
Appeal Decision

Site visit made on 13 December 2016

by B Bowker Mplan MRTPI

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

Decision date: 18 January 2017

Appeal Ref: APP/Z0116/W/16/3157864
19A Whatley Road, Clifton, Bristol BS8 2PS

- 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 Kirsteen Wright against the decision of Bristol City Council.
 - The application Ref 16/02975/F, dated 1 June 2016, was refused by notice dated 21 July 2016.
 - The development proposed is described as *'replace the front elevation, lower ground floor/basement level timber sash windows with UPVC sash windows'*.
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Decision

1. The appeal is allowed and planning permission is granted for development described as *'replace the front elevation, lower ground floor/basement level timber sash windows with UPVC sash windows'*, at 19A Whatley Road, Clifton, Bristol BS8 2PS, in accordance with the terms of the application Ref 16/02975/F, dated 1 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan 1:1250, Site Block Plan 1:500, Existing Sash Window Detail, Proposed Sash Window Detail received 5 December 2016, Existing and Front Elevation received 5 December 2016.
 - 3) All new external work, finishes and work of making good shall match existing original work, and that of the existing replacement windows to the rear of the property known as 19A Whatley Road, in respect of materials used, detailed execution and finished appearance except where indicated otherwise on the approved drawings.

Procedural matter

2. Additional drawings have been submitted by the appellant during the appeal process. These drawings clarify the proposed detailing for the central window which was not clear in the originally submitted photocopied drawing. The Council have had an opportunity to comment on the drawings. Consequently, as the drawings are for clarification purposes, I do not believe that any party would be unfairly prejudiced by my determining of the appeal with regard to the additional drawings and I have done so on this basis.
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Application for costs

3. An application for costs was made by Kirsteen Wright against Bristol City Council. This application is the subject of a separate decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the Whiteladies Road Conservation Area (WRCA).

Reasons

5. The appeal site is a maisonette that occupies the lower and upper ground floor of a four storey mid terraced dwelling. The traditional and slender design of windows at the appeal site and wider terrace contributes to the orderly and attractive appearance of the surrounding residential area. Dwellings in the surrounding area predominantly have timber framed windows. Of relevance to the proposal, the WRCA appraisal notes that the parallel arrangement of buildings to the street and their subtle combination of domestic qualities harmonise well with the ground level environment.
6. The windows proposed would be the same as those to the rear of the property that have been previously approved by the Council. I saw the windows to the property's rear during my site visit, and whilst the opening sections of the approved windows are slightly thicker, as a whole the windows are very similar in appearance to the adjoining timber windows.
7. The uPVC surround would incorporate wood grain detailing and timber style mechanical joints. In addition, the protrusion of the glazing bars beyond the glass face, use of vertical sliders and other small design details such as putty effect glass lines would mimic features in the timber counterpart. Combined, these design details would ensure the proposal would not have a manufactured appearance. The Council refer to an appeal decision¹ in which the use of uPVC windows was considered harmful to a conservation area. However, the windows in that case were much wider than the original timber windows.
8. The appeal decision² referred to by the appellant involved a conservation area where uPVC windows were more prevalent. Nonetheless, the Inspector considered that the quality and design of the uPVC windows replicated the appearance of a timber window. This decision reinforces my reasoning above.
9. Moreover, the ground floor windows are set below eye level and are bounded by a low stone wall and hedgerow to the front and side including to the front of 21 Whatley Road. I also note that the boundary hedgerow formed part of approved front garden redesign application. As such, the proposal would not be a particularly visible feature from the public realm.
10. I am aware of my statutory duty to have special regard to the desirability of preserving conservation areas. In this respect, the absence of harm as reasoned above would ensure the proposal preserves the WRCA.
11. Therefore I conclude that the proposal would not have a harmful effect on the character and appearance of the WRCA. Consequently the proposal would meet the requirements of Bristol Core Strategy Policies BSC21 and BCS22,

¹ APP/Z0116/C/11/2167349

² APP/Z0116/W/15/3136432

Policies DM26, DM30, DM31 of the Site Allocations and Development Management Policies Local Plan and paragraph 129 of the National Planning Policy Framework. Combined, these policies require development to deliver high quality urban design that contributes to local character and safeguards or enhances heritage assets such as conservation areas.

Conditions

12. The conditions included above are based on those as suggested by the Council. I have imposed a condition specifying the relevant drawings as this provides certainty. To preserve the character and appearance of the WRCA, the Council's suggested external works condition is included and has been amended in the interests of precision. This condition would ensure that the proposed windows would match those recently installed at the ground and lower ground floor at the property's rear.

Conclusion

13. For the reasons given above, and having taken all matters raised into account, I conclude the appeal should be allowed subject to the noted conditions.

B Bowker

INSPECTOR