



Appeal Decision

Site visit made on 12 May 2026

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd July 2026

Appeal Ref: APP/C2741/W/25/3375392

St Giles Gate, Gillygate, York YO31 7EA

- 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 Martin Legg against the decision of City of York Council.
 - The application Ref is 25/00253/FUL.
 - The development proposed is the replacement of existing wood sliding sash windows with like for like windows made of high quality UPVC with a wood grain effect.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character and appearance of the York Central Historic Core Conservation Area.

Reasons

3. The appeal site is situated in York Central Historic Core Conservation Area (CA), which covers an extensive area and is divided into a number of character areas. The appeal site is within area 5 (Gillygate), which is formed of a mix of 18th and 19th Century shopping and residential streets. The buildings are generally set at or slightly back from the street and display a variety of architectural styles, with many retaining their original character and historic features. The traditional detailing and the busy nature of the area contribute to the significance of the CA.
4. The proposed replacement windows are said to be high-quality woodgrain-effect uPVC sliding sashes that, according to the appellant, would be virtually indistinguishable from the existing painted timber windows. uPVC, however, has a more uniform, even appearance than painted timber. Although the existing windows would be painted in a gloss finish rather than the matt finish as they currently appear, timber as a material has a natural, irregular grain. Furthermore, uPVC would not weather in the same way as wood.
5. Although the appeal building is more modern than the predominantly historic buildings nearby, it makes use of traditional materials that are a significant positive contributor to the character and appearance of the CA. As a three-storey building sited a short distance back from the highway on a principal arterial road, it has a prominent position in the CA. Given the number of windows that are proposed to be replaced, many of which would be on the upper floors and clearly visible from public vantage points, even if they had similar dimensions and profiles as the

existing windows, they would fail to preserve and would instead detract from the historic character of the CA.

6. My attention has been drawn to a number of nearby examples of non-traditional window materials. The full circumstances of these developments are not however before me, with the Council setting out that a number of these referenced examples are historic, such as at No. 43. More recent examples, such as the neighbouring Tesco building at Nos 45-49 have modern aluminium windows, but from the information provided, it is evident that the style of the building formed a key part of the Council's assessment. This included significant flat roof elements that I was able to see at the time of my visit. In any event, the use of non-traditional materials serves to demonstrate the harm that would be caused by the proposal in an area where traditional timber construction predominates. Other examples cited are either larger-scale development¹ not comparable to this appeal proposal, or situated in a different character area to that where the appeal site is.
7. The proposal therefore would fail to preserve the character and appearance of the CA. In terms of the National Planning Policy Framework (Framework), I assess the harm to be less than substantial, with it being on the lower end of the scale of less than substantial. Even so, great weight should be given to an asset's conservation. Paragraph 215 of the Framework advises that the harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
8. The appellant has referenced the energy saving and safety properties of the proposed windows, but there is no substantive evidence before me which sets out why timber windows cannot deliver the same benefits. The appellant also considers the proposal would provide a maintenance advantage; however, this would be a private benefit, and irrespective of the windows' condition over time, the use of non-traditional materials would be harmful.
9. Taking the stated benefits in connection with the appeal scheme together, I am not persuaded there are public benefits of sufficient magnitude to outweigh the great weight to the assets' conservation and considerable importance and weight to the less than substantial harm identified to their significance. Accordingly, within the context of my duties under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I conclude that the proposal would fail to preserve the character and appearance of the CA. Hence, it would conflict with Policies D1, D4 and D11 of the Council's Local Plan and the Framework, which seeks development proposals within conservation areas to preserve or enhance those elements which contribute to the character and appearance of the conservation area.

Conclusion

10. I conclude that the proposal does not accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. The appeal is dismissed.

F Rafiq INSPECTOR

¹ LPA Ref: 19/02750/FULM