



Appeal Decision

Site visit made on 3 July 2025

by **A Oyebade MSc FCILT**

an Inspector appointed by the Secretary of State

Decision date: 14 August 2025

Appeal Ref: APP/M2840/W/25/3364699

20 The Green, Mawsley, Northamptonshire NN14 1GY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Darren Aaron against the decision of North Northamptonshire Council.
 - The application Ref NK/2025/0048 was approved on 27 March 2025 and planning permission was granted subject to conditions.
 - The development permitted is replacement windows, front door and French doors to the rear.
 - The condition that is partially being disputed is No 3 which states that: All windows hereby approved shall maintain the proportions of the existing window openings and incorporate a timber grain texture foil wrap in a satin or matt finish to the external frames and ensure that no part of each window (other than the cills) projects beyond the wall face of the respective elevation of the host property. With respect of all windows where glazing bars are specified, all glazing bars shall be astragal type. All windows shall have concealed trickle vents only. The windows shall be retained in that form thereafter.
 - The part of the condition in dispute is: "All windows shall have concealed trickle vents only."
 - The reason given for the condition in its entirety is: In the interests of delivery a high-quality, well-designed form of development which protects the character and appearance of the area, in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy and Policies RS1 and MAW1 of the Site-Specific Part 2 Local Plan for Kettering Area.
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Decision

1. The appeal is allowed and the planning permission Ref NK/2025/0048 for replacement windows, front door and French doors to the rear at 20 The Green, Mawsley, NN14 1GY granted on 27 March 2025 by North Northamptonshire Council, is varied by deleting condition 3 and substituting it for the following condition:
 - All windows hereby approved shall maintain the proportions of the existing window openings and incorporate a timber grain texture foil wrap in a satin or matt finish to the external frames and ensure that no part of each window (other than the cills) projects beyond the wall face of the respective elevation of the host property. In respect of all windows where glazing bars are specified, all glazing bars shall be astragal type. The windows shall be retained in that form thereafter.

Main Issue

2. The main issue is whether the part of the condition is reasonable and necessary in relation to materials chosen for the Village Street.

Background

3. The appeal dwelling is in an area subject to an Article 4 direction, which removed a range of permitted development rights, including alteration and replacement of

windows and doors in this part of Mawsley. Planning permission has been granted at this property for new windows, front doors and French doors to the rear of the appeal property, subject to certain conditions encompassing the disputed one above. The appellant now wants to remove that part of Condition 3 that requires that the windows are installed with concealed trickle vents only.

Reasons

4. The appeal property is a 2-storey dwelling set within a residential area designated as the 'Village Street', which contains a mix of 2 and 3 storey buildings in comparable town house design form. Albeit most of these properties have similar windows, I have observed windows with trickle vents on the second floors of the adjacent Nos 16 and 18, which with their slight forward projection on the window rails, having limited visual effect. The proposed trickle vents on the window rails of the appeal building, beneath the present projecting window heads, would mirror those of these neighbouring properties and not be visually intrusive.
5. The Council's Officer's Report mentions that the Article 4 Direction was designated on 18 July 2001 and the justification included a statement that 'materials selected for the Village Street include the use of sympathetic man-made materials'. Hence, the proposal is not in conflict with Policies 8 of the North Northamptonshire Joint Core Strategy or Policies RS1 and MAW1 of the Site-Specific Part 2 Local Plan for Kettering Area. Together these Policies seek to create a distinctive local character by responding to the site's immediate and wider context and local character to create new streets, spaces and buildings, which draw on the best of that local character without stifling innovation and, emphasise that development must be designed to reflect the distinct character of the village
6. I therefore conclude that the part of the condition being contested is unreasonable and unnecessary in relation to the elected materials for this area and the appeal should be allowed with a modified Condition 3 omitting reference to concealed trickle vents.

Conclusion

For the reasons given above I conclude that the appeal should succeed. I will vary the planning permission by deleting the disputed condition and substituting it with an amended version.

A Oyebade
INSPECTOR