DELEGATED APPLICATIONS ASSESSMENT SHEET

APPLICATION NO./ADDRESS: 5 Victoria Buildings, York Road (WB/10/1067/FULL)

DATE OF SITE VISIT: 3.2.11 and 17.3.11 (with Richard Small, applicant and agent)

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS: N

PROPOSAL, SITE AND SURROUNDINGS:

The application property comprises a first-floor flat within a three-storey early C20 building [1928] consisting of retail shops on the ground floor with flats above. It occupies a corner site on the west side of the junction of York Road with Brighton Road. The main entrance to the flats is from York Road, but there is also a rear access via external steps into the rear yard.

The site is located within the Steyne Gardens Conservation Area and is identified as a positive contributor.

All the upper floor flats retain their original windows, consisting of a metal window within a timber sub-frame. Those on the first-floor fronting Brighton Road consist of distinctive vertically-proportioned 6-pane (3 over 3) or 4-pane (2 over 2) windows, whilst those on the second floor consist of a simpler form of casement window with fanlights. The latter form being replicated at the rear. The uniformity and visual cohesiveness of the existing windows contributes positively to the character and appearance of the building.

As originally submitted permission was sought to replace 4 windows (serving the lounge and bedrooms) in the north elevation (facing Brighton Road) and 4 windows in the south elevation (facing the rear yard) with white aluminium windows.

RELEVANT PLANNING HISTORY: None.

RELEVANT PLANNING POLICIES:

South East Plan: CC1, CC6, BE1, BE6

Saved Worthing Local Plan 2003: BE1, H16, H18 SPG 'Extending or Altering Your Home'

Submission Core Strategy: 16

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

1 representation has been received from the freeholder objecting to the proposal commenting that it should only be considered if the other two flats

were to do the same. Any replacement windows should be uniformed and sympathetic to the fine example of Victoria architecture.

PLANNING ASSESSMENT:

The main consideration in this case is the effect on the appearance of the building and the effects on the character and appearance of the Conservation Area in which it was located. There would be no adverse impacts on the amenities of the adjoining residential occupiers.

Following discussions with the applicant's agent, including the submission of a sample profile, it is apparent that the slender frame and proportions of the existing windows cannot be accurately replicated in aluminium. As a consequence the proposed replacement windows would appear noticeably different from the other upper floor windows. The larger proportioned windows fronting Brighton Road with their diagonally opposing openers would look particularly clumsy in comparison to the slender detail of the existing windows, which would detract from the visual cohesiveness and overall quality of appearance of the building, and would fail to preserve the character or appearance of the Conservation Area. Following a site visit it is apparent that the existing windows on the north elevation are not in bad condition, and the applicant's objective for improved insulation from road traffic noise could be achieved through alternative means (such as secondary double glazing). The application has agreed to remove the windows fronting Brighton Road from the current application.

The simple casement and fanlight windows on the south elevation are far less sensitive, the rear of the building being altogether more utilitarian in appearance. Except the kitchen window, the submitted drawing shows that the pattern of opening windows would match those existing. There is no apparent reason why the kitchen window should not match the existing design and subject to a condition requiring the pattern of opening windows to match all those existing, it is considered the proposed replacement windows on the rear of this building would not significantly detract from its appearance or otherwise detract from the character or appearance of the Conservation Area.

RECOMMENDATION:

Permit subject to:-

1. Standard time limit
2. Approved plans
3. Notwithstanding the detail shown on the approved drawing the pattern of openers on the replacement kitchen window shall match those on the existing window.
   Reason: In the interests of visual amenity and to comply with saved Local Plan policy BE1, and to preserve the character and appearance of this building which is located within the Conservation Area.

REASONS FOR RECOMMENDATION:

Subject to the conditions of planning permission, the proposed development would not detract from the appearance of the building and would preserve the character and appearance of the Steyne Gardens Conservation Area in which it is located. The proposal can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the 'saved' policies of the Worthing Local Plan (BE1, H16, H18), Submission Core Strategy policy 16 or the policies of the South East Plan (CC1, CC6, BE1, B6).

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that on balance, existing residential quality of life would not be significantly adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?

Yes

DELEGATED

Case Officer Sign..... Date 7.4.11

Authorising Officer Sign..... Date 7.4.11