



Appeal Decision

Site visit made on 4 October 2022

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2022

Appeal Ref: APP/W3710/W/22/3295186

121 Earls Road, Nuneaton, Warwickshire CV11 5HP

- 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 Miss Sarah Vaughan against the decision of Nuneaton and Bedworth Borough Council.
 - The application Ref 038051, dated 13 May 2021, was refused by notice dated 16 March 2022.
 - The development proposed is to replace both front wooden (5 window) bays, upstairs and downstairs and to replace side wooden window (situated in second lounge) and to replace blown glass in front lounge uPVC window. All wooden windows to be replaced with white uPVC plain glass.
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Decision

1. The appeal is allowed and planning permission is granted to replace both front wooden (5 window) bays, upstairs and downstairs and to replace side wooden window (situated in second lounge) and to replace blown glass in front lounge uPVC window. All wooden windows to be replaced with white uPVC plain glass at 121 Earls Road, Nuneaton, Warwickshire CV11 5HP in accordance with the terms of the application, Ref 038051, dated 13 May 2021, 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: un-numbered drawing showing front – proposed changes and un-numbered drawing showing side elevation – after.

Preliminary Matter

2. The description in the header and decision above is from the application form. The appeal form provides a different description but there is no indication this has been agreed by the main parties. As such, I have used the original description.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Abbey Conservation Area (the CA).

Reasons

4. The CA includes St Mary's Abbey Ruins and nearby residential streets that originate from the late 19th and early 20th centuries. The CA's significance partly derives from the many houses which display a sense of the period through their form and style. The appeal property lies in an area of predominantly late Edwardian semi-detached dwellings, all with 2 storey high front bay window features. As it is typical of the area, the appeal property makes a positive contribution to the character and appearance of the CA.
5. The Council states that the proposal includes the replacement of timber sash windows in the front bays. However, on my visit I saw the existing are casement windows with fairly wide, white painted timber frames. The replacement windows would be of the same form and would have a frame of similar width, albeit made from uPVC. Also, they would have window panes of a similar size and shape to the existing. The application form states that the proposed frames would be white, not grey as stated by the Council.
6. The proposal would lead to a noticeable although minor change in the appearance of the front of the appeal property. The front bays at nearby houses include a wide variety of frames and pane sizes. Sash and casement windows of timber and uPVC construction and of different colours are present in the immediate vicinity. As such, the proposed windows would not stand out as unusual features, especially as they would be similar in appearance to the existing frames and to the uPVC frames in the bay window at 119 Earls Road, the attached dwelling.
7. The Abbey Conservation Area Appraisal and Management Plan Supplementary Planning Document 2022 identifies that a number of historic buildings in the CA have had their windows inappropriately replaced with uPVC units. However, in this instance, the proposed uPVC frames in the bay windows would not detract from the appearance of the appeal property nor undermine any integrity of the area in terms of window design.
8. The replacement windows in the side of the appeal property would not be easily viewed from the street. In any case, they would be seen alongside existing uPVC framed windows and a uPVC conservatory already at the property. As such, they would cause no harm to the visual qualities of the area.
9. Therefore, I conclude the development would not harm but would preserve the character and appearance of the CA. In these regards, it would accord with policies BE3 and BE4 of the Council's Borough Plan 2019. These look for development to sustain heritage assets and reflect local distinctiveness.

Conditions and Conclusion

10. The Council have suggested no planning conditions to be imposed in the event of the appeal being allowed. However, for reasons of clarity, I have included a condition that requires the development to be carried out in accordance with the approved plans.
11. For the above reasons, I conclude the appeal should be allowed.

Jonathan Edwards

INSPECTOR