



Appeal Decision

Site visit made on 14 November 2023

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th November 2023

Appeal Ref: APP/J1915/W/23/3320970

59A Fore Street, Hertford, Hertfordshire SG14 1AL

- 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 Ms S Muriel against the decision of East Hertfordshire District Council.
 - The application Ref 3/22/1706/FUL, dated 10 August 2022, was refused by notice dated 16 January 2023.
 - The development proposed is wood effect Upvc sash casement windows.
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Decision

1. The appeal is allowed and planning permission is granted for wood effect Upvc sash casement windows at 59A Fore Street, Hertford, Hertfordshire SG14 1AL in accordance with the terms of the application, Ref 3/22/1706/FUL, dated 10 August 2022, 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 approved drawing No 20375-P002 Plans and Elevations as Proposed.
 - 3) The exterior of the development hereby permitted shall be constructed in the materials specified on the submitted application form and drawing No 20375-P002 Plans and Elevations as Proposed.

Preliminary Matter

2. The Council's decision notice refers to plan 20375-P001 however it is clear that the plan submitted to and considered by the Council was 20375-P002. The Council accept this was an admin error and so for clarification the appeal was considered based on plan 20375-P002.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building and Hertford Conservation Area.

Reasons

4. The appeal building is a mid-terraced three storey building located within the town centre. The ground floor is commercial with the other floors being in residential use. The front of the building is rendered white and contains timber framed sash windows painted black. The four eastern most windows are twelve paned with the remaining windows being four paned. The rear of the building is

brick and contains sash windows as well as some smaller windows, two of which are UPVC. The appeal building is located within the Hertford Conservation Area.

5. The special interest of the Hertford Conservation Area relates to its historical development and layout, including the design and arrangement of buildings within it. In considering proposals for planning permission, the duty imposed by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
6. The appellant suggests that the existing windows are not energy efficient and the reason for replacing them is to meet the minimum energy efficiency standards.
7. The design of the replacement windows seek to replicate the design of the existing windows. In particular, the windows on the front elevation would be twelve pane sash windows which would result in uniformity, improving the overall appearance of the host building.
8. I acknowledge the Council's aims in seeking to preserve the character and appearance of Conservation Areas and note that in some cases uPVC windows can be harmful. However, while the windows proposed are uPVC they are wood effect and are designed to mirror the style of the existing windows. In this regard, they would be indistinguishable in appearance and therefore would not alter the character and appearance of the host building. The proposal would therefore have a neutral effect on the Hertford Conservation Area.
9. I conclude that the proposal would not harm the character and appearance of the host building or Hertford Conservation Area. I find no conflict with policies HA4 and HOU11 of the East Herts District Plan October 2018. Amongst other things, these seek to ensure development preserves or enhance the special interest, character and appearance of the area.

Conditions

10. I have considered the Council's suggested conditions in the event I were to allow the appeal. Where necessary, and in the interests of clarity and precision, I have slightly altered them to more closely reflect the advice in the National Planning Policy Framework and the Planning Practice Guidance.
11. In addition to the standard condition which relates to the commencement of development, I have specified the approved plans for the avoidance of doubt. A condition relating to materials is also necessary to ensure that the appearance of the proposal would be satisfactory in the street scene.

Conclusion

12. For the reasons set out above and having regard to the development plan as a whole and all other material considerations, I conclude the appeal should be allowed.

D Wilson

INSPECTOR