
Appeal Decision

Site visit made on 7 January 2020

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th January 2020

Appeal Ref: APP/Z2830/D/19/3240549

3B Middle House, Banbury Road, Brackley, Northamptonshire NN13 6BB

- 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 Jessica Ellis against the decision of South Northants District Council.
 - The application Ref S/2019/1420/FUL, dated 11 July 2019, was refused by notice dated 5 September 2019.
 - The development proposed is described as 'to the front of the property, replacement of first floor sash windows, ground floor bay sash windows and cellar casement window'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Brackley Conservation Area.

Reasons

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Brackley Conservation Area (CA).
4. In considering the significance of the CA, I have been directed to the Brackley Town Centre Conservation Area Appraisal (2012) (CAA). This document explains that part of Brackley's special interest lies in its rich stock of historic buildings and that the town's built environment is of high quality, reflecting its long history as a market town.
5. The CAA divides the CA into distinct character areas, the appeal property forms part of the Banbury Road character area. This character area covers the later Victorian expansion of Brackley, principally associated with the arrival of the London & North Western Railway. The appeal property is a stone built terraced property and due to the positive contribution it makes to the character of the CA and surrounding heritage assets, it is covered by an Article 4 Direction. The proposal seeks to remove and replace the existing single glazed timber sash windows, with woodgrain uPVC double glazed units.
6. The original windows in the street tend to be flush fitting, balanced and constructed from timber that is generally painted white. The single glazed sash windows positively contribute to the character of the building and the

slenderness of the frames and glazing bars, form part of this character. Although there have been some changes to the windows along the road, the windows and their overall architectural design, including the surrounding detailing on the buildings, play a key part of the character of the road. Therefore, the original windows are a feature that greatly enhances the quality of the street scene.

7. It is a point of note that the CAA states that the quality of Banbury Road is being eroded, in part, by insensitive window replacement. The replacement of timber windows with uPVC windows is identified as a particular problem, therefore, the management plan for the CA seeks to restore and retain the original glazing materials and configurations.
8. The fenestration of a building is an important component in defining its visual and architectural character. The proposed windows would be constructed in uPVC frames and this would introduce a material finish to the appeal building that would alter its external appearance. I acknowledge that the appellant has sought to use traditional style units that replicate the design features and colour of the original windows, in order to provide harmony with other windows in the street.
9. The appellant has directed me to No's 14-28 Banbury Road which sit opposite the appeal property, and also fall under the same Article 4 direction. The appellant has suggested that the proposed sash windows would be a vast improvement on the current variety of windows, which are not all of original style. Whilst I note that some changes to the windows have taken place, they fail to harmonise with the overall character and appearance of fenestration in the CA. In any event, the presence of uPVC elsewhere in the street is not a strong point in favour of the appeal scheme, as the CAA identifies their presence as a specific problem.
10. The appellant has made reference to the adjoining property Highfield House, which has installed double glazing to the ground floor windows¹. However, I have not been provided with full details of the planning application or what circumstances led to their approval. It has been suggested that the style of the proposed window has been used in other conservation areas and allowed in other appeals. However, I have not been provided with substantive evidence to support this claim. I also note that only the front elevation falls under the Article 4 direction and the appellant has already replaced the rear windows. Nevertheless, the rear of the property is not as visually prominent as the front elevation, therefore, the impact on the character and appearance of the street scene of Banbury Road is less pronounced.
11. From the evidence and plans before me, I consider that the frames would look noticeably thicker than in the case of a timber frame. The lower part of the frame and the horizontal glazing bar of the uPVC window have a chunkier appearance. As such, the proposal would adversely alter the current slender appearance of the fenestration. In addition, uPVC is a material that has an artificial texture and a more uniform finish, when new and when aging, than painted timber windows, and they would appear as modern insertions which would be an incongruous intrusion into the street scene. Consequently, harm would arise to the significance of the CA.

¹ Planning application reference S/2015/2952/FUL

12. The harm that would arise from the proposal would be localised, therefore, the impact on the CA as a whole is less than substantial within the meaning of paragraph 196 of the National Planning Policy Framework (the Framework). There would be little public benefit arising from the proposal to offset the identified harm to which I must attach considerable importance and weight. This has resulted in a conflict with Paragraph 193 of the Framework because the harm to the CA does not have a clear and convincing justification, and the Framework requires great weight to be given to the conservation of designated heritage assets.
13. Consequently, the proposed development would not preserve or enhance the character or appearance of the Brackley Conservation Area. Therefore, it would conflict with policies EV9 and EV10 of the South Northamptonshire Local Plan (1997) and the guidance in the Supplementary Planning Guidance on Conservation Areas and the CAA. These policies and guidance, amongst other things, seek development to use traditional materials appropriate to the character of the area and not involve the loss of features which contribute to the character of the area.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be dismissed.

D Peppitt

INSPECTOR