
Appeal Decision

Site visit made on 27 January 2015

by Mark Caine BSc (Hons) MTPL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 February 2015

Appeal Ref: APP/M2325/A/14/2218727
Flat 2, 8 Riversleigh Avenue, Lytham, Lancs

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Lorin Smith against the decision of Fylde Borough Council.
 - The application Ref 14/0128, dated 5 February 2014, was refused by notice dated 24 April 2014.
 - The development proposed was originally described as “replacing wood frame windows with PVC (retrospective) in first floor flat, 3 windows in front bay, single adjacent window, rear elevation window”.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The development has been carried out.

Main Issue

3. The main issue in this appeal is the effect of the uPVC windows on the character and appearance of the Lytham Avenues Conservation Area.

Reasons

4. The appeal relates to the first floor flat within a semi-detached property that is located within the Lytham Avenues Conservation Area (LACA). The LACA comprises predominantly 19th Century houses, the form, scale, materials and detailing of which, along with their uniformed size, scale and layout are defining features of its character and appearance. The dwellings vary in regards to their architectural style and detail, however there are consistent original features including the projecting ground and first floor bay windows.
5. Although slightly diluted by some recent unsympathetic alterations, timber vertical sliding sash windows are evident in a number of properties within the LACA. The sash windows have typically slender meeting rails, with the box set into the walls and are finished with white paint. From the street the glazing appears to be held by elegant and narrow frames.
6. However unlike these, the frames of the installed uPVC windows are wide. In particular the tops and sides of the frames and the meeting rails appear uncharacteristically heavy. The glazed panes are not set behind each other, offering little depth, and their method of opening would break the plane of the

window, jutting out of the face of the building. As a result the plastic frames have an inappropriately crude, heavy and overly prominent appearance that fail to preserve or enhance the character and appearance of the conservation area.

7. Nonetheless, the impact is relatively localised and I consider that the harm caused to the character and appearance of the wider Conservation Area would be less than substantial. Where any harm to the significance of a designated asset would be less than substantial, paragraph 134 of the National Planning Policy Framework (the Framework) states that this harm should be weighed against any public benefits of the proposal. However, no public or other benefits associated with the proposal have been put forward to be weighed against this harm.
8. I therefore conclude that the uPVC windows have a detrimental effect on the character and appearance of the Lytham Avenues Conservation Area. As such it conflicts with the aims of Policy EP3 of the Fylde Borough Local Plan As Altered 2005 (Local Plan). Amongst other matters, this requires new development within or affecting the setting of the designated conservation area to appropriately conserve or enhance its character and appearance.
9. On my accompanied site visit the appellant pointed out a number of other properties within the locality that have similar uPVC windows, including those at 10 Riversleigh Avenue and Riversleigh Court. However I have not been provided with the full details of the circumstances that led to those developments being accepted. In any event, those that I saw served to confirm that such windows do have a harmful effect on the character and appearance of the surrounding area. I do not consider their presence to be a reason for justifying further harm to the conservation area.
10. The appellant is also dissatisfied with the Council's determination of the application outside of the 8 week period. However, this is a matter that would need to be pursued with the Council in the first instance. I confirm that in this respect, I have only had regard to the planning merits of the proposal that is before me.
11. For the reasons given above, the appeal should be dismissed.

Mark Caine

INSPECTOR

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