



Appeal Decision

Site visit made on 12 June 2024

By Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2024

Appeal Ref: APP/M2840/D/24/3339832

11A Park Walk, Brigstock, Kettering, NN14 2HH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Miss Sam Brocklebank against the decision of North Northamptonshire Council.
 - The application Ref NE/23/00807/FUL.
 - The development proposed is: Replace 21 existing old PVC windows and old original windows and doors to recycled UPVC flush casement, woodgrain colour agate grey., replace 2 patio doors with UPVC flush casement, woodgrain finish - colour agate grey, replace 1 entrance door with UPVC flush casement, woodgrain finish- colour agate grey, replace 1 front door with composite solid door-colour granite.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of existing windows to recycled UPVC flush casement, woodgrain, colour agate grey, Replace 2 patio doors with UPVC flush casement, woodgrain finish - colour agate grey, Replace 1 entrance door with UPVC flush casement, woodgrain finish - colour agate grey, Replace 1 front door with composite solid door - colour granite at 11A Park Walk, Brigstock, Kettering, NN14 2HH, in accordance with the terms of the application reference NE/23/00807/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 scale location plan; 1:200 scale block plan; Halo System 10 Technical Drawing (page 54); Frame colour and door detail date stamped by Council 24 July 2023; and Quotation details reference 011946, date stamped by Council 24 July 2023.

Procedural Matters

2. During my initial consideration of the appeal, it was unclear to me as to what plans and documents the Council had considered when it determined the planning application. Therefore, I sought clarification several times from both parties and I am now satisfied that the plans and documents listed in my decision above are correct.
3. I have also noted that the description of the development referred to the replacement of 21 existing windows. However, the detailed quotation and

specification provided shows a greater number. At my site visit it was confirmed that the proposal is to replace all the windows. It is also clear that the Council considered the application on this basis and I have, therefore, amended the description slightly to accord with the appellant's intentions and the Council's understanding.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of both the existing dwelling and the Brigstock Conservation Area (CA).

Reasons

5. The appeal property is an old detached two-storey dwelling, which is situated in a backland position within the village and the CA. The dwelling is an amalgamation of different aged buildings constructed of both natural stone and brickwork. The property is largely screened from public view by other properties along Park Walk, but notwithstanding, the Council considers it to be a building that makes a positive contribution to the significance of the CA. The CA is subject to an Article 4 Direction, which means that proposals for replacement windows normally require permission from the Council.
6. The proposal is to replace the doors and windows at the property with upvc windows and a composite door. The windows would be agate grey, flush fitting casements. These would replace mainly timber, plus some upvc windows, that vary in terms of their style and condition. At present, the existing windows detract from the appearance of the dwelling, because of their relatively poor condition and the mix of finishes.
7. It is a statutory requirement when determining planning applications within conservation areas that decision makers pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This requirement and the need to respect local character is reinforced by Policies 2 and 8 of the North Northamptonshire Joint Core Strategy 2016 and by Policies 11, 12 and 13 of the East Northamptonshire Local Plan 2024.
8. The Council considers that the proposal would fail to preserve or enhance the CA and the existing dwelling, because of the use of non-traditional materials. Whilst there are other examples of upvc windows within the CA, I observed during my site visit that the majority of other properties in the vicinity of the appeal site have wooden openings. The Council also points to recent application for upvc windows on a property elsewhere in the CA that was refused (although no details have been supplied).
9. The subject of upvc windows in conservation areas is often contentious and I accept that there is often an argument against them as a matter of principle. However, in my opinion, each case should be considered on its merits, having regard to the appearance of the existing dwelling, its position in relation to other properties and the contribution that the fenestration makes to the character and appearance of the CA. Furthermore, modern upvc windows have developed significantly in recent years and I consider that they can be successfully used on historic buildings.
10. I consider that the proposed windows and door, would enhance the appeal property. The opening casements would complement the age and form of the dwelling due to their proportions and flush fitting. In addition, the wood grain

effect would have a similar appearance to natural timber and the agate grey colour would be appropriate. Furthermore, the replacement composite door would be similar in appearance to the existing door.

11. I acknowledge concerns that by granting permission a precedent would be set for other similar proposals within the CA. However, having regard to the considerations that I have listed in paragraph 9 above, I do not share this concern and my decision is based on the site's location within the CA and the characteristics of the appeal property.
12. I have noted that the Council would be prepared to allow replacement windows on a like for like basis. However, that would result in a mix of materials, which, in my opinion, would appear odd and a uniform appearance as proposed would be highly preferable.
13. For the above reasons, I consider that the proposal would not have a harmful effect on the character and appearance of either the existing dwelling or the CA and that it would not conflict with the provisions of the Development Plan, as referred to above.

Conditions

14. The Council has suggested conditions in the event of the appeal being allowed. In addition to the standard time condition relating to the period for commencing the development. For reasons of clarification, I have also imposed a condition specifying the approved plans and documents.

Conclusion

15. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR