

Officer Report

Application No.	20/0065/FH
Site Address	FLAT 2, 27 CASTLE HILL AVENUE, FOLKESTONE, CT20 2QU
Officer Name	Katy Claw
Proposal	Replacement of current single glazed sash windows with uPVC double glazed casement windows.

Recommendation

Report Number	RD-421380
Recommended Decision	Recommended to be Refused
Recommendation Date	24 April 2020

Report

Performance data:-

Date application valid: 20.01.2020

Applicable 8/13/16 week target date: 16.03.2020

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA)? Yes

If Yes, revised 8/13/16 week target date: 06.04.2020

Is the application being determined after 26 weeks without a PPA or a PEA? No

SITE VISIT

A site visit has been carried out.

The site and proposals were assessed from the public highway to the front and the rear. Key features are noted in the assessment.

SITE

The application site is located within the Folkestone settlement boundary and within the Folkestone, Leas and Bayle conservation area.

The building subject of this application is a large mid-terrace property that has been converted to flats.

The building is located on the western side of Castle Hill Avenue and is set over 5 floors, including semi-basement and rooms in the roof. The building is finished in light painted render and includes strong architectural detailing and features, including bay windows, quoin detailing, and render boundary wall.

The existing windows subject of this application are located at upper ground floor of the host building and would affect windows located on the eastern (front) and western (rear) elevations.

The existing windows subject of this application are white painted timber sliding sash and appear to be original.

The wider street scene is formed of other large period buildings of similar design, constructed in the Victorian era, windows are a mixture of white timber and white uPVC, installed with or without the benefit of planning permission.

HISTORY

None relevant to flat 2.

The only recent history at the site overall is Y13/1122/SH – installation of uPVC windows to flat 3.

The application was approved with conditions in February 2014.

PROPOSAL

This application seeks planning permission for the installation of 10 replacement windows to the upper ground floor eastern and western elevations. The proposed replacement windows would be white uPVC casement.

CONSULTATION RESPONSES

No comments on file from Folkestone Town Council.

REPRESENTATIONS

None received

PUBLICITY

Neighbours notified by letter. Expiry date 13.03.2020

Site notice displayed. Expiry date 24.04.2020

Advertised in press. Expiry date 23.04.2020

RELEVANT POLICIES

Shepway District Local Plan Review (SDLPR): SD1, BE1, BE4, BE8

Shepway Core Strategy Local Plan: DSD

Places and Policies Local Plan Submission Draft: HB1, HB8, HE1

The Submission draft of the Places and Policies Local Plan (February 2018) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between February and March 2018. The Plan was submitted to the Secretary of State for independent examination in September 2018. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, and given the relative age of the saved policies within the Shepway Local Plan Review (2006), the policies within the Submission Draft Places and Policies Local Plan (2018) may be afforded weight where there has not been significant objection.

Core Strategy Review Submission Draft 2019: SS1

The Submission draft of the Core Strategy Review was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in

emerging plans following publication (paragraph 48). Based on the current stage of preparation, the policies within the Core Strategy Review Submission Draft may be afforded weight where there has not been significant objection.

NPPF: Paragraphs 12, 124, 127, 189, 190, 192, 193, 194, 196

NPPG

APPRAISAL

Policy

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving and enhancing the character or appearance of conservation areas.

Saved policy SD1 of the SDLPR - amongst other matters seeks to maintain and improve the character and vitality of the built environment with policy BE1 requiring a high standard of layout and design and requires development to accord with existing development in the locality, where the site and surrounding development are physically and visually interrelated in respect of building form, mass, height and elevational details.

Saved policy BE4 of the SDLPR requires the height, scale, form and materials of new development, including alterations or extensions to existing buildings, to respect the character of the Conservation Areas. In addition it seeks to retain materials, features and details of unlisted buildings which preserve or enhance the character or appearance of Conservation Areas.

Saved policy BE8 of the SDLPR requires alterations and extensions to existing buildings to reflect the scale, proportions, materials, roof line and detailing of the original building and should not have a detrimental impact upon the streetscene.

In addition to the above, emerging policy HB8 and HE1 of the Places and Policies Local Plan would also apply.

Neither of these policies have any significant outstanding objections against them and are consistent with the NPPF, therefore they carry significant weight in the determination of this application as per paragraph 48 of the NPPF 2015.

The more recently published Government guidance in the National Planning Policy Framework 2018 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. The document further states that it is, however, proper to seek to promote or reinforce local distinctiveness. Paragraphs 193, 194 and 196 refers to the significance of designated heritage assets (in this case the Folkestone, Leas and Bayle conservation area).

Design and impact upon the building and conservation area

The proposed replacement windows would be positioned on the front and rear elevations at the upper ground floor of the property, therefore highly visible in the street scene and wider conservation area. The use of uPVC as opposed to timber would materially alter the external appearance of the host property and wider Conservation Area, which is considered to be to its detriment.

UPVC windows have a distinctive sheen, which is not the case with timber/wood, which gives them a noticeably different appearance and it is therefore very difficult to achieve the same level of

detailing with uPVC and thus they are not an appropriate solution for replacement windows in historic areas.

In addition, uPVC by its very nature is thicker than timber to enable it to support the weight of the glass and as a result, the uPVC windows would not appear as traditional timber and would fail to sufficiently replicate the existing timber windows in terms of thickness of the top and bottom rails, transoms and mullions.

The prominence of the proposed windows on the upper ground floor elevations of the property means that the replacement windows would be visible from public places and the wider conservation area, they would appear as unsympathetic additions to the original style and design of the host building and they would not maintain and improve the character of the built environment, neither would they preserve nor enhance the character or appearance of the conservation area.

Given the scale of the proposal it is considered that there would be less than substantial harm caused by the proposal to the character and appearance of the Conservation Area. Paragraph 196 of the National Planning Policy Framework (NPPF) therefore applies. In this instance the visual harm must be weight against the proposal benefit of the proposal.

It is accepted that older timber windows are less thermally efficient than modern uPVC and although uPVC windows may bring about less maintenance for the applicant and better thermal qualities than the single pane timber windows, the public benefit of the scheme is considered to be limited and insufficient to outweigh the harm to the Conservation Area status.

The design of the proposed fenestration does not attempt to replicate the appearance of the existing in terms of method of opening. The existing windows are sliding sash and the proposal is for casement. The design method of casement windows against the host building would significantly detrimentally impact upon the appearance of the host building when the windows are open and the windows would appear even more at odds with the building and would fail to replicate or blend with the traditional sliding sash design of such a period building.

Existing uPVC fenestration in the area has had an eroding effect on the character and appearance on some of the notable buildings in the conservation area and that the number of timber examples that remain serve to enforce the need to retain original features.

In this instance it is considered that the existence of uPVC windows on the host building (with or without permission) and in the nearby area does not justify the insertion of further uPVC windows or permit further degradation of the historic quality of the building and wider area.

Existing uPVC in the area has had an eroding effect on the character and appearance of the notable buildings in the conservation area and the number of timber examples that remain serve to enforce the need to retain original features.

Whilst the replacement of poor-quality existing windows is not objected to in principle, an appropriate material, design and method of opening must be used.

The applicant should first consider secondary glazing and repairing the existing windows. As a last resort the windows could be replaced with timber sash incorporating slimlite glazing if it was clear that the windows were beyond economic repair.

It is noted that planning permission was granted for replacement windows at one of the flats in this building some 6 years ago.

Having visited the site it is clear how uPVC has failed to replicate the original timber sashes and this only compounds the fact that uPVC windows fail to preserve the character of the building and conservation area and previous decisions are not sufficient to justify the further loss of traditional original features and actually reinforces the need to retain original features.

Amenities of neighbouring occupiers

It is considered that the amenity enjoyed by the occupying neighbours is not adversely affected by this proposal as issues with potential overlooking have not increased.

RECOMMENDATION

In light of the above, it is considered that planning permission should be refused.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

Case Officer:

Report and draft decision notice completed and passed to senior officer.

Name: Katy Claw Position: Planning Officer Date: 24.04.2020

Report and draft decision notice amended (if appropriate)

Name: Position: Date:

Senior Officer

Report not agreed. Details of further work required as follows:

Name: Position: Date:

Report and draft decision notice agreed and file passed to admin to issue decision.

Name: Helena Payne Position: Development Management Team Leader Date: 24 - 4 - 2020

Recommended Refusal Reasons (1)

The proposed replacement windows, by virtue of their design, materials, profile, appearance and method of opening would be unsympathetic and harmful to the character and appearance of the host building and the conservation area, failing to preserve or enhance its special character resulting in harm to the streetscene and surrounding conservation area. As such the proposal is contrary to saved policies SD1, BE1, BE4 and BE8 of the Shepway District Local Plan Review, policy DSD of the Shepway Core Strategy Local Plan, policies HB8 and HE1 of the Places and Policies Local Plan Submission Draft and the National Planning Policy Framework, which seek to ensure a high standard of design and materials that preserve or enhance the special character of Conservation Areas.

Suggested Informatives (1)

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Your attention is drawn to the fact that this refusal of planning permission is on the basis of submitted site location plan, together with submitted quotation produced by 'County Windows (Kent) Ltd', dated 14.01.2020, and the supporting statement, all received 20th January 2020.