The Planning Inspectorate

Appeal Decision

Site visit made on 19 October 2023

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2023

Appeal Ref: APP/N1730/D/23/3327475
16 Weatherby Gardens, Hartley Wintney, Hook, Hampshire RG27 8PA

- 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 Judith Olsen against the decision of Hart District Council.
- The application, Ref. 23/00618/HOU, dated 8 March 2023 was refused by notice dated 18 May 2023.
- The development proposed is the replacement of 9 windows.

Decision

1. The appeal is allowed and planning permission is granted for the replacement of 9 windows at 16 Weatherby Gardens, Hartley Wintney, Hook, Hampshire in accordance with the terms of the application, Ref. 23/00618/HOU, dated 8 March 2023 and subject to the following conditions:

    1) The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this Decision;

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: OS Based Location Plan & Block Plan; Drawing No. 354-1-v2; Roseview Frame Profiles; Roseview Heritage Sash Window: Proposed Frame Cross Sections.

Main Issue

2. The main issue is the effect of the replacement windows on the character or appearance of the Hartley Wintney Conservation Area ('the CA').

Reasons

3. The officers' report on the appeal application advises that Weatherby Gardens is a mid 1960's development of terrace, semis and detached dwellings built in a neo-Georgian style with portico front entrances and deep sash multi-pane windows. The properties have been included in the CA to preserve the consistency of the original design and an Article 4 Direction has been applied to the frontages of each dwelling for the same reason.

4. This description makes it clear there is no heritage interest in the sense of original Georgian architecture or indeed innovative C20th architecture that is worthy of listing. However, I recognise that although perhaps arguable in terms of appropriateness, the CA designation and the Article 4 do have the merit of

preserving the character and appearance of the street scene of Weatherby Gardens.

5. The appellant seeks to replace timber framed windows that are in an advanced stage of decay with their uPVC counterparts. And whilst the officer report seeks to justify the recommendation for refusal by referring to replacement of windows in other houses in the road being unauthorised, the grounds of appeal have drawn my attention to a number of errors and inconsistencies in that document (in part accepted by the Council following a complaint). Accordingly, I attach more credence to the appellant's statement that '*Nos. 7, 8, 10, 12, 14 & 15 have all been granted permission for uPVC windows'* and that '*At least two others have done the work without permission'.*

6. Leaving these precedents aside and bearing in mind there is no heritage issue given that the design is a pastiche and the mid C20th buildings have no historic interest, the main issue in this case can reasonably be interpreted as whether the CA would be at least preserved by the proposed uPVC windows being sufficiently similar in appearance to the original ones with their timber frames.

7. In my view this assessment should not be one of up-close inspection by say, an architect, heritage expert or conservation officer, but by a member of the public in Weatherby Gardens as a resident, visitor or perhaps a passer-by. And I consider that in none of those examples would the eye be drawn to the replacement windows as being noticeably and/or harmfully different from the original timber framed fenestration. In the case of the appeal scheme, the appellant has sought the closest match possible and from my visit and an appraisal of the submissions of both parties I conclude that this too is a case in point and that there would be no harm caused to the character and appearance of the CA which would therefore be preserved.

8. Accordingly, there would be no harmful conflict with Policies NBE8 & NBE9 of the Hart Local Plan (Strategy and Sites) 2032; Policy GEN 1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies; Policies 2 & 5 of the Hartley Wintney Neighbourhood Plan, or with Sections 12 and 16 of the National Planning Policy Framework 2023. In reaching this conclusion I note that neither other residents of Weatherby Gardens nor the Parish Council had any objection to the proposal.

9. I shall therefore allow the appeal and grant planning permission, subject to a condition that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning.

Martin Andrews

INSPECTOR