

Appeal Decision

Site visit made on 22 February 2017

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 8 March 2017

Appeal Ref: APP/Y0435/D/16/3166245
13 Green Lane, Wolverton MK12 5HN

- 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 Wajid Hussain against the decision of Milton Keynes Council.
 - The application Ref 16/02898/FUL, dated 7 October 2016, was refused by notice dated 13 December 2016.
 - The development proposed is replacing the original timber sash windows with uPVC sash windows facing the front ground floor and first floor with uPVC windows designed to replace the original with like for like windows.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is whether the proposed development would preserve or enhance the character or appearance of the Wolverton Conservation Area.

Reasons

3. The appeal property is situated within the extensive Wolverton Conservation Area where there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. Policy HE6 of the Milton Keynes Local Plan (LP) echoes this statutory duty. The Conservation Area comprises a mix of residential, industrial, commercial and open space uses and its character and appearance are generally derived from this mix of uses, the regular blocks of Victorian/Edwardian terraced houses of a similar form and the use of similar external materials.
 4. The property comprises a 2-storey mid-terrace dwelling which is within an area of predominantly terraced dwellings with some variations in design and materials, particularly associated with ground floor bay windows. Fronting Green Lane some of the dwellings possess timber sliding sash windows of varying designs. By reason of their materials, design and details, the front elevations of the dwellings with timber windows, including the property, make a positive contribution to the Victorian/Edwardian character and appearance of the residential streetscene. There are also several properties where other types of windows have been fitted. These windows are generally uPVC with
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varying glazing patterns and opening mechanisms but there are some aluminium windows.

5. The design quality of other types of front window generally detracts from their host dwellings and the streetscene, including along Green Lane. However, it was noted within the wider area that there were a few dwellings where uPVC windows have been erected and these substantially retain the appearance of the more traditionally designed timber windows. In the absence of further details about their planning circumstances only limited weight has been given to these other schemes. The same weight is given to the appellant's claims about the erection of windows similar in design to the appeal scheme in other Conservation Areas because no specific details have been provided.
6. The specification drawings submitted with the appeal application do not appear to be consistent with the appellant's desire to erect uPVC windows that are identical to the appearance and detailing of the existing timber windows. The submitted drawings indicate uPVC windows that would be of a more contemporary design and appearance without details, such as sash horns, which currently exist. Based upon the drawings, when compared to the finer detailing of the timber front windows which exist, the contemporary design of the proposed uPVC windows inevitably results in clumsy detailing including deeper reveals and generally heavier sections. Mitred joints for the windows are also indicated on the drawings.
7. For these reasons, the erection of the front windows as proposed on the submitted drawings would reduce the property's current positive contribution to the streetscene and thereby fail to preserve the character and appearance of the Conservation Area. The appeal scheme would also conflict with LP Policy D2 which is directed at the design of both new buildings and extensions and, amongst other matters, requires proposals to relate well to and enhance the surrounding environment. This policy is consistent with the National Planning Policy Framework's core principle of securing high quality design.
8. This is a case where less than substantial harm would be caused to the significance of the Conservation Area and there is a need to weigh this harm against the public benefits of the appeal scheme. In this case the appellant has identified matters associated with easier maintenance, improved energy efficiency and reduced noise levels. However, these benefits are limited and some could equally be achieved by other well designed windows. Accordingly, the harm which has been identified would demonstrably and significantly outweigh the matters identified by the appellant.
9. For the reasons given, it is concluded that the proposed development would not preserve the character or appearance of the Wolverton Conservation Area and, as such, it would be contrary to LP Policies HE6 and D2. Accordingly, and having regard to all other matters, it is concluded that this appeal should fail.

D J Barnes

INSPECTOR