The Planning Inspectorate

Appeal Decision

Site visit made on 6 January 2020 by A J Sutton BA Hons DipTP DMS MRTPI

by David M H Rose BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date:

Appeal Ref: APP/P4605/W/19/3239050
30 Bull Street, Harborne, Birmingham, B17 0HH

- 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 Jo Ferro against the decision of Birmingham City Council.
- The application Ref 2019/05539/PA, dated 26 June 2019, was refused by notice dated 9 September 2019.
- The development proposed is described as 'Replacing Windows and Doors'.

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.

Main Issue

3. The main issue is the effect of the development on the architectural appearance of the dwelling and the character or appearance of the Greenfield Road Conservation Area (GRCA).

Reasons for Recommendation

4. The GRCA is a large conservation area with a varied suburban character comprising mainly dwellings dating from the 19th and early 20th century. Development pattern ranges from close grain terraces to larger Edwardian villas. The appeal property forms part of a terrace in a street which branches off the high street. The properties on Bull Street are predominantly modest dwellings appearing to date from the Victorian/Edwardian period. Whilst there are examples of infill developments dating from a different era, and some original properties have been subject to alteration, the street retains a distinct historic quality, particularly on the eastern side close to the appeal property, contributing positively to the GRCA.

5. 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 a conservation area. In this respect national policy on heritage assets, which includes conservation areas, is set out in the National Planning Policy Framework (Framework). At paragraph 192, it

sets out matters which should be taken into account including sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

6. The appeal property is a slightly larger dwelling than the majority of properties on Bull Street. The front door is centrally positioned with windows situated on either side, forming a pleasing symmetry appropriate to its historic period. There appears to be an infill extension attached to the property to form the terrace with No 28 and as such the property assumes a greater presence in the street scene. It is set close to the street behind a shallow strip of front garden. Its windows and doors are therefore readily apparent from the public domain. Moreover, the window apertures to No 30 have a particular prominence as a result of their stone cills and ornate stone heads supported on projecting corbels.

7. Although the appellant asserts the style of the proposed windows would be in keeping with the original dwelling and attempts have been made to source products which emulate natural materials, I am not convinced that the wood grain effect uPVC windows and door would be a wholly sympathetic replacement. The homogenous 'machine-made' appearance of wood grain effect uPVC lacks the distinctive subtleties and texture of painted timber particularly when viewed from the immediate proximity of the public realm. Taking account of the double fronted style of the appeal property and its proximity to the street, the inharmonious effect would be amplified, adversely affecting the appearance of the dwelling and its contribution to the character of the area.

8. I therefore conclude, in light of the foregoing, the proposed development would harm the architectural appearance of the host dwelling resulting in visual harm which would not preserve or enhance the character or appearance of the GRCA.

9. There are a number of examples of unsympathetic window replacements and alterations to properties on Bull Street and I note the two examples that the appellant considers to be more successful in utilising uPVC frames. Whatever their provenance, the purpose of the designation of the CA and the related Article 4 Direction was to avoid further erosion of the historic character of the area. Whilst numerous alterations are evident, the overall historic integrity of the terrace is retained, particularly near the appeal site, and therefore its contribution to the wider conservation area is significant. I therefore give limited weight to the changes to surrounding properties in the determination of this appeal.

10. I have also had regard to the numerous examples of replacement windows in other areas drawn to my attention, including those which have been accepted in other conservation areas. I note that the properties are of a different historical period and design character to that of the appeal property and are not shown in their wider context. Whilst the proposed materials may be acceptable in other conservation areas, each area will have a different character and features of historic value warranting conservation which are unique to that area. I am required to determine the appeal on the site specific circumstances before me and the overall character and appearance of the GRCA. As such I am only able to give limited weight to such examples in reaching this decision.

11. The condition of the windows and door of the appeal property appear tired and the Council raises no objection in principle to their replacement, to which I have also had regard. However, the proposed material for the replacement windows and door would not conserve or enhance the appearance of the dwelling or the character or appearance of the surrounding area which is a designated heritage asset.

12. The resulting harm to the significance of the GRCA would be less than substantial. Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. The necessity to upgrade the existing door and window frames alone does not form adequate justification for the harm outlined above.

13. Paragraph 196 of the Framework requires where proposals lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal. No public benefits have been claimed and therefore, I conclude based on the information presented that there are no public benefits which would outweigh the harm identified in this particular case.

14. The proposal would harm the appearance of the host dwelling and in doing so would fail to preserve or enhance the character or appearance of the GRCA. The development would also be contrary to policies PG3 and TP12 of the Birmingham Development Plan 2017 and the Framework which collectively seek development of a high design quality, contributing to a strong sense of place with design responding to the local area context, including heritage assets and attaching great weight to conserving and enhancing such assets and managing new development to make a positive contribution to their character.

Conclusion and Recommendation

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

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and concur that the appeal should be dismissed.

David MH Rose

INSPECTOR