



Appeal Decision

Site visit made on 3 December 2024

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 January 2025

Appeal Ref: APP/F0935/D/24/3348211

37 North Street, Maryport, Cumbria, CA15 6HR

- 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 Mr Steven Coulton against the decision of Cumberland Council.
 - The application Ref is HOU/2023/0181.
 - The development proposed is described as 'to remove broken & dangerous cast iron sewer vent pipework, guttering, downpipes, rotting timbers (bargeboards/eaves/soffits/fascias) and replace with low maintenance, corrosion proof materials including uPVC. Most of existing windows are sliding sash single glazed timber but some previously replaced as like for like ie similar design & profile sliding sash with low maintenance modern materials (uPVC double glazed). I intend to replace remaining timber single glazed windows with similar design uPVC double glazed windows.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised on 12 December 2024. As the changes do not materially affect the main issues in this case, the parties have not been invited to comment further. Where references are made to paragraph numbers of the Framework, these are references to the most recent version.
3. On the day of my site visit I noted that the development has commenced, and the timber fascia had been removed and replaced with one constructed from white UPVC. I have no means of knowing whether this partially complete development accords with the submitted plans and information. Therefore, my determination of this appeal is made against the evidence before me.

Main Issue

4. The main issue is the impact of the proposed development on the character and appearance of the host property, including whether it would preserve or enhance the character or appearance of Maryport Conservation Area (MCA).

Reasons

5. The appeal property is positioned on the end of an attractive traditional sandstone terrace, occupying a prominent position within the MCA on the junction of Church Street and North Street. Most of the dwellings on the terrace have UPVC windows. However, a large number retain some original detailing, including painted timber facias with feature decorative king post trusses under the eaves.
6. The significance of the MCA is, in part, derived from the architectural and historic interest of the area's buildings, which include a number of well-preserved examples of high quality architecture dating from the 18th and 19th Centuries. The utilisation of local materials and preservation of period features reflect their historic origins, which include finely detailed

timber architectural detailing. These factors all contribute positively to the architectural and historic significance of the MCA as a whole.

7. Based on the evidence before me the painted timber fascia boards and decorative timber detailing were compatible with the age and style of the building, as well as the terrace that it is part of. In this regard they were a key component of the property which added to its architectural merit and its positive contribution to the MCA.
8. The appeal scheme would allow the replacement of the painted timber fascias and feature trusses on 37 North Street with plain white UPVC fascias which include a black woodgrain effect strip. It is acknowledged that the appellant added the black strip adjacent to the roof with the intention of making the fascias appear narrower. However, they still appear overly plain and bulky and do not truly replicate the fine detailing of the painted timber fascias and trusses that they replaced.
9. As detailed above, the appeal property occupies a prominent position within the MCA and is a well preserved example of traditional architecture. Allowing the development would erode the historical architectural character of the building and, in doing so, would fail to preserve the character and appearance of the MCA.
10. As such, the development would harm the character, appearance and significance of the MCA as a whole. Paragraph 215 of the Framework explains that where, as I find in this case, the harm to the significance of the MCA would be less than substantial, that harm should be weighed against the public benefits. The appellant asserts that the original timber fascias were in a state of disrepair and had started to fall off. As such, their replacement may bring a public benefit in terms of a reduced health and safety risk. Notwithstanding this, it has not been clearly demonstrated that the scheme before me is the only method available to maintain appropriate health and safety standards. Therefore, I afford the appeal scheme only limited weight in this regard. There are also economic benefits associated with carrying out the development. However, any specific public benefits there may be in this case, would be insufficient to outweigh the great weight I must attach to the harm I have identified to the designated heritage asset.
11. In conclusion I find that the proposed development would fail to preserve the character and appearance of the MCA. Therefore, it would conflict with s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies DM15, S4 and S27 of the Allerdale Local Plan (Part 1) 2014. When read together these policies require new development to respect and respond positively to the distinctive qualities of the location, enhance, protect and integrate effectively with the historic environment and only allow harm to heritage assets when that harm is outweighed by public benefits. The scheme would also fail to respect the Framework insofar as it relates to achieving well-designed places and conserving and enhancing the historic environment.

Other Matters

12. The Council raises no concerns regarding the impact of the proposed UPVC windows and replacement guttering and soil pipes on the character and appearance of the host property and the MCA. Based on the evidence before me I have no reason to disagree with the Council. However, the absence of harm in these respects form neutral factors in my assessment of the appeal, weighing neither for nor against the development.
13. I note that the appellant is aggrieved with the Council's handling of their application. This is a matter between the parties that does not fall within the remit of this appeal. I have therefore given it no weight in my determination.

Conclusion

14. For the reasons given above the appeal should be dismissed.

C Livingstone

INSPECTOR