
Appeal Decision

Site visit made on 13 October 2020 by C McDonagh BA (Hons) MA MRTPI

by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2020

Appeal Ref: APP/N4720/D/20/3257549

Royal Oak, Main Street, Aberford, Leeds LS25 3AH

- 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 Robert Parkin against the decision of Leeds City Council.
 - The application Ref 20/02617/FU, dated 5 May 2020, was refused by notice dated 21 July 2020.
 - The development proposed is to replace the current old single glazed wooden mock sash windows with modern wood grain mock sash composite windows.
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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.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and whether the development would preserve or enhance the character or appearance of the Aberford Conservation Area (CA).

Reasons

4. The appeal site is a former public house of two-storey, stone-built construction. The proposal seeks to replace the existing timber framed windows with a wood grain effect uPVC alternative.
5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The National Planning Policy Framework (the Framework) sets out at paragraph 193 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to that asset's conservation.
6. The significance of the CA lies primarily in the variety of architectural styles and detailing which reflect the historic development of the settlement, as well as in the space which reflects its rural setting. Its linear form set along Main

Street includes many stone buildings of simple architectural form set close to the road.

7. Royal Oak, a historic building of traditional character, is prominent on Main Street. It has largely maintained its character and appearance as a former pub despite its conversion to a dwelling. The windows make a positive contribution to the host building and the CA as they are inherently traditional in their design and materials. Moreover, the building is designated as a 'Positive Building' within the Conservation Area Appraisal and Management Plan (AMP). It therefore contributes positively to the significance of the CA.
8. The introduction of plastic frames, regardless of cost or wood grain appearance, would not reflect the appearance, sections or detailing of traditional timber joinery, given that uPVC is not a traditional window material and tends to be bulkier, flatter, smoother and glossier in finish than traditional timber units, giving them a modern and less refined appearance. In such a visible location, the proposal would have a noticeable and harmful effect on the character and appearance of the building and thereby on the wider area.
9. Whilst the windows under consideration at the appeal site are, in places, showing some outward signs of deterioration, I have seen no evidence to show that they could not be repaired as part of the routine maintenance of the property. Moreover, the lack of such maintenance does not justify the use of an inappropriate and harmful replacement material.
10. I acknowledge that Main Street has a variety of window designs and I did note the presence of uPVC in some of these buildings. However, I have no details of whether planning permission was granted for these. Even if permission was not granted, the presence of such development does not set a precedent for inappropriate or harmful development at the appeal site. Furthermore, given the historic context of the buildings, the installation of uPVC windows is not necessarily a good example of development to follow.
11. The harm that would arise would be localised and therefore, in terms of the approach in the Framework, the harm to the CA as a whole would be less than substantial. Paragraph 196 of the Framework states that where a development would lead to less than substantial harm to the significance of a heritage asset, that harm should be weighed against the public benefits of the proposal.
12. I acknowledge that the replacement windows may be energy efficient. However, I am unconvinced that replacement timber windows would not provide the same benefit as uPVC in that respect. This limits the weight I can give the matter as a public benefit. As such the public benefits of the appeal scheme would not outweigh the harm identified.
13. To conclude, the proposal would neither preserve or enhance the character and appearance of the Aberford Conservation Area contrary to the statutory requirements of the Act. It would also be contrary to policies P10 and P11 of the Leeds City Council Core Strategy, GP5, BD6, N19 and BC7 of the Leeds Unitary Development Plan (review), BH1 of the Aberford Neighbourhood Plan and advice contained in the Framework. Collectively these seek to ensure the use of materials and building methods as high in quality as those used in existing buildings in the Aberford Conservation Area.

Recommendation

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

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

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

S Ashworth

INSPECTOR