



Appeal Decision

Site visit made on 9 June 2020

by M Philpott BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th June 2020

Appeal Ref: APP/K2230/D/20/3245928
28 Darnley Street, Gravesend DA11 0PJ

- 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 Ming Chong against the decision of Gravesham Borough Council.
 - The application Ref 20190837, dated 9 August 2019, was refused by notice dated 29 October 2019.
 - The development proposed is described as 'Replacement of the existing timber windows and doors to UPVC windows and doors. discharge of condition (3) Allocation of the refuse and recycling bins. discharge of condition (5)'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the banner heading above has been taken from the application form. The form confirms that the development has been completed and as such planning permission is sought retrospectively.
3. The drawings submitted with the appeal show that windows have been replaced in both the front and the rear elevations of the building. However, it is clear from the application that permission is sought only for the replacement of a timber door and windows in the front elevation with UPVC substitutes, as shown on drawing 119-6704. I have determined the appeal on this basis.
4. The drawings submitted with the appeal differ from those considered by the Council at application stage. However, there are no differences between the drawings in respect of the door and windows that are subject to this appeal. I have therefore based my decision on the drawings provided by the appellant.

Main Issue

5. The main issue is whether or not the development preserves or enhances the character or appearance of the Darnley Road Conservation Area.

Reasons

6. The appeal site consists of a mid-terrace building that has been converted into 3 flats. Its front elevation features canted bay windows at ground floor and basement level and arched window openings at first and second floor level. The street predominantly features 19th Century, 2 or 3 storey, semi-detached or

- terraced properties that have similar architectural features to the appeal building and the terrace.
7. The Darnley Road Conservation Area Character Appraisal provides a detailed assessment of the conservation area's special architectural and historic interest. The Appraisal was created prior to the development taking place. It identifies the properties within the terrace as 'positive buildings' and explains that the loss of original features such as sash windows and their unsympathetic replacements is a negative feature of Darnley Street. The associated Management Plan¹ for the conservation area explains that the Council will seek the reversal of unsympathetic alterations and the reinstatement of appropriate traditional architectural features using traditional materials.
 8. The large and timber framed windows that were previously present in the bays have been replaced by small paned and thick UPVC framed windows with fanlights and, in some cases, trickle vents. The proportions of the replacement windows contrast with the larger paned and more narrowly framed bay windows that are present within the terrace at nos 29 to 31 Darnley Street and elsewhere along the street. Furthermore, the stark, white and shiny appearance of the UPVC frames are not in keeping with the grain and painted finish of traditional timber frames. The windows appear as modern additions to the building which compromise the traditional appearance of the terrace and the conservation area more widely.
 9. It has not been disputed that the sliding sash timber windows at second floor level which have been removed were original features. These windows, and the timber windows that were previously present at first floor level, featured round-headed panes that were set within the arched window openings. However, the replacement windows appear rectangular with thick UPVC frames. The windows sit awkwardly within the arched openings and contrast poorly with those properties which have retained round-headed windows within Darnley Street.
 10. It is also undisputed that the timber door which has been removed was an original feature of the building. Its replacement has a modern appearance with an inset arched fanlight and, like the windows, a UPVC finish that is unsympathetic of the traditional appearance of the painted timber fenestration that characterises the conservation area.
 11. Overall, the replacement door and windows appear as modern and discordant alterations to the building which detract from the architectural and historic interest of the terrace and the wider conservation area.
 12. I note that there are examples of other properties within Darnley Street which no longer feature original windows and doors. I do not have details of the circumstances that were relevant in those cases. However, in a conservation area modern replacements are not justified by other pre-existing modern alterations. The test is whether the development, in itself, preserves or enhances the character or appearance of the conservation area and, in this case, I have found that it fails to do either.
 13. In line with paragraph 193 of the National Planning Policy Framework (the Framework), I afford great weight to the harm to the conservation area. Given

¹ Management Plan: Gravesends 19th Century Suburban Conservation Areas

that the development is of a relatively small scale, I find that the harm is less than substantial in this instance. Under such circumstances, paragraph 196 of the Framework advises that the harm should be weighed against the public benefits of the development. The appellant has outlined that the development has result in improved security and thermal efficiency and highlighted that the works formed part of the rejuvenation and conversion of a single dwelling to provide additional homes in the district. However, I find that the merits of improving the condition of the building do not constitute public benefits sufficient to outweigh the harm to the conservation area.

14. I therefore conclude that the development has a harmful effect on the character and appearance of the Darnley Road Conservation Area. The development is contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy, Policy TC3 of the Gravesham Local Plan First Review and the Framework which seek, amongst other things, development which preserves or enhances the character and appearance of conservation areas.

Other Matter

15. The appellant has suggested that the development should be able to reach the end of its useful life before being required to be replaced; however, this is not a matter for my consideration in this appeal.

Conclusion

16. For the reasons set out above, the appeal shall not succeed.

Mark Philpott

INSPECTOR