
Appeal Decision

Site visit made on 26 May 2020

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd June 2020

Appeal Ref: APP/F1040/D/20/3245729

2 South Street, Melbourne, Derbyshire DE73 8GB

- 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 Richard Humphries against the decision of South Derbyshire District Council.
 - The application Ref DMPA/2019/1356, dated 11 November 2019, was refused by notice dated 22 January 2020.
 - The development proposed is the replacement of existing UPVC windows.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed replacement windows would preserve or enhance the character or appearance of the Melbourne Conservation Area (CA).

Reasons

3. The statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that I 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, the National Planning Policy Framework (the Framework) advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.¹
4. The site is located towards the northern edge of the CA. The Melbourne Conservation Area Character Statement (2011) (MCACA) provides a detailed analysis of the CA, where it is described as one of the best-preserved, important settlements in Derbyshire. The buildings are of high architectural quality and the CA has the highest concentration of Listed Buildings (LBs) in the district. I consider the architectural details of the buildings, including the windows, and the quality to which they have been maintained, repaired or replaced, to contribute substantially to the significance of the CA.

¹ Paragraph 193 National Planning Policy Framework

5. The appeal building is a red brick, two-storey residential property that fronts South Street. It is attached to number 63 Derby Road; the properties are positioned at right-angles to each other, with number 63 fronting Derby Road. The window openings, cills, lintels and windows currently installed on the properties have a uniform appearance. Most of the windows proposed to be replaced on the appeal property, 7 of them, are in the main elevation fronting South Street; another 2 are in the end elevation that faces Derby Road.
6. There are a range of traditional window types in the buildings within the CA, reflecting the historical development of Melbourne. Within the area surrounding the appeal site, a substantial proportion of the properties, though not all, have traditional windows installed, made of timber. Many of which are vertical or horizontal sliding sash windows of Georgian style, with narrow dividing bars between glass panes of varying sizes.
7. I consider that the proposed windows, which are described on the application form as UPVC sash effect with Georgian bars, would detrimentally alter the appearance of the property to an extent that would harm the character and appearance of the CA. As noted above, such development is required at minimum to preserve the character or appearance of the CA. I appreciate that the existing window frames are UPVC and therefore replacements made of the same material would not in itself be harmful. However, although I have not been provided with measurements of the existing frames, the proposed frames appear to have, overall, a wider outer frame and wider rails. Although Georgian bars and small glass panes are characteristic of the area, I consider the mock design of the proposed internal glazing bars would draw attention to the chunkier frames and rails and the UPVC material. As such, I conclude that the proposed replacement windows would substantially harm the appearance of the building, thereby eroding the contribution made by the quality of architectural details to the significance of the CA.
8. I acknowledge that the windows as proposed would ensure continuity throughout the property, with all windows displaying the same top and bottom ratio, thereby creating a more uniform appearance. However, within the context of the site, I do not agree with the appellant's suggestion that this would be more aesthetically pleasing. The appellant also notes that, comparing the frame to glass ratio, the increase in bulk of the frames would be limited, with a reduction of glass around 6%. Although this percentage of reduction is relatively small, I consider that the existing windows, as a baseline, detract from the character and appearance of the property and the CA. As such, any further harm would inevitably make the existing situation worse. For these reasons I conclude that the proposed replacement windows would fail to preserve or enhance the CA. I note that the proposed windows would have the highest security rating. However, I do not consider that this would outweigh the substantial harm to the character and appearance of the CA I have identified.
9. The proposal would therefore not accord with policies BNE2 of the South Derbyshire Local Plan Part 1 (2016), BNE10 of the South Derbyshire Local Plan Part 2 (2017), or the heritage and conservation policies in the Framework. These policies seek to protect, conserve and enhance heritage assets and their settings.

Conclusion

10. For the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR