

Allerdale Borough Council

Planning Application HOU/2021/0202

Development Panel Report

Reference Number: HOU/2021/0202
Valid Date: 17/11/2020
Location: 25 Park end Road
Workington
CA14 4DE
Applicant: Nick Whitehead
Proposal: Resubmission of application HOU/2021/0048 to replace 8 single glazed sliding wooden sash windows with ECOSlide PVC-U sliding sash

RECOMMENDATION

Refuse

1. Summary

<u>Issue</u>	<u>Conclusion</u>
Heritage	<p>The proposal relates to an Article 4 property within the Portland Square Conservation Area. The scheme seeks to substitute existing traditional timber sliding sash of some of the front and side elevation windows with modern UPVC alternatives.</p> <p>Both the applicant's property and the majority of the street's large Victorian semi-detached /terrace properties in the immediate locality of the site largely retain their existing traditional details (including their fenestration).</p> <p>Officers consider the proposal would result in the detrimental loss of the existing details, and by virtue of the design and materials of the proposed replacement windows will neither preserve nor enhance the character and appearance of the designated conservation area resulting in detrimental harm to the prominent façade facing Park End Road.</p>

	<p>There will be consequent harm to the significance of this designated heritage asset which is not outweighed by any public benefits.</p> <p>The proposal is therefore considered unacceptable in contrary to the criteria of Policy S27 of the Allerdale local plan (Part 1)</p>
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2. **Introduction**

2.1. This application had been referred to the Development Panel by Councillor Heaslip.

3. **Proposal**

3.1. The applicant seeks to replace some of the window fenestration details on the front and side elevations of his property. This comprises of replacing 8 single glazed timber sliding wooden sash windows with double glazed ECOSlide PVC-U sliding windows. The windows in question relate to:, the bay windows to the 1st floor - principle elevation, 2 attic windows to the 2nd floor –principle elevation and 2 attic windows to the 2nd floor side elevation.

3.2. The plans for consideration are:-

- Window appendix form.
- Design and Access Statement.
- Window Scheme – Scale Drawings, Sectional Drawings and Site Location Plan.
- Site Plan.
- Window Sizes – Dimensions of Front Attic Room & Side Attic Room
- Window Sizes (2) – 2nd Floor Bay
- Window Brochure.

The particulars can be viewed at:-

<https://allerdalebc.force.com/pr/s/planning-application/a3X3X00000B9DTQUA3/hou20210202>

3.3. As part of the submission, the applicant provided a supporting statement which detailed that the existing windows are no longer functional, have age related issues and require frequent maintenance. The applicant highlighted the varying design/materials windows on both the existing side and rear elevation of the dwelling. The applicant confirmed the proposed windows are to be foil wrapped,

with run through horns and astragal bars that mimic the design of the existing windows.

- 3.4. The applicant has also confirmed their reasons for changing the existing windows to UPVC given the extensive repairs to the existing windows, a means of safety as they have young children, a number of the existing windows do not function or provide a means of escape, the maintenance, replacement of single glazed to double glazed reducing the amount of thermal heat loss, reduction in energy bills and additionally will reduce noise from external traffic.
- 3.5. The applicant also stated that UPVC have had significant improvements since their introduction and no longer discolour or degrade as previously and bring the following advantages such as minimal maintenance, minimal impact upon the environment and a reduction in costs due to lower maintenance.

The particulars can be viewed at;-

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4. Site description

- 4.1. The applicant's property is located within Workington Conservation Area and is protected by an Article 4 Direction. The existing windows in with regards to the existing upper frames, are multi-pane and their transoms and glazing bars are fine and delicate in section. Officers considered their decorative design and materials contribute to the overall traditional character of the applicants compliment the traditional materials of the existing windows, preserve the historic character of the Conservation Area.
- 4.2. The wider architectural and historic character upon Park End Road; has on the whole been preserved and retains the character of the Conservation Area, with the adjoining properties of replica windows to the host dwelling in terms of design and materials. The historic value and significance of this part of the Conservation Area relates to its landuse as a residential part of the town with its larger decorative Victorian properties demonstrating scale and wealth on the perimeter of this important eastern approach into the town.
- 4.3. It was noted from the officer's site visit that there a small number of individual unauthorised UPVC windows on these properties, which are out of character within the street scene and contrast do not integrate well within the locality. Taking into consideration these windows are unauthorised and would unlikely be supported, officers cannot base their assessment based upon the use of UPVC on this Street. Park End Road is relatively unspoiled Victorian terrace, the existing traditional windows within these dwellings play an integral part of the period character of the dwellings and make a positive contribution to the Conservation Area.

5. Relevant Planning History

5.1. The following history is relevant to the proposal –

- 2/2012/0016 – 25 Park End Road - Replace existing timber casement windows with upvc sliding sash windows – this application was approved with conditions. It was noted that the application referred to a window to the 1st floor side elevation and a window to the 1st floor rear elevation, which were of timber casement windows. The proposal sought to amend the windows to UPVC sliding sash. It was also addressed in the report the proposed sliding sash windows to the side/rear elevation were acceptable to due to the set back from the highway and public rights of way.
- 2/2000/0137 – 25 Park End Road - Replacement of three existing timber sliding sash windows with white UPVC mock sash windows to rear- this application was approved with conditions. The application was to replace 3 windows to the ground floor and were top hung sash windows (as opposed to sliding sash windows). Officers accepted the provision of UPVC on the side elevation of the ground floor given it was considered the mock sliding sash windows were not widely visible due to the screening from the existing boundary wall and the landscaping on site.
- 2/2005/0119 – 25 Park End Road - Proposed replacement of patio/french doors at rear of property.- This application was approved with conditions.
- 2/2004/0697 – 25 Park End Road - Proposed sun room and utility room extension (replacing existing WC and utility room). This application was approved with conditions.
- 2/2012/0292 – 1 Lorne Villas – Remove existing French doors and replace with pvcu sliding sash window. Remove and replace dining room timber window with pvcu sliding sash window. Removal of existing timber door and replace with composite door. – Refused. Appeal dismissed. This application was refused by virtue of design and materials and it was considered the proposal would neither preserve nor enhance the Conservation Area.
- 2/2013/0056 – 35 Park End Road – replace existing timber framed windows with UPVC sliding sash– Refused. It was considered that the proposed windows would neither preserve nor enhance the character or appearance of this particularly high quality part of the Portland square Conservation Area.
- HOU/2017/0249 – 3 King Street - to replace the current windows for composite sash windows and a composite front door. Window sizes 900 x 1600- Refused. Appeal dismissed.

6. Representations

Workington Town Council

6.1. No response to date.

Other representations

- 6.2. As a result of consultation process, 2 letters of support were received from neighbouring properties.

7. Environmental Impact Assessment

- 7.1. With reference to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 the development falls within neither Schedule 1 nor 2 and, as such, is not EIA development.

8. Duties

- 8.1. For Listed Buildings:

Section 66(1) of the Listed Buildings Act 1990 states that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 8.2. For conservation areas:

Section 72(1) of the Listed Buildings Act 1990 states that, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

9. Development Plan Policies

Allerdale Local Plan (Part 1) 2014

- 9.1. The following policies are considered to be relevant:-

Policy DM15 - Extensions and alterations to existing buildings and properties
Policy S2 Sustainable Development
Policy S3 Spatial Strategy and Growth
Policy S4 Design Principles
Policy S27 Heritage Assets
Policy S32 Safeguarding Amenity

These policies can be viewed at:-

<https://www.allerdale.gov.uk/en/planning-building-control/planning-policy/local-plan-part-1/>

10. Other material considerations

National Planning Policy Framework (NPPF) (2021)

Council Strategy 2020-2030

11. Policy weighting

- 11.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Local Plan Parts 1 and 2 have primacy.
- 11.2. However, paragraph 218 of the National Planning Policy Framework (NPPF) 2021 advises that policies in that Framework are material consideration which should be taken into account in dealing with the applications from the day of its publication. In this context it is noted that paragraph 219 of the NPPF 2021 advises that due weight should be given to development plan policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 11.3. The policies relevant to the determination of this application are considered to be consistent with the NPPF and as such, the policies are afforded full weight

12. Assessment:

- 12.1. The site under its Article 4 direction within the designated Conservation Area is sensitive from a heritage perspective (especially from public viewpoints along the road frontage). Therefore the significance of the property and its surroundings including its contribution to the Conservation Area requires evaluation. Each application should be assessed on its individual planning merits.

Significance

- 12.2. Park End Road is sited directly adjacent to a busy thoroughfare which adjoins the A596 to Stainburn Road. The site in question comprises of a 3 storey end terraced Victorian Villa. The properties have open frontages, and albeit set back from the highway, their large scale dominates the character of this section of Park End road
- 12.3. The dwellings upon this part of Park End Road have also predominately retained the historic character within the Conservation Area and is relatively unspoiled by virtue of the distinctive decorative detailing to the front façade of these dwellings; the sandstone frontage, quoins, cornicing detailing to the window/door surrounds and windows by virtue of the fine frames and glazing bars.

- 12.4. The dwellings No. 25, 27 and 28 Park End Road read as a group with both 27 & 28 Park End Road of a symmetrical design and materials to the host dwelling (in relation to the existing windows).
- 12.5. The applicant's property's side gable elevation is less prominent than the front elevation due to the existing stone wall and landscaping. Its perpendicular orientation to the highway limits the extent of public view of the gables existing openings and their associated fenestration. It was noted that the nearby access to the dwellings upon Lorne Villa is not a public right of way. It was also observed that the long rear curtilage of the applicants dwelling which are enclosed by tall walls is in a much less prominent position within the Conservation Area given the separation distance between the highway (Carlton Road) and the rear elevation. The limited views from public vantage points and the subservient nature of these elevations mean that their contribution to the overall significance of the asset is far more limited. i.e. represents a less sensitive location in the Conservation Area

Impact and Harm upon Heritage Assets

- 12.6. Policy S27 is the principle policy for the consideration of the proposal given the sensitivity of the site –
- 'The historic environment including all heritage assets and their settings will be conserved and enhanced in a manner appropriate to their intrinsic historic value and significance, their importance to local character, distinctiveness and sense of place, and to other social, cultural economic or environmental benefits/values. The Council will work with partners to seek the conservation and enhancement of all designated or non-designated heritage assets within the Plan Area. In determining applications that could affect the significance (including character, appearance, historic value, value to people and setting) of a heritage asset and/or archaeological asset, the following factors will be taken into account:*
- The level of significance of the heritage asset(s).*
 - The impact of the proposal on the significance (including setting) of the 2 (It should be noted that these figures are based on the number of listings, but many listings include more than one building, so the total number of buildings that are listed is greater). Strategic Policies – Built and Historic Environment Allerdale Local Plan (Part 1) – Adopted July 2014 120 heritage asset(s).*
 - How the significance and/or setting of the asset could be better revealed.*
 - Opportunities for mitigating climate change without damaging significance. Only proposals which do not harm any positive qualities of the heritage asset(s) will be approved, unless there is a clear and convincing public benefit to the proposal that will outweigh the harm caused to the asset(s). If the public benefits of a proposal outweighs and justifies the loss of a heritage asset, it must be fully recorded in accordance with agreed criteria which will be proportionate to the value and significance of the heritage asset.*
- 12.7. Clearly the existing windows represent an important integral feature on the building. It is for members to therefore judge whether or not the merits of the proposed replacement windows would preserve or enhance the character of the Conservation Area. These aspects can be divided into three categories:

- 12.8. (i) Materials- timber represents the traditional material used on fenestration details on properties within the Conservation area. Whilst the applicant has referred to other approved UPVC windows elsewhere in the Conservation Area, each site has to be assessed on its individual merits looking at the context of both the individual property itself and those in its immediate locality i.e. how strong is the heritage value in its immediate vicinity. Officers consider the setting of the applicant's property is primarily within the context of the larger properties which it forms part of and would not be seen in the context of the other terraced properties to the south of the site. The proposal would therefore introduce a modern material onto a predominantly intact set of frontages to these traditional properties. Officers consider the proposed UPVC materials would contrast with the white painted timber frame. This contrast will be exacerbated by contrasting mix of both modern and timber windows on the same front façade (officers consider the ground floor windows would be especially difficult to replicate in UPVC due to their decorative details and multiple frames. The visual contrast would not be confined to the applicant's property, but especially given it constituting part of a terrace of three, it would also differ from the properties on the block plus the other semi-detached dwellings elsewhere in the street. The existing timber windows have timber frames and glazing bars which are fine in section and replicate the design of the adjoining neighbouring properties windows of both the adjoining 27 and 28 Park End Road, and are finesse in nature and as aforementioned these dwellings read as a group. Officers therefore consider the proposed adoption of modern materials at this location would erode the character of the streetscene and its significance.
- 12.9. (ii) Sections/ double glazing- officers do not oppose the principle of replacement double glazing in traditional windows if the traditional proportions of the existing windows can be retained. Whilst this is often achievable for larger openings it becomes difficult to secure on small panes openings, often causing the need in association with its UPVC materials to plant/clip on dummy astragal bars. On fine sections this can result in a greater depth than width to the bar and possibly a resulting void in the centre.
- 12.10. (iii) Means of opening – Whilst officer welcome the applicants pursuit of a sliding sash window type it is observed that these are dual opening (partially for cleaning purposes). The opening mechanism of the proposed windows (tilt and easy clean), and their potential projection beyond the face of the frontage and gable would appear out of character upon the street scene i.e the existing sliding sash windows retain a flush fitting fenestration to the façade which does not project. This would have an adverse impact upon the appearance of the applicants dwelling itself, the façade and setting of the adjoining neighbouring terraced dwellings plus other nearby properties in the wider Conservation Area, with a prevailing dominance of existing sliding sash window types. Given that the conservation area extends over a wide area the harm is probably less than substantial but still significant.
- 12.11. In relation to the proposed side elevation windows, the harm will be minimal in relation to the proposed modern materials however the proposal must be considered as a whole and officers would, unlike the former approved UPVC sliding sash window on the applicants gable elevation, would still have concerns in relation to the design of the proposed windows, by virtue of the 'tilt & easy clean' function which allows the windows to be tilted inwards (for cleaning purposes), which is not a

traditional sliding sash opening mechanism and is similar to that of a casement window.

12.12. It was noted that other dwellings within the immediate locality were refused Planning Permission to replace existing timber framed windows to UPVC sliding sash to the front elevations –

- 35 Park End Road - 2/2013/0056 - Replace existing timber framed windows with upvc sliding sash windows – Refused. The application was refused as it was considered the proposal would not preserve or enhance the character of the Conservation Area and *'approving the application would set a precedent which could lead to the loss of all traditional wooden windows in non-listed buildings within the Conservation Area'*.
- 1 Lorne Villas – 2/2012/0292 - Remove existing French doors and replace with pvcu sliding sash window. Remove and replace dining room timber window with pvcu sliding sash window. Removal of existing timber door and replace with composite door – Refused. The inspector dismissed the appeal (APPG0908/D/12/2181127) at No. 1 Lorne Villas against the refusal of upvc windows to the front and side elevation of a property at Lorne Villas, which terrace runs directly adjacent to 25 Park End Road. It was stated that it is likely that upvc windows will *'appear rather crude in comparison to the detailing of the remaining timber sliding sashes'* and additionally *'the grained composite surface would jar with the painted finish of the adjacent door and windows'*. The appeal furthermore stated that the front and side elevations are *'substantially unspoilt and are an attractive element in the street scene. It an element that needs to be protected and managed sensitively'*. Park End Road and its immediate neighbours are also substantially unspoilt and attractive and by virtue of being more prominent, may be even more important to maintaining the special character and appearance of this part of the conservation area.
- 3 King Street – HOU/2017/0249 - to replace the current windows for composite sash windows and a composite front door. Window sizes 900 x 1600. – Refused. The inspector dismissed the appeal (APP/G0908/D/18/3198453) at 3 King Street, it was stated by the inspectorate *'the majority of the properties in this area are historic buildings which have largely retained their original windows, often timber sliding sash, and have a strong sense of character which contributes positively to the character and appearance of the Conservation Area'*. The inspectorate also noted *'The use of woodgrain effect UPVC would not disguise the nature of the material which is smooth, shiny and modern. Therefore the proposed windows would adversely affect the traditional integrity of the appeal building and consequently would not preserve or enhance the character or appearance of the Conservation Area.'* and additionally highlighted *'The slow degradation of the special architectural and historic qualities of the area by uncontrolled and ad hoc UPVC windows does not justify granting planning permission in the context of the special attention that must be paid to the desirability of preserving or enhancing the character or appearance of the area as a whole. Moreover to do so on appeal against this background would*

send out the wrong message. By quoting the circumstances of such a decision, even though each case should in the first place be considered on its individual merits, would probably mean that the Council would find its efforts to resist other applications for UPVC windows in the area undermined and the incremental effect could cause significant harm to the historic character of the area'.

The inspectorate also addressed the cost implications between UPVC/timber - *'In this case reference has been made to the previous windows being beyond repair and the cost of timber replacements being in the order of £7700 - the appellant not having the funds to cover this. However there is no evidence to show that repairs were not possible and uneconomical. The cost issue therefore has limited weight. Consequently the public benefits would not outweigh the great weight that should be given to the designated heritage asset's conservation'* and additionally noted the applicants concerns in relation to unauthorised UPVC windows within the are Conservation Area – *'The appellant has expressed concern about how the Council has not dealt with the issue of other UPVC windows in the Conservation Area. Nevertheless, these concerns are separate from the planning merits of the proposed development and they have little bearing on the outcome of this appeal'.*

- 4 Portland Street – 2/2016/0517 - replacement of 6 wooden windows with UPVC sliding sash and replacement door with composite door- Refused. The inspectorate dismissed the appeal, it was stated *I acknowledge that the existing windows and door are falling into disrepair, and I note the appellant's position that, should be appeal be dismissed, they would leave the existing windows and door in place for reasons of cost effectiveness. However, these circumstances would not justify their replacement in unsympathetic materials'.* Additionally comments stated that *'the appellant contends that the new windows would offer greater security, energy efficiency and future adaptability than the existing ones. However, they have offered no substantive evidence to demonstrate that this would be the case. I have had regard to a letter of support for the proposal, but this has not led me to a different conclusion'.*

12.13. The applicant has contested the insulation and maintenance benefits of the scheme and additionally concerns in relation to the provision of a means of escape/noise reduction/impact upon energy efficiency. Whilst sustainable means of heating are material planning considerations, officers would not oppose the principle of timber sliding sash double glazed windows if the smaller pane joinery section details can be secured. This alternative timber option would both secure the heritage value of the applicant's property whilst enhancing its energy/noise insulation efficiencies, but this has been declined by the applicant.

12.14. No. 35 Park End Road submitted a planning application under planning reference - 2/2013/0056 to replace existing timber framed windows with upvc sliding sash windows to the front elevation, which was refused. The application was refused as it was considered the proposal would not preserve or enhance the character of the Conservation Area and 'approving the application would set a precedent which could lead to the loss of all traditional wooden windows in non-listed buildings within the Conservation Area'.

12.15. The supporting statement also referenced a planning application that was supported under planning ref HOU/2018/0167. The application referred to a dwelling upon Elizabeth Street, the proposal was considered acceptable due to the prevalence of UPVC upon Elizabeth Street and within the immediate locality (and it was also noted within the report that the if the proposal were to include the elevation upon Carlton Road officers would have concerns with regards to the proposal). Whereas the dwellings upon this part of Park End Road, have retained the traditional character to the frontage by virtue of traditional materials and design and thus scheme is not considered to be comparable.

Residential Amenity

12.16. The window fenestration will remain as existing and will not impact upon residential amenity in terms of overlooking, over and beyond the existing arrangement. The proposal does not therefore conflict with policy S32 of the Allerdale Local plan (Part 1)

Highway Safety

12.17. Given the nature of the development there are no concerns in relation to highway safety.

Public Benefits

12.18. Officers therefore have addressed the supporting statement supplied by the applicant, however officers do not support the proposal as submitted by virtue of the proposed materials (predominately concerns with the use of UPVC to the frontage) and the means of opening, opening inwards to self-clean the proposed windows. There are no public benefits arising from the proposal.

Balance and Conclusions

13.0 The proposal will neither preserve nor enhance the character and appearance of the designated conservation area as a result of the harm from the proposed interventions to the façade facing Park End Road. There will be consequent harm to the significance of this designated heritage asset which is not outweighed by any public benefits. The proposal would be contrary to policies S2, DM15 and S27 of the adopted Allerdale Local Plan Part 1 (2014) and the provisions of the National Planning Policy Framework 2018. In addition, if the proposal were to be approved, it would set an undesirable precedent for similar proposals upon Park End Road.

Local Financial Considerations

Having regard to S70 (2) of the Town and Country Planning Act the proposal will have no local financial consideration.

RECOMMENDATION

REFUSE.

Annex 1

Reasons for refusal

The proposal by virtue of its modern UPVC material and means of opening ,will neither preserve nor enhance the character and appearance of the designated conservation area as a result of the harm from the proposed interventions to the façade facing Park End Road. There will be consequent harm to the significance of this designated heritage asset which is not outweighed by any public benefits. The proposal would be contrary to policies S2, DM15 and S27 of the adopted Allerdale Local Plan Part 1 (2014) and the provisions of the National Planning Policy Framework 2018.

Proactivity Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations including emerging Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. In this context, the Local Planning Authority has determined the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide, without prejudice, pre-application advice in respect of any future application for a revised development.

