

SITE PLAN

BEXHILL

RR/2021/2614/P

23A Western Road



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. (Crown Copyright). Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. No further copies may be made.
Rother District Council Licence No. 100018643 2013

Not to Scale

Rother District Council

Report to - Planning Committee
Date - 14 April 2022
Report of the - Director – Place and Climate Change
Subject - Application RR/2021/2614/P
Address - 23a Western Road,
Bexhill-on-Sea, TN40 1DU
Proposal - Proposed replacement windows and entrance door.

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Miss N. Tidd & Mrs S. Ingamells
Agent: Pump House Designs
Case Officer: Mr Sam Koper
(Email: sam.koper@rother.gov.uk)

Parish: BEXHILL CENTRAL

Ward Members: Councillors C.A. Bayliss and P.C. Courtel

Reason for Committee consideration: Applicant is related to a member of staff of Rother District Council

Statutory 8-week date: 5 April 2022

Extension of time agreed to: 21 April 2022

1.0 SUMMARY

1.1 The proposal is for the replacement of seven timber windows with heritage uPVC windows and a replacement uPVC door. The only issue for consideration is whether the proposal provides a sustainable solution that minimises potential environmental impact whilst ensuring the character and appearance of the Bexhill Town Centre Conservation Area (BTCCA) is sustained and enhanced. The application is recommended for refusal due to the harm caused to the conservation area.

2.0 SITE

2.1 The property is a mid-terrace late Victorian / early Edwardian building built over three floors. The ground floor is a shop unit, currently a pet shop with a separate residential access to the east of the frontage. The windows appear

to be original and display a distinct Edwardian style with the absence of glazing bars that were so dominant in previous periods. The brick elevation has unfortunately been painted in the past, nevertheless, the building makes a positive contribution to the form and appearance of the conservation area.

- 2.2 Western Road is within the BTCCA, many buildings along Western Road benefitted from grant funding in the early 2000's that included the installation of shopfronts and windows. A consistent theme of shopfronts, 1st floor bay windows, and console brackets can be seen, in terms of original fenestration, the road maintains a prevalence of timber sliding sash windows, some UPVC or aluminium casement and sliding sash type windows which is considered to bring detriment to the character and appearance of the conservation area.

3.0 PROPOSAL

- 3.1 The proposal involves replacement of existing timber sash windows Northern (front) elevation of the building at 1st and 2nd floor level, and the replacement of the residential access front door.

4.0 HISTORY

- 4.1 RR/94/545/P Rear extension to No. 23 and provision of new shopfronts to Nos. 23 and 25 – Approved Conditional
- 4.2 RR/86/0380 Use of two existing first floor offices as instruction areas for office studies – Approved Conditional
- 4.3 RR/84/2388 Change of use of first and second floors from residential to office use including alterations – Approved Conditional

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
 - BX2: Bexhill Town Centre
 - EN2: Stewardship of the Historic Built Environment
 - EN3: Design Quality
- 5.2 The following policy of the [Development and Site Allocations Local Plan \(DaSA\)](#) is relevant to the proposal:
- DHG9: Extensions, Alterations and Outbuildings
- 5.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations particularly section 16 on the conservation of historic assets.
- 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 Rother District Council Conservation and Design Officer – **OBJECTION**

6.1.1 The Conservation and Design Officer has been consulted on this application and their comments have been incorporated into this report.

6.2 Planning Notice

6.2.1 One letter of objection has been received (from Bexhill Heritage). The concerns raised are summarised as follows:

- Low quality uPVC replacement windows
- Windows should have a textured finish
- Windows should be an off-white colour

6.3 Bexhill Town Council – No comments received.

7.0 APPRAISAL

7.1 The only issue for consideration is whether the proposal provides a sustainable solution that minimises potential environmental impact whilst ensuring the character and appearance of the BTCCA is sustained and enhanced.

7.2 Policy OSS4 (iii) of the Rother Local Plan Core Strategy states all development should respect and not detract from the character and appearance of the locality.

7.3 Policy BX2 (vi) of the Rother Local Plan Core Strategy states that development and change should respect and, where appropriate, enhance the late Victorian/Edwardian character of the Conservation Area.

7.4 Policy EN2 (ii)(iii) relates to development affecting the historic built environment, including that both statutorily protected and the non-statutorily protected, and it will be required to take opportunities to improve areas of poor visual character or with poor townscape qualities and to 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.

7.5 Policy EN3 (i) required new development to contribute positively to the character of the site and surroundings, including taking opportunities to improve areas of poor visual character or with poor townscape qualities.

7.6 Policy DHG9 (v) of the DaSA Local Plan states that extensions to existing buildings will be permitted where they fully respect and are consistent with the character and qualities of historic buildings and areas, where appropriate.

7.7 It is considered that Policy BX2 of the Rother Local Plan Core Strategy should be afforded great weight as it seeks to ensure development and change

respects and, where appropriate, enhances the late Victorian/Edwardian character of the town.

- 7.8 The front elevation is easily visible within the public realm from Western Road. The replacements will be of a UPVC sliding sash design. Although the proposed UPVC sash windows do attempt reproduce the appearance of a traditional timber window, they do not reproduce the design to a satisfactory degree in terms of section sizes and proportions. The proposed door does not reflect the appearance of a traditional door.
- 7.9 In terms of windows, the main reason for this variation is the need to accommodate larger gas filled double glazed units within the sashes requiring larger section material to support the heavier glazing configuration. The depth of the meeting rail increases from a typical depth of 40mm in timber to 55mm in UPVC. The overall depth of both meeting rails from front face to back of the two sashes increases from a typical depth of 97mm in timber to 117mm in UPVC. These variations in section size have a cumulative adverse effect on the elegance, fine sightlines and details of a timber sliding sash window which by way of a loss of elegance would be detrimental to the character of the building and the setting of the conservation area. This in turn would be detrimental to the building's aesthetic value, a principle of significance, and have an adverse impact upon the wider setting of the conservation area.
- 7.10 It is also noted that the proposed glazing bar is not only too thick being 22mm rather than a typical 15mm, but actually not reflective of the established Edwardian appearance where all surrounding properties in the immediate vicinity do not have glazing bars at all. The introduction of glazing bar will disturb the consistent rhythm seen and create an overly vertical emphasis that 'squashes' the horizontal presence of the window.
- 7.11 The proposed UPVC door details show wholly inadequate rails and stiles in terms of size and the overall design does not attempt to reflect the character of the conservation area which would be best served by a 4-panel timber door. The design and overly bulbous appearance of the door lining and jambs also fail to reflect the established character and is wholly unsuitable for use in a conservation area.
- 7.12 Many of the town's local streetscapes rely on historic doors and windows for much of their architectural impact and character; yet such subtle features can easily be eroded, and historic buildings degraded by inappropriate, poor quality replacement doors and windows. The current trend is to replace historic timber windows and doors with uPVC or aluminium. However, in historic areas the size of window frames, the glazed proportions, the pattern of glazing bars, the method of opening, materials and colour are often distinctive. It is difficult to introduce new materials and designs without altering the character or appearance of an area. Where inappropriate replacements predominate, the character of an area will be compromised, and the historic character of the street scene and surrounding area will be undermined. Other buildings along the street do have UPVC in both casement and sash forms present and the detrimental impact in terms of proportion, loss of elegance and fine sightlines and opening method is clear to see when assessing the contrast between No. 3 Western Road in UPVC casement, Nos. 5 to 13 western road (odd numbers) in original timber, and Nos. 15, and 17 (UPVC sash).

7.13 Some other replacement windows of various opening methods may benefit from planning permission; However, it should be noted that these windows do not meet the current policies detailed in the current Rother Local Plan Core Strategy or DaSA. The Council intends to ensure that all window installations comply with local and national policy through the planning system and will seek reversal of this installation in terms of materials and appearance when they are to be replaced. The presence of these unauthorised, and/or detrimental windows should not therefore be used as a precedent for replacement windows in this area.

7.14 In relation to Policy BX2 of the Rother Local Plan Core Strategy it is considered that it is appropriate to seek enhancement to the character and appearance. This is reinforced by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The BTCCA Appraisal (adopted 2004) details the following:

7.15 *The appraisal has identified the key components which provide the Town Centre with its special identity. The features which combine to create its sense of place have survived the passage of time and some thoughtless alterations remarkably well. This is especially so since an area like Bexhill Town Centre has not until quite recently been recognised as being special in any way. Since its designation as a Conservation Area development proposals in the Town Centre have been subject to closer scrutiny and guidelines drawn up to provide advice on the key elements defining its appearance as well as new shopfronts and security grilles. Using its development control powers the Council has begun to reverse the erosion in character which has occurred. At the same time a three year programme of grant aid has been made available jointly by the Council and English Heritage starting this year (2002) to provide positive assistance to repair buildings in the town Centre's commercial streets and restore lost character. (Heritage Economic Regeneration Scheme – HERS). Adverse changes have taken two main forms. As parts of the buildings have worn out they have either been replaced with unsympathetic modern materials such as interlocking concrete tiles in place of clay tiles or slate, or poorly designed plastic windows in place of double hung sliding sashes, or in the case of ornamental details such as corner roof turrets, simply not replaced. The other area of change involves periodic modernisation and has affected shopfronts more than any other aspect of the Town Centre, though works to the public realm have been equally harmful with the loss of street trees and original lamp columns.*

Other alterations are however recoverable, the use of planning controls to insist on an appropriate design of plastic window when replacement is planned could do much to improve the principal street elevations. The provision of grants through the HERS to replace unsuitable windows, both plastic and wooden with new well detailed purpose made wooden windows could encourage owners to undo past harm.

7.16 It is considered that the proposed replacement of the windows and residential access door are not in accordance with the ambition detailed within the conservation area appraisal and do not satisfy Policies BX2 and EN2 of the Rother Local Plan Core Strategy as the proposal would not sustain and enhance the character and appearance of a designated conservation area, by way of their design, proportions and materials used.

- 7.17 It is also considered that the proposed use of 28mm double glazed units is not slimline and by way of location is also in clear view from the public realm. This is not considered acceptable, the use of 28mm double glazed units create an unacceptable level of bulk and erode the finesse of the windows overall form, giving a somewhat bulbous and clumsy appearance. The materials employed are also contrary to the requirements of this policies as they do not adequately reflect the original materials and are considered to be of detriment and do not create the required enhancement.
- 7.18 However, it is acknowledged that the level of harm is considered to be less than substantial and as such the National Planning Policy Framework allows that harm to be mitigated under paragraph 200 by way of clear and convincing justification or under paragraph 202 by way of public benefit. It is considered that the overall condition was generally described but not in detail. Rather than requiring total replacement, timber sash windows are repairable, and it is unlikely that all of the windows were in such poor order to the extent of requiring complete and total replacement. Periodic maintenance such as painting, replacement of sash cords and potentially sash repair or replacement is all possible without total replacement of the whole unit.
- 7.19 Condensation which is commonly cited, is a symptom of high relative humidity and no details of condensation were included within the application. It should however, also be considered that energy efficiency and increased thermal comfort could provide some mitigation towards the harm caused by tackling climate change. This in turn could be considered as a public benefit.
- 7.20 There is no doubt that original single pane glazing is not as efficient as its double-glazed counterpart. Timber is an efficient insulator when compared to UPVC. However, it is considered that other options such as secondary glazing or shutters have not been considered fully as realistic options that would cause no harm to the conservation area. Historic England's publications; Energy Efficiency and Historic Buildings - Draught-proofing Windows and Doors (2016); Traditional Windows - Their Care, Repair and Upgrading (2017); and Energy Efficiency and Historic Buildings - How to Improve Energy Efficiency (2018) give considerable detail regarding measures that can be taken to improve the efficiency of traditional windows. Installation of staff beads and parting beads that have built in brush pile draft excluders, the use of secondary glazing and the possibility to retrofit double glazed slimline units into existing sash windows are some of the many options.
- 7.21 Historic England have conducted much research and published many publications in relation to efficiency and climate change. These publications note that buildings constructed before 1914 generally have had differing methods of utilised in their construction when compared to modern methods. Although not listed, it is considered that due to the age of the property, the recommendations made by Historic England should be referred to. Historic England refer to a 'whole house approach' which is also reinforced by the suggestion that measures to tackle heat loss should wherever possible should not be detrimental to the heritage asset. The proposal has not demonstrated convincingly that all options for improving efficiency have been thoroughly explored including draft exclusion, air source heating, wall and roof insulation, renewable energy tariffs and secondary glazing/shutters.

- 7.22 In terms of materials, the National Design Guide (2019) states that materials used for building or landscape affect how well it functions and lasts over time. The lifespan of a material has a contributory effect on the environmental impact of the development. It is considered that great weight should be given to the significant lifespan of timber and the inadequate lifespan of UPVC, which in this case is considered to typically have a lifespan 75% less than the original timber material. It is also considered that similar proposals to this could be made for neighbouring and nearby properties should permission be granted in this case. There is a clear possibility that a proposal that causes less than substantial harm to the conservation area as an individual development may have an adversely incremental effect on the area if similar proposals are approved elsewhere creating substantial harm by way of cumulative development.
- 7.23 In relation to this particular proposal, it is considered that comparison with standard timber windows is suitable, but it is also noted that the original current windows within the building are in excess of 120 years old. As such it is considered that the proposed UPVC material with a lifespan of up to 35 years does not have sufficient longevity when compared to new or existing timber windows, and its ongoing replacement at relatively short intervals would create an avoidable carbon cost, that would be contrary to local and national guidance and policy.
- 7.24 The National Planning Policy Framework paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs, and specifically in paragraph 8 refers to an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. For the reasons of a comparatively poor design life and consequently increased waste, and avoidable carbon cost in the materials production, it is considered that the proposal does compromise the abilities of future generations and does not contribute towards minimising waste and pollution, mitigating and adapting to climate change or moving towards a low carbon economy.
- 7.25 Although the desire to increase energy efficiency is admirable, the use of UPVC has a detrimental impact upon both the character and appearance of the conservation area, and the environment. The council does not object to improved energy efficiency or enhanced thermal comfort, but this must be carried out in such a way that the preservation and enhancement of heritage assets is also fully considered and the environment around us is not adversely affected. UPVC by way of its poor design life and carbon intensive production methods will be detrimental to future generations, create more waste and pollution, does not mitigate sufficiently to tackle climate change and does not move towards a low carbon economy. The material is also incapable of having a lifespan the is equal to either the host building or the existing windows. There is no justification that is either clear and convincing or in the public interest for the use of UPVC.

7.26 The proposal also failed to provide a heritage statement or statement of significance which is a requirement of paragraph 194 of the National Planning Policy Framework. Therefore, in relation to the National Planning Policy Framework, the proposal fails to satisfy paragraph 7,8, 130, 194, 200 and 202 of the National Planning Policy Framework, and the final determination is in accordance with paragraph 134. The benefits associated with the installation of UPVC double glazing can still be realised by way of utilising a timber window design and also create a more accurate reproduction of traditional windows that will be of benefit to the conservation area. It is also considered that the greater design life of timber windows will be of benefit to future generations by encouraging the minimisation of waste, carbon cost and the transition to a low carbon economy.

8.0 PLANNING BALANCE AND CONCLUSION

8.1 The proposed development would fail to provide a sustainable solution that minimises potential environmental impact whilst also conserving and enhancing the character and appearance of the BTCCA.

RECOMMENDATION: REFUSE (PLANNING PERMISSION)

REASONS FOR REFUSAL:

1. Having regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposed scheme does not demonstrate how it will sustain and enhance the significance of the designated heritage asset (the conservation area), the proposed UPVC does not reflect the materials or proportionality of the original fittings, the proposal is in clear public view and slimlite double glazing is not proposed, and as such would be contrary to Policies BX2 and EN2 of the Rother Local Plan Core Strategy, Policy DHG9 of the Development and Site Allocation Plan. In relation to the National Planning Policy Framework, the proposal fails to satisfy paragraph 7,8, 130, 194, 200 and 202 of the National Planning Policy Framework.

NOTE:

1. This refusal relates to the proposal as shown on the following plans:
- Location Block Plan, Drawing No. 7159 / LBP, dated February 2022
 - Existing Layout, Drawing No. 7159 / EX, dated January 2022
 - Proposed Layout, Drawing No. 7159 / 1, dated January 2022
 - Technical Details, Drawing No. 7159 / 2, dated January 2022

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 determining the application within a timely manner, clearly setting out the reason for refusal, thereby allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied as part of a revised scheme.