



Appeal Decision

Site visit made on 6 May 2025

by **F Harrison BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 May 2025.

Appeal Ref: APP/Z1510/D/24/3352731

West View Cottage, Bardfield Road, Finchingfield, Essex CM7 4LS

- 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 Colin Ehren against the decision of Braintree District Council.
 - The application Ref is 24/01288/HH.
 - The development proposed is described as replace 1980/1990s double glazed wooden windows with heritage style Residence Collection R7 PVCu double glazed windows more in keeping with the age and style of the property.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant suggests that planning permission is not required for the replacement of windows as the appeal site is not within a conservation area where there is an article four direction. Nevertheless, the proposal is before me, which I have assessed against the information submitted by the parties and my site visit.

Main Issue

3. The main issue is the extent to which the proposal would preserve or enhance the character or appearance of the Finchingfield Conservation Area (FCA).

Reasons

4. The appeal site falls within the FCA and in line with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. From my observations, the significance of the FCA, insofar as is relevant to this case, is primarily derived from the mixture of period properties and their associated appearance, including the use of traditional materials, which creates a picturesque village. The appeal property is a semi-detached property set back from the road in between the adjoining cottage and a detached L shaped cottage. As an attractive period property comprising traditional materials the appeal property contributes positively to the FCA.
5. As described on the application form, the proposal would result in the replacement of the four wooden framed windows on the main elevation and the wooden framed window to the side of the front porch with 'Residence R7' heritage style windows with painted PVCu frames. The proposed fenestration pattern would replicate the existing, however the number of panes on the main elevation windows would be reduced from four to three.

6. It is not disputed that the existing windows themselves, said to have been installed in the 1980s, are not of heritage significance, however the use of a traditional material makes a positive contribution to the character and appearance of the FCA which would be lost through the proposal. In coming to this conclusion, I have taken account that PVCu windows tend to be bulkier than timber and appear as more obvious modern additions in the historic environment. This is because they do not generally replicate the features, proportions or refinement of traditional frames and their associated joinery techniques. Even where slimmer or 'heritage' style frames are utilised with fine-grained, impressed wooden pattern, the crisper and more precise, uniform appearance of PVCu is usually evident and is discernible from the equivalent timber frames.
7. Notwithstanding the submitted manufacturer's brochure, the elevational drawing lacks detail and it is not possible to discern with strong accuracy what each new window frame, cill or glazing bar design would look like on the appeal property. In the absence of such information the concerns outlined above are reinforced. The proposal would not therefore meet the requirements of Policy LPP53 of the Braintree District Local Plan (2021) (BDLP) that require building materials to be appropriate to the local context. Nor has it been shown that the window design would be sensitive to local features of historic importance as required by BDLP Policy LPP52.
8. Given the varied shape and design of the windows in the appeal site location and that uniformity across buildings is not, within itself, part of the significance of the FCA, a more sympathetic match in fenestration between the appeal property and attached neighbouring property at Lily Gunn's Cottage is not therefore determinative. Furthermore, it is indicated that the appeal scheme would match the windows previously installed at the property. However, I do not have any details of former window treatments and so I am unable to make a comparison.
9. My attention has been drawn to the large number of properties within the FCA that have non-traditional windows, including immediately adjacent to the appeal site. However, I do not know the circumstances in which any decision was made or if the Council is aware of these windows, which may well be unauthorised. Their presence is therefore not a matter which is determinative in my assessment of the proposal nor is it a justification for permitting development that would be detrimental to the FCA. Similarly, while the windows shown in the manufacturer's brochure may well have been installed in other conservation areas, this does not demonstrate that they would be appropriate at the appeal site location.
10. Even though the appellant may disagree with the Council's assessment of the design of the scheme, the principle of making a planning judgement is well-founded. In my view, the replacement of the windows with a non-traditional material would result in a small, but nevertheless, detrimental erosion of the historic environment. It therefore follows that the proposal would fail to preserve or enhance the character or appearance of the FCA and would harm its significance as a whole.
11. The proposal would therefore not meet the requirements of the Act or the provisions in the National Planning Policy Framework (the Framework) regarding the conservation and enhancement of the historic environment. Bearing in mind the scale and nature of the proposal relative to the designated heritage assets, the

degree of harm would be less than substantial. In these circumstances, the Framework states that the harm should be weighed against the public benefits.

12. Replacing the existing windows would make the property more thermally efficient, however I have not been provided with substantiated evidence that the windows could not be made more efficient through repair works for example. The primary beneficiary of reduced heat loss would be the occupiers and so a private benefit. Any public benefit associated with reducing energy consumption and mitigating the effects of climate change attracts limited weight due to the scale of the proposal. Similarly, any reduction in the cutting down of trees through the use of PVCu attracts limited weight. Overall, even cumulatively, the sum of the public benefits of the proposal would not outweigh the harm to the significance of the designated heritage asset that I have identified, and the considerable importance and weight this carries.
13. To conclude, the proposal would not preserve or enhance the character or appearance of the FCA, and would conflict with BDLP Policies SP7, LPP36, LPP47, LPP52 and LPP53. Amongst other things, these policies require development to respond positively to local character and context, especially in historic areas, and reflect local distinctiveness, including conserving or enhancing the character, appearance and essential features of conservation areas.

Other Matters

14. There was no objection from the parish council however this is not, in itself, a reason to allow inappropriate development. While the appellant has expressed frustrations with the Council's handling of the application; this does not alter or outweigh my findings which are based on the planning merits of the case.

Conclusion

15. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR