
Appeal Decision

Site visit made on 18 March 2026

by R Gilbert BA (Hons) MSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 June 2026

Appeal Ref: APP/U2750/W/25/3376022

Flat 1, 4 Westbourne Road, Scarborough, North Yorkshire YO11 2SP

- 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 Miss Rebecca Monkman against the decision of North Yorkshire Council.
 - The application Ref is ZF25/00376/FL.
 - The development proposed is described as double glazing of the whole property (flat) due to severe cold temperatures in the flat. New front door (upvc) and proposed back door (upvc).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council posted a site notice on the 8 July 2026 with the advertisement period elapsing prior to determination of the application. I am content that publicity has been carried out in accordance with the regulations.
3. The application was submitted by the appellant during probate. The appellant has confirmed that the registered title of the land was transferred on 23 April 2025. The transfer pre-dates the issue of the Council's decision notice, and therefore no parties have been prejudiced by these circumstances.
4. It is clear from the Council's evidence that they assessed the proposal as if it were within the Scarborough Conservation Area. However, they have subsequently confirmed that is not the case. Accordingly, the duty contained in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 does not apply in these circumstances.

Main Issue

5. The effect of the development on the character and appearance of the site and surrounding area, including the setting of Scarborough Conservation Area (SCA).

Reasons

6. The SCA is comprised from a concentration of large Victorian residential villas. These villas share a common architectural significance derived from their aesthetic appearance which is typical of development from that era. This significance relates not only to their materials and ornamental detailing, but also their fenestration. The proportions of the windows, alongside their timber materials, thin profiles, deep reveals and sash design are an important architectural feature in the SCA. Historic significance is derived from the survival of original building fabric in the built form,

and how the built environment reflects the social and economic changes in Victorian society whereby recreational visits to the seaside became more popular.

7. The appeal site is located immediately adjacent to the SCA and faces directly towards it. The property is a ground floor flat within a subdivided nineteenth century villa. The villa lies within the setting of the SCA and is experienced on the approach to it and from views within it. The building possesses some architectural and historic interest, including original windows, that serve to reinforce the significance of the SCA. Other than those in the right-hand bay, the windows across the front and side elevations of the villa are of a traditional timber design. The windows have slim frames which give an elegance to the architectural composition of the building and contribute significantly towards its historic interest.
8. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
9. The Council have incorrectly assessed the development as if it were within the SCA and the appellant has sought to highlight this matter in the evidence. The SCA boundary encompasses the northern side of Westbourne Road and Westbourne Grove, with the appeal site located outside but facing the buildings within the SCA. As such, the appeal property is within, and contributes positively to, the setting of the SCA, reflecting its significance, which is derived from the high-quality materials, common architectural features and the traditional fenestration of its buildings.
10. Policy DEC1 of the Scarborough Borough Local Plan 2017 (SBLP) requires all development to follow the principles of good design by demonstrating, amongst other things, that detailed design responds positively to local context, in terms of its scale, form, height, layout, materials, colouring, fenestration and architectural detail. Paragraph 8.38 of the Council's Residential Design Guide Supplementary Planning Document 2022 (the SPD) states that the guiding principle for choosing replacement window units should be to ensure they reflect the character and appearance of both the host property and the surrounding area.
11. The submitted plans do not include frame dimensions for all the windows proposed and, where these have been provided, the dimensions of the existing frames are not included. Likewise, cross-sections have not been submitted that could confirm that the windows would sit in a similar position to those they replace. This lack of detail hampers a proper comparison.
12. From the limited information given, the window frames intended across the front elevations appear thick, whereas the existing timber frames are markedly thinner than the bulkier uPVC frames in the right-hand bay of the villa. Consequently, I have no certainty, despite reference to 'slim-profile' or 'slimline', that the new windows would ensure minimal visual change or maintain the elegance that is characteristic of the existing windows.
13. I recognise that the front windows would be partially screened by the hedge on the front boundary. However, the windows would remain visible above the hedge within the streetscene, and on approach to and within the SCA. With the slimmer

windows retained on the floors above, the elegance of these frames would contrast harshly with the bulky frames of the proposal below, adversely affecting the uniformity of the façade. In fact, this effect is already evident in respect of the frames introduced in the right-hand bay of the villa.

14. Whilst the windows proposed at the side and rear are of less visual importance than those at the front, the proposed designs would be similarly bulky, and in some instances would not reflect the traditional style of the windows they replace. When appreciated from neighbouring properties, they would not contribute positively to the appearance of the villa and are unacceptable as a result. Notwithstanding, the casement door proposed at the side of the dwelling is of a traditional appearance, and is acceptable.
15. The unsympathetic design of the replacement window units would be contrary to the guidance set out within the SPD which requires replacement windows to reflect the character and appearance of the host property. Accordingly, based on the evidence before me, the proposal would undermine the architectural integrity of the host property and result in the loss of historic building fabric. In turn this would undermine important aspects of the setting of the SCA, which contributes towards its significance. It would amount to less than substantial harm. Whilst this harm is at the lower end of less than substantial, in line with the approach set out in the National Planning Policy Framework (the Framework), I apply great weight to it in my decision.
16. In balancing this harm against its public benefits, the proposal would contribute towards the objectives of Policy DEC1 for reducing carbon emissions by enabling the flat to be more thermally efficient. However, as the windows only serve a small part of a larger building, and there is no substantive evidence as to the amount of energy savings that would be generated, I attach limited weight to this as a public benefit. As such, the public benefit does not outweigh the less than substantial harm identified and conflicts with national planning policy to protect the historic environment.
17. I have been referred to other uPVC permissions for flats within the building. I have taken these into account in arriving at my decision, but based on the limited information provided, I am not persuaded that these have been implemented, nor that they would have had a positive impact on the site or SCA. The permissions also predate the SPD guidance set out above. Accordingly, they do not justify further similar proposals to be introduced into the streetscene.
18. Though uPVC windows have been introduced in the right hand bay of the villa, as well as in a limited number of other buildings within the SCA, including a listed building, such examples are in the minority and clearly affect the uniformity of these buildings, to the detriment of their appearance. In any case, examples of harm are not sufficient justification for further proposals to come forward that would exacerbate that harm.
19. Whilst I acknowledge that the purpose of the proposal is to enable heat retention, improved comfort, reduced energy costs and maintenance, these are private benefits which could be achieved by other means that are less harmful. As such, they attract limited weight and do not overcome the great weight associated with the harm to the SCA.

20. For the reasons set out above, the development would be harmful to the character and appearance of the site and surrounding area, including the setting of the SCA. Conflict therefore arises with policies DEC1 and DEC5 of the SBLP. Together, these policies seek to ensure development accords with the principles of good design and conserves the historic environment.

Conclusion

21. The development conflicts with the development plan taken as a whole and material considerations do not indicate that a decision should be made other than in accordance with it. For the reasons given above, the appeal is dismissed.

R Gilbert

INSPECTOR