



The Planning Inspectorate

Appeal Decision

Site visit made on 12 January 2016

by **Andrew Steen BA(Hons) DipTP MRTPI**

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

Decision date: **21 January 2016**

Appeal Ref: APP/V2255/D/15/3139164
13 Briton Road, Faversham, Kent ME13 8QH

- 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 Mrs G Pinder against the decision of Swale Borough Council.
 - The application Ref 15/506443/FULL, dated 23 July 2015, was refused by notice dated 5 October 2015.
 - The development proposed is replacement of 5 box sash windows with heritage range of timber box sash windows to match existing.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether the proposed windows would preserve or enhance the character and appearance of the Faversham Conservation Area.

Reasons

3. Briton Road is located within the Faversham Conservation Area and is one of a series of roads that comprise long rows of terraced housing dating from the late 19th century. These houses are of similar appearance and originally had timber sash windows similar to those that remain on the application property. Windows have been replaced on a number of houses in a variety of materials, although a significant proportion retain their traditional timber sash windows and contribute to the character and appearance of the conservation area.
 4. The Council has issued an Article 4(2) Direction that has not been provided, but I understand this restricts installation of replacement windows without first obtaining planning permission.
 5. I have been provided with a previous appeal decision on this property to replace the windows with uPVC double glazing. This was dismissed as that Inspector considered that those windows would not preserve or enhance the character or appearance of the Faversham Conservation Area.
 6. The proposal before me is for timber replacement windows, whose design aims to replicate that of the existing windows in the property whilst providing the benefits of modern double glazed units, specifically designed for use in listed buildings and conservation areas. Whilst the design is similar to that of the existing units, there would be small changes comprising the detailed size and
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profile of the respective components and the use of stuck on glazing beads rather than glazing bars and putty. In addition, the proposed glazing bar profile to be used is not clear from the information provided. As such, there would be a change to the character and appearance of the property that would not preserve or enhance the character and appearance of the conservation area. I accept that the replacement of sash weights with spring balances is unlikely to be visible, so that element would preserve the character or appearance of the conservation area.

7. My attention has been drawn to other windows in the locality that have been replaced in the past, most of which the Council have suggested pre-dated the Article 4(2) direction. The Council have granted planning permission for a number of timber double glazed units, similar to those proposed, but it would appear that these replaced previous poor quality windows that, based on the evidence before me, enhanced the character or appearance of the conservation area compared to the existing situation. Consequently, this does not outweigh the harm I have found. My attention was drawn to the replacement windows at 33 Norman Road, where the Council state that those so closely resembled the original windows that they did not require planning permission.
8. The harm to the conservation area is less than substantial given that the proposed windows are similar to the original windows. The appellant refers to the poor condition of the existing windows, the cost of repair and the benefits from the proposed windows in making the home warmer, more comfortable, more secure, less noisy and less expensive to run. However, there is limited information about the condition and costs and some of these benefits have not been quantified. The public benefits are not sufficient to outweigh the harm that I have found.
9. For the above reasons, I conclude that the proposed windows would fail to preserve or enhance the character or appearance of the Faversham Conservation Area. As such, the proposal would be contrary to Policies E1, E15 and E19 of the Swale Borough Local Plan (LP) that seek to promote and reinforce local distinctiveness, strengthen the sense of place and preserve or enhance features that contribute positively to the area's special character and appearance, in particular paying special attention to the use of detail in development.

Conclusion

10. For the above reasons and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Andrew Steen

INSPECTOR