



Appeal Decision

Site visit made on 14 June 2016

by C Jack BSc(Hons) MA MA(TP) MRTPI

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

Decision date: 25 July 2016

Appeal Ref: APP/V2255/W/16/3145567

61 Newton Road, Faversham, Kent ME13 8DZ

- 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 Steven Avey against the decision of Swale Borough Council.
 - The application Ref 15/509742/FULL, dated 1 September 2015, was refused by notice dated 25 February 2016.
 - The development proposed is described as 'Replacement of timber single glazed windows to triple glazed uPVC windows. The new window style will remain the same or as close as possible. Wooden front door replacement with a composite door. The new door style will remain the same or as close as possible.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Faversham Conservation Area.

Reasons

3. Newton Road lies within the Faversham Conservation Area (FCA) and is characterised by a variety of Victorian buildings, many of which retain traditional timber windows and doors. No. 61 is a relatively modest end of terrace property, typical of this part of the road, which fronts almost immediately onto the street.
 4. In 2007 the Council introduced a Direction under Article 4(2) of the General Permitted Development Order 1995, affecting residential properties in the FCA. Amongst other things, this has removed householders' permitted development rights to carry out certain works to elevations that front a highway, including the installation of replacement windows and doors. The Article 4(2) Direction demonstrates the importance placed by the Council on the contribution that public frontages of properties make to the character and appearance of the FCA and I have given this considerable weight.
 5. The front door and windows at No. 61 are timber and of traditional design and proportions. I have no evidence before me to suggest that they are not capable of retention.
 6. I note the appellant's intention for the style of the replacement windows and door to 'remain the same or as close as possible' to the existing. Nonetheless, I consider that the design and materials proposed are not appropriate for the host property and so would fail to achieve that outcome. The window frames and
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Appeal Decision APP/V2255/W/16/3145567

opening light detailing would appear inelegant in the street scene and would detract from the appearance of No. 61 and the FCA. The development would be inconsistent with the Swale Borough Council Planning and Development Guidelines No. 8 'Conservation Areas', which advises that, in general, the original proportion and style of windows should be repeated and that sound, older windows should, whenever possible, be retained and repaired.

7. The presence of UPVC windows and doors at various other properties in the FCA does not justify similar alterations at No. 61. I accept that there are examples of such replacements having been installed, including in the same terrace as No. 61. However, I consider that these are clearly distinguishable from the traditional timber examples and demonstrate the material harm that can be caused to character and appearance by such development. In addition, I cannot know whether these changes were made before the Article 4(2) Direction took effect, and no evidence has been submitted to indicate that they have been permitted subsequently. Accordingly, I have given only limited weight to such other examples.
8. For these reasons, I consider that the proposed replacement windows and front door would harm the character and appearance of No. 61 and of the FCA. However, I quantify the extent of this harm to the FCA as being less than substantial in the context of paragraphs 133 and 134 of the National Planning Policy Framework because the proposed development would resemble the existing door and windows to a degree.
9. I recognise the associated benefits of improved security, energy efficiency and noise insulation to No. 61. However, these are limited in their scope as public benefits and there are other strategies available to achieve such outcomes without removing traditional windows and doors. Accordingly, these benefits do not outweigh the harm to the character and appearance of the FCA that I have identified.
10. I conclude that the proposed development would fail to preserve or enhance the character or appearance of the Faversham Conservation Area. It is therefore contrary to Policy E15 of the Swale Borough Council Local Plan 2008 (LP), which seeks to preserve all features that contribute positively to the special character or appearance of Conservation Areas, including through special attention to details and materials. It would also be contrary to LP Policies E1 and E19, which seek, among other things, high quality design and to reinforce local distinctiveness and architectural features of interest.

Conclusion

11. For the reasons given above, and having regard to all matters raised, I conclude the appeal should be dismissed.

C Jack

INSPECTOR