



Appeal Decision

Site visit made on 22 October 2019 by Andreea Spataru BA (Hons) MA

Decision by J Whitfield BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th December 2019

Appeal Ref: APP/K2230/W/19/3231377

45 South Hill Road, Gravesend, Kent DA12 1JX

- 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 Geoffrey Cackett against the decision of the Gravesend Borough Council.
 - The application Ref 20190186, dated 13 February 2019, was refused by notice dated 14 June 2019.
 - The development proposed is described as "Replacement of front timber door and replaced with bevel U70 composite door. Replacement of wooden sash window and replaced with UPVC sash/vertical slider windows for living room, bedroom 1, bedroom 2. Replacement of wooden lower opening bathroom window and replaced with UPVC bevel U70 casement window."
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The development subject of this appeal has already been carried out. I have therefore considered that the permission is sought for the retention of the development set out in the banner heading above.

Main Issue

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Windmill Hill Conservation Area.

Reasons for the Recommendation

5. The appeal site is a mid-terraced, two-storey dwelling which faces South Hill Road and is part of the Windmill Hill Conservation Area (WHCA). Given its prominent position, the appeal dwelling is an important feature within the street scene.
 6. The Windmill Hill Conservation Area Character Appraisal refers specifically to the brick terraces 40-53 South Hill Road and indicates that one of the negative features within this area is the fact that some of these properties have lost a
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- number of architectural features, such as original windows and doors. Alterations which, in many cases, may seem relatively small on an individual basis are said to have led to a cumulative negative impact on the character and coherence of the WHCA.
7. The Management Plan - Gravesends 19th Century Suburban Conservation Areas 2009 states that where the appearance of a building has suffered from the loss of original architectural features and unsympathetic alterations, the Council will seek the reversal of unsympathetic alterations and the re-instatement of appropriate traditional architectural features using traditional materials. In support of that initiative, the Council implemented an Article 4 Direction within the WHCA which placed restrictions on permitted development rights to ensure that proposals such as the replacement of windows and doors, required planning permission.
 8. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect national policy on heritage assets, which includes conservation areas, is set out in the National Planning Policy Framework (the Framework). At paragraph 185, it sets out matters which should be taken into account, including sustaining and enhancing the significance of the heritage asset and the desirability of new development making a positive contribution to local character and distinctiveness.
 9. I note that the design of the windows and doors is similar to those of the original ones. However, uPVC and composite are not traditional materials and tend to be bulkier, flatter, smoother and glossier in finish than traditional timber units, giving them a modern and less refined appearance. These materials fail to reflect the detailed appearance of timber joinery. In this case, because the windows and doors are an important aspect of the building's character, the use of uPVC and composite units will cause significant harm to the appearance of the building. Given the prominence of the building and its importance in the street scene, the proposal has an adverse effect on the character and appearance of the Conservation Area.
 10. For the above reasons, the proposal fails to preserve or enhance the character or appearance of the Windmill Hill Conservation Area and as such does not meet the statutory requirements of section 72(1) of the Act. Furthermore, the development is contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014) and saved Policy TC3 of the Gravesham Local Plan First Review (1994), which collectively state that, amongst other matters, development should be appropriate to its context and protect and enhance historic assets.
 11. In terms of the approach set out in the Framework, given that the proposal would affect only part of the Conservation Area, harm to the significance of the heritage asset would be less than substantial. This is not the same as a less than substantial objection. In such cases, harm should be weighed against the public benefit of the proposal in accordance with paragraph 196 of the Framework.
 12. The heritage statement submitted for the appeal property seems to be referring to neighbouring property 44 South Hill Road, as there are some inconsistencies regarding the materials of the windows and doors that were

replaced. Nevertheless, both the appellants and the Council agreed that the existing windows and door replaced the original timber front windows and door. The heritage statement refers to the poor state of repair of the original windows and doors. However, this does not justify the use of inappropriate and harmful replacement materials. Therefore, I do not consider it a public benefit. In any event, it does not outweigh the harm caused to the WHCA.

13. My attention has been drawn to examples of uPVC replacement windows and either composite or uPVC doors within proximity of the appeal site, which I did note during the site visit. The appellants also referred to a Council's recent decision¹ for the retention of UPVC casement windows on the front elevation and composite front door at the neighbouring property no 44. Whilst I do not have full details of this case, I note that the Council's delegated report stated that those windows were replacements of uPVC replacement windows. Thus, the appeal proposal is not directly comparable to this case. Nevertheless, I find that the existing uPVC replacement windows and either composite or uPVC doors do not constitute examples of sympathetic development in a Conservation Area, and do not therefore justify the appeal proposal. As a result, I consider the public benefits do not outweigh the less than substantial harm that would arise to the heritage asset.

Other matter

14. While the appellant has raised concerns regarding the Council's delay in issuing the decision, this does not affect the proposal before me or the conclusion that I have reached.

Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

J Whitfield

INSPECTOR

¹ Application ref: 20190126