



Appeal Decision

Site visit made on 27 March 2023

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 April 2023

Appeal Ref: APP/H2265/D/22/3293835

Ridgелands, Malthouse Road, Stansted, Sevenoaks, TN15 7PJ

- 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 John Stevens against the decision of Tonbridge and Malling Borough Council.
 - The application Ref TM/21/03087/FL, dated 16 November 2021, was refused by notice dated 28 January 2022.
 - The development proposed is replacement windows to Residence 9 white uPVC.
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Decision

1. The appeal is allowed and planning permission is granted for replacement windows to Residence 9 white uPVC at Ridgелands, Malthouse Road, Sevenoaks, TN15 7PJ in accordance with the terms of the application, Ref TM/21/03087/FL, dated 16 November 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Scale 1:1250; Block Plan Scale 1:500; Existing Elevations Scale 1:100; Existing Floor Plans Scale 1:100; Proposed Elevations Scale 1:100; Proposed Floor Plans Scale 1:100; and window drawings and specifications.
 - 3) The replacement windows hereby approved shall be white wood grain effect Residence 9 conservation windows.

Background and Main Issue

2. The appeal property is located within the Green Belt and Stansted Conservation Area. The proposed new windows would not add to the volume or the footprint of the dwelling and there is no dispute that the proposal would not be inappropriate development in the Green Belt. This is a conclusion with which I agree.
3. Therefore, the main issue is whether or not the proposal would preserve or enhance the character or appearance of Stansted Conservation Area.

Reasons

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be had to the desirability of preserving or enhancing the character and appearance of a conservation area.

5. Stansted is a small dispersed rural village built around the junction of a number of lanes. The conservation area contains buildings of varying ages, designs and styles that reflect the development over time of what was originally an agricultural village.
6. A variety of traditional building materials is evident within the conservation area but the frequent use of clay tiles on roofs is a characteristic feature of the conservation area and gives a sense of unity to it. I observed that buildings within the conservation area exhibited a wide range of different window styles and a number of properties had uPVC windows. Given this lack of consistency, it appears to me that the style and type of fenestration is not an element of particular significance within the conservation area.
7. Ridglands is one of 4 semi-detached properties at the entrance to the village on Malthouse Lane. The extensive use of flint on the elevations of these houses makes them particularly distinctive. Contributing to the mix of traditional building materials used within the conservation area, they make a positive contribution to it.
8. The current windows on the property are white painted timber set in reveals. They are a simple casement design with glazing bars. The windows are not of any particular architectural interest and the glazing is plain without any detailing. Consequently, the loss of the existing windows would not harm the character and appearance of the property, the street scene or the conservation area more generally.
9. It is proposed to replace the existing timber windows with ones constructed from uPVC frames that would be double glazed. These would be set in the same position, so as to retain the existing reveals. Generally, uPVC windows are inappropriate within conservation areas, as they tend to have thicker frames, a glossy finish and lack the fine details of traditional wooden windows. This is evident elsewhere in the street scene and has a detrimental impact on the character and appearance of the conservation area.
10. However, in this case it is proposed to use Residence 9 conservation windows, which are a specialist type of window. As a result, the proportions of the frames and the glazing bars would be the same as the existing timber windows rather than being thicker. The glazing would also sit flush within the frames and would replicate the putty lines. In addition, the finish of the windows would not be the normal glossy finish but would be a white textured wood grain effect and there would be no external trickle vents.
11. As such, despite being uPVC the proposed windows would respect the design and form of the existing timber windows and the existing character of the host property more generally. To most people passing by, the fact that they were not traditional wooden windows would largely be unnoticed, especially as the house is set back from the road.
12. Therefore, I consider that the proposed windows would preserve the character and appearance of Stansted Conservation Area. The reason for refusal does not refer to any policies within the development plan, nonetheless the proposal would not conflict with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 or section 16 of the National Planning Policy Framework referred to in the reason for refusal.

Conclusion and Conditions

13. For the reasons set out above, I conclude the appeal should be allowed.
14. In addition to the standard implementation condition, to provide certainty it is necessary to define the plans with which the scheme should accord. In the interests of safeguarding the character and appearance of the conservation area it is necessary to ensure that the replacement windows are Residence 9 conservation windows that are designed to match the existing in all but the material used.

Alison Partington

INSPECTOR

