

Appeal Decision

Site visit made on 12 April 2017

by J A B Gresty MA MRICS

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

Decision date: 2 May 2017

Appeal Ref: APP/T3535/D/17/3169267
8 Swan Lane, Halesworth IP19 8LJ

- 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 Mrs Carol Smith against the decision of Waveney District Council.
 - The application Ref DC/16/3920/FUL, dated 19 September 2016, was refused by notice dated 6 January 2017.
 - The development proposed is replacement front windows.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposed development on the application form dated 19 September 2016 includes replacement of the front door. It is apparent that this part of the proposal was withdrawn prior to the Council issuing its decision on 6 January 2017. For the sake of clarity I confirm that replacement of the front door has not been considered at this appeal.

Main Issue

3. The main issue in this case is the effect of the replacement windows on the character and appearance of the Halesworth Conservation Area.

Reasons

4. The appeal property is a small, two-storey, semi-detached cottage situated in the Halesworth Conservation Area which is covered by an Article 4(2) Direction. The cottage fronts onto a narrow, pedestrian lane and forms part of a small group of 8 cottages. Although the cottages are of generally plain appearance and are situated in a back land position behind the properties on London Road, they complement the character and appearance the Conservation Area which I found to be characterised by its variety of attractive old buildings.
 5. The appeal concerns the retention of two replacement windows which have been installed in the front elevation of appeal property. Policy CS02 of the Waveney District Council Core Strategy Development Plan Document (DPD) requires new development to reflect local character and protect historic character. Also, DPD Policy CS17 expects new development to conserve and enhance the character and setting of the Halesworth Conservation Area.
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Further, Policy DM30 of the Waveney Development Management Policies (WDMP) requires replacement windows in Conservation Areas where Article 4(2) Directions are in place to be of suitable design and made of appropriate materials; applications being assessed with reference to the prominence of location and the historic and architectural value of the building concerned.

6. The new windows have stark, plain white upvc frames and are of distinctly different designs. The top window is a single pane with a narrow, horizontal glazing bar and appears to be inwards opening only. Whereas, the ground floor window has three panes, one of which appears to be a side hung outwards opening sash. Whilst most of the cottages on this part of Swan Lane have upvc framed windows, the designs of the two new windows neither reflect the appearance of the windows of the other cottages or traditional sliding sash windows which the appeal property would have been likely to have had in the past. Further, the windows do not reflect the appearance of the timber framed windows in the side elevation of the cottage which are visible from Swan Lane. Overall, the two windows stand out as stark and incongruous features which fail to complement the character or appearance of the host property or the other cottages nearby.
7. Whilst the appeal property is not in a prominent location within the Conservation Area and the cottages on Swan Lane appear to be of modest architectural and historical interest, the cottages are attractive and they contribute positively to the character and appearance of the Conservation Area. Although it is apparent that the two new windows have replaced relatively modern windows which did not reflect the appearance of traditional sash windows, the new windows fail to preserve the character and appearance of the group of cottages on Swan Lane with consequential harm to the character and appearance of the Conservation Area. Therefore, on balance, I conclude that the windows fail to meet the design requirements of DPD Policies CS02 and CS17 and WDMP Policies DM02 and DM30.

Other Matter

8. The appellant is affected by limited mobility which makes cleaning windows difficult. Her choice of windows took into account ease of cleaning. Whilst this is an important consideration for the appellant, other window designs can have good cleaning access capabilities built into them. Therefore, I attach limited weight to the appellant's concerns regarding her limited mobility in this case.

Conclusion

9. Whilst I appreciate that the windows which have been replaced were not of particular visual merit and that the appellant was unaware that her property was in a Conservation Area subject to an Article 4(2) Direction, these factors do not overcome the poor appearance of the windows and their failure to preserve the character or appearance of the Halesworth Conservation Area. Therefore, on balance and for the above reasons, I conclude that the appeal should be dismissed.

J A B Gresty

INSPECTOR