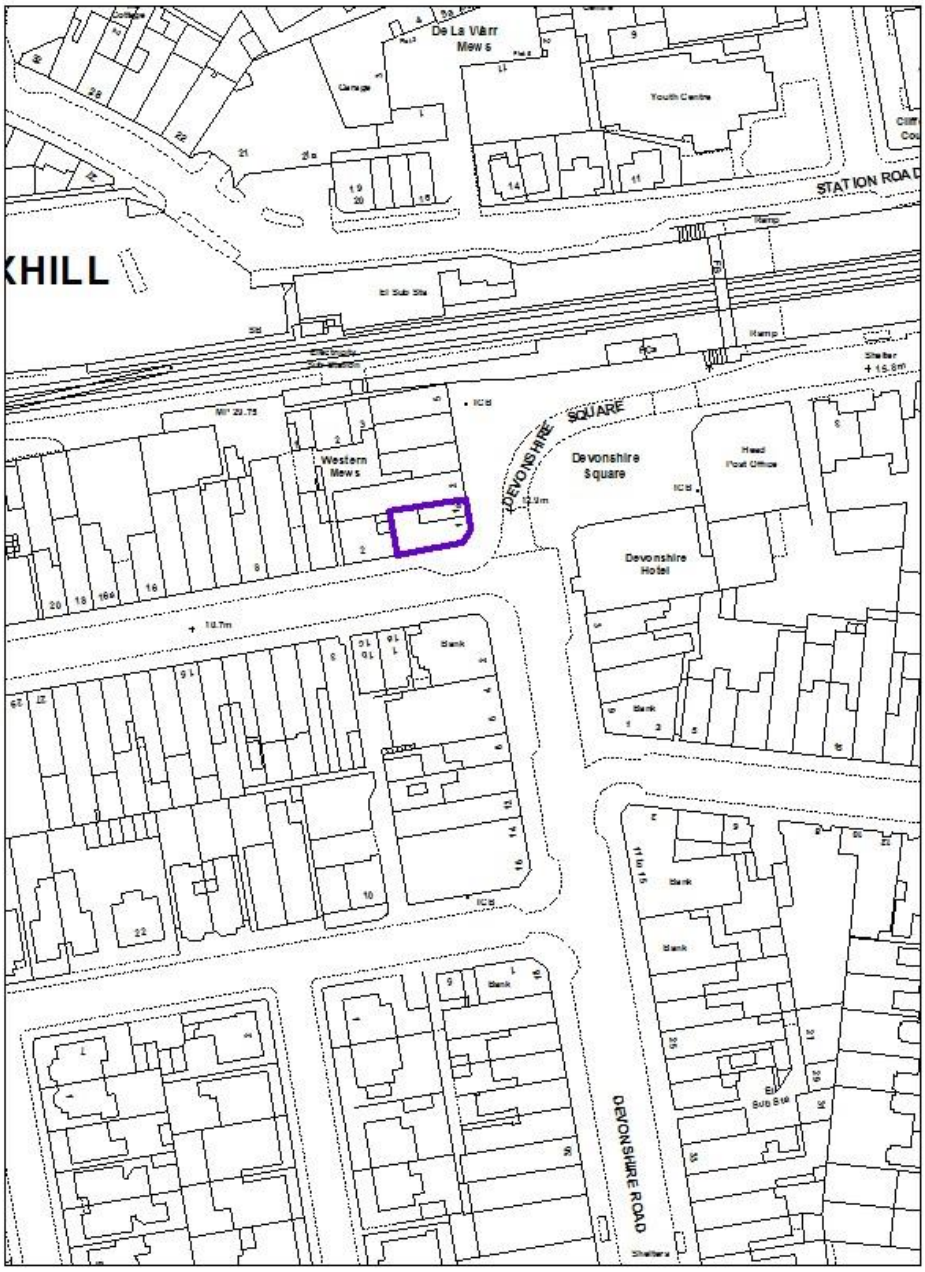
SITE PLAN	BEXHILL
RR/2020/485/P	1A DEVONSHIRE SQUARE, FLATS 1 - 4,



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Not To Scale

Rother District Council

Report to	-	Planning Committee
Date	-	16 July 2020
Report of the	-	Executive Director
Subject	-	Application RR/2020/485/P
Address	-	1A Devonshire Square, Flats 1-4 BEXHILL
Proposal	-	Proposed replacement of timber windows with uPVC heritage type.

View application/correspondence

RECOMMENDATION: It be **RESOLVED** to **REFUSE (PLANNING PERMISSION)**

Head of Service: Tim Hickling

Applicant: **Mrs M. Parish**
Agent: **Elevations Design Ltd**
Case Officer: **Mr James Laibach**
(Email: james.laibach@rother.gov.uk)
Parish: **BEXHILL**
Ward Member(s): **Councillors C.A. Bayliss and P.C. Courtel**

Reason for Committee consideration: Member referral: Councillor Christine Bayliss: To consider the impact on the conservation area given that several surrounding properties have installed uPVC windows, the proposed designs are heritage style and the building is not listed. In addition, to consider energy efficiency.

Statutory 8 week date: 1 July 2020
Extension of time agreed to: 28 July 2020

1.0 SUMMARY

1.1 This proposal is for the replacement of the existing timber frame windows in flats 1 to 4 Devonshire Square with vertically sliding sash uPVC Windows. There are 19 windows and they relate to the flats on the upper (first and second) floors located within a mixed commercial and residential property. The property, although not listed, occupies a prominent corner position within the Bexhill Town Centre Conservation Area, on Devonshire Square.

1.2 While of a 'heritage style', the proposed uPVC window frames fail to replicate the characteristics of timber sash windows due to their flat texture, large section size, lack of historic detailing and depth which would cumulatively result in a very different window appearance to the existing timber windows which they would replace. Given the prominent location of the building within the Conservation Area, the 19 uPVC windows proposed

would erode the character and appearance of the Conservation Area contrary to adopted Policy EN2 of the Rother Local Plan Core Strategy and to the statutory duty conferred on Local Planning Authorities by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, when exercising planning functions, to pay special attention to the desirability of preserving or enhancing the character or appearance of that [conservation] area.

2.0 SITE

2.1 This application relates to the flats on the upper floors located within a mixed commercial and residential property. The site occupies a prominent corner position within the Bexhill Town Centre Conservation Area, characterised, in the central area, largely by three storey Edwardian townhouses/terraces with shops to the ground floors.

3.0 PROPOSAL

3.1 The proposed development comprises of the replacement of the 19 existing timber frame windows in flats 1 to 4 with vertically sliding sash uPVC Windows with 24mm double glazed units.

3.2 The existing windows are a mix of painted timber sash windows, characteristic of the conservation area, and more recent top hung lights in the bay windows. All proposed windows would be sliding sash.

4.0 HISTORY

4.1 RR/2020/56/P - Removal of chimney (retrospective), Approved

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5.0 POLICIES

5.1 The following policies of the Rother Local Plan Core Strategy 2014 are relevant to the proposal:

- OSS4: General Development Considerations
- EN2: Stewardship of the Historic Built Environment
- EN3: Design Quality
- BX2: Bexhill Town Centre

5.2 The following policies of the Development and Site Allocations Local Plan are relevant to the proposal:

- DHG9: Extensions, Alterations and Outbuildings

5.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations.

5.4 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers a statutory duty to local planning authorities when exercising planning functions, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

6.0 CONSULTATIONS

6.1 Planning Notice – **NO COMMENTS**

7.0 APPRAISAL

7.1 Due to COVID-19 officers have been unable to carry out a site visit from within the building, although an external site visit was carried out and this visit has been supplemented by photographs supplied with the application. It should be noted that officers have not been able to closely inspect the windows but it is officers' considered view that that the signs of wear on the window are due to paint peeling due to long term lack of maintenance and that if damaged, could be easily repaired.

7.2 *Impact on the Character and Appearance of the Conservation Area*

7.2.1 The main issue for consideration with this application is whether the proposed development would preserve or enhance the character and appearance of the Bexhill Town Centre Conservation Area. If any harm is less than substantial, this harm should be weighed against any public benefit of the application.

7.2.2 Policy EN2 (Stewardship of the Historic Built Environment) of the Rother District Local Plan – Core Strategy requires development to: *'(ii) take opportunities to improve areas of poor visual character or with poor townscape qualities and (iii) preserve, and ensure clear legibility of, locally distinctive vernacular building forms and their settings, features, fabric and materials, including forms specific to historic building typologies.'*

7.2.3 Policy BX2 (Bexhill Town Centre) of the Rother District Local Plan – Core Strategy, requires development to: *'(vi) Ensure that development and change respects and, where appropriate, enhances the late Victorian/Edwardian character of the Conservation Area.'*

7.2.4 While the building is not listed, the legislative requirement to preserve or enhance the character or appearance of a conservation area relates to all buildings and as such, the buildings that comprise the conservation area, unlike a listed building, cannot be considered in isolation. The architectural merits of each building are secondary when considering the overall character of the area. This is especially true when considering elements common to all buildings such as doors, windows, roofs, etc.

7.2.5 Having carried out a survey of the adjacent buildings (when facing the building) on either side, and the NatWest Bank on the other side of Western Road, it is noted that all have timber windows, save those above Burgess & Co, and as such there is a strong consistency of fenestration with its neighbours. Opposite too, above The Devonshire, only a few windows have been changed to uPVC.

7.2.6 The characteristics of timber sash windows are as follows and these aspects are considered below:

- Textured timber finish
- Slender profiles
- Historic detailing
- Minimum depth due to single glazing.

Textured timber finish

7.2.7 uPVC has a flat texture, very different to the painted timber sashes that characterise the conservation area. This difference is very noticeable and one of the main reasons that uPVC does not replicate this characteristic. The material does not weather attractively but deteriorates. It also attracts dirt very easily, which accumulates in the crevices where the different construction elements join, and yellows over time, especially if not cleaned regularly.

7.2.8 An inspector refusing an application for uPVC windows in a conservation area in Exeter (see Appeal reference APP/Y1110/D/11/2144644) when considering windows not dissimilar to those proposed here advised: "*The uPVC replacement windows, that the appellant wishes to install, are intended to be sympathetic to the building and to the wider CA. I accept that they would be less bulky and awkward in appearance than some earlier designs, and that their sliding sashes would reflect existing arrangements, but their sterile finish would be unlike painted wood and this would undermine the building's contribution to the CA"*. This flat finish can readily be seen even at a distance.

Slender profiles

7.2.9 The characteristic slenderness of timber sash windows is possible because they support 4mm single glazing. In order to support the weight of a 24mm double glazed unit, the frames need to be considerably sturdier than the existing windows. They also need to be larger as the frames are constructed from a series of moulded elements. The relationship of the frame to glass area is therefore changed considerably. It is the elegance and simple profiles of timber frame sashes that are a key element of their character.

7.2.10 The vertical cross-sections of the proposed windows differ greatly to single glazed timber windows. The proposed meeting rail would be just under twice as thick as on a typical timber window. This almost doubling of the profile is very significant when considering the visual impact of the window.

7.2.11 The depth of the window across the two meeting rails would be 137mm in each of the proposed windows compared to 94mm on a typical timber window. In the timber window, the depth is created largely by the attractive frame moulding but in the uPVC double glazed version, the depth is created by the glass unit itself, highlighting the spacer bar and the lack of moulding. The jambs of the frames would also be considerably larger which overall gives the impression of less window pane and more frame – a different appearance.

Historic detailing

7.2.12 A timber frames visual interest lies in the moulding detail which surrounds the entire frame on both the bottom and top sashes. The frame moulding detail is completely different on the proposed uPVC window and about ¼ of the depth. This is because the bulk of the window depth is made up of the 24mm double glazed unit inserted in its place. A shallow moulded bead is

then clipped on to have something of the effect of the original moulding but has nothing of the effect of the original detail.

7.2.13 Historic detailing also includes a putty finish, which seals the glass to the frame and prevents any draughts or water ingress into the frame. It is itself of visual interest. This detail is replaced with a 'replica' putty detail which is also in uPVC so that there is no visual 'interruption' between the timber frame and the glass unit. Overall, this lack of detail gives a very different character and appearance to each proposed window and, cumulatively, undermines and harms a key characteristic of the conservation area.

The depth of the glazed unit

7.2.14 The thick double-glazed unit is perhaps one of the most harmful and obtrusive features when considering the impact of the proposals on the conservation area. The visual impact of a double-glazed unit on a uPVC window is entirely different to that of a single glazed unit on a timber window. The proposed units require a thick and obtrusive spacer bar which has a very different visual impact to single pane, or even slim double-glazed units, and detracts significantly from the character and appearance of the conservation area.

7.2.15 Another significant concern with the double-glazed units is the very different way in which light reflects and refracts when compared to a single glazed unit (and in relation to a slim double-glazed unit). The proposed 24mm double glazed units would result in double reflections seen from both sides drawing attention to the incongruity of the windows in relation to the consistency of fenestration seen in its neighbours.

Summary

7.2.16 These variations in texture, section size, detailing and depth, result cumulatively in a very different window to the ones that it replaces. The visual interest and elegance is lost. Windows are the eyes of the building (the word originates from the Old Norse 'vindauga', from 'vindr – wind' and 'auga – eye', i.e., wind eye), and as such, it is important that they suit the building they are designed for. There are a finite number of features on a building: windows, doors and walls. Changing any one of these three, changes the whole character of the building. Cumulatively, if done badly, these changes will erode the character and appearance of conservation areas to the extent that they will no longer be valued as conservation areas.

7.2.17 The Bexhill Town Centre Conservation Area Appraisal advises that the use of modern materials for windows contributes to the detrimental features in the conservation area. Other elements include altered or modern shopfronts with incorrect details. The Appraisal, written in 2004 advises that the area of Bexhill *'has not until quite recently been recognised as being special in any way'*. Many of the windows which harm the character of the conservation area are likely to have been changed prior to the designation of the conservation area.

7.2.18 Although there are some uPVC windows in the conservation area, this does not justify the installation of further uPVC windows. The further loss of the characteristics and appearance of timbers windows will erode the character of the conservation area. The Bexhill Town Centre Conservation Area Appraisal is clear on this.

7.2.19 In summary, approval of the proposed windows would be harmful to the character and appearance of the Bexhill Town Centre Conservation Area, failing to preserve or enhance it and contrary to Policies EN2 and BX2 of the Rother District Local Plan – Core Strategy, as well as to the statutory duty conferred on local planning authorities in the 1990 Act to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

7.3 *Energy Efficiency*

7.3.1 The Design and Access Statement submitted with the application states that *"The benefits of uPVC heritage windows are that they are sustainable, will offer improved thermal and acoustic performance and are low maintenance."*

7.3.2 The accuracy of this broad statement is questionable. There are many ways to improve energy efficiency in buildings. Improving the performance of windows is just one of them. Historic England, for example, recommends the installation of wall and roof insulation and secondary glazing and/or shutters. Another option is the installation of magnetic-strip secondary glazing, which is very cheap to install, is very effective, and can be removed in the summer months. According to one website, double glazing reduces heat loss by 55% (U-value 3.14) and secondary magnetic glazing reduces heat loss by 63% (U-value 2.70). Secondary magnetic glazing is virtually invisible from exterior and interior views and does not require planning permission to install.

7.3.3 Only 4.8% of Great Britain's total housing stock is in conservation areas, and when considering energy efficiency and the considerations above, there is a strong argument that any loss in energy efficiency from retaining single glazed timber windows is outweighed by the historic benefits of their preservation.

7.3.4 That the character and appearance of a conservation area is considered more important by legislation than energy efficiency, can be seen in the Building Regulations. Part L of the Building Regulations advises that listed building and buildings in conservation areas are exempt from meeting the minimum requirements set out in Part L where to meet these requirements would unacceptably alter their character and appearance. As noted above there are many ways to meet the requirements of Part L without replacing or upgrading windows.

7.3.5 Nonetheless if upgrading or replacing windows does preserve the character and appearance of the conservation area, this upgrading should be supported. Slim double-glazed units with a 6mm cavity fitted in a timber frame do comply with Document L to achieve an overall window U Value of 1.6 and can be acceptable and this should be considered here.

7.3.6 This is one of the benefits of timber. If timber fails, it can be repaired - a new piece can be scarfed in. This is not the case with uPVC which requires wholesale replacement if warped or damaged. Timber windows can also accommodate several different pieces of ironmongery, to reflect changing fashions over time. With uPVC this flexibility is not possible as the holes used to house the ironmongery cannot be moved or altered. A new proprietary fitting would be required and this is likely to be restricted to the

make and model of the specific window and it is also likely that with the speed at which the models of uPVC window change, changing the ironmongery may not even be possible. Window furniture contributes significantly to the character of a building. It is not known whether the options available for the uPVC model proposed are in keeping with the Edwardian character of the conservation area.

7.3.7 In summary, the energy efficiency of uPVC windows is just one characteristic and carries little weight when considering the impact of development on the character and appearance of a conservation area, especially given the wider sustainability benefits of utilising and repairing timber and the primacy of the requirements of the 1990 Act.

8.0 PLANNING BALANCE AND CONCLUSION

8.1 This proposal is for the replacement of the existing timber frame windows in flats 1 to 4 Devonshire Square with vertically sliding sash uPVC Windows. There are 19 windows and they relate to the flats on the upper (first and second) floors located within a mixed commercial and residential property. The property, although not listed, occupies a prominent corner position within the Bexhill Town Centre Conservation Area, on Devonshire Square.

8.2 While of a 'heritage style', the proposed uPVC window frames fail to replicate the characteristics of timber sash windows due to their flat texture, large section size, lack of historic detailing and depth, which would cumulatively result in a very different window appearance to the existing timber windows which they would replace. Given the prominent location of the building within the Conservation Area, the 19 uPVC windows proposed would erode the character and appearance of the Conservation Area contrary to adopted Policy EN2 of the Rother Local Plan Core Strategy and to the statutory duty conferred on Local Planning Authorities by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, when exercising planning functions, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

RECOMMENDATION: REFUSE (PLANNING PERMISSION)

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1. The 19 proposed uPVC sliding sash double glazed windows by reason of their thicker, heavy frames and specifications would result in unsympathetic, obtrusive fenestration that would not reflect the original slim and elegant sections of the timber sliding sash windows. The proposal would erode the character and appearance of the Bexhill Town Centre Conservation area, contrary to Policies EN2 (ii) and BX2 (vi) of the Rother District Local Plan Core Strategy, paragraph 127 of the National Planning Policy Framework., and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

NOTE:

1. This refusal relates to the following plans and drawings:
Proposed Plans, Drawing No. 19.138.2.F dated November 2019.

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.