
Appeal Decision

Site visit made on 18 March 2014

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 March 2014

Appeal Ref: APP/Q1445/A/14/2211793
140a Springfield Road, Brighton, BN1 6BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Graham Miles against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/03683, dated 1 November 2013, was refused by notice dated 30 December 2013.
 - The development proposed is 1. Replace existing wood frame, single glaze front sash windows with white UPVC double glaze box sash windows of similar design. 2. Replace existing wooden front door with part glazing and single glaze glass panel above with composite part glazed door and double glazed panel above.
-

Preliminary matter

1. On 6 March 2014 the Planning Practice Guidance (planning guidance) was published by the Department for Communities & Local Government. In relation to this Appeal the planning guidance refers to the heritage statements set out in the National Planning Policy Framework (NPPF), which are addressed in this decision.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the designated heritage asset, Preston Park Conservation Area (PPCA).

Reasons

4. The Appeal site is located within the southern part of PPCA, which is characterised by residential terraces and villas with uniform front building lines. The streets are primarily straight, arranged in a grid pattern and many include a significant number of trees within the public realm. The PPCA is also strongly influenced by the railway line and viaduct, which form prominent features when entering and leaving the conservation area.
-

5. The Appeal property comprises an inner terrace three storey Victorian dwelling, that has been converted to flats. Its front elevation is rendered and includes a full height canted bay feature, string courses, timber sash windows with key stone details and timber doors. These feature are all typical and make a valuable contribution to the character and appearance of the host property and the terrace as a whole.
6. The NPPF states that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to it's conservation. Any harm should require clear and convincing justification, whilst opportunities for new development in conservation areas should be sought. In addition, where a proposal would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
7. Consistent with this, policy HE6 of the Brighton and Hove Local Plan seeks to ensure that new development is to a high quality design and respects or enhances the character or appearance of the conservation area. Design detailing should reflect the scale, character or appearance of the area and materials and finishes should be sympathetic to the conservation area. Policy QD14 of the Local Plan similarly requires new development to be well designed and that the materials to be used should be sympathetic to the host building.
8. The Appeal proposal includes the replacement of the bay windows at lower ground floor level with white UPVC double glazed sash units, the replacement of the window above the entrance door with a double glazed UPVC unit and the replacement of the entrance door with a partially glazed white composite door.
9. From the limited details supplied the window frames and doors would have a stark, flat, uniform finish and would lack the detail and grain of the existing windows and door. The proposed window frames would be considerably more bulky than the existing lightweight frames and the double glazing would appear modern and quite distinct from the single glazing in the upper floor windows.
10. Overall the new windows and door would look modern, stark and totally out of keeping with the retained timber fenestration above lower ground floor level. They would materially harm the character and appearance of the host property, the terrace and the street scene.
11. As pointed out by the Appellant, there are a number of UPVC windows within the area, including within Springfield Road, as well as a number of roof additions, which upset the rhythm of the terraces. Few details are provided regarding their planning background, although most examples I saw during the Appeal site visit, appear to predate the Brighton and Hove Local Plan 2005, the NPPF and the Brighton and Hove Supplementary Planning Document - *design guide for extensions and alterations* 2013 (SPD). More importantly, rather than setting a precedent for the Appeal scheme, they serve to highlight how small incremental changes to buildings can have a materially adverse impact on their character and appearance.
12. It is noted that the existing windows and door are not in a good state of repair, are not particularly secure and are not energy efficient. However, little evidence has been submitted to demonstrate that they are beyond reasonable repair, or that they could not be replaced with similar timber products.

Irrespective of this, the harm that would be caused by the proposed fenestration would significantly outweigh the benefits in relation to maintenance, security and energy efficiency.

13. Finally, the specific concerns raised regarding the advice received from officers prior to the submission of the Appeal application, fall outside the scope of this Appeal. It is a matter that would need to be pursued in the first instance through the local planning authority.
14. I conclude on the main issue that the proposal would materially detract from the character and appearance of the host property. It would also fail to preserve or enhance the character or appearance of PPCA and would materially harm the significance of this heritage asset. The proposal would therefore conflict with policies HE6 & QD14 of the Local Plan and the NPPF. It would also conflict with the SPD, which advises that the materials and detailing of replacement windows on street elevations should be consistent with the original or predominant windows and their materials should match other windows on the building. Within conservation areas plastic windows will not be acceptable on elevations visible from the street scene.

Elizabeth Lawrence

INSPECTOR