



Appeal Decision

Site visit made on 6 December 2023

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21.12.2023

Appeal Ref: APP/C3620/D/23/3325335

26 Vincent Road, Dorking RH4 3JB

- 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 William Flaherty against the decision of the Mole Valley District Council.
 - The application Ref MO/2023/0420/PLAH, dated 12 March 2023, was refused by notice dated 18 May 2023.
 - The development proposed is the replacement of 2 No. front windows.
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Decision

1. The appeal is allowed, and planning permission is granted for the replacement of 2 No. front windows at 26 Vincent Road, Dorking RH4 3JB in accordance with the terms of the application, Ref MO/2023/0588, dated 27 March 2023 subject to the following conditions: -
 - 1) The development hereby permitted shall begin not later than 3 years from the date of the decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following plans: Site Location Plan, Existing and Proposed Front Elevation and Technical Drawing (Design and Access Statement Appendix 4 – Dorking Glass)

Main Issue

2. The main issue is whether the development would preserve or enhance the character or appearance of the Dorking Conservation Area.

Reasons

3. Vincent Road is primarily formed of traditional properties of a similar age and forms part of the Dorking Conservation Area. The Conservation Area covers a wide area, but the characterful Victorian dwellings contribute to the significance in the immediate area of the appeal site. The Council's Dorking Conservation Area Appraisal & Management Plan describes Vincent Road, together with Norfolk Road, as having a consistent scale of two-storey properties with groups of houses sharing common characteristics and materials.
4. No.26 is a semi-detached property on the southern side of the road. It does not have its original windows to the front. The first-floor window has an aluminium frame, and the ground-floor window is timber, but it is clearly a replacement, being wider than the header stones visible above and positioned flush with the

- elevation. These existing windows do not reflect the historic architectural detailing, nor do they positively contribute to the appearance of the property.
5. The proposed uPVC replacements would have a sash window format, with the wider ground floor window being a vertical sliding sash design which is to be inserted to have a reveal. The window manufacturer's brochure and quotation submitted as part of the application also indicate that the windows will have a slim profile, astragal bars and decorative horns.
 6. Along Vincent Road many properties still have the original windows with timber frames, although equally there are those which are obviously uPVC. These are most notable due to the depth of the frames and the composition of the windows. There are however others, including the modern development at Nos.17B and 17C referenced by the appellant, where the materials are less identifiable from the street.
 7. I appreciate the Council's desire to encourage the use of timber and that uPVC cannot fully replicate the character or appearance of authentic timber framed windows which connect the building to its historic context. However, in this case, the original windows were lost some time ago and therefore the retention as sought by Policy ENV39 of the Mole Valley Local Plan (MVLN) and the Council's document Article 4 Directions – Dorking, which indicates that the use of uPVC for is almost always unacceptable as a replacement for traditional timber joinery, is not directly applicable to the appeal property.
 8. While replacing the windows in poor condition is an opportunity to make changes, the overall statutory duty, as echoed in MVLN policy, is to preserve or enhance the character or appearance of the Conservation Area. The proposed uPVC sash windows would be more in keeping with the traditional form and have greater visual cohesion with the other half of the semi-detached pair and the overall appearance of the properties along the street compared to the existing windows. I therefore conclude that the proposal would not harm the appearance of the group of properties or the significance of the Dorking Conservation Area as a whole.
 9. Consequently, I find that the development would preserve the character and appearance of the Dorking Conservation Area and would accord with MVLN policies ENV22 and ENV39, and policy CS14 of the Mole Valley Core Strategy which together require development to respect the character of the area, promote a high standard of design and to preserve or enhance conservation areas. There would also be no conflict with the similar heritage objectives of the National Planning Policy Framework.

Other Matters

10. I accept that timber is likely to be more sustainable, assuming it is suitably sourced, however, there is no evidence before me to support the Council's dismissal of the manufacturer's position that the uPVC windows are recycled and therefore this is not a matter to which I have attached weight.
11. The Council advisors that there have been no other planning applications for uPVC windows along Vincent Road. The appellant's evidence does suggest that uPVC windows have been installed more recently than the introduction of the Article 4 Direction in 2011 and that there have been approvals for uPVC windows elsewhere within the Conservation Area. Notwithstanding this, the

background to the windows of each property along Vincent Road is not before me, and I have considered the proposal on its own merits.

Conclusion and Conditions

12. In the interests of certainty and compliance with statutory requirements I have imposed conditions in relation to the timeframe for development and the plans. The more technical details of the windows are contained in the Design and Access Statement and therefore I have also referenced those plans as well.
13. For the reasons set out the appeal is allowed.

G Ellis

INSPECTOR