
Appeal Decision

Site visit made on 2 October 2023

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 October 2023

Appeal Ref: APP/Y0435/D/23/3323685

99 Victoria Street, Wolverton, Milton Keynes MK12 5HQ

- 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 Stephanie Parsons against the decision of Milton Keynes City Council.
 - The application Ref 23/00459/HOU, dated 24 February 2023, was refused by notice dated 19th May 2023.
 - The development proposed is described as 'Replacement of 4 windows and 1 door on the front elevation of the property. Windows to be replaced with UPVC sash double glazed units, door to be replaced with UPVC panel door'.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. In the appeal, the appellant proposes an alternative front door comprising a 'like-for-like' black PVCu door in the original 2-panel door style, with 2 frosted windows. However, this is a significant revision to the original proposal on which the Council has not had the opportunity to comment. I am required to determine the same scheme that was before the Council and cannot therefore accept this revision.

Reasons

3. The appeal property falls within the Wolverton Conservation Area and is also subject to the Wolverton Article 4 Direction. Therefore, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area as a result of development.
4. The appeal property is a non-designated heritage asset. In my opinion, aspects of its character are derived from its Victorian features, including the design of the vertical sliding sash windows and door. It is important as an individual property and as one of a symmetrical pair of mid-terraced houses within a road containing similar properties. These contribute to the identifiable character of the Wolverton Conservation area, a designated heritage asset.
5. It is proposed to install white PVCu, top hung, mock sash windows as the existing timber windows are in a poor state of repair, containing rotten material and cracked panes of glass. It is not proposed to replicate the original design detailing such as horns and slender glazing bars which are an important detail

of these Victorian dwellings. The installation of a top hung opening, casement window type would emphasise the difference between the existing and proposed windows and this would be particularly apparent when the windows swing outwards to open. Although they would be the same size as the original windows, they would be clearly discernible as replacements.

6. The appellant notes that other windows in the road are in a similar style to the ones proposed, including at No 97 next door. However, the other neighbouring property at No 101 has the original windows. Nonetheless, there are indeed numerous examples of window alterations in the road. They clearly indicate the harm that can arise from incremental changes to detailed design elements that contribute to character and appearance. Furthermore, the Council indicates that this gradual loss of character through the permitted development rights for private dwellings is what led to the Article 4(2) Direction designation to protect the loss of such detail in the first place. Little weight can be attached to replaced windows elsewhere as a justification for the further loss of original window designs.
7. I conclude that the failure to incorporate characteristic features of the existing windows would fail to preserve and would instead harm the character and appearance of the appeal house. Furthermore, insensitive alterations to one of the pair of houses would also have a detrimental impact on the other. There would be further harm to the character and appearance of the other houses in the road and to the Conservation Area as a whole.
8. Turning to the proposed replacement door, as I have set out above, the appellant now proposes a PVCu door with the original 2 panel door style and 2 frosted windows. There would be a window above the door frame. This revised element of the proposal would be in keeping with the neighbouring front door and those commonly found on the road and the surrounding area. However, as indicated, my decision must be based on the original submission.
9. The Council raised no objections to the solid door in its reason for refusing the application, stating that a solid door would represent a door of traditional Victorian character. There is no evidence to the contrary and no reasons to disagree with this assessment. Therefore, this element of the appeal proposal would have been acceptable.
10. To conclude overall, the proposed works to the individual non-designated heritage asset, which is subject to an Article 4 Direction and is a component building of the Wolverton Conservation Area, would fail to preserve the character and appearance of that conservation area. It therefore conflicts with Policy HE1 of Plan:MK 2016-2031 which, in summary, requires new development to sustain and, where possible, enhance the significance of heritage assets. For the foregoing reasons, the proposal would also result in less than substantial harm to the significance of the designated and non-designated heritage assets.
11. Where a development proposal leads to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
12. The appellant states that the property is difficult to heat and consumes large amounts of heating gas due to the poor state of the windows and door. The

high cost of being required to install sash windows will result in the windows being left in the state they are in which will become detrimental to the appearance of the conservation area. However, these are private benefits of the proposal. There are other means by which the identified issues can be addressed, thereby improving the occupants' wellbeing and standard of living.

13. I conclude that the proposal does not offer public benefits of sufficient weight to overcome the statutory duty to preserve or enhance the architectural and historic character and appearance of the conservation area, to which this Victorian dwelling makes a significant contribution.
14. For the foregoing reasons, the appeal is dismissed.

Elaine Benson

INSPECTOR