
Appeal Decision

Site visit made on 25 May 2021 by Ifeanyi Chukwujekwu BSc MSc MIEMA CEnv AssocRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 June 2021

Appeal Ref: APP/P2935/D/21/3269439

The Nook, Wandylaw, Chathill, Northumberland NE67 5HG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr John Barker against the decision of Northumberland County Council.
 - The application Ref 20/02933/VARYCO, dated 7 September 2020, was refused by notice dated 7 December 2020.
 - The application sought planning permission for construction of a single storey extension and wheelchair accessible WC/shower without complying with a condition attached to planning permission Ref 19/04737/FUL, dated 29 November 2019.
 - The condition in dispute is No 2 which states that: *The development hereby permitted shall not be carried out other than in complete accordance with the following approved plans: Application form, As proposed drawing number 1389-03 Rev A, As proposed drawing number 1389-05 Rev A.*
 - The reason given for the condition is: *To ensure the development is carried out in accordance with the approved plans.*
-

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.

Preliminary Matters

3. The proposed drawing appears to contain an error as it shows French doors in the east elevation of the extension on the floor plan but not on the equivalent elevation. However, I saw on site that French doors had been installed in the location shown on the floor plan and the windows in the other elevations were also in place. As both the Council and the appellant agree that the development is retrospective, I have considered the appeal based on what I saw on site.

Background and Main Issue

4. The appellant is seeking to vary the disputed condition to use uPVC windows, rather than painted wood. The main issue in this appeal is the effect that

varying the condition would have on the character and appearance of the host property and the surrounding area.

Reasons for the Recommendation

5. The Nook is a single storey cottage located in a collection of holiday properties converted from agricultural buildings and constructed with stone walls, slate roofs and painted windows and doors. These materials contribute to maintaining the traditional agricultural external appearance of the buildings and rural character of the area.
6. The host property is a standalone unit and therefore already somewhat different in appearance to the other units in the development, most of which are terraced. However, even with the approved extensions the form and design of the building still complements its agricultural character and it reflects the sympathetic conversion achieved throughout the wider development.
7. As approved, the use of timber windows and doors would have enabled the garden room extension to tie into the traditional agricultural character of the building and would have maintained the visual links between the host property and the wider development.
8. However, the uPVC windows and doors installed have a glossy and quite smooth finish, without the natural irregularities found in the painted timber windows used elsewhere on the host property and other units in the wider development. The frames of the French doors are also significantly bulkier than those previously approved, particularly around the opening panes, which contrasts sharply with the fine frames of similar doorways in nearby properties.
9. As a result, the use of uPVC gives the windows and doors a significantly different appearance to others on the host property and in the surrounding units. This creates a distinct contrast with the otherwise traditional form of the building and consequently, appears as a modern and alien addition which is visually harmful to the appearance of the host property and the wider development.
10. Accordingly, the development has a detrimental impact on the character and appearance of the host dwelling and the surrounding area. Therefore, there is conflict with Policy F2 of the Berwick upon Tweed Borough Local Plan (1999) (the LP) which seeks to ensure that development accords with its surroundings, including by virtue of its materials. It also conflicts with the National Planning Policy Framework (the Framework) which requires development to add to the overall quality of the area and be sympathetic to local character, including the surrounding built environment.
11. Both local and national policy identify the importance of good design in all areas. Therefore, the lack of any heritage designation does not justify the harm I have identified.
12. I note the personal circumstances of the appellant's family which led them to choose uPVC windows in order to be able to complete the development more quickly, however these do not outweigh the harm identified and as such do not justify granting permission.

Conclusion and Recommendation

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

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be dismissed.

L McKay

INSPECTOR