The Planning Inspectorate

Appeal Decision

Site visit made on 10 April 2014

by David Fitzsimon MRTPI

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

Decision date: 17 April 2014

Appeal Ref: APP/H1033/D/14/2215014
1 Wye Grove, Buxton, Derbyshire SK17 9AJ

- 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 Kenneth Pearce against the decision of High Peak Borough Council.
- The application Ref HPK/2013/0614, dated 30 October 2013, was refused by notice dated 13 January 2014.
- The development proposed is 'the replacement of broken modern, double-glazed attic-bedroom window and fitting weatherproof shield to gable end surrounding window which faces the westerly prevailing wind'.

Procedural Matters

1. In reaching my decision, I have taken into account the planning guidance which was issued by the Department for Communities and Local Government on 6 March 2014.

2. The development was complete at the time of my visit. This has no bearing on my decision which is based on the merits of the case.

Decision

3. The appeal is dismissed in so far as it relates to 'fitting weatherproof shield to gable end surrounding window which faces the westerly prevailing wind'.

4. The appeal is allowed in so far as it relates to 'the replacement of broken modern, double-glazed attic-bedroom window' at 1 Wye grove, Buxton SK17 9AJ and planning permission is granted in accordance with the terms of the application, Ref HPK/2013/0614, dated 30 October 2013 and the details submitted with it, so far as relevant to that part of the development hereby permitted.

Main Issue

5. The main issue in this case is the effect of the development on the character and appearance of the host dwelling and the Buxton College Conservation Area (CA).

Reasons

6. The appeal relates to a three storey semi-detached house which is broadly similar in form to the others within the row. It is of an attractive design and its contribution to the CA is recognised within the Buxton Character Appraisal. The appraisal specifically mentions the '*distinctive, jettied, third (attic) storey, marked by a broad, plastered, coved eaves and highly decorative bargeboards*' of the appeal property and the nearby dwellings.

7. The Council raises no objection to the window, which I understand to be similar to the one which was replaced. Further, it is similar to a number of others within this part of the CA. Accordingly, I am satisfied that this element of the development is satisfactory, and the character and appearance of the host dwelling and CA is preserved.

8. Despite an absence of formal local opposition I do, however, share the Council's concerns about the UPVC cladding which has been introduced to the attic section of the front gable. This masks the timber detailing and plaster identified by the Buxton Character Appraisal as making a positive contribution to the character and appearance of the host dwelling and the overall CA. The loss of this detailing is regrettable and a retrograde step, even if it is not technically an original feature of the dwelling, as suggested by the appellant.

9. For the above reasons, I conclude that although the replacement window is acceptable, the cladding which has been fitted to the attic section of the gable harms the overall character and appearance of the host dwelling and the CA. In such terms, this element of the works conflicts with advice contained within the National Planning Policy Framework and saved policies BC1, BC5 and GD4 of the adopted High Peak Local Plan.

10. I appreciate that the cladding may have solved a damp problem, it may have increased thermal efficiency and it is low maintenance. In the absence of any compelling evidence to the contrary however, I am not convinced that alternative options could not perform adequately in such terms whilst preserving the character of the building. I am also mindful that No. 2 Wye Grove has altered the appearance of its attic gable whilst No. 18 Macclesfield Road has used cladding. I do not know the precise planning circumstances behind these developments, but they only reinforce my concerns about the loss of the detailing.

11. A split decision can be issued as the two elements are severable and no conditions are required given that the window is deemed acceptable and has already been fitted.

David Fitzsimon

INSPECTOR