



Appeal Decision

Site visit made on 20 January 2026

by **Martin Allen BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 February 2026

Appeal Ref: APP/Z0116/X/25/3364246

105 Cotham Brow, Bristol BS6 6AS

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr Richard Elford against the decision of Bristol City Council.
 - The application ref 24/03453/CP, dated 29 August 2024, was refused by notice dated 28 November 2024.
 - The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 (as amended).
 - The development for which a certificate of lawful use or development is sought is described as "Change of windows to double-glazed uPVC windows. These will be the same style but a different material."
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the decision of the Council to refuse the application for a certificate was well founded.

Reasons

3. The appellant seeks to replace existing timber windows with uPVC units, which would be casement windows to the rear and sliding sash to the front. The building subject of the appeal is divided into flats and as such, does not benefit from the provisions allowing physical alterations to existing dwellinghouses as set out in The Town and Country Planning (General Permitted Development) (England) Order 2015.
4. Nonetheless, it is necessary to have regard to Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 (as amended) which states that the carrying out for maintenance, improvement or other alteration of any building of works which do not materially affect the external appearance of the building does not involve development. The term 'materially affect' has no statutory definition but is linked to the significance of the change which is made to a building's external appearance.
5. The appeal building comprises a four-storey semi-detached structure, positioned behind a front garden which borders a pavement and road. From my observations, the windows to the front elevation of the property were all traditionally proportioned and detailed timber sliding sash windows. As a result of their timber construction the glazing bars between panes were slim in appearance, as were their frames.

6. The details submitted by the appellant indicate that the replacements would be in uPVC, with the front replacements replicating the sliding sash method of opening to the ground floor bay window. However, the details also show that the glazing bars that would be visible between the panes of glass would be substantially thicker and more noticeable than the slender bars that currently exist. This would result in the windows having a much “chunkier” appearance, which would have a significant visual effect and thus materially change the appearance of the building. That the windows would include some traditional detailing in common with the existing units does not dissuade me from this.
7. Accordingly, I find that the proposed replacement of the windows would comprise development and that the property does not benefit from permitted development rights for such alterations.

Conclusion

8. For the reasons given above, I conclude that the Council’s refusal to grant a certificate for the change of windows to double-glazed uPVC windows was well-founded and that the appeal should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act (as amended).

Martin Allen

INSPECTOR