



Appeal Decision

Site visit made on 7 September 2026

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th September 2026

Appeal Ref: APP/J4525/C/25/3368726

47 Roker Park Road, Roker, Sunderland SR6 9PL

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended (the Act).
- The appeal is made by Mrs Charlotte Perrett against an enforcement notice issued by Sunderland City Council.
- The notice was issued on 13 June 2025.
- The breach of planning control as alleged in the notice is without planning permission, the replacement of timber sliding sash windows with white uPVC windows to the front elevation of the premises on the ground floor, first floor and second floor dormer.
- The requirements of the notice are to:
 - i. Remove the unauthorised UPVC windows from the front elevation of the building and reinstate timber sliding sash windows, replicating the design and proportions of those which were removed as shown in photographs entitled EN Plan 2.
 - ii. Following the installation, apply undercoat and topcoat to all new and any disturbed external woodwork with a suitable external paint system, in a colour to match the timber sash windows that were removed.
 - iii. Make good any damage to the masonry that occurs as a result of carrying out the above requirements (i and ii) in materials and colour to match the original dwellinghouse.
 - iv. Remove from the land all surplus materials and waste arising from compliance with the above requirements.
- The period for compliance with the requirements is nine months.
- The appeal is proceeding on the grounds set out in section 174(2)(a) and (f) of the Act. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Decision

1. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the Act for the development already carried out, namely the replacement of timber sliding sash windows with white uPVC windows to the front elevation of the premises on the ground floor, first floor and second floor dormer at 47 Roker Park Road, Roker, Sunderland SR6 9PL as shown on the plan attached to the notice.

Preliminary Matter

2. Since the appeal was submitted a new version of the National Planning Policy Framework (the Framework) came into effect, however there are no material changes in policy emphasis relevant to the substance of the appeal.

Appeal on ground (a)

3. This ground of appeal is that planning permission should be granted for the replacement of timber sliding sash windows with white uPVC windows to the front elevation of the premises on the ground floor, first floor and second floor dormer.

Main issue

4. The main issue is whether the development would preserve or enhance the character or appearance of the Roker Park Conservation Area.

Reasons

5. The appeal property sits within the Roker Park Conservation Area (RPCA).
6. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Moreover, paragraph 1 of HE6 of the Framework states that when considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation.
7. The RPCA Character Appraisal and Management Strategy Planning Guidance (CAMS) describes the fundamental character of the RPCA as deriving predominantly from the Park itself and the attractive late Victorian and Edwardian terraced housing which encloses and faces onto the Park. I concur with this description of the character of the RPCA. The CAMS also specifically refers to properties on Roker Park Road detailing that the properties on Roker Park Road are all well preserved, with each terrace being slightly different from the next in terms of detailing around the doors and windows. I saw at my site visit that the appeal property and the other properties on Roker Park Road were well preserved and also that window styles and materials differ from each other.
8. The properties on Roker Park Road are subject to an Article 4 Direction dated 1996 which restricts permitted development rights including in relation to windows. Whilst the Council indicate that there have been no permitted uPVC window units in Roker in place of timber sashes, there are multiple properties in the area, as well as on Roker Park Road close to the appeal site, that have uPVC windows and also not in a sash style. The Council have not provided any substantial evidence explaining whether uPVC windows in the surrounding properties were fitted prior to or post the introduction of the Article 4 Direction in 1996.
9. The windows, whilst being uPVC in material, are of a sliding sash design and given the wide variety of window materials and designs that are prominent in the street scene, the windows subject of this appeal are not intrusive features that appear out of keeping with the surrounding window character.
10. I note the intention of the CAMS for windows in this area to replicate original design of timber sliding sash windows. However, the character and appearance of the properties on Roker Park Road, specifically in relation to windows, is mixed. The windows in the appeal property are of a quality design being sliding sash, and the uPVC materials do blend in with the existing mixed variety of window materials in the area.
11. Accordingly, I find that the windows do preserve the character and appearance of the RPCA and are in accordance with Policies BH1, BH7 and BH8 of the Sunderland City Council Core Strategy and Development Plan which seeks development to respect and enhance the positive qualities of nearby properties and preserve or enhance the significance of conservation areas.

Conclusion

12. The development does not conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweighs this finding.
13. Therefore, for the reasons given above, I conclude that the appeal on ground (a) should succeed, and the appeal should be allowed.
14. On this basis there is no need to consider the appeal on ground (f).

Chris Baxter

INSPECTOR