

DELEGATED DECISION REPORT

SMD/2020/0239
Valid 15/04/2021

THE COACH HOUSE
BEAT LANE
RUSHTON SPENCER

**PROPOSED WORKS ARE TO
REPLACE THE TIMBER
WINDOW FRAMES AND
ENTRANCE DOORS
THROUGHOUT THE
PROPERTY**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design and appearance

DESCRIPTION OF SITE

Early 21stC detached two storey stone dwelling.

PROPOSAL

As made valid at 15th April 2021, this application is to replace the timber window frames and entrance doors throughout the property with UPVC in colour 'light oak' and a large arched gable window in aluminium to graphite colour finish.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework February 2019

Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 8 Promoting healthy and safe communities; 11 – Making effective use of land; 12 – Achieving well designed places; 13 – Protecting Green Belt Land; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

02/01007/FUL – Conversion of public house to single dwelling and erection of three detached dwellings – refused

04/00431/FUL – Conversion of commercial premises to 3 dwellings – approved

CONSULTATIONS**Publicity**

Site Notice expiry date: 12th May 2021

Neighbour consultation period ends: not posted

Press Advert: N/A

Public Comments

None

Town / Parish Comments

Rushton Parish Council – none

OFFICER COMMENTS**Principle of Development**

Condition 9 of permission 04/00431/FUL removed certain Permitted Development (PD) rights including those under Part 1 Class A which would otherwise have made the change of windows a permitted alteration. Part of the reason for the condition (so far as it relates to alterations) was “to enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area...”

Condition 5 was that the windows and doors be of timber painted white and set back a minimum of 100mm from the edge of the facing wall around the opening, unless otherwise agreed in writing with the LPA. The stated reason was “to ensure that the development is of a design sympathetic to the locality”.

The 2004 approved development involved the conversion of a former public house (The Fox) positioned on the road front; a new build detached single storey dwelling also on the road front; and the current application dwelling, a new-build to the rear of the site reached via a drive.

The windows of the former pub building are finished in white. Those of the dwelling to the left on the road front are finished in brown and those of the application dwelling are in brown timber.

Design

The LPA invited the applicant in an email dated 14th June 2021 to give explanation of the reasoning for the proposed change in materials and colour finish and also to provide details of the specific type of UPVC material finish proposed. The following response was received 19th June 2021:

I believe the original application may have had an amendment as the house was constructed with wooden frames stained brown. We would like to replace a majority of the windows and doors with UPVC for the heat efficiency provided and ease of maintenance. We have chosen to use a wood grain effect in 'Irish Oak' colour and a flush casement style. This style will therefore appear like wood and in keeping with the property and countryside surroundings. The large North facing window we propose to replace with aluminium in graphite colour due to the structural requirements for such a large window exposed to the elements. We believe these changes are in keeping with the neighbouring properties which have also recently submitted planning applications involving window changes.

A specific manufacturer's design type for the upvc has not been formally submitted.

Amenity

No adverse consequences for neighbour amenity would arise.

CONCLUSION / PLANNING BALANCE

A significant factor in determining this application is that the dwelling appears to have had dark brown stained, as opposed to white finished, timber windows since at least 2015 when the current applicant moved in and it appears probable that this has been the case since it was built in 2005. Building Control records show a completion date of 21st July 2005 for building regulations. Air photos show that the dwelling was complete and lived in by 2006 (parked cars and maintained garden and lawns evident).

If the brown stained windows have been in place in excess of 10 years they would be immune from enforcement action as a breach of condition 5 (which stipulated white paint finish to the timber frames). The applicant bought the property in 2015 and is of the view that the dwelling was constructed with brown stained timber frame windows. The LPA must concur that it is more probable than not that the dwelling has had brown stained as opposed to white painted windows for in excess of 10 years – this on the grounds it is unlikely the windows would have been changed in the first ten years.

The proposed use of a light oak effect finish could be considered an improvement on the current frames and, given the set back away from the public vantage of the road front, the switch from white in the approved scheme – and which design guidance

would advocate – can be tolerated in this instance. For the large two storey gable end window which is not seen from the road the use of metal framing to a graphite colour finish is also acceptable.

A condition should be attached to maintain the 100mm recess of the frames relative to the wall face as per the approved scheme and the existing windows.

OFFICER RECOMMENDATION : **approve**

Case Officer: Arne Swithenbank

Recommendation Date: 10th March 2022

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council