



Appeal Decision

Site visit made on 31 July 2023

by S. Hartley BA(Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 09 August 2023

Appeal Ref: APP/L3245/D/23/3322347

26 Montague Place, Shrewsbury, Shropshire SY3 7NF

- 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 McCormick against the decision of Shropshire Council.
 - The application Ref 23/00889/FUL, dated 27 February 2023 was refused by notice dated 3 May 2023.
 - The development proposed is for replacement windows to the front elevation.
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Decision

1. The appeal is allowed, and planning permission is granted for replacement windows to the front elevation to 26 Montague Place, Shrewsbury, Shropshire SY3 7NF in accordance with the terms of the application Ref 23/00889/FUL, dated 27 February 2023.

Procedural Matter

2. The appeal is made retrospectively for development already implemented.

The Main Issue

3. The main issue is whether the replacement uPVC windows preserve or enhance the character or appearance of the Belle View Conservation Area (CA).

Reasons

4. The appeal property is subject to an Article 4 Direction (2004) which removes permitted development rights to its frontage.
5. The surrounding area of the CA is characterised by two storey, brick built terraced properties with pitched roofs and with their front elevations either abutting the pavement or, in certain cases, with very small front amenity spaces. Window openings and window detailing differ slightly, but there is a general uniformity in their overall size, the use of sash openings, and their overall rhythm in the street scene, all of which combine positively and distinctively to define the significance of the CA.
6. The appeal property is a detached dwelling which has a lower height than adjoining terraced properties and, unlike the neighbouring properties, is set back slightly from the footpath. Nevertheless, by its brick exterior and its

- general window size and arrangement, it adds to the overall design coherence of the CA and gives the impression of a unified appearance.
7. The visual coherence to the CA is characterised by the extensive use of white painted, sash windows and this forms a major part of its character and appearance.
 8. The appeal building has been fitted with white Upvc windows. They are sash windows, like the majority of windows in the row, and by their method of construction and jointing, the thickness of the frames and glazing bars, and the very highly authentic wooden appearance, they are hardly, if at all, discernible from those windows in the row, and those opposite, which are actually constructed from wood. The fact that the appeal building is detached, also helps to make any differences hardly discernible.
 9. One such difference is the inclusion of trickle ventilation bars which are not a characteristic of sash windows in the area, but these are not particularly obvious when the windows are considered as a whole.
 10. On my site visit, I was able to note that, of the dwellings in the line of properties of which the appeal property is one, over half have plastic windows if the appeal property is included. About a quarter of the line of dwellings directly opposite also have the same. While I have no knowledge as to whether they pre-date or post-date the adoption of the Article 4 Direction, I was able to see that the use of wood was not a consistent feature in the CA.
 11. For the above reasons, I conclude that the proposal would preserve the character and appearance of the CA and it would accord with policies CS6 and CS17 of the Shropshire Core Strategy (2011), policies MD2 and MD13 of the Shropshire Council's Site Allocations and Management Development Plan (2015), and Chapter 16 of the National Planning Policy Framework (2021), all of which require high quality development which protects and enhances the historic environment.

Conclusion

12. For the reasons outlined above, I conclude that the appeal should be allowed.

S. Hartley

INSPECTOR