. I therefore conclude that the asserted benefits carry limited weight.
15. Overall, I conclude that the public benefits of the proposal would not be sufficient to outweigh the less than substantial harm identified. This harm carries considerable importance and weight. The proposal would fail to preserve or enhance the character or appearance of the WSCA, contrary to the requirements of section 72(1) of the Act and Policies HE1 and HE2 of the Dover District Local Plan to 2040 (October 2024). In summary, those policies seek to conserve and enhance heritage assets and to ensure that alterations to buildings within Conservation Areas respect their architectural features and materials. This is in a similar vein to the provisions of the Framework which seek to conserve or enhance the historic environment.

Other Matters

16. I am aware of the poor condition of certain existing windows described by the appellant and I do not doubt that uPVC would be durable in local weather conditions. I also recognise the appellant's commitment to improving and restoring the appeal property, which is neither statutorily listed nor identified as a non-designated heritage asset in its own right. Additionally, the appellant has drawn my attention to a planning permission recently granted at the appeal site. It is suggested that the development approved may limit the ability to view the appeal scheme once it has been completed. However, I have very limited detail regarding that scheme. Moreover, visibility from the public domain does not necessarily determine whether a proposal would harm the significance of a heritage asset. Nevertheless, these matters have not led me to an alternative conclusion on the main issue.
17. I appreciate the appellant's frustration with difficulties they describe in communicating with the Council and that its officers did not arrange with the appellant to carry out a site visit. The appellant also perceives there to be inconsistency in its decision-making. However, these matters are not directly

relevant to my consideration of the appeal scheme, which has been based on evidence before me.

18. The appellant has referred to the Walmer Design Statement and the Kent Design Guide. Neither these documents nor details of their status are before me. I have therefore not taken them into account in assessing the appeal. Walmer Town Council raised no objection. However, the absence of an objection is a neutral factor in my determination of the appeal.

Conclusion

19. For the reasons given above, the proposal conflicts with the development plan taken as a whole. No material considerations indicate that the appeal should be decided other than in accordance with the development plan. Accordingly, the appeal is dismissed.

S F Barnes

INSPECTOR