

Appeal Decision

Site visit made on 23 June 2020 by John Gunn DipTP Dip DBE MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2020

Appeal Ref: APP/C3240/D/3248834

Butchers Cottage, 52 Waterloo Street, Ironbridge, Telford, Shropshire TF8 7AA

- 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 Annette Bishton against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2019/0935, dated 4 November 2019, was refused by notice dated 17 January 2020.
 - The development proposed is replacement of 10 no. windows and 3 no. doors to existing house, including enlarging an existing door/window opening. Addition of a metal flue to side elevation of existing house.
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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.

Application for Costs

3. An application for costs was made by Annette Mary Bishton against Telford and Wrekin Council. This application is the subject of a separate Decision.

Main Issue

4. The appeal site lies within the Severn Gorge Conservation Area (CA), close to the world's first iron bridge, and is within the Ironbridge Gorge World Heritage Site (WHS).
5. Accordingly, the main issue in this case is the effect of the proposal on the character and appearance of the host property and the WHS and, linked to that, whether the proposal would preserve or enhance the character or appearance of the Severn Gorge CA.

Reasons for the Recommendation

6. The appeal property is an end terrace cottage built in a traditional style located close to the centre of Ironbridge. It fronts an arterial road leading into the town and has a rear garden that slopes down towards the River Severn. The area is characterised by a mix of residential and commercial uses.
7. 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 CA. In this respect national policy on heritage assets, which includes conservation areas and WHS, is set out in the National Planning Policy Framework (the 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. At paragraph 193, the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, including a CA and WHS, that great weight should be given to the asset's conservation.
8. The Severn Gorge CA extends over a wide area and encompasses Coalport, Ironbridge, Jackfield, Madeley, and Coalbrookdale. The area is characterised by buildings from the late Georgian and early Victorian era. Although there has been subsequent development and alteration of historic buildings and features, this work has been relatively minor, and the overall character of the built environment is well preserved.
9. The proposal would result in the replacement of existing timber framed windows with 'RESIDENCE 7' uPVC window frames coloured 'Cotswold Green' in the front and side elevation and REHAU TOTAL70 uPVC window frames coloured 'Chartwell Green' in the rear elevation. New composite doors, painted black, would replace existing timber doors in the front and rear elevations.
10. Whilst there is no dispute in respect of the 'ladder' design of the windows on the front and side elevation, there is a high probability that the materials proposed would give an overly regular, plainer appearance, quite unlike the individual, organic appearance of painted timber present on the appeal property and others within the terrace. Similarly, the new front door would be likely to have a different appearance to the existing and would appear as a modern addition on this attractive property. These features would be visible in close up views from the pavement within the vicinity of the appeal site from where these incongruous features would be apparent
11. Whilst it is acknowledged that the windows and doors on the rear elevations would be more remote from public view, they would still be visible from the public footpath that runs to the east and south of the property, and the neighbouring gardens. On my site visit I noted that trees and shrubs, on the bank to the east of the property, did offer some screening to the side and rear elevations, but as can be seen from the photos attached to the appellant's statement, the amount of screening will vary during the year as the vegetation loses its leaves. In any event the trees and shrubs do not fall on land within the control of the appellant and could be removed at any time. For the reasons set

out above the use of uPVC windows on the rear elevation would cause harm to the character and appearance of the host property and the uniformity of the terrace of which it forms part.

12. The appellant has drawn my attention to the use of uPVC windows within the locality. Whilst I am not aware of the individual circumstances of these developments, I note that the examples vary significantly in terms of location, scale, and design quality, and for this reason I do not see them as setting a precedent for the appeal proposal. In any event, each application and appeal should be determined on its individual merits, and this is the approach that I have adopted. The Council's granting of planning permission for the use of uPVC windows and composite doors elsewhere does not justify harmful development.
13. The metal flue would be located towards the back of the side elevation and would project approximately 1 metre above the plane of the roof. It would introduce a prominent and discordant feature that would be out of keeping with and harmful to the character and appearance of the host property. Whilst acknowledging the presence of the existing black metal spiral staircase on the rear of the property it would add a significant feature onto the side wall currently devoid of such paraphernalia.
14. In light of the above, I conclude that the proposal would be harmful to the host property, the terrace of which it forms part and the significance of the WHS as a heritage asset, albeit such harm would be localised and limited given the scale of the proposal. The contribution that the host property makes to the character and appearance of the area would be diminished as a result. Given my findings, I consider that the proposal would neither preserve or enhance the character or appearance of the CA. The scheme would not make a positive contribution to local character and distinctiveness.
15. Whilst the harm that would be caused to this CA and WHS as designated heritage assets would be less than substantial the Framework makes it clear that this harm should be weighed against the public benefits of the proposal.
16. I note the assertion that the proposal would provide better long-term protection from the elements, including damp, noise and fumes, and the scheme would be likely to reduce energy usage through better thermal insulation. However, such benefits would also be likely to be achieved using traditional materials.
17. It is acknowledged that windows and doors constructed of traditional materials may be more expensive than similar windows built from uPVC, or composite materials. The appellant refers to the development at Westgate House and has suggested that affordability was one of the key factors in granting permission for the use of uPVC windows. Whilst the applicant in that case presented a financial argument, I note that other factors including the design of the original windows and building were matters that were also considered by the Council.
18. I consider that the matters advanced in support of the proposal do not amount to public benefits which outweigh the great weight that I am required to give to

the harm that would be caused to the significance of the CA and WHS Site as designated heritage assets.

Other Matters

19. I acknowledge that the appellants have sought the advice of the Council as to what would be acceptable development, however this does not alter the conclusions that I have reached.

Conclusion and Recommendation

20. In light of the foregoing, I find that the proposals would introduce discordant features that would be out of keeping with and harmful to the character and appearance of the host property and its attached neighbours. As a result, the contribution the host property, and the terrace of properties which it forms part of, would be diminished. Harm to the character and appearance of the area, which includes the Severn Gorge CA and the Ironbridge Gorge WHS, would occur as a result. Consequently, the proposal would be contrary to the aims of Policies BE1, BE2, BE3 and BE5 of the Telford and Wrekin Local Plan 2011-2031, and the Severn Gorge Conservation Area Management Plan 2016, which jointly set out to secure high quality design which enhances and protects local character. There would also be conflict with the statutory test and the conserving and enhancing the historic environment aims of the Framework.
21. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR