



Appeal Decision

Site visit made on 19 June 2020

by J Hunter BA (Hons) Msc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 July 2020

Appeal Ref: APP/J4525/W/20/3251276

1 Sunderland Street, Houghton le Spring DH4 4BD

- 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 Phillip Lowes against the decision of Sunderland City Council.
 - The application Ref 19/02029/FUL, dated 16 December 2019, was refused by notice dated 27 January 2020.
 - The development proposed is replacement windows to front elevation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The development has already taken place and therefore I am considering the proposal retrospectively.
3. The appellant did not provide a description of development in the original application form. Consequently, the description in the banner heading above has been taken from the appeal form.
4. In January 2020, the Council adopted the Sunderland City Council Core Strategy and Development Plan 2015- 2033 (CSDP). The Core Strategy deletes policies within the Unitary Development Plan 1998 (UDP); including policies B6 and B10 which formed part of the original policy basis for the refusal of planning permission. UDP Policy B4 which sets out the Conservation Area designations remains extant. I have been provided with the replacement Core Strategy policies and the appellant has provided comment. I have therefore determined the appeal on this basis.

Main Issue

5. The main issue is whether the development would preserve or enhance the character and appearance of the St. Michael's Conservation Area.

Reasons

6. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to pay special attention to the desirability of preserving and enhancing the character and appearance of the St. Michael's Conservation Area (the CA). Policies BH7 and BH8 of the CSDP also seek to, amongst other things, conserve and enhance the character or appearance of CAs.

7. In considering the significance of the CA I have been directed to the Houghton Conservation Areas Character Appraisal and Management Plan (CAMs). This document explains that St. Michael's Conservation Area is one of two CAs in the Houghton Le Spring that were designated in 1975 in recognition of their architectural and historic interest. The significance of the CAs is predominantly derived from the ecclesiastical enclave comprising 12th century St. Michael's and All Angels Church, its associated buildings and green spaces as well as key 18th and 19th century buildings in the surrounding streets.
8. The appeal property is a 18th century building located in a prominent position on the junction of Newbottle Street and Sunderland Street. It is not listed but is within the setting of the Grade I listed St. Michael's Church and Grade II listed Kepier House, both located less than 100 metres to the south of the appeal site. The appeal building is located in the "Retail Sub- Area" of the CA where there are a range of architectural styles and materials which reflect the different development periods.
9. The proposal would see the retention of uPVC windows at the appeal property which have been installed in replacement of the traditional timber sash windows. I have been provided with photographs of the building prior to the replacement of the windows and during my site visit I was able to see other examples of the original timber sash windows on other properties in the vicinity.
10. The original sash windows in the vicinity are generally constructed in timber and painted white. The glazing configuration is divided into four panes divided by sash bars, there are carved timber horns at each side. The profile of the windows, with the bottom sash being slightly set back and the proportion of the fine timber frames against the glazing are particularly characterful parts of this type of window. As such the traditional timber sash windows greatly enhance the quality and appearance of the street scene.
11. It is a point of note that the CAMs document states the character of the CA is being eroded by the cumulative effect of modern alterations, such as the replacement of timber sliding sash windows with uPVC alternatives. Furthermore, part of the management plan for the CA seeks to secure the preservation of the architectural integrity of historic buildings in the area and whilst I accept the appellant's submission that there is not an Article 4 direction in place that would restrict the replacement of windows at the appeal property, the main parties do not dispute that it does not benefit from permitted development rights and consequently the development requires planning permission.
12. A building's fenestration is an important component in defining its visual and architectural character. The replacement Upvc windows introduce a material finish to the host property that is not prevalent in other buildings found elsewhere in the CA. Upvc has an artificial texture that does not age like painted timber and whilst the white colour provides some harmony with the other windows in the street it is still possible to discern the modern additions which appear as an incongruous insertion into the street scene.
13. In addition to the use of Upvc the overall composition of the windows is poor. The opening bottom section of the window sits proud of the frame rather than within it as in the surrounding sash windows. This results in a very thick frame on the bottom section of the windows which creates an unbalanced composition

with the fixed top half of the window. Furthermore, the central glazing bars sit behind the glass rather than as part of the overall frame further highlighting that the Upvc has been used in a way that is completely unsympathetic to the original design and composition of the original windows and those still surviving within the CA.

14. Upvc windows have been installed in other properties within the CA but these seem to be isolated examples that fail to harmonise with the overall character and appearance of the CA. In any event, the presence of other Upvc windows in the vicinity does not in itself justify further unsympathetic additions particularly when the CAMs identifies their presence as a specific issue to be addressed. Notwithstanding this, I cannot be certain that the other window replacement schemes in the locality have planning permission.
15. I consider that the harm that has arisen by virtue of the installation of replacement Upvc windows at the appeal property is localised and therefore the impact on the CA as a whole is less than substantial. In the context of Paragraph 196 of the National Planning Policy Framework (the Framework) such harm must be weighed against any public benefits identified. The appellant has suggested that the new windows have significantly increased the thermal efficiency of the appeal property and the safety of occupants because they provide a means of escape in the event of a fire. However, I have not been presented with any substantive evidence to suggest that in these regards, Upvc windows significantly outperform well installed and maintained timber windows.
16. As such, the public benefits of the appeal scheme are of no more than limited weight and would not outweigh the harm I have identified. Thus, my overall conclusion is that the replacement windows fail to preserve or enhance the character and appearance of the St. Michael's Conservation Area and accordingly they conflict with the design and conservation requirements of CSDP policies BH1 and BH8, saved UDP Policy B4 and the Framework.

Conclusion

17. For the above reasons, and taking into account all other matters raised, I conclude the appeal should be dismissed.

J Hunter

INSPECTOR