

Mill House, Oak St, Cheadle: Variation of Condition 2 and Removal of Conditions 4 and 5 relating to SMD/2021/0123

Planning Appeal: Statement of Case

Background to the Appeal

The original planning application (SMD/2021/0123) sought permission for the conversion of a former workshop and storage unit to three dwellings and included for the incorporation of PVC windows (stated on the application form), upon which the viability of the project had been based.

The applicants' original agent, Steven Dawes of Dawes Associates, has since retired due to ill health and is not contactable.

It transpires, from recent discussions with the case officer, Chris Johnston, that negotiations took place during the original application period, between the agent and the conservation officer regarding the window design although the applicants had no knowledge of this and neither does there appear to be any record of these negotiations on the LPA's planning website. These negotiations resulted in the submission of substitute drawings (MH08 and revised elevations), again without the knowledge of the applicants, and these now form part of the approval, together with conditions requiring windows and doors to be of timber construction.

The appellants are still strongly minded to keep to their original choice of materials for the reasons given in the statement accompanying the application to remove the conditions; hence the submission of such an application.

Pre-application discussions took place between the case officer and myself regarding the application for variation/removal of conditions. A number of issues were raised by the case officer and these were addressed in the statement accompanying the application. However, there has been no response to the arguments put forward in either the Conservation Consultation Response or the Delegated Report so these are reiterated below and form the basis of our appeal.

Reasons for the Appeal

1. The applicants agree that it is important to preserve the heritage and character of the town. The existing windows are generally in poor condition, many having been modified over time, and are at the end of their useful life. Their only value is in the indication they give of their original glazing pattern which is predominantly 6-pane side-hung casements with the exception of the first floor windows to Oak St.
Replacement is therefore a necessity and will bring a long term benefit to the building and general area. The character of the area will not be eroded as a consequence of the changes, as discussed below.

2. The objections fall into two categories, window pattern and materials. We will deal with these separately:

- a. Window pattern: with the exception of the first floor windows to Oak St and the large gable window, our current proposals mirror the existing glazing bar pattern, that is, 6-pane side-hung casements. We have followed the original conservation officer's recommendations: *'The replacement windows/doors should be a close replacement to the originals (6-pane, side-hung casements), noting also the cill detail and position in the opening'*. This response of 10 May 2021 is the only conservation response recorded on the LPA's website. If the inspector considers that the first floor windows to Oak St should also reflect the existing glazing bar pattern to retain something of the modest industrial character then this would be a concession acceptable to the appellants.
There is no change to the style of door originally shown and approved.
- b. Window material: the LPA's objection to PVC are twofold: they are considered too shiny and the frames are bulky. In response: the finish on the proposed window system (Rehau Rio) is no shinier than a gloss-painted timber window. Samples could have been provided for scrutiny if required. In fact, many of the 'conservation' style PVC windows, as proposed, have been developed with a lower sheen, specifically for use in Conservation Areas and, occasionally, in Listed Buildings. We have demonstrated, using detailed sections through a typical PVC window in comparison to the approved timber sections, that the PVC window sections are no bulkier than the timber ones.
The proposed change from timber doors to composite would be, visually, very similar to timber doors.

The proposed changes would not, therefore, detract from the character and appearance of the conservation area whilst providing for the long-term durability of these elements and the building as a whole.

3. The conservation officer has argued that the proposals do not meet the requirements of paras 213 and 215 of the NPPF in relation to 'less than substantial harm'. These paragraphs, however, only relate to designated heritage assets, which this building is not, so we will refrain from arguing these points as they are not materially relevant.

Ian Ankers