



Appeal Decision

Site visit made on 11 September 2019

by Ian McHugh Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 October 2019

Appeal Ref: APP/V2825/W/18/3219519

3 St Georges Place, Northampton, NN2 6EP

- 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 Josie O'Donovan against the decision of Northampton Borough Council.
 - The application Ref N/2018/1318, dated 16 September 2018, was refused by notice dated 19 November 2018.
 - The development proposed is the insertion of a bay window in ground floor flat.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The window, which is the subject of this appeal, has been installed. Consequently, I have dealt with this appeal in accordance with the provisions of Section 73A of the Town and Country Planning Act 1990.

Main Issue

3. The main issue is whether the appeal proposal would preserve or enhance the character or appearance of the Barrack Road Conservation Area (CA).

Reasons

4. The appeal building is a terraced residential property. It is situated in a prominent position facing a main road, which leads to and from the town. The property is within the CA. In the vicinity of the appeal site, the CA is characterised by Victorian and Georgian terraced properties that exhibit fine architectural detailing, with many retaining their original features, including windows.
5. The appeal property is not listed, but it is the subject of an Article 4 Direction, which indicates to me that the property and the CA are considered to be of some significance. Furthermore, I consider that the fenestration throughout the CA is an important and significant feature that contributes to the significance of the historic asset.
6. The proposal is to retain a upvc and outward-opening bay window on the ground floor front elevation of the building. The appellant points to a similar replacement on the basement of the property and to a number of other upvc and modern windows that have been installed on properties along St Georges

Place and within the CA. The appellant's survey states that 47% of the windows on properties along St Georges Place are constructed of upvc.

7. I acknowledge the existence of the other replacement windows, but I do not accept that they create a precedent for the appeal proposal, as that would cumulatively erode the architectural and historic significance of the CA. In addition, the Council states that many of these earlier alterations were carried out prior to the Article 4 Direction being in place or have become immune from enforcement action, due to the passage of time.
8. It is a statutory requirement when considering proposals for development within a conservation area that decision makers have regard to the desirability of preserving or enhancing the character of the heritage asset. This duty is reflected in Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy 2014 (CS) and Saved Policy E26 of the Northampton Local Plan 1997 (LP), which I consider to be the most relevant to this appeal. Furthermore, Section 16 of the National Planning Policy Framework 2019 (the Framework) contains similar provisions.
9. Although the basement window of the appeal building has already been replaced with a upvc opening, I consider that the appeal proposal is an unsympathetic and harmful addition to the building, mainly because of its proportions and means of opening. Its size and prominent position on the front of the building exacerbate the harm to the appearance and character of the property. The Council also objects to the use of upvc. However, I do not find that the use of upvc is unacceptable in principle as there are examples nationwide where modern fenestration materials has been used satisfactorily in areas of architectural or historical significance.
10. In the context of paragraph 196 of the Framework, I consider the degree of harm to be 'less than substantial'. Consequently, the harm must be weighed against the public benefits of the proposal. I give some weight to the benefits of the proposal, in terms of thermal insulation for the living conditions of the occupants of the property. However, in my opinion, this does not outweigh the unacceptable harm that I have identified above.
11. Consequently, I find that the proposal fails to preserve or enhance the character or appearance of the CA. As such, it conflicts with the relevant policies of the CS; the LP; and with the provisions of the Framework, as referred to above.

Conclusion

12. For the reasons given above, it is concluded that the appeal should be dismissed.

Ian McHugh

INSPECTOR