



Appeal Decisions

Site visit made on 18 July 2019

by G J Fort BA PGDip LLM MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2019

Appeal A Ref: APP/P2365/Y/18/3219370

4 Plox Brow, Tarleton, Lancashire PR4 6HB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr David Farrington against the decision of West Lancashire Borough Council.
 - The application Ref 2018/0501/LBC, dated 27 April 2018, was refused by notice dated 5 October 2018.
 - The works proposed are replacement of all existing rotten timber windows and doors with matching style (Anderson 400 Series) casement windows and entrance doors.
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Appeal B Ref: APP/P2365/W/18/3219374

4 Plox Brow, Tarleton, Lancashire PR4 6HB

- 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 David Farrington against the decision of West Lancashire Borough Council.
 - The application Ref 2018/0881/FUL, dated 7 August 2018, was refused by notice dated 5 October 2018.
 - The development proposed is the replacement of all existing rotten timber windows and doors with matching style (Anderson 400 Series) casement windows and entrance doors.
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Decisions

Appeal A Ref: APP/P2365/Y/18/3219370

1. The appeal is allowed and listed building consent is granted for the replacement of existing rotten timber windows and doors with matching style (Anderson 400 Series) casement windows and entrance doors at 4 Plox Brow, Tarleton, Lancashire PR4 6HB in accordance with the terms of the application, Ref 2018/0501/LBC, dated 27 April 2018, and the plans submitted with it, and subject to the conditions in the schedule to this decision below.

Appeal B Ref: APP/P2365/W/18/3219374

2. The appeal is allowed and planning permission is granted for the replacement of existing rotten timber windows and doors with matching style (Anderson 400 Series) casement windows and entrance doors at 4 Plox Brow, Tarleton, Lancashire PR4 6HB in accordance with the terms of the application, Ref 2018/0881/FUL, dated 7 August 2018, subject to the conditions in the schedule to this decision below.

Procedural Matter

3. A new version of the National Planning Policy Framework (the Framework) was issued in February 2019, after the date of the Council's decisions on the applications that led to these appeals. The Framework sets out¹ that it is a material consideration relevant to decision-taking from the date of its publication- and I will therefore take it into account in my assessment of the planning merits of the appeals. As the aspects of the Framework of most relevance to these appeals have remained the same from the previous to the current version, I consider that no prejudice would occur to the interests of any parties by my proceeding on this basis.

Main Issues

4. The main issues in both appeals are whether the replacement windows and doors would preserve 4 Plox Brow a Grade II Listed Building, and any features of special interest that it possesses; and whether they would preserve or enhance the character or appearance of Plox Brow Conservation Area.

Reasons

Special Interest and Significance

5. The appeal property is one of a pair of dwellings included on the statutory list at Grade II. According to the Listing Description the pair were originally one farmhouse, originating from the 17th Century- although with 18th Century and considerably more modern additions and alterations, most notably at the rear. The building's internal aspects, including the plan form and other features of No 6, are of particular note- and indeed the bulk of the Listing Description is directed to these features. However, the front elevation of Nos 4 and 6 is a characterful feature within which the pair of bow windows at ground floor, and other elevational openings in a more irregular pattern contribute much to the building's architectural interest. Moreover, in these respects the appeal building is a good example of the simple aesthetic of the Plox Brow Conservation Area within which it sits, which comprises a mixture of brick and render faced buildings- including those of a domestic and agrarian character within the immediate vicinity of the appeal building. Insofar as the appeal proposals are concerned these are the key aspects of the significance of the appeal building itself and the wider area.
6. Although I note the Council considers the uPVC front door at No 6 to be unauthorised, I saw that the windows and doors currently existing in the appeal building as a whole, and particularly No 4, are relatively modern examples, and vary in terms of their materials, design and finish including timber frames finished in paint or wood-stain. As a result of these aspects, the windows and doors present at the appeal dwelling do not contribute to the building's significance. Moreover, the variety of door and frame styles, finishes, and glazing employed in the appeal building reflects the eclecticism of the windows and doors I saw present in buildings in the wider Conservation Area.

¹ At paragraphs 2 and 212

The appeal scheme

7. As described above, the appeal scheme would see the comprehensive replacement of the existing timber windows at the site with double-glazed units, with a frame pattern which would match those currently installed. The external doors would also be replaced with timber ones. Timber elements of the replacement windows and doors would be finished with a protective vinyl coating.

The effect of the appeal scheme

8. I readily accept that the proposed windows would not have the reflective subtlety of windows which incorporate traditional multiple panes of single-glazing; and I note the Council's views regarding the honesty of through-glazed windows, as opposed to units with surface applied glazing bars and internal spacers, such as the ones proposed. Nevertheless, the windows currently present at the property are relatively modern insertions and I saw, due to the slimline double-glazing employed within them, that they have much flatter and less nuanced reflective properties than older multi-paned windows. In addition, although the existing windows are through-glazed, the glazing units installed further emphasise their modern appearance. As a consequence, I consider that the incorporation of the proposed glazing techniques would not result in a noticeable change when compared to the existing situation.
9. The windows and doors would be finished in a vinyl coating rather than paint. I saw a variety of finishes of timber elements at the appeal building including paint and wood-stain. In the Conservation Area more widely, there is an assortment of paint and other finishes to window frames and doors. Consequently, within this varied context, the proposed vinyl finish would not look overly shiny or reflective in comparison with other treatments, and would therefore not be out of place, either within the building itself or the wider streetscene. In arriving at this view, I am also mindful that the precise finish of the replacement windows and doors can be controlled through the imposition of conditions.
10. No material changes are proposed to the structural openings within which the proposed windows and doors would be fitted. This matter, taken together with the above considerations leads me to the view that the appeal scheme would not therefore undermine the elevational interest of the Listed Building. Furthermore, and subject to a condition requiring works of making good, the proposals would not result in any undue effects to the important internal features of the Listed Building.
11. Consequently, having regard to the duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990, these site and proposal specific reasons lead me to the conclusion on this main issue that the appeal scheme would preserve the Listed Building, its special interest and the character and appearance of the Plox Brow Conservation Area. As I have found no harm in these respects, I consider that the appeal scheme would not create a precedent for proposals that would cause harm to the significance of listed buildings and/or the Conservation Area.
12. Accordingly, the appeal scheme would not conflict with Policies GN3 and EN4 of the West Lancashire Local Plan (adopted October 2013), which taken together, and amongst other things require developments and works to avoid adverse

effects to listed buildings, and have regard to the historic character of the local townscape. Neither would the appeal scheme conflict with the Framework insofar as it requires heritage assets to be managed in a manner appropriate to their significance.

Conditions

13. The Framework sets out² that conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. I have assessed the Council's suggested conditions on this basis and made changes to the wording of those attached in the interests of clarity. In terms of the planning conditions which require compliance with them prior to the commencement of development, I have sought the appellant's consent for imposition of these conditions in accordance with Section 100ZA(5) of the Town and Country Planning Act 1990- and this consent was forthcoming³.
14. As the relevant plans are referred to in the formal decision above in respect of the listed building consent it is not necessary to attach a separate plans condition in respect of Appeal A. I have, however, attached a plans condition in respect of Appeal B in the interests of certainty.
15. In the interests of the significance of the host building and the character and appearance of the Conservation Area a planning condition requiring submission of details and samples of the windows and doors prior to the commencement of development is fully justified in this case. A similar condition is also attached in respect of Appeal A to ensure that the works preserve the Listed Building and its features of special interest. For these reasons also, a condition is attached to Appeal A requiring any works of making good to be completed in a timely manner; however, in the condition I have imposed I have amended the wording suggested by the Council in the interests of precision and enforceability.

Conclusions

16. For the reasons set out above, and taking fully into account all other matters raised, I conclude that the appeals should succeed.

G J Fort

INSPECTOR

² At paragraph 55

³ In an e-mail to the Planning Inspectorate dated 3 July 2019

Schedule of Conditions

Appeal A: APP/P2365/Y/18/3219370

- 1) The works hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) No works shall take place until samples and details of the windows and doors have been submitted to and approved by the local planning authority in writing. The works shall be carried out in accordance with the approved samples and details.
- 3) Upon completion of the works authorised by this consent, any damage caused to the building in the course of carrying out the works shall be made good within 3 months in accordance with a scheme submitted to, and approved in writing by, the local planning authority.

Appeal B: APP/P2365/W/18/3219374

- 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: Location Plan; Proposed Replacement Windows Drawing no. 01/18/1/FAR/1 Rev B.
- 3) No development shall take place until samples and details of the windows and doors have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved samples and details.

*****End of Schedule of Conditions*****