
Appeal Decision

Site visit made on 24 September 2019

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2019

Appeal Ref: APP/Y2810/W/19/3232414
33 Cross Street, Moulton, NN3 7RZ

- 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 Susan Henderson against the decision of Daventry District Council.
 - The application Ref DA/2019/0126, dated 28 January 2019, was refused by notice dated 23 April 2019.
 - The development proposed is replacement windows.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development set out above is taken from the application form. However, a more precise form of wording would be the removal of timber windows and insertion of upvc windows on front and side elevations. The Council dealt with the proposal on this basis and so shall I.

Main Issue

3. The main issue is the whether the proposed replacement windows would preserve or enhance the character or appearance of the Moulton Conservation Area.

Reasons

4. The appeal building is two-storey and constructed of stone under a slate roof. It is located within the Moulton Conservation Area (CA). There are Listed Buildings (LB) close to the site, most notably number 29 Cross Street, which is the first dwelling immediately to the south on the same side of the street, and Bay Tree Cottage which is the first dwelling immediately to the north on the opposite side of the road. There are also other buildings on Cross Street that are identified in the Moulton Conservation Area Appraisal and Management Plan¹ (2017) (MCAAMP) as making a positive contribution to the CA.
5. The statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that I to pay special attention to the desirability of preserving or enhancing the character or appearance of a CA, which is therefore a matter of considerable importance and weight. In addition, paragraph 193 of the National Planning Policy Framework (the Framework)

¹ Figure 59, p41

- requires decision-makers to give great weight to the conservation of a designated heritage asset, the CA being designated heritage asset.
6. The proposal would replace 15 of the existing windows, located on the front elevation and a gable end, with uPVC double-glazed units with a “flat” brown finish.
 7. The significance of the CA is summarised in the MCAAMP² as follows:
 - “The village’s rural setting and agricultural links, contributing to a sense of place;
 - The prevalent use of local materials and survival of historic features;
 - The retention of its historic street pattern which has greatly influenced the character of the historic core;
 - The quality and mixture of its built heritage assets and spatial features; and
 - The significant landscape and topography which has shaped the village and created a strong character.”
 8. I consider that traditional detailing of window design and their materials are “historic features” that are an intrinsic part of the “quality and mixture” of the village’s built, heritage assets. Consequently, any loss of such features would erode the character and appearance of the CA rather than preserve or enhance it.
 9. Paragraph 8.4 of the MCAAMP identifies that original windows in historic dwellings within the CA are generally small in scale, mainly timber casement and painted white, with the white colour of most historic windows creating uniformity; deviation from this is discouraged.
 10. I acknowledge that the existing windows on the appeal building are not original, that they have varied designs, and that some are finished in white while others are finished brown. However, all are timber and single-glazed and those on the ground-floor front elevation have narrow glazing bars, painted white. As such, the ground-floor windows, in particular, of the appeal building are more in keeping with some of the windows in the neighbouring LBs and other properties identified as making a positive contribution to the CA, which have retained their traditional windows, painted white.
 11. The site is recognised as a “positive building” in the MCAAMP. Collectively with neighbouring LBs and other ‘positive buildings’ in the vicinity which have retained their traditional windows, the appeal building makes an important contribution to the CA. The building is located fairly centrally on Cross Street and it abuts the pavement. As such, the front and side elevations of the building are visually prominent as one travels in either direction along Cross Street. Replacing the existing windows with uPVC, double-glazed units with a “flat” brown finish, as illustrated in the Heritage Impact Assessment (HIA), would disrupt the relative harmony of the neighbouring buildings referred to, which would be harmful to the street scene and therefore harmful to the CA.
 12. I acknowledge that many of the properties within the CA, which the appellant has estimated at being 50% at least, now have uPVC windows; including more

² Paragraph 3.1

recently built dwellings directly opposite the site and numerous commercial properties within the village. Nonetheless, a significant number of properties remain which have retained traditional windows. The presence of insensitive alterations and/or modern additions does not justify permitting further erosion of traditional features which positively contribute to the character and appearance of the CA. Due to their chunky frame profile and engineered appearance, many of the uPVC windows used in the CA have a poor appearance, reinforcing the view that such material is not an appropriate replacement for timber.

13. Hence, I find that the design, material and finished colour of the proposed development would not preserve or enhance the character or appearance of the CA. Consequently, the proposal would not accord with policies GN2 and EN2 of the Daventry District Council Saved Policies From The Daventry District Local Plan (2007), SA and BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (2014), the Moulton Neighbourhood Development Plan 2014-2029 (2016), national policy in the Framework or advice within the MCAAMP. These collectively seek to preserve or enhance the character or appearance of conservation areas and support sustainable development.
14. As the development is relatively minor in scale, the harm that would be caused to the CA would be less than substantial. In accordance with paragraph 196 of the Framework, less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal.
15. The appellant notes that the proposed windows would be more thermally efficient than the existing windows, which would result in a reduction in the energy needed to heat the property. The windows would provide better insulation from external noise. Both are factors that would benefit visitors to the building in its present use as a hotel. It is also suggested that, as maintenance of such windows would be much easier than timber windows there would be less disruption on the adjacent public highway (currently caused by having to erect scaffolding on the highway for maintenance purposes). I have considered such public benefits. However, neither these considerations, individually or collectively, nor any other matters raised in support of the appeal, such as the financial savings to the appellant, justify the substantive harm I have found to the CA.
16. I note that the appellant now acknowledges that windows with a brown finish are not a common feature of the Cross Street area within the CA. As such, she would accept a condition requiring the windows to be finished in white, should the appeal be allowed. Windows with a white finish is not the scheme before me, and within the context of the CA the colour of the finish is an important consideration. However, even if the proposed windows were to be finished in white, I still conclude that the design and material would be harmful to the CA.

Conclusion

17. For the reasons outlined above, the appeal is dismissed.

J Williamson
INSPECTOR