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## Appeal Decision

Site visit made on 1 March 2017

**by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC**

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

**Decision date: 20<sup>th</sup> March 2017**

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### **Appeal Ref: R3325/D/16/3167072**

### **64 High Street, Wincanton, Somerset, BA9 9JF**

- 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 Andrew Wright against the decision of South Somerset District Council.
  - The application Ref 16/03255/FUL, dated 21 July 2016, was refused by notice dated 26 September 2016.
  - The development proposed is to regularise the fitment of 5 white PVCu double glazed vertical sliding sash windows to replace 5 white wood single glazed vertical sliding sash windows.
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### **Decision**

1. The appeal is dismissed insofar as it relates to windows in the main part of the building annotated (2) and (3) on the second floor and (5) on the ground floor on the submitted photographs.
2. The appeal is allowed insofar as it relates to windows in the extension to the east annotated (1) on the second floor and (4) on the first floor, and planning permission is granted for regularising the fitment of 2 white PVCu double glazed vertical sliding sash windows to replace 2 white wood single glazed vertical sliding sash windows at 64 High Street, Wincanton, Somerset, BA9 9JF, in accordance with the terms of the application, Ref 16/03255/FUL, dated 21 July 2016, and the photographs submitted with it, so far as relevant to that part of the development hereby permitted.

### **Main issue**

3. The main issue is the effect of the proposal on the character and appearance of the conservation area.

### **Reasons**

4. 64 High Street is the end property of a short terrace of buildings comprising three three-storey buildings, including No. 64, and two two-storey buildings. The three-storey buildings have a distinctive cohesive character derived from the coursed rubble stone front elevations and shared architectural detailing, including ashlar quoins and window dressings, four pane sash windows and the dentil eaves cornice. No. 64 has a set back extension to the eastern side at first and second floor level over a track giving access to the rear.
5. It is located in the Wincanton Conservation Area. Wincanton is a small market

town with the commercial core centred on High Street, characterised by a mix

of houses, shops and other businesses constructed in a traditional vernacular style, with some grander buildings, mainly of a variety of local stone with tiled or slate roofs and timber windows.

6. Policies relevant in this case include EQ2 and EQ3 of the South Somerset Local Plan (2006-2028), adopted 2015 (the local plan). Among other things, these require new development to be of a high standard of design and, where it affects heritage assets, including conservation areas, for it to safeguard their significance, character and local distinctiveness and make a positive contribution to their character through the use of appropriate materials.
7. The National Planning Policy Framework (the Framework) requires proposals affecting heritage assets, including conservation areas, to be considered having regard to any harm caused to their significance. Where a proposal would lead to less than substantial harm to the asset, this harm should be weighed against the public benefits of it, including securing its optimum viable use.
8. There is an Article 4 Direction in place for the conservation area which removes permitted development rights for a variety of forms of development, including alterations to dwellings involving changes to windows where the alterations front a highway. The Direction reflects the high level of importance the Council places on the proper protection of the distinctive character and appearance of the conservation area.

*Three windows on the main elevation*

9. The PVCu windows have already been installed. I consider that the three new windows in the main part of the building are harmful to its character and appearance and to that of the wider conservation area because of their design and inappropriate material.
10. I saw during my visit that there are several examples of PVCu windows in other buildings along the street, but a very large proportion of the buildings retain their timber windows. In my view, the latter form an important part of the traditional, historic character and appearance of the conservation area and the instances of replacement PVCu windows have a negative effect on that character.
11. The principal elevations of the three three-storey buildings in the terrace are largely unaltered, with the original timber windows still in evidence. I acknowledge the fact that the appellant wishes to improve the energy efficiency of his property and chose the new windows to reflect as closely as possible the features of the original timber ones. However, in terms of their finer detail, including, among other things, the wider meeting rail, the profiled moulding and the use of applied horns, they are out of keeping with the traditional and historical character of the timber windows in the area.
12. Allowing the retention of the three windows on the principal elevation of the building would result in the erosion of a small but important detail of the distinctive character and appearance of the street scene within the conservation area, namely the original timber windows. I am not persuaded that there is public benefit sufficient to outweigh the harm. I conclude that the new windows fail to safeguard the character and local distinctiveness of the conservation area

and do not make a positive contribution to its character, contrary to local plan policies EQ2 and EQ3 and the guidance in the Framework.

*Two windows on the side extension*

13. The front elevation of the extension to the east side of the main building is set well back from the plane of the main frontage of the terrace and is less prominent in the street scene. It appears to be a later addition to the main terrace and is of a different, more modest, style. I consider that the new windows in this part of the building do not cause unacceptable harm either to the building itself, the terrace as a whole or the wider conservation area,

**Conclusion**

14. For the reasons given above, the appeal insofar as it relates to windows (2) and (3) on the second floor and (5) on the ground floor on the principal elevation, is dismissed.

15. For the reasons given above, the appeal, insofar as it relates to window (1) on the second floor and (4) on the ground floor of the extension to the east, is allowed.

*PAG Metcalfe*

INSPECTOR