
Appeal Decision

Site visit made on 23 September 2014

by Mrs A Fairclough MA BSc(Hons) LLB(Hons) PGDipLP(Bar) IHBC MRTPI

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

Decision date: 23 October 2014

Appeal Ref: APP/M2325/A/14/2217398

Flat 2, 28 St Annes Road East, Lytham St Annes, Lancashire FY8 1UR

- 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 Miss Rebecca Davies against the decision of Fylde Borough Council.
 - The application Ref: 13/0442 dated 9 July 2013, was refused by notice dated 16 January 2014.
 - The development proposed is the replacement of existing single glazed, white painted, wooden windows with double glazed white UPVC windows of the same design. UPVC will be screwed to the existing frames.
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Procedural Matters

1. The address on the planning application form refers to No 28 St Annes Road East. However, the appeal proposal relates to a first floor flat within that property. Therefore, I have included the correct address in the banner heading above, as detailed in the reason for refusal by the Council and the appeal form. It is on this basis that I determine the appeal.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue is whether the appeal proposal would preserve or enhance the character or appearance of the St Annes Road East Conservation Area.

Reasons

4. No. 28 St Annes Road East is a mid-terraced property, which is located within the St Annes Road East Conservation Area (SARECA). The SARECA is a linear conservation area that stretches along part of St Annes Road East, a tree-lined principal road in the town, and includes many dwellings. These dwellings vary in terms of type, age, character, style and design and many date back to the mid-late 19th Century and early 20th Centuries. They are set back from the road behind well-defined boundaries and have long front gardens. This allows for largely uninterrupted views of many of the buildings, including the terrace within which the appeal property is situated.
5. No 28 is constructed in stone, brick and slate. It is one of an original terrace of 7 properties, which was built as a single composition and is homogeneous in style and character. The property has 4 floors, including a basement and it is divided into 3 flats.

6. The terrace has many architectural details and the use of these embellishments emphasises the importance of the terrace within the locality. The windows are also important. They vary in size so that largest window is the bay window on the ground floor and they reduce in size on the upper floors. Although some of the windows in the terrace have been replaced, several of the properties retain the original sliding sash windows. Overall the fenestration is a vital part of the architectural style and design of the terrace and as such forms an important constituent element, which contributes to the overall character of the SARECA.
7. The appeal proposal relates to Flat 2, which is located on the first floor and comprises the replacement of the existing single glazed, timber windows on the front and rear elevations with double glazed windows in UPVC. The submitted drawings indicate that the windows in the main part of the building, serving a lounge and a bedroom, would appear as 4-pane, double-glazed, casement windows with a top hung casement opening on the lower half. The windows in the rear outrigger, serving the hall, toilet and a bedroom are not original. These timber windows would also be replaced by 2-pane, top hung casements in UPVC. The appellant states that the windows in the main part of the building would match the existing and would have slender frames and glazing bars. However, the nature of UPVC means that the frames would have a flat, uniform appearance and lack the finesse of the detailing found in the existing, timber windows especially the original sliding sash windows. Moreover, the central mid-range hinge system would appear heavy and discordant. The introduction of such a modern material, with the drawbacks set out, would appear contextually incongruous.
8. Moreover, although the Council describes the proposed glazing bars as decorative not structural, it is not clear from the submitted details whether the glazing bars in the larger windows would divide the glazing into separate units, would sit on top of the glass or would be positioned between the glass in the glazed units. If they were part of the frame, they would appear crude when compared with the original glazing bars. If they were stuck onto the external face of double glazed unit, they would create a false vertical glazing strip, which would appear flimsy. Furthermore, if inserted inside the glazed unit they would lack the depth and shading of traditional glazing bar profiles. Thus overall the proposed windows would appear incongruous.
9. With regard to the windows in the rear outrigger, the basic angular profile, in the smaller window openings would lack the detail and patina of timber windows. This is a further disadvantage of the scheme.
10. Furthermore, several of the replacement windows would open differently from the existing windows. Specifically, the method of opening by top hung casement on the bottom half of the window would break the plane of the window when in the open position. Consequently, when one or more of the windows are open, they would appear dominant and prominent. This would emphasise the incongruity of the material and the design of the windows within the building, the terrace and the streetscene on St Annes Road East. As a consequence, the proposal would cause harm to the character and the appearance of the SARECA.
11. This would fail to meet the requirements of Policy EP3 of the *Fylde Borough Local Plan As Altered 2005* (LP) not to adversely affect the appeal property or

- the street scene or the surrounding environment and to appropriately conserve or enhance the character or appearance of the locality.
12. It would also not accord with the Council's *Supplementary Planning Guidance entitled Windows, Doors and Architectural Joinery* dated 2001 (SPG), which states that the removal of original joinery detailing and replacement with non-traditional components can materially affect the character of the townscape.
 13. Thus the appeal proposal would cause harm to the significance of the SARECA. The Courts have held that considerable importance and weight should be attached to the desirability or preserving or enhancing the character or appearance of conservation areas as cited in s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
 14. In the language of *The National Planning Policy Framework* (The Framework), the harm the proposal would cause to the significance of the designated heritage asset would be less than substantial on the basis that the character and appearance of the SARECA as a whole would be preserved. Paragraph 134 of The Framework states that where a proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.
 15. The appeal proposal would provide limited public benefits including improved energy efficiency and the associated improvement to the living accommodation. Paragraph 95 of the Framework states that local planning authorities should actively support energy efficiency improvements to existing buildings. However, the appeal proposal would not provide sufficient benefit to outweigh the less than substantial harm that would be caused. I reach that conclusion not least because, if replacement is deemed necessary, then the same benefits could be provided by windows that paid some attention to their aesthetic and historic context. On this basis I do not consider that this public benefit would outweigh the less than substantial harm that would be caused to the significance of the designated heritage asset.
 16. I note the references to UPVC windows that have been installed on the property immediately adjacent to No 28 and others in the locality and I took some time to look at these at the site visit. Whilst the appellant suggests an inconsistent approach has been taken by the Council, I note that the Council refers to the fact that the adjacent terraced property has not been granted permission for UPVC windows. In addition there is no evidence before me to indicate that windows in other properties have been granted permission to change timber windows for UPVC windows in the SARECA. I also note the Council's reference to an appeal decision relating to replacement windows of a different type within the Borough of Fylde. However, it is incumbent upon me to deal with the proposal at issue on its own merits.

Other Matters

17. The appellant expresses concern over the time it has taken the Council to determine the originating planning application. However that is not a matter for my consideration.

Conclusions

18. Therefore, I conclude that the appeal proposal would not preserve or enhance the character or appearance of the SARECA. It would be contrary to the

abovementioned LP Policies, the SPG and the Framework. For the reasons set out above, the appeal is dismissed.

Mrs A Fairclough

INSPECTOR

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