
Appeal Decision

Site visit made on 25 April 2017

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 30th May 2017

Appeal Ref: APP/M2325/W/17/3167594
24 Wood Street, Lytham St Annes, FY8 1QR

- 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 Keith Robinson against the decision of Fylde Borough Council.
 - The application Ref 16/0489, dated 30 June 2016, was refused by notice dated 6 January 2017.
 - The development proposed is described as "replacement windows to Wood Street elevation. Retrospective application."
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The development has already been implemented and the appeal is therefore retrospective in nature.

Main Issue

3. The main issue is whether the development would preserve or enhance the character or appearance of the St Annes (Town Centre) Conservation Area.

Reasons

4. The appeal property is located within the St Annes (Town Centre) Conservation Area, which encompasses the historic core of the town. St Annes was originally planned as a Victorian seaside resort, and it retains much of its original character. The conservation area is characterised by attractive 3 and 4 storey terraces with bay windows and period detailing. The appeal properties comprise part of one such terrace. They are attractive Victorian properties, with interesting gable and window detailing, that are visible in longer views along Wood Street. In my view they clearly make a positive contribution to the special character of the conservation area.
 5. The terraces in the conservation area mostly contain traditional timber windows. Whilst a number of the properties along Wood Street now have uPVC windows at upper floor levels, the Council state that these have been installed without planning permission. This has not been disputed by the appellant.
 6. The appeal property contains uPVC windows at first and second floor levels that have replaced traditional timber windows. In this regard, the Council has provided photographic evidence of how the previous windows looked. In
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comparison, the replacement uPVC windows have introduced bulkier frames that are modern in appearance. This is particularly apparent in relation to the casement openings, which appear cumbersome and unsympathetic. The uPVC windows that have been installed on the larger bay windows at the north eastern end of the terrace are particularly harmful. These windows, which are not separated by stone or brick mullions, are more sensitive to the introduction of the bulkier frames. The breaks that have been created across the centre of some of the upper panes are also prominent and incongruous. For these reasons, the appeal windows would compound the harm to the conservation area that has already been caused by other uPVC windows installed without consent.

7. The replacement of traditional fenestration with uPVC windows in some of the surrounding properties (without consent), has not altered the character of the area to such an extent so as to justify the development. Whilst the adjoining properties in the terrace have uPVC windows, these were also installed without consent. In any case, these properties occupy smaller part of the terrace than the appeal buildings.
8. The appellant states that the former timber windows were in a poor state of repair; however, there is no evidence before me to corroborate this. In addition, the previous refurbishment of the buildings to a high standard does not provide a justification for other harmful alterations.
9. My attention has also been drawn to a recent appeal decision in a neighbouring authority (ref APP/U2370/C/12/2181438). The full details of that case are not before me. However, I note that it related to a large and prominent building that was taller than the surrounding properties. It is also some distance away from the appeal property and the St Annes (Town Centre) Conservation Area. In any case, I have come to my own view on the appeal proposal, rather than relying on the view my colleague came to elsewhere.
10. For the above reasons, I conclude that the development would fail to preserve the character and appearance of the conservation area. This harm would be less than substantial when considered against paragraphs 132 – 134 of the National Planning Policy Framework ('the Framework'). However, there are no public benefits that would outweigh the harm to the conservation area in this case.
11. I conclude that the development would be contrary to Policy EP3 of the Fylde Borough Local Plan (2003). This policy seeks, amongst other things, to ensure that new development preserves the historic environment and complements the surrounding area. It would also be at odds with guidance in the Framework relating to designated heritage assets.
12. In coming to that view, I have had regard to the Council's Windows, Doors and Architectural Joinery Supplementary Planning Guidance (SPG) (2001). However, it is unclear whether this document has been subject to public consultation and the Council has not responded on this point. In these circumstances, I attach only limited weight to the SPG.
13. The Council has also drawn my attention to Policy EN5 of the emerging Fylde Local Plan to 2032, which has recently been submitted to the Secretary of State for examination. In this regard, paragraph 216 of the Framework states that weight may be given to relevant policies in emerging plans according to

their stage of preparation, the extent to which there are unresolved objections, and the degree of consistency with the Framework. In this case however, I have no information before me regarding the extent of any unresolved objections to emerging Policy EN5. Accordingly, I attach only limited weight to it.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR