

Appeal Decision

Site visit made on 8 September 2015

by **David Walker MA MRTPI**

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

Decision date: 2 October 2015

Appeal Ref: APP/R3325/D/15/3129940

32 Grove Avenue, Yeovil, Somerset, BA20 2BB

- 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 C Daley against the decision of South Somerset District Council.
 - The application Ref 15/00054/FUL, dated 2 January 2015, was refused by notice dated 31 March 2015.
 - The development proposed is replacement windows and door.
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Decision

1. The appeal is dismissed.

Main Issue

2. Whether the proposed development would preserve or enhance the character or appearance of The Park Conservation Area.

Reasons

3. The property is a semi-detached house of early 20th century design constructed of red brick with a front projecting bay. It has been enlarged with a two storey side extension but otherwise is similar in appearance to the adjoining neighbour. The two houses fall within The Park Conservation Area and are located opposite the junction with Linden Road where they are viewed as a pair in views towards the junction. The combined appearance of the two houses at this junction is an important element in the character and appearance of the area.
4. Under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
5. The proposed works, which have been partly implemented, are comprised of UPVC windows in a golden oak finish and UPVC front door in red with a white frame.
6. The proposed windows share broad elements of design with the timber sash windows at the adjoining property, which appear to be original. However, the plastic frames have a much larger profile and do not adequately reflect the frame thickness, horn detailing, and proportions of the margin lights of the

- original windows. As a result the proposals lose some of the elegance of the timber sash windows of the neighbour.
7. The brown woodgrain effect, intended to replicate the traditional materials of the area, has a similar tone as the red brickwork of the house. It fails to provide the colour contrast of white painted joinery which is considered to be a characteristic of the area by the Council's Conservation Officer.
 8. The proposed door is described as unglazed but the plans show the forms of a Georgian fanlight. It does not reflect the form and proportions of the panelling and glazing of the existing door. With the adjoining property sharing a door design the introduction of a modern alternative in a different architectural style would further reduce the similarities, symmetry and so the visual interest in the pair of houses.
 9. The combined effect of the design, materials and finishes of the windows and door would be to diminish the historical integrity of the building and harm its appearance. As the appearance of the conjoined pair of houses is an important feature of the street this would lead to harm to the character and appearance of the conservation area, although the harm identified would not be 'substantial harm' under the terms set out at Section 12 of the National Planning Policy Framework (the Framework). The energy saving and environmental benefits of the proposal would not offset this harm.
 10. The appellant submits that No. 32 is the first property along Grove Avenue within the conservation area and as a result there are inconsistencies in the application of planning controls along the street. However, it is for the Council to decide what to include within any conservation area having regard to the special architectural or historic interest of an area, and The Park Conservation Area designation was confirmed in 2008.
 11. The appellant also points to the many other properties of the street with UPVC windows and this was confirmed at the site visit, including those falling within the conservation area. However, the Council notes that the existence of poor quality alterations to some of the houses within the conservation area, including UPVC windows, is identified as a negative feature within the Conservation Area Appraisal. Moreover, the Council's intentions to conserve and enhance the historic environment for its contribution towards the economy, tourism, education and culture of the area are set out at Policy EQ3 of the South Somerset Local Plan 2006-2028 (the Local Plan), with design criteria to promote local distinctiveness at Policy EQ2.
 12. These policies are consistent with sections 7 and 12 of the Framework, particularly the requirement at paragraph 126 for a Local Plan strategy to take account of the desirability of new development making a positive contribution to local character and distinctiveness. Under the circumstances, little weight is applied to the existence of negative features within the conservation area as justification for new development that would have a harmful effect.
 13. Whilst the proposed windows and door would deliver thermal benefits these do not sufficiently outweigh the harm that has been identified. Regard has also been given to the potential to paint the windows to provide more colour contrast but this would not offset the remainder of the harmful effects of the proposals described.

14. It is concluded therefore that the proposals would result in harm to the character and appearance of The Park Conservation Area and would not accord with the requirements of policies EQ2 and EQ3 of the Local Plan, or Sections 7 and 12 of the Framework.

Conclusion

15. For the reasons set out above the appeal is dismissed.

David Walker

Inspector