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# Appeal Decision

Site visit made on 24 January 2023

**by David Troy BSc (Hons) MA MRTPI**

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

**Decision date: 13 February 2023**

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**Appeal Ref: APP/T3725/D/22/3312586**

**3 Brooke Mews, St. Nicholas Church Street, Warwick CV34 4JR**

- 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 Mr Tom Brown against the decision of Warwick District Council.
  - The application Ref W/22/1484, dated 9 September 2022, was refused by notice dated 18 November 2022.
  - The development proposed is replace wooden windows and door with UPVC alternatives that are of the same design and colour as existing.
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## Decision

1. The appeal is dismissed.

## Procedural Matter

2. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description.

## Main Issue

3. The main issue is the effect of the proposed UPVC windows and door on the significance of the Warwick Conservation Area and the setting of nearby listed buildings.

## Reasons

4. The appeal property is a two storey end terrace dwelling located in a well-established residential cul-de-sac surrounded by a mixture of residential and commercial properties within the centre of Warwick. It is situated within the Warwick Conservation Area (CA) and the setting of a number of historic buildings. The historic and architectural significance of these buildings and the CA can be readily appreciated within the immediate vicinity of the site.
5. Brook Mews is characterised by two storey properties of varied styles and design set close to the road. These properties, despite some variations, are predominantly constructed in brickwork facades, with white timber casement windows with small panes of glass subdivided by narrow glazing bars and panelled doors which gives the area a strong unifying character and appearance. The appeal proposal seeks to replace the timber windows and door with UPVC alternatives of the same design and colour as existing.

6. The use of UPVC windows and door on the main facades of the property would be very much at odds with the older more traditional character and appearance of many of the properties in the area. The UPVC windows and door would create an awkward design and unsympathetic appearance when set against the distinctive white timber casement windows and panelled doors on the host property and adjacent properties in Brook Mews.
7. These shortcomings are exacerbated by the proposal's position, which would be visible from a number of public vantage points along Brook Mews. As such, I consider that the proposed UPVC windows and door would result in incongruous and out-of-keeping additions that would adversely harm rather than positively contribute to the setting of the CA.
8. Given the location of the appeal site to the nearby Grade II listed buildings at Nos. 6-12 St. Nicholas Church Street, Warwick Castle and within the CA, special attention must be paid to the desirability of preserving or enhancing the setting of the nearby listed buildings and the character or appearance of the CA. No other details have been provided by the Council regarding any other nearby listed buildings or designated heritage assets in the vicinity. As such my assessment focuses on the two storey Grade II listed buildings at Nos. 6-12 St. Nicholas Church Street, Warwick Castle and the CA.
9. Due to the intervening buildings and the separation distance between the appeal site and the listed buildings, there is only limited inter-visibility. The development would have a neutral material impact on the setting of the listed buildings. The setting is therefore preserved. However, I consider that the proposed UPVC windows and door, by virtue of their siting and design, would have a negative material impact and would fail to preserve or enhance the CA.
10. Given the modest scale of the development, the harm would be less than substantial but in accordance with paragraph 202 of the National Planning Policy Framework, that harm should be weighed against any public benefits of the proposal. I note the appellant's desire is to replace the windows and door and improve the energy efficiency and security of the appeal property. However, I find insufficient public benefit arising from this proposal to offset the identified harm to which I attach significant weight.
11. Consequently, I conclude that the proposed UPVC windows and door would result in harm to the significance of the Warwick Conservation Area. It would be contrary to the aims of Policy HE1 of the Warwick District Local Plan 2017 and the National Planning Policy Framework. This policy and guidance, amongst other things, states that where development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be set against any public benefits of the proposal including, where appropriate, securing its optimum viable use. However, I find insufficient public benefit arising from this proposal to offset the identified harm.

### **Other Matters**

12. I have noted the other developments in the area drawn to my attention by the appellant. However, the various examples of properties using UPVC and aluminium windows on the external facades of the properties have different development characteristics to the appeal proposal and are unrepresentative of the overall character and appearance of the area. In any event, each proposal

falls to be assessed primarily on its own merits and I am unaware of the full circumstances associated with these other cases.

13. I have considered the appellant's comments regarding the commercial premises to the rear of the site, including the extractor fan and refrigeration units at the back of the premises. However, these relate to a different scale and form of development to the appeal proposal and as such are matters to which I can attach only limited weight in making this decision.
14. I have considered the various benefits put forward by the appellant that the proposal would bring, including providing the scheme's high quality design, improved energy efficiency and security, contributing to the local economy through using a local company and meeting the needs of the appellant. While I have given them some weight, these modest benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

### **Conclusion**

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

*David Troy*

INSPECTOR