The Planning Inspectorate

Appeal Decision

Site visit made on 20 February 2025

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 March 2025

Appeal Ref: APP/Y3805/W/24/3354936
5 West Street, Shoreham-by-Sea, West Sussex BN43 5WF

- 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 S Bromley against the decision of Adur District Council.
- The application Ref. is AWDM/0285/24.
- The development proposed is replacement front windows.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the Shoreham Conservation Area.

Reasons

3. The Notice of Refusal refers to Policies 1, 15 & 17 of the Adur District Local Plan 2017 ('the Local Plan') and the latter two are specific in their requirement for development to maintain the quality of the built environment and public realm (Policy 15) and to be of a high standard of design and materials so as to respect, preserve and enhance the character and appearance of Conservation Area ('the CA') (Policy 17). In the National Planning Policy Framework, revised December 2024, ('the Framework'), paragraph 213 explains that any harm to the significance of a 'designated heritage asset' (of which the CA is an example) should require clear and convincing justification.

4. I saw on my visit that No. 5 West Street is a traditional building of considerable merit, much of which derives from the symmetry of its fenestration, the mouldings over the windows and front door and the visual quality of the windows' vertical sliding sash design. Furthermore, the building's frontage is very much part of the public realm, with only a minimal distance to the street.

5. In these circumstances, I consider that both the proposed double glazing and the use of uPVC would be readily apparent and consequently this use of non-traditional materials cannot reasonably be said to preserve the character or the appearance of the host building and therefore the CA.

6. The grounds of appeal place much emphasis on the use of uPVC for other windows in the CA allowed on application to the Council, including in West Street. However, I note that of these the most recent was eight years ago and the others include an example from 1998. With one exception all appear to

predate the 2017 adoption of the Local Plan. With the Local Plan in place there is now a more coherent and compelling argument for individual applications to comply with its policies.

7. I have noted the appellant's reference to 31 of the 38 houses on the west side of West Street having uPVC windows, but in deciding this appeal I must have regard not only to West Street but to the CA as a whole. And whilst I understand the point being made, there is the counter view that this erosion of the traditional character of the buildings makes it all the more important for those timber framed windows that remain in West Street to be preserved. I consider the narrowness of West Street and its context of being one of the older and more characterful roads in Shoreham to be an example of where that alternative view might reasonably prevail.

8. I have also considered the more general argument raised by the appellant of permitted development rights that allow houses but not flats to have uPVC windows. However, this raises wider issues of the use or otherwise of Article 4 Directions within CAs to withdraw such rights and these are outside the remit of this appeal. On its individual merits, I consider that the appeal proposal would cause harm to both the character and appearance of the CA in conflict with Local Plan Policies 1, 15 & 17 and thereby adversely affect its significance.

9. This harm would be 'less than substantial harm' as referred to in paragraph 212 of the Framework and paragraph 215 says that this harm should be weighed against the public benefits of the proposal. There is a very small public benefit in the reduction of energy use from the more effective insulation of the flats, but I do not consider that this outweighs the harm caused to the CA. As regards the consultation reply from the Adur District Conservation Advisory Panel recommending approval of the application, the absence of any supportive argument or analysis means that I can only give the Panel's view very limited weight in making my decision.

10. I have taken account of all other matters raised, but for the reasons explained I conclude on balance that the appeal should fail.

Martin Andrews

INSPECTOR