

Allerdale Borough Council

Planning Application HOU/2022/0225

Development Panel Report

Reference Number: HOU/2022/0225
Valid Date:
Location: Carlton Villa
13 Carlton Road
Workington
CA14 4BX
Applicant: Kevin Hughes
Proposal: To replace existing windows with double glazed
EcoSlide PVC-U sliding sash windows (resubmission
of HOU/2022/0022)

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 to the front elevation with UPVC alternatives.</p> <p>Both the applicant's property, the attached property and a proportion of the street's large Victorian terraced properties within the immediate locality of the site have largely retained their existing traditional details (including their fenestration) not inclusive of the two storey terrace to the south end of Carlton Road that adjoins Elizabeth Street.</p> <p>Officers consider the proposal would result in the detrimental loss of the existing details, and by virtue of the materials of the proposed replacement windows will neither preserve nor enhance the character and appearance of the</p> |

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| | <p>designated conservation area resulting in significant harm to the façade facing Carlton 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 being 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 the existing timber windows upon the front elevation of the dwelling. This comprises of replacing X 7 single glazed, timber, sliding wooden sash windows with double glazed ECOSlide PVC-U sliding windows. The windows in question relate to: 3 X bay windows to the ground floor principal elevation, 3 X windows to the 1st floor principal elevation and 1 X 2nd floor window to the principal elevation. The application seeks an amended design from two pane windows to a multipane design.

3.2. The plans for consideration are:-

- Application Form
- Window Brochure
- Design and Access Statement – Received 13/12/2022
- Site Location Plan
- Supporting statement from Window Outlet – Kevin Hughes
- Appendix C – Windows
- MH/KT/22/01 - Site Location Plan, Block Plan and Elevations - Received 13/01/2022
- MH/KT/22/02 - Proposed Windows - Received 13/12/2022
- MH-KT-22-03 – Proposed sections – Received 13/12/2022

The particulars can be viewed at;- <https://allerdalebc.force.com/pr/s/planning-application/a3X3X00000lrZaJUAV/hou20220225?tabset-e3f5c=2>

3.3. As part of the submission, the applicant provided a supporting statement which detailed that the existing windows are in poor state and a number of sashes are

no longer functional. It is also stated that the safety of the children is to be improved as the lower sections are to be toughened glass and also confirm that as the existing windows are not fully functioning this reduces the means of escape in the event of a fire.

- 3.4. The applicant confirmed the proposed windows are to be white foil wrapped with wood grained coating to mimic the appearance of timber windows, with slender astragal bars, traditional hardware and run-through sash horns. The sections are to be slim profile that mimic the design of the existing windows.
- 3.5. The applicant has highlighted that this type of window has been approved within the Workington Conservation Area, approved under planning references HOU/2018/0167 (21 Elizabeth Street) & HOU/2021/0202 (25 Park End Road).

The particulars of these applications can be viewed at:-

- <https://allerdalebc.force.com/pr/s/planning-application/a3X3X000004DJ4jUAG/hou20180167?tabset-e3f5c=2>
- <https://allerdalebc.force.com/pr/s/planning-application/a3X3X00000B9DTQUA3/hou20210202?tabset-e3f5c=2>

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 with regards to the ground floor bay window, are of a multi-pane design 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. The existing dwelling preserves the traditional materials of the existing windows and is considered to preserve the historic character of the Conservation Area.
- 4.2. The wider architectural and historic character upon the Northern end of Carlton Road, in relation to the Victorian terraced dwellings; has been preserved and retains the character of the Conservation Area. The adjoining property, No 11 Carlton Road has replica windows to the host dwelling in terms of design and materials (albeit of timber double glazing). The historic value and significance of this part of the Conservation Area relates to its land use as a residential part of the town with its larger decorative Victorian properties demonstrating scale and wealth.
- 4.3. It was noted from the officer's site visit that there is a small number of individual unauthorised UPVC windows upon the 3 storey Victorian dwellings sited upon Carlton Road, which are out of character within the street scene and do not integrate well within the immediate 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 part of Carlton Road. The Victorian dwellings upon the Northern part of Carlton Road form a 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.

- 4.4. It was noted from the officers site visit that the terrace sited to the Southern end of Carlton Road that comprise of two storey dwellings; 1-9 Carlton Road, has largely lost their traditional features and materials, however these dwellings are not comparable with the traditional 3 storey Victorian dwellings sited upon Carlton Road and offer little value to the Conservation Area given their modern proportions and appearance.

5. Relevant Planning History

5.1. The following history is relevant to the proposal –

- 2/2000/0556 – 13 Carlton Road - Replace existing side and rear elevation windows and rear door with UPVC – Approved with conditions
- 2/2008/0938 – 13 Carlton Road - Change of use from residential to business use – Refused
- HOU/2021/0057 – 13 Carlton Road - To replace existing windows to double glazed timber and replacement of existing timber door to wood grain replica in UPVC – Granted with conditions
- HOU/2022/0022 – 13 Carlton Road - To replace existing windows with double glazed EcoSlide PVC-U (resubmission of HOU/2021/0057) - Refused
- 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.
- HOU/2022/0150 – 3 Lorne Villas - Renewal of windows with double glazed units – Refused. The proposal was refused due to its modern UPVC materials would neither preserve nor enhance the character and appearance of the designated conservation area and would have a significant impact upon the heritage asset.
- 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.

- 2/2004/0131 – 21 Elizabeth Street (with side elevation fronting onto Carlton Road) - Replacement windows to side of dwelling with upvc slide and sash Refused. This application was refused as it was considered that the loss of traditional features in the form of existing timber sliding sash windows within a prominent gable to the detriment of the character of the conservation area.

6. Representations

Workington Town Council

- 6.1. No objections

Other representations

- 6.2. As a result of consultation process, four letters of support have been received from nearby 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. Carlton Road adjoins a busy thoroughfare; the A66 - Ramsey Brow. The site in question comprises of a 3 storey semi-detached Victorian Villa. The properties upon this part of Carlton Road have open frontages, with limited front curtilages with the principal elevation directly adjacent to the highway.

- 12.3. The 3 storey Victorian terraced dwellings (sited to the Northern end) of Carlton Road have also predominately retained their historic character within the Conservation Area and is relatively unspoiled by virtue of the distinctive decorative detailing to the front façade of these dwellings.
- 12.4. The host dwelling is attached to No.11 Carlton Road and the two dwellings are read as a group, of a symmetrical design and of the same materials to the host dwelling, albeit the attached property No. 11 benefits from timber double glazed windows. The host dwelling has secured planning permission under planning reference; HOU/2021/0057, which sought to replace the existing windows to double glazed timber frames and also included the replacement of existing timber door to wood grain replica in UPVC.
- 12.5. The dwelling has also secured planning permission under planning reference 2/2000/0556 to replace the existing side and rear elevation windows and rear door with UPVC, however the side gable elevation is less prominent than the front elevation due the siting of the adjacent dwellings and its perpendicular orientation to the highway limits the extent of public view of the gables existing openings and their associated fenestration. 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 on and Harm to Heritage Assets

- 12.6. Policy S27 is the principal 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. The existing windows by their design and materials represent an important integral feature upon 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 two 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. The applicant has confirmed that they intend to ensure the window frame width is as narrow as the current windows and the internal reveals will be removed to expose the box section of the sash. By removing the interior reveals it should allow the window to sit in the same location on the sill as the current windows and therefore should not alter the exterior window position. Officers consider the setting of the applicant's property is primarily within the context of the larger Victorian properties which it forms part of upon Carlton Road and would not be seen in the context of the other two storey 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 frames. This contrast will be exacerbated by contrasting mix of both modern and timber windows on the same front façade as the adjoining neighbouring dwelling; No.11 Carlton Road (No 11 Carlton Road benefits from timber double glazed sliding sash windows). The existing timber windows upon the host dwelling have timber frames and glazing bars which are fine in section and replicates the design of the adjoining neighbouring property, they are finesse in nature and as aforementioned these two dwellings read as a group. Officers therefore consider the proposed adoption of modern materials at this location would erode the character of the street scene and its significance.

12.9. This approach has been supported by recent appeal decisions. In particular Skiddaw View, Kirkland Farm, Wigton, APP/G0908/D/22/3308230 determined 3 February 2023. The appeal property was a non-listed historic barn that was also not within a Conservation Area or Article 4 Direction. The inspector within their considerations at Paragraph 7 demonstrates the importance of the appropriate materials:

“While the evidence suggests that the proposed windows and doors would be similar in design to the existing, the proposal would introduce modern and incongruous materials into the external finish of the historic barn. The evidence, including the brochure photographs, does not demonstrate that the proposal would be consistent with the existing windows and doors in the appeal building. Irrespective of the wood effect finish, the uPVC would have an artificial texture and a more uniform sheen that would not age or weather in the same way as painted timber. Consequently, the proposed windows and doors would be more prominent and conspicuous than the existing. The contemporary materials would diminish the

strong historic identity of the barn and the group. The proposal would not make a positive contribution to local distinctiveness or sense of place.”

12.10. The inspector concluded that:

“Therefore, I conclude that the proposal would harm the traditional rural character and appearance of the appeal property and the area. It would conflict with Policies S4, DM14, DM15 and S27 of the Allerdale Borough Council Local Plan (Part 1) Strategic and Development Management Policies Adopted July 2014. These require, among other things, that proposals respect, conserve and respond positively to local character, history and distinctiveness, and that external materials should be appropriate to their context and not adversely alter the appearance of the building or the area. It would conflict with the aims of the National Planning Policy Framework in relation to being sympathetic to local character and history and maintaining a strong sense of place.”

12.11. (ii) Means of opening –the means of opening have been amended from the previous scheme in which the applicant intends to install sliding sash windows with top and bottom sashes sliding. The opening mechanism of the proposed windows are not considered to have an adverse impact upon the appearance of the applicants dwelling itself.

12.12. The existing dwelling has approval for UPVC within the side elevation under planning reference 2/2000/0556. In relation to the side elevation windows, the harm is seen to be minimal given the limited views from public vantage points, whereas the front elevation is much more prominent within the street scene.

12.13. 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. 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'. Carlton Road and its immediate neighbours are also substantially unspoilt and attractive.

- 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'*.

- 3 Lorne Villas - HOU/2022/0150 - Renewal of windows with double glazed units – Refused - The proposal was refused due to its modern UPVC materials would neither preserve nor enhance the character and appearance of the designated conservation area and would have a significant impact upon the heritage asset.
- Skiddaw View, Kirkland Farm, Wigton – HOU/2022/0155 – Replace existing double glazed windows and doors with UPVC – Refused - The inspector dismissed at appeal (APP/G0908/D/22/3308230), it was stated that the proposal would harm the traditional rural character and appearance of the property. The contemporary materials would diminish the strong historic identity of the barn and group. Although officers acknowledge that this decision is within a different location, it is important to note the property is not an Article 4 or conservation area and it was considered that the use of the modern material would impact upon the historic identity of the dwelling itself and group.

12.14. The applicant has contested the maintenance benefits of the scheme for uPVC windows, officers have already approved a scheme for timber sliding sash double glazed windows under planning reference HOU/2021/0057 however this is not considered to be a material planning justification to warrant the harm of inappropriate materials. This alternative timber option would both secure the heritage value of the applicant's property whilst replacing the existing windows which are in requirement of being replaced.

Residential Amenity

12.15. 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

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

Public Benefits

12.17. Officers 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). There are

no public benefits arising from the proposal to outweigh the harm to the Conservation Area.

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 changes to the façade facing Carlton 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 within the Conservation Area.

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 materials, 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 Carlton 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.

