

SITE PLAN

BEXHILL

RR/2022/1639/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 - 13 October 2022
Report of the - Director – Place and Climate Change
Subject - Application RR/2022/1639/P
Address - 23a Western Road, Bexhill.
Proposal - Proposed replacement windows.

[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 Ruben Hayward
(Email: ruben.hayward@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: 14 September 2022
Extension of time agreed to: 20 October 2022

1.0 SUMMARY

1.1 The proposal is for the replacement of all existing timber sash windows on the front elevation of the first and second storeys of the building with uPVC sliding sash windows. The only issue for consideration is whether the proposal would preserve or enhance the character and appearance of the Bexhill Town Centre Conservation Area (BTCCA). The application is recommended for refusal due to the proposed windows that would, by virtue of material, appearance, section sizes, glazing bar arrangement, proportionality, and finish neither preserve, nor enhance the character or appearance of the BTCCA.

2.0 SITE

2.1 The property is a maisonette/flat that occupies the first and second floors of a mid-terrace, late Victorian/Edwardian building. The ground floor is in retail

use, currently occupied by a pet shop. Access to 23a Western Road is gained through a door to the east of the frontage.

- 2.2 Western Road is characterised by three-storey terraced properties with shops at ground floor level, featured on both sides of the street. First and second floor levels typically feature bay windows and timber sliding sash windows. A minority of properties include uPVC casement and sliding sash windows which are considered to be detrimental to the character and appearance of the BTCCA.
-

3.0 PROPOSAL

- 3.1 The proposal is to replace the existing timber sash windows at first and second floor level on the front elevation with uPVC sash windows.
-

4.0 HISTORY

- | | | |
|-----|----------------|---|
| 4.1 | RR/2021/2614/P | Proposed replacement windows and entrance door. (Refused) |
| 4.2 | RR/94/545/P | Rear extension to No. 23 and provision of new shopfronts to Nos. 23 and 25. (Approved Conditional) |
| 4.3 | RR/86/0380 | Use of two existing first floor offices as instruction areas for office studies. (Approved Conditional) |
| 4.4 | 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 policies of the [Development and Site Allocations Local Plan \(DaSA\)](#) are relevant to the proposal:
- DHG9: Extensions, Alterations and Outbuildings
 - DEN1: Maintaining Landscape Character
- 5.3 The following Council documents are considered relevant to the proposal:
- Bexhill Town Centre Conservation Area Appraisal (adopted 24 February 2004)
- 5.4 The National Planning Policy Framework and Planning Policy Guidance are also material considerations.

- 5.5 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 support has been received from Bexhill Heritage. The comments are summarised as follows:

- Proposal would transform the appearance of the building
- Would greatly improve living conditions for future occupants
- In accordance with Bexhill Heritage guidance on uPVC windows
- Would encourage property investment and refurbishment nearby

6.3 Bexhill Town Council – **NO OBJECTION**

7.0 APPRAISAL

- 7.1 The only issue to be considered is whether the proposal would ensure that the character and appearance of the BTCCA is preserved or enhanced.
- 7.2 Policy OSS4 (iii) of the Rother Local Plan Core Strategy states that 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 the strategy for Bexhill Town Centre is to ensure that development and change respects and, where appropriate, enhances the late Victorian/Edwardian character of the Conservation Area.
- 7.4 Policy EN2 (i)(ii)(iii)(iv) of the Rother Local Plan Core Strategy states that development affecting the historic built environment, including that both statutorily protected and the non-statutorily protected, will be required to reinforce the special character of the District's historic settlements, including villages, towns and suburbs, through siting, scale, form and design; take opportunities to improve area of poor visual character or with poor townscape qualities; 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 and; make reference to the character analysis in Conservation Area Appraisals, where relevant.
- 7.5 Policy EN3 (i) of the Rother Local Plan Core Strategy states that new development will be required to be of high design quality by contributing positively to the character of the site and surroundings, including taking

opportunities to improve area of poor visual character or with poor townscape qualities.

- 7.6 Policy DHG9 (ii) (v) of the DaSA Local Plan states that extensions, alterations and outbuildings to existing dwellings will be permitted where they respect and respond positively to the scale, form, proportions, materials, details and the overall design, character and appearance of the dwelling and; they fully respect and are consistent with the character and qualities of historic buildings and areas, where appropriate.
- 7.7 Policy DEN1 of the DaSA Local Plan states that the siting, layout and design of development should maintain and reinforce the natural and built landscape character of the area in which it is to be located, based on a clear understanding of the distinctive local landscape characteristics.
- 7.8 Policy BX2 (vi) of the Rother Local Plan Core Strategy is considered to hold great weight in this application due to its focus on ensuring that development and change respects and, where appropriate, enhances the late Victorian/Edwardian character of the Conservation Area.
- 7.9 The front elevation of the maisonette is prominent within the locality, a busy town centre position in Bexhill. The proposed window replacements would be of a uPVC sliding sash design and are not reflective of the heritage timber sliding sash windows frequently found in this street. Few examples of uPVC windows can be found on this side of Western Road, and examples such as Nos. 15 and 17 demonstrate poor replications of the traditional window style.
- 7.10 The proportions of the proposed windows would be uncharacteristic of traditional windows. The typical depth of the uPVC window when measured from front face to back would be 126mm, compared to a typical depth of 97mm in a traditional timber sash window. The existing windows feature a weight box that is recessed behind the brickwork, leading to only 10-15mm of the frame being displayed. The proposed would not utilise the recessed brickwork and would introduce a bulbous frame to host the sliding sashes, distorting the proportionality and reducing the relative area available for the glazed window. Based on the proposed drawings submitted (interpreted at a scale of 1:5 as opposed to the inaccurate 1:2 as indicated) the visible frame size increases to approximately 60mm; at least four times the original on each side resulting in a 120mm loss of glazing area in terms of available width. The cumulative impact of these proportions would have an adverse effect on the subtle detailing and fine sightlines of a sliding sash window which by way of a loss of elegance would be detrimental to the building and its contribution to the character and appearance of the conservation area.
- 7.11 The glazing bars featured on the proposed windows are thicker than traditional windows, at a width of 22mm compared to 15mm in a traditional timber sash window. The principle of double glazing requires a thick and obtrusive spacer bar which has a very different visual impact to single pane or even slim double glazed units. In addition to this, the glazing bars do not form part of the window joinery but are rather stuck on to the glass, resulting in the fenestration to be artificial in appearance. Furthermore, the addition of a vertical glazing bar is most unlike any window seen within the locality and would disrupt the pattern of horizontally focused fenestration on this side of the street. The resulting view from the street-scene would therefore be

incongruous and detrimental to the established character and appearance of the conservation area.

- 7.12 In terms of material, uPVC has a much flatter texture when compared to traditional painted timber sashes that are typical of the conservation area. The difference is clearly noticeable, particularly after some years by which time the uPVC material may have deteriorated. It should also be noted that uPVC windows feature various crevices where the construction elements join and this allows for dirt to accumulate more easily; if the window is not cleaned regularly this could potentially lead to yellowing over time.
- 7.13 The BTCCA Appraisal (adopted 2004) contains some relevant passages:
- 7.14 *“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...”*
- 7.15 *“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 can be considered that the proposed replacement windows are not in compliance with the guidance given under the BTCCA Appraisal and would also go against Policies EN2, EN3 and BX2 of the Rother Local Plan Core Strategy and Policy DHG9 of the DaSA because the proposal would not retain the distinctive vernacular form of the building, fabric and materials, thereby not contributing positively to the character of the area and not respecting the late Victorian/Edwardian character of the conservation area.
- 7.17 It should be noted that when compared to the previously refused application RR/2021/2614/P, the key differences to be seen are the exclusion of a replacement door from this application and the choice of a different brand of window. It can be assumed that the choice of “Roseview Ultimate” is based on guidance given by Bexhill Heritage as a preferred uPVC window choice. However, preference to a specific brand of window is not a material planning consideration.
- 7.18 Paragraph 200 of the National Planning Policy Framework states that *“any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”*
- 7.19 The heritage statement provided with this application states that: *“the uPVC heritage windows have been carefully chosen so that they replicate the original sashes and openings so that there is no harm to the special character and appearance of the Conservation Area”*. It is noticeable without closely inspecting the plans that the presence of a vertical glazing bar starkly contrasts with the original windows and would harm the character and appearance of the conservation area. The heritage statement does not provide clear and convincing justification for the harm of the heritage asset.

- 7.20 Paragraph 202 of the National Planning Policy Framework states that: *“where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use.”*
- 7.21 There is no doubt that double glazing would be more efficient than the original single pane glazing that is present, however other options such as secondary glazing or shutters have not been considered as options that would not cause harm to the conservation area. Historic England guidance indicates that only 4.8% of all housing is situated in conservation areas, so it should be considered that any loss in energy efficiency from the retention of single glazed windows is outweighed by the historic benefits of their preservation. Slimline double glazing or vacuum glazing could be installed with the retention of the timber frames and would offer adequate energy efficiency, so it cannot be argued that there is a basis for the use of uPVC windows as proposed for improved energy efficiency when less harmful options are available.
- 7.22 Referring to paragraph 202 of the National Planning Policy Framework, the benefit of increased energy efficiency from the use of uPVC windows is largely a private benefit; any public benefit would be dependent on the energy source used within the building. As such, the harm to the conservation area cannot be weighed against any public benefit of the proposal.
- 7.23 The sustainability of construction should also be considered. Typically uPVC windows have a life span of no more than 35 years whereas a standard timber window would have a life expectancy of at least 65 years. There are some examples of original timber windows in the conservation area that would date back more than 120 years. When considering the manufacturing process of uPVC windows and its comparatively low design life, there would be a clear increase in waste and pollution, and the use of such windows would therefore be a backwards step in the battle against climate change.
- 7.24 During a site visit, the Conservation and Design Officer had the opportunity to assess the current window condition. Despite the windows tired external appearance, the structural components and mechanisms were largely found to be in good condition and featuring original hardware. The operation of some windows was not fully functional and some featured broken sash cords, all of which could be rectified with routine maintenance and minor repairs. Retrofitting the existing window would still allow for the benefits of improved energy efficiency and would be financially preferable to the wholesale replacement of every window.
- 7.25 In summation, the substitution of the existing windows with uPVC replacements would be detrimental to the character and appearance of the conservation area and this harm cannot be justified because the proposal does not satisfy paragraphs 200 and 202 of the National Planning Policy Framework. Moreover, the proposal does not align with the supporting texts of the BTCCA Appraisal and would not comply with Policies EN2, EN3 and BX2 of the Rother Local Plan Core Strategy or Policies DHG9 and DEN1 of the DaSA Local Plan. The benefits attributed to improved energy efficiency of uPVC windows can still be gained through the retrofitting of the existing windows and would not create a harmful carbon footprint whilst managing to retain the established character and appearance of the conservation area.

The use of uPVC windows would be detrimental in this prime town centre position and would be easily visible on the principal elevation of the building.

8.0 PLANNING BALANCE AND CONCLUSION

- 8.1 The proposal would detract from the character and appearance of the BTCCA and in doing so fails to provide clear and convincing justification for the harm. Furthermore the use of uPVC windows would create a greater carbon footprint when considering their construction methods and shorter lifespan when compared to original timber windows.
-

RECOMMENDATION: REFUSE PLANNING PERMISSION

REASON FOR REFUSAL:

1. Having regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposed works, by virtue of material, appearance, section sizes, glazing bar arrangement, proportionality, and finish neither preserve nor enhance the character or appearance of the Bexhill Town Centre Conservation Area, and as such would be contrary to Policies EN2, EN3 and BX2 of the Rother Local Plan Core Strategy, Policy DHG9 and DEN1 of the Development and Site Allocations Local Plan, and paragraphs 130, 200 and 202 of the National Planning Policy Framework.

NOTE:

1. This recommendation for refusal relates to the following submitted plans and documents:
Site / Block Plan – Drawing No. 7159-LBP, dated February 2022
Existing Elevations – Drawing No. 7159-EX, dated January 2022
Amended Details – Drawing No. 7159-22-1-A, dated January 2022
Heritage Statement – dated 30 June 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.