

Delegated Report

Householder Planning Application

Planning Application No: 20240727

Location: 16 William Street Gravesend Kent DA12 1HD

Description: Retrospective application for replacement windows with like for like windows.

Applicant: Mr John Mason

Site Visit Date: 20/08/2024

Submitted Documents/Plans

- Application form;
- Drawing no. 20/1024/01 – Proposed Replacement Windows;
- Drawing no. 24/1024/02 – Replacement Windows;
- Location Plan;
- Ecoslide Window Brochure;
- Heritage Statement;
- Photo of New Windows;
- Photo of Old Windows.

Relevant Planning History

None.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC3 – Development Affecting Conservation Areas

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the

NPPF (2023), the Council will also seek to replace these.

Other material considerations

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to 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.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places
- 16 Conserving and enhancing the historic environment

Supplementary Planning Guidance

- Windmill Hill Conservation Area Appraisal (2009)
- Management Plan Gravesend's 19th Century Suburban Conservation Areas (2009)
- Conservation Areas Maintenance/Replacement Windows and Doors Guidance Supplementary Planning Document (2020)

Other Guidance

- Historic England Traditional Windows Their Care, Repair and Upgrading (2017)

Consultations, Publicity and Representations

Consultees

No response received from:

- GBC Conservation Officer

Neighbouring properties

30 surrounding properties were consulted plus site and press notices – overall consultation expiry date was 13.09.2024 – two responses received (objections). The comments received can be summarised as follows:

- The windows should be replaced with wooden ones;
- If people do not want to follow the requirements of a house in a conservation area, it would probably be better for them to buy a house that is not in a conservation area;
- If retrospective applications like this one, are successful, there will be fewer and fewer conservation areas;
- This house is in the Windmill Hill Conservation area, the Council's published guidance is that windows in the area should be wood and appropriate to the house design - the house adjacent appears still to have the correct window design; and
- Original style wooden windows should be fitted.

Officer's Analysis

Procedural Matter

The description of the proposal is 'Retrospective application for replacement windows with like for like windows.' It should hereby be noted that the Local Planning Authority does not agree with the description that the windows that have been installed are a 'like for like' replacement given that the windows that were removed were timber single glazed windows and the windows that have been installed are uPVC double glazed windows – that is not a like for like replacement as the material, glazing system, proportions and detailing of the windows are different.

The application site consists of a two storey terraced dwelling situated in the Windmill Hill Conservation Area and covered by an Article 4 Direction (Art 98/1).

The proposal is for retention of the two existing uPVC double glazed windows that have been installed in the front elevation of the property without the benefit of planning permission; due to the Article 4 Direction planning permission is required for replacement of the windows and as stated they are not a like for like alteration.

The principal issue in the determination of this application is whether the windows that have been installed have preserved or enhanced the character or appearance of the Windmill Hill Conservation Area.

From Google Street View it can be seen that prior to the existing unauthorised windows being installed the two windows in the front elevation at ground and first floor level appeared to be the original/period fabric timber single glazed sliding sash windows as seen in the below image:



2018 Google Street View image



Close up of ground and first floor level



windows

The windows that have been installed are uPVC double glazed windows as seen in the below image:



Windows installed



Close up of ground and first floor level windows installed

The Council's Conservation Areas Maintenance/Replacement Windows and Doors Guidance Supplementary Planning Document (2020) sets out the criteria for different examples of replacement windows depending on the age of the property and what the existing and proposed windows are:

The Council has adopted the following criteria for assessing applications for window alterations/replacements in unlisted buildings where an Article 4 Direction is in place:

1. Use of purpose made or high quality factory made timber sash/casement windows. Planning permission not required if windows are an exact copy, like for like, or replica.
2. Use of factory made timber sash windows or uPVC vertical sliding sash windows as replacements for Victorian/Edwardian one over one or two over two sash windows (i.e. windows with one or two panes, not Georgian style multi-paned windows which are commonly divided into six or eight small panes for each sash). Approve subject to choice of manufacturer and detailing; ensure that vertically sliding sashes are proposed.
3. Use of factory made timber or uPVC casements as replacements for Victorian/Edwardian casement windows. Approve subject to choice of manufacturer and detailing and ensure that casement is flush with the frame or recessed when closed. Use of aluminium profile casement windows in suburban houses (post 1920). Approve subject to choice of window style. In many cases aluminium replacements can match the appearance of original metal framed [Crittall] windows.
4. Applications to replace inappropriate modern windows in pre 1920 houses (i.e. houses originally built with timber sashes and casements) or post 1920 (i.e. houses originally built with metal framed [Crittall] windows). Approve subject to choice of style of replacement unit. The replacement should match the appearance of traditional sashes/casements/metal framed windows as far as possible.
5. Applications to replace traditional vertical sliding timber sash/casements windows with standard uPVC units (i.e. side hung, top hung, bottom hung, horizontal pivot, vertical pivot or louvre) will be refused.
6. uPVC or aluminium finish sliding sashes and casement windows which meet the colour, positioning and hanging criteria set out above, on non-principal or non-public elevations (elevations with no street frontage or open to public view) where it can be demonstrated that they do not harm the character or appearance of the conservation area and taking into consideration the age and style of the building and its immediate surroundings will be considered acceptable

The point relevant to this proposal is no. 2 as it is an application for uPVC vertical sliding sash windows as replacements for Victorian two over two sash windows. The guidance given is that in such cases these applications should be approved subject to choice of manufacturer and detailing and to ensure that vertically sliding sashes are proposed.

As stated, the windows that were removed without the benefit of planning permission were the original/period fabric sliding sash windows and were of elegant and fine proportions with single glazing. The windows that have been installed are sliding sash windows in the two over two glazing arrangement as the previous windows were. However, the windows that have been installed are of chunkier proportions when compared to the original/period fabric windows as evident from the thickness and depth of the meeting rail, frame and glazing bars which is due to the use of uPVC rather than timber. The windows lack the finesse of the original/period windows and the use of standard moulded horns which do not replicate the horns of the original/period fabric windows is unfortunate. The spacer bar due to the double glazing is another jarring feature adding to the unacceptability of the detail of the windows.

The replacement windows in terms of being plastic, of thicker proportions, double glazing and a lack of finesse compared to the previous original/period fabric windows that have been removed have therefore not preserved the character or appearance of the Windmill Hill Conservation Area but have caused harm to it.

It is noted that there are other plastic and unsympathetic windows in William Street but none have been permitted since the adoption of the Conservation Areas Maintenance/Replacement Windows and Doors Guidance Supplementary Planning Document (2020). In fact no replacement windows have been permitted since the adoption of the current development plan in 2014. Any replacement windows will

therefore have been either been installed prior to the Article 4 Direction or it will also need to be checked if any of them were installed without planning permission. On that basis the presence of other plastic, double glazed and unsympathetic windows in William Street is not considered to justify permitting this current proposal and those cases only serve to demonstrate the harm that can be caused by inappropriate replacement windows. It also reinforces the importance of the Article 4 Direction which is to prevent the loss of any original features and reinstate them in an appropriate manner where they have been lost.

The harm that has been caused from the replacement windows is considered to be less than substantial. Paragraph 208 of the NPPF (2023) advises that where a proposal would cause less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. It is stated in the Heritage Statement that the previous windows were rotten and couldn't be opened and the new windows will reduce energy use and help with climate change. As the windows have been removed prior to the application being submitted the Local Planning Authority were not able to assess the condition of the windows and no window survey has been submitted with the application from a competent joiner to demonstrate that they were beyond repair. The Council declared a Climate Emergency in June 2019 and retention and re-use is therefore more important than ever and renovating and reusing old materials is fundamental in helping to tackle these issues. A timber window is very rarely wholly unrepairable.

Historic England advice (Traditional Windows Their Care, Repair and Upgrading (2017)) sets out that although windows are generally accepted to amount to 10-20% of heat loss from buildings, this will vary greatly from building to building depending on size and number of openings in relation to the external wall area and that in many older buildings, windows are small relative to wall areas so the cost of double glazing will seldom be covered by energy savings within the lifetime of the insulated glazed units. Historic England advise that the thermal performance of traditional windows can be improved significantly by more appropriate methods such as draught proofing and secondary glazing and further benefits can be gained from closing curtains, blinds and shutters. It is stated that some of these measures can enable buildings that retain their historic windows to be more energy efficient than buildings whose windows are simply replaced with double glazed units.

The applicant's comments regarding the condition of the windows and their desire to reduce energy use are noted however, for the reasons above this is not considered to outweigh the harm that has been found. Furthermore, in respect of the matter of the condition of the windows, the windows that have been installed were not the only option to address this matter; should it have been able to have been demonstrated that both windows were wholly beyond repair, their replacement with timber slim-lite sliding sash windows would have also addressed the matter of condition.

Overall, therefore it is considered that the replacement windows that have been installed by virtue of their material, design and detailing do not preserve the character or appearance of the Windmill Street Conservation Area but have caused harm to it. As such, the proposal is contrary to Policies CS19 and CS20 (LPCS), saved Policy TC3 (LPFR) and section 16 (NPPF, 2023).

Any Other Material Planning Considerations

None.

Conclusion & Recommendation

The replacement windows that have been installed by virtue of their material, design and detailing do not preserve the character or appearance of the Windmill Street Conservation Area but have caused harm to it. As such, the proposal is contrary to Policies CS19 and CS20 (LPCS), saved Policy TC3 (LPFR) and section 16 (NPPF, 2023).

Recommendation: Refusal

(For detailed reasons for refusal and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Richard Hart
Signed:	<i>Rebecca Harrison</i>	Signed:	<i>R Hart</i>
Dated:	02/10/2024	Dated:	2nd October 2024