Replacement windows at 5 West Street Shoreham by Sea BN43 5WF

Application No: AWDM/0285/24

This is an appeal against refusal of planning consent for the replacement of the existing single-glazed timber double-hung sliding sash windows with matching style double-glazed uPVC windows at the front of the property.

The application as seen on the attached plans is to remove the four timber windows at the front of this property and install modern double-glazed uPVC windows. The new windows are both to replace rotten timber windows and to provide additional insulation/reduce heat loss through air movement.

Decision Notice

The application AWDM/0285/24 decision notice gave one reason as follows:

The loss of timber windows and the introduction of UPVC in this part of the historic town centre of Shoreham-by-Sea where there are still many properties with timber windows, would be harmful to the character and appearance of the Shoreham Conservation Area. The proposal is thereby contrary to Adur Local Plan policies 1, 15 and 17 and the relevant paragraphs of the NPPF

Appeal details

As we noted as part of the application, the refusal is at odds with a number of similar applications within the same conservation area.

NB: All the following examples are in the same conservation area.

We note particularly application No: AWDM/0406/16 Flat 2 Bank House, 30A High Street, Shoreham by Sae. This involves the replacement of white timber windows with white uPVC windows. The application was permitted on 21st June 2016.

This is a substantially more prominent position within the conservation area. It is noted that the requirement was to replace the timber windows with Rehau units of similar style and which is why this application similarly proposed Rehau units.

Application No: AWDM/1810/17 in respect of 59 John Street. This was again an application to replace timber sash windows with uPVC sash windows. This was permitted on 22nd December 2017.

Application No: SU/29/05/TP/21734 (alternative reference SU/29/05/TP) 1 West Street Shoreham by Sea West Sussex BN43 5WF (two doors away). This proposal was again for replacement uPVC sliding sash windows. This was permitted on 22nd March 2005.

Application No: AWDM/1459/12, 1 – 3 Ship Street Shoreham by Sea West Sussex BN43 5DH. This application is again for replacement of timber framed windows with double-glazed uPVC units. This was approved on 17th January 2013.

We note that the existing windows are stated as being beyond economic repair and confirm that a similar situation applies to 5 West Street.

The recommendation to approve states that the proposed development would not detract from the local environment, would preserve or enhance the character and appearance of the Conservation area and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties.

We would contend that a similar situation applies in this instance.

Application No: SU/119/98/TP White Lion Court and West Court flats Ship Street/West Street Shoreham by Sea

This is an application to replace existing doors and windows with white uPVC double-glazed units. The application was approved on 7th September 1998.

In this instance Adur Council gave themselves permission to replace the existing windows with double-glazed uPVC despite the property being in a conservation area etc.

The development no's 19, 21, 21a, 21b West Street (circa 2015) was again approved with double-glazed uPVC windows despite this being within the conservation area.

In addition to the those applications specifically approved by Adur and Worthing Council, we would further note that of the 38 houses on the west side of West Street, some 31 have uPVC double-glazed windows and 1 has aluminium framed windows.

With regard to the High Street specifically, virtually all the windows to the upper floor are of double-glazed uPVC or aluminium variety and there has been no attempt at all by Adur Council to restrict or prevent such alterations despite them, in theory, requiring Planning Consent.

We would note that the conservation area, although noted as Shoreham town centre is really based around the St Mary de Haura church. This property (5 West Street) is about as far from the church as it is possible to get still within the conservation area.

The refusal notice together with the planning officer's report state that there is a pocket of surviving timber windows in the immediate vicinity. In fact there are only two properties no's 3 and 5, with timber windows in this particular area. Also No. 3, being a house, could indeed replace the timber windows with uPVC if they so wanted, under Permitted Development.

Notifications

We note that the Adur District Conservation Advisory Panel recommends to approve this application.

Conclusion

This council have allowed uPVC windows elsewhere within this conservation area and made no attempt to control those which have fitted uPVC in contravention of the planning regulations.

The overwhelming situation is that there are uPVC windows in the area and their "pocket" of timber windows amounts to two, one of which could change to uPVC without consent.

It is also clearly unfair for the council to give a different approval to their own properties than other peoples. They are happy to give themselves approval to replace the windows to their flats facing onto West Street with uPVC.

The current windows are beyond economic repair and new windows will reduce heat loss.

Having regard to the circumstances in general, we do not see how the proposal could harm the character of the conservation area and would ask that the appeal is upheld.

5west.181