



## Appeal Decision

Site Visit made on 15 June 2021

**by K A Taylor MSC URP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 22 June 2021**

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**Appeal Ref: APP/P2365/D/21/3268949**

**Othona, Croasdale Drive, Parbold, Wigan WN8 7HR**

- 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 Karen Ibbotson against the decision of West Lancashire Borough Council.
  - The application Ref 2020/0703/FUL, dated 13 August 2020, was refused by notice dated 3 December 2020.
  - The development proposed is replacement UPVC windows.
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### Decision

1. The appeal is allowed and planning permission is granted for replacement UPVC windows at Othona, Croasdale Drive, Parbold, Wigan WN8 7HR in accordance with the terms of the application, Ref 2020/0703/FUL, dated 13 August 2020, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Location Plan, Block Plan, Proposed Window Photograph, Retail Survey Report.
  - 3) The materials to be used in the development hereby permitted shall be grey UPVC.

### Procedural Matter

2. The appellant has drawn my attention to Policy GN3 of the West Lancashire Local Plan 2012-2027, Development Plan Document, 2013 (LP) and that the Council did not raise residential amenity as a reason for refusal, so consideration of the policy is incorrect. However, Policy GN3 relates to the design / setting of development, including to be of high-quality design and regard to the historic character of the local landscape and/or townscape. Therefore, I have given this policy full consideration within the decision.

### Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Lancaster Lane Conservation Area.

### Reasons

4. The appeal site is a two-storey detached property in a predominantly residential area. It lies within the Lancaster Lane Conservation Area (CA). Croasdale Drive is a single-track cul-de-sac, lined with mature vegetation and trees with properties set back from the road within spacious grounds. The CA

was originally designated in 1975, with a review undertaken within 1985 and covers a substantial area of some 41 hectares, centred from properties on either side of Lancaster Lane.

5. The '*Lancaster Lane Conservation Area, Conservation Area Appraisal, 2003 (CAA)*' sets out that the area is characterised by three main phases; former agricultural use resulting in 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> Century Farmsteads with dispersed development being superseded by the expansion of Parbold Village; 19<sup>th</sup> and 20<sup>th</sup> Century new housing, characterised by large individually designed houses occupying substantial plots, set within mature woodland landscape; and thirdly the expansion of the area in the 1960's, 70's, characterised by unique modern housing, built to utilise often sloping sites including Croasdale Drive.
6. The CAA sets out that views within the CA are somewhat limited due to the dense vegetation and curvature of roads in the area. The individual and informal appearance of many houses and the low building to plot size ratio produces an attractive arcadian type landscape, such a style is generally the low visual impact the properties have on the street scene and mature landscape hides many houses from public view. It identifies Croasdale Drive as development of innovative and modern styles of architecture, but the appeal site is not identified as a building that makes an important contribution to the character of the CA.
7. The CAA does not explicitly refer to materials or window detail but highlights several aspects which are essential to the overall quality of the environment and the CA, including the loss by substantial and insensitive alteration, and the lack of imaginative and high quality residential design.
8. I have a duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
9. The appeal proposal would result in the replacement of the existing white UPVC windows frames with grey UPVC, of which the appellant advises is due to a number of units failing and others in need of replacement. The property is set down from the roadway, privately enclosed and bounded with a wall with railings above and a gated pillar access. As such, there are only glancing views of the first floor and garage from along Croasdale Drive and very little public views of the windows within the site. Particularly, the side and rear elevations are hidden from public views. Therefore, there would be no change to those public views with the replacement windows.
10. The Council argue that whilst the property is modern it is of a traditional stone appearance, it is of the view that grey windows would introduce a modern palette at odds with the character and appearance of the property and the CA it sits within. From the evidence before me, it would appear that the building was constructed in the late 1980's and was originally granted consent with windows to be white UPVC. Although the building is of a traditional but modern appearance it is not necessarily one which has historic status or is as characterful of some of the older buildings identified within the CA.
11. Moreover, it was apparent from my site visit that Croasdale Drive features a mix of property styles that vary considerable in design and appearance. I observed there is a vast variety of window styles, frame design, materials and specifically a mix of colours, including grey, cream, white and sage green in

this part of the CA. Whilst I have limited evidence concerning the planning background of these cases, and some may pre-date the designation of the CA, they nevertheless now contribute to its character and appearance. As such I am not convinced that the replacement of the white UPVC windows with a grey colour would be so materially different that it would cause adverse harm to the overall character and appearance of the property itself, and the wider CA.

12. Furthermore, the Council's Supplementary Planning Document, Design Guide, 2008 (SPD) does not dictate the colour of windows within a CA, it merely states that materials should be chosen to complement the design of development and the use of UPVC products is generally not permitted and can rarely replicate the intricate designs, depth and overall look of a painted timber window. In this case, the windows are already UPVC and a change with a colour of grey would not alter the character or appearance of the surrounding historic environment.
13. For the reasons given above, I conclude that the proposals would preserve the character and appearance of the area, including the CA, and would not conflict with Policies EN4 and GN3 of the LP. Whilst amongst other matters they seek to preserve and enhance West Lancashire's cultural and heritage assets, does not permit development that will adversely affect a CA, and proposals should relate to the existing building, in terms of design and materials.
14. I also find there would be no conflict with the Council's SPD guidance, relating to external materials, windows and doors and it would also accord with the heritage aims of the Framework.

### **Other Matters**

15. My attention has been drawn to other windows in nearby properties allowed by the Council. However, I do not have the precise details of the cases so cannot be sure they are directly comparable to the scheme before me. In any case, I must deal with the appeal on its own merits.
16. As I observed at the time of the site visit the property already has grey bi-fold doors to the rear of the ground floor. From the evidence before me, it is not conclusive when these were installed. It is not a matter for me to consider whether permission would have been required, or whether this replacement is lawful, in the absence of any certificate. Nonetheless, this is not the proposal before me, and the Council has its own mechanisms regarding enforcement if it chose to do so.

### **Conditions**

17. A condition specifying the time limit and approved plans is necessary as this provides certainty. I have imposed a condition specifying materials are to be grey UPVC, for clarity as the description of development omits colour, this is indicated within the application form and in order to safeguard the character and appearance of the area.

### **Conclusion**

18. For the reasons given above I conclude that the appeal should be allowed.

*KA Taylor*

INSPECTOR