Development Management - Delegated Officer Report

Application Number: AWDM/0363/24 Recommendation: Refuse

Site: **47 Brighton Road, Worthing**

Proposal: **Replace existing timber windows with white UPVC double glazed windows in style to match original**

Site visit: 23.4.2024 by LP

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application site comprises of a four-storey building located on the north side of Brighton Road. This is an end of terrace property with frontages onto Brighton Road to the south and Wyke Avenue to the east. There is a vacant commercial unit at ground floor level (No.45) and the upper floors are separated into flats.

The site is within the Steyne Gardens Conservation Area and is identified as a local interest building, and a positive contributor in the Draft Steyne Gardens Conservation Area Character Appraisal 2023.

The site is within the Secondary Frontage area of the Town Centre Primary Shopping Area and is within the Warwick Street/Brighton Road Town Centre Character Area.

Proposal

The application relates to the flats in the upper floors of the building at No.47. Permission is sought to replace the existing timber windows with UPVC windows. The existing windows comprise of a combination of timber casement and sliding sash windows. The third floor windows are not included in the current application.

Relevant site history

03/00789/FULL - Conversion of existing maisonette on second and third floors into two maisonettes including mansard roof extension with velux and dormer windows to implement the use
STATUS: CCN 12th August 2003.

03/01101/FULL - Change of use of first floor office accommodation into 2 x one bedroom flats
STATUS: CCN 22nd October 2003.

07/0400/FULL - Construction of a 4 storey extension to existing building to create 2 number studio apartments and 1 number 1 bedroom maisonette.

STATUS: REF 13th June 2007.

08/0620/FULL - Construction of a three storey extension to rear of property to provide 1 x 1-bed and 1 x studio residential units.
STATUS: REF 4th September 2008.

Consultations

Worthing Society has commented as follows:

We have some reservations about the amount of detail shown on the submitted drawings – it is important to ensure that the dimensions of the elements of the proposed windows, including glazing bars, reflect those of the existing windows. We assume that your Conservation Architect, Richard Small, will advise. Subject to this, we do not wish to raise an objection.

Representations
None received

Relevant Planning Policies
Worthing Local Plan policies (WBC 2023): SP1, DM5, DM24
National Planning Policy Framework (DLUHC 2023)
National Planning Practice Guidance
Steyne Gardens Conservation Area Appraisal
Draft Steyne Gardens Conservation Area Character Appraisal 2023, incorporating boundary review

Planning Assessment

There is no objection in principle to alterations to buildings within the built-up area. The key considerations are the effects on the visual and residential amenities of the locality and the impact on the character and appearance of the conservation area.

Visual amenity and impact on the character of the conservation area.

The NPPF states that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' The NPPG advises that significance derives not only from a heritage asset's physical presence, but also from its setting.

Policy DM24 of the Worthing Local Plan requires that:

a) Where development affecting any designated or undesignated heritage asset is permitted, it must be of a high quality, respecting its context and demonstrating a strong sense of place.

b) Proposed development should take account of the information and guidance in Worthing's Conservation and Heritage Guide (which will be updated and periodically reviewed).

Designated Heritage Assets

c) Development should not adversely affect heritage assets or its setting (including important views that contribute to its setting). Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, the Council will refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Where proposals may result in harm to a designated asset a Heritage Impact Assessment (HIA) must be submitted describing the significance of any heritage assets affected, including any contribution made by their setting.

d) Planning permission and/or Listed Building consent will only be granted provided that the appearance, significance, or historic character of the Listed Building is not adversely affected. The reinstatement or replication of original features such as windows or doors will be supported. Materials used must be consistent with those originally used or typical of the locality. Change of use may be supported where this secures the retention of a building of historic architectural interest where it could otherwise be lost.

e) Development in Conservation Areas will be required to be of a high standard of design and materials so as to respect, preserve and enhance the character and appearance of that area, and preserve important features. Conservation Area Character Appraisals will be used to assess applications within designated Conservation Areas and opportunities will be taken to preserve and enhance these areas, and to implement the recommendations of Conservation Area Management Plans. The importance to the local area of Buildings of Local Interest within Conservation Areas will be a material consideration in assessing an application for their demolition or development. Where, in compelling circumstances, the Council is minded to grant permission for demolition of a building in a Conservation Area, this shall not be granted until detailed plans for redevelopment have been approved.

In relation to Undesignated heritage Assets including Buildings of Local Interest, Policy DM24 states that:

They have been identified for their contribution to the character of the area in which they are located as set out in Worthing's Conservation and Heritage Guide. Their importance to the local area and community will be considered, and account will be taken of the desirability to sustain and enhance their significance. Development proposals should respect, support, and where possible, positively contribute to the essential character of these heritage assets. Other buildings and features of design and architectural interest not included above may also be considered undesignated heritage assets and therefore will also be subject to these requirements. Where a development would result in harm to an undesignated asset, a balanced judgement

will be made, having regard to the scale of any harm or loss and the significance of the asset. A HIA will be necessary to inform the decision.

Policy DM5 of the Worthing Local Plan requires that:

All new development (including extensions, residential annexes, alterations, ancillary development, change of use and intensification) should:

i) be of a high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area. This will include consideration of proportion, form, design, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping;
ii) enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping, tree canopy, impact on street scene and layout of the development;
iii) make a positive contribution to the sense of place, local character and distinctiveness of an area;
iv) respect, preserve and where appropriate enhance, heritage assets and settings;
v) be well built, accessible, fit for purpose, and adaptable to changing lifestyle, demography and climate;
vi) include a layout and design which: take account of potential users of the site; create safe conditions for access, egress and active travel (walking and cycling) between all locations; provide good links to integrated public transport; and have acceptable parking arrangements (in terms of amount and layout);
vii) make a positive contribution to creating a safe and secure environment by integrating measures for security and designing out opportunities for crime;
viii) not have an unacceptable impact on the occupiers of adjacent properties, particularly of residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook, an unacceptable increase in noise giving rise in significant adverse impacts, or vehicular movements resulting in severe cumulative impacts on the road network, or loss of important open space of public value (unless it satisfies any of the exceptions set out under Policy DM7 – Open Space, Recreation and Leisure);
ix) respect the existing natural features of the site, including landform, trees and biodiversity and contribute positively to biodiversity net gain. Where appropriate, this will include the protection and integration of existing trees and green infrastructure into new developments;
x) ensure that lighting incorporated into developments provides the minimum for public safety, is energy efficient and avoids light pollution.

The building is located within the Steyne Conservation area where the Conservation Area Appraisal identifies timber windows of traditional designs with a vertical emphasis being architectural elements which should be preserved and seeks removal of inappropriate replacement windows, and reinstatement of windows of designs appropriate to the age and architectural style of the building.

The existing building has a combination of timber windows with timber casement windows within each bay and sliding sash windows elsewhere on the main elevations.

The applicant's Design and Access Statement states that: *The property has been converted into 7 flats, some of the windows have been replaced over the years and many overpainted and with rotted frames and sashes suffering from the weather south west winds and sun, together with poor maintenance schedule, many properties along the street have had their windows changed*

It is acknowledged that there are some examples of UPVC windows installed elsewhere within the terrace but the majority of the terrace retains timber windows. The adjoining building at No.43 is of particular relevance and mirrors the composition and arrangement of windows to the front elevation. Any differences in the framework or profile of the proposed windows would be most noticeable on the front elevation where this close comparison would be seen.

The Design and Access statement makes reference to the UPVC windows matching the existing window size, frames, mullions, and glazing bars, and lists features of the proposed windows, and with a quotation document provided. However, no precise details have been provided to ascertain the detailed design, profile and dimensions of the proposed windows or to draw any comparison or note differences with the existing timber windows to demonstrate whether the windows would provide a satisfactory appearance. No detailed specifications or sections have been provided nor any large scaled elevation drawings.

On the basis of the limited information available, it is not possible to ascertain whether there would be inconsistencies in the sight lines, glazing proportions, framework width and detailing. The conservation area appraisal seeks to preserve traditional timber windows, and the details provided do not demonstrate that the existing window design would be replicated or avoid visible differences particularly in the context of the existing timber windows they would be seen in relation to and would be readily apparent.

Whilst there may be insulation and efficiency benefits to occupiers of the flats, it is considered that this would not outweigh the harm where it has not been demonstrated that the proposed windows would not cause significant harm to the character and special qualities of this prominent corner building and wider conservation area.

Residential amenity.

Given the scope of work proposed, relating to replacement windows, there would be no significant impact on residential amenity as a result of the proposals.

Recommendation

Refuse for the reasons:-

On the basis of the limited information available, the Local Planning Authority cannot be satisfied that the proposed replacement of the original timber windows with UPVC windows would not detract from the historical and architectural integrity of the building or that the proposed windows would preserve or enhance the character and

appearance of the Steyne Gardens Conservation Area. As such the proposal is considered contrary to policy DM5 and DM24 Worthing Local Plan, and the relevant paragraphs of the National Planning Policy Framework.

Informative:

- 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(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Is recommendation contrary to letter(s) of representation? N

Case Officer: Rebekah Hincke Date: 12.06.2024

Authorised by: Gary Peck Date: 12 June 2024