

Appeal Decision

Site visit made on 6 December 2016

by J J Evans BA (Hons) MA MRTPI

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

Decision date: 22 December 2016

Appeal Ref: APP/C1760/D/16/3161627

1 Fairlawn Close, Rownhams SO16 8DT

- 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 and Mrs Webb against the decision of Test Valley Borough Council.
 - The application Ref 16/01427/FULLS, dated 9 June 2016, was refused by notice dated 1 September 2016.
 - The development proposed is described as "the installation of new energy efficient double glazing and doors to existing property, and the formation of a new window opening in the south-western flank elevation at first floor level in association with the continued construction of the two storey rear extension including amendments to either flank".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Some permitted development rights for the estate were removed by condition in the 1970s to protect its character and appearance, and the Council have explained that the proposed alterations to the windows of the appeal property would be development. However, the cases of both the main parties have referred to both the windows and doors. On the basis of the evidence before me I have considered the appeal with regard to the proposed new doors and windows as requested on the application form and as referred to in the cases of both parties.
3. It was apparent from my visit that grey windows and doors had been installed into the property. Notwithstanding this, I have confined myself to the consideration of the appeal with regard to the proposal before me, rather than what has occurred on site.

Main Issue

4. The application proposes fenestration changes to the rear extension as well as replacement windows and doors in the main house. The Council have raised no objection to the proposed alterations to the rear extension with regard to the effect upon the living conditions of nearby residents. Therefore from the evidence before me the main issue in this case is the effect of the proposed windows and doors, including those windows in the rear extension, on the character and appearance of the surrounding area.
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Reasons

5. The appeal property is an extended detached house positioned within a large residential estate comprising houses and bungalows of similar styles and ages. 1 Fairlawn Close is at the end of a short row of houses, close to the corner formed by the junction of Fairlawn Close and Bakers Drove. Due to its position, No 1 is a prominent building within the estate.
6. A number of nearby properties have been extended, but despite this, a noticeable characteristic of the estate is the similarity of the dwellings within it. The repeated forms, materials and designs, and the presence of front and rear gardens has an attractive visual cohesion. Contributing to this is the repeated presence of white multi-pane Georgian style windows and doors that are found on most of the dwellings. Taken as a whole, the estate has a carefully planned and homogenous appearance with a distinct character that is very different to the more varied nature of the nearby residential development.
7. The provision of grey casement windows to No 1 harmfully erodes the cohesive appearance of the estate. The dark colour and the large window panes are noticeably different from the white multi-paned windows and doors present on the surrounding properties. Although there are varying styles of doors present within the estate, in most cases the differences are not so great that they detract from the visual cohesion.
8. I accept many of the windows and doors are not originals but replacements as apparent from the variation in means of openings and use of upvc. Nevertheless, the repetition of multi-paned white windows on most of the dwellings is a distinctive characteristic of the estate that the presence of grey large paned casements would unacceptably erode. Moreover, the windows and doors of No 1 are so different that they harmfully draw the eye. The appellants and some local residents consider they have a modern, up-to-date appearance, but even though energy efficient and high quality, this does not outweigh the harm I have found.
9. The appellants consider they were inconsistently advised by the Council with regard to whether replacement windows and doors needed planning permission. This and concerns as regards the Council's handling of the case, and whether planning permission has been required for replacement doors and windows elsewhere in the estate, fall to be pursued by other means separate from the planning appeal process and are not for me to consider.
10. An objective of the National Planning Policy Framework (the Framework) is that development should respect the local character and distinctiveness of an area. Moreover, Policy E1 of the Test Valley Borough Revised Local Plan (2016) (LP) requires the provision of high quality development that respects and integrates with local distinctiveness and the character of an area. This is a requirement in all cases irrespective of whether there is local support for a scheme. The proposed windows and doors would unacceptably harm the character and appearance of the area, thereby failing to accord with an objective of the Framework and the requirements of LP Policy E1. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR