

2.3 REFERENCE NO - 16/501079/FULL		
APPLICATION PROPOSAL Replace front door and front windows, repaint front elevation and window sills.		
ADDRESS 17 Orchard Place Faversham Kent ME13 8AP		
RECOMMENDATION - APPROVE - SUBJECT TO: no contrary representations being received (consultation period ends 11/03/16)		
REASON FOR REFERRAL TO COMMITTEE Applicant is an employee of Swale Borough Council		
WARD Abbey	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Mr Ross McCardle
DECISION DUE DATE 30/03/16	PUBLICITY EXPIRY DATE 11/03/16	

1.0 DESCRIPTION OF SITE

- 1.01 17 Orchard Place is a C19th cottage located within the Faversham conservation area and is subject to an Article 4(2) Direction. The property is a two storey mid-terraced dwelling built of brick, that fronts directly onto the street.
- 1.02 Orchard Place is a typical Victorian residential street featuring traditional terraced dwellings, all two storeys high, built of yellow brick. This property differs from its neighbours as the front elevation has been painted.
- 1.03 The property has since been altered and currently features uPVC windows and a uPVC front door which are not consistent with the previous style of the house. Together with the rendering of the front elevation, these alterations have not respected the original character of the building.

2.0 PROPOSAL

- 2.01 This application seeks permission to replace the front door and front windows, together with repainting the front elevation and window sills.
- 2.02 The existing white uPVC door would be replaced with a composite door from the Phoenix Doors Essex Range. It would have four panels of which the upper two would be plain opaque glazed. The proposed door would be coloured either green, blue or slate grey.
- 2.03 All of the windows on the front elevation of the property, namely one window at ground floor level and one at first floor would be replaced under this application. The existing white multi-pane uPVC windows would be replaced with four pane sash uPVC windows with vertical glazing bars.
- 2.04 The rendered front elevation currently features a cream/beige colour with black window sills. This would be repainted in a subtle cream together with the window sills repainted to match the door.
- 2.05 The applicant has explained the application with the following summarised points:
 - The existing windows and door are of a poor quality uPVC

- The front windows only allow the topmost fanlight section to be opened and would not allow escape in the event of a fire
- There are only 2 incidences of timber windows remaining in the street
- Timber would be the preferred option but the cost is prohibitive and there is damp along the front wall
- The proposed composite door would have four panels which are more suitable to Victorian terraces and coloured doors are a common feature of Faversham

3.0 PLANNING CONSTRAINTS

Article 4 Faversham Conservation Area

Article 4 Swale Article 4 directive

Conservation Area Faversham

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Development Plan: Saved policies E1 (General Development Criteria) E15 (Conservation Area) E19 (Design Criteria) of the Swale Borough Local Plan 2008

Supplementary Planning Documents: Supplementary Planning Guidance entitled “Conservation Areas”

5.0 LOCAL REPRESENTATIONS

- 5.01 No representations have been received. However the closing date for representations is 11 March and Members will be updated at the meeting.

6.0 CONSULTATIONS

- 6.01 Faversham Town Council’s comments have not yet been received. Members will be updated at the meeting.

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers and drawings referring to application reference 16/501079/FULL

8.0 APPRAISAL

- 8.01 I consider the key issue in this case is whether the proposal meets the aims and objectives of the Article 4(2) Direction in preventing development that does not preserve or enhance the special character or appearance of the conservation area.
- 8.02 Saved policy E15 of the Swale Borough Local Plan 2008 states that for an application within a conservation area to succeed, it must be demonstrated that the proposal will “preserve or enhance” the character and appearance of the area. I would contend that the application does just that, in removing some windows which are not aesthetically pleasing with ones which are of a design and appearance more suitable for both the property and the area.

8.03 I always encourage the use of timber for replacement windows in a conservation area, but in this case the applicant is very keen to use uPVC, and I believe that the proposal is worthy of support for the following reasons:

- The present windows are not original, appropriate to the style of the property, or aesthetically pleasing and they detract from the character and appearance of the property and the street scene
- The proposed replacements are of a more appropriate design with regard to the age, style and character of the property
- The proposal satisfies the requirement to 'preserve or enhance' the character and appearance of the conservation area
- Policy E15 also states that one of its objectives should be to "remove features that detract from the character of the area and reinstate those that would enhance it". The proposed windows, albeit in UPVC, are clearly, by their traditional configuration, an improvement on the existing windows which, are completely out of character with this traditional building.

8.04 The proposal would also involve the repainting of the rendered front elevation. I consider that the applicant has carefully considered the use of suitable colours and recommend the application be approved.

8.05 The applicant sought pre-application advice regarding the proposed composite door. Although the Council would ideally prefer traditional materials to be used, in this case the original wooden door has been previously replaced with a uPVC door and I therefore consider the replacement composite door which seeks to be more suitable to the property would enhance the appearance of the conservation area.

8.06 I also note an appeal that was allowed in 2009 at 8 Newton Road, Faversham (SW/07/1173), see copy of decision attached as an appendix to this report. This application to replace existing inappropriate louvre windows at the front of the property with uPVC sash double glazed units was refused by the Council on the grounds that it would result in a poorer design than the current windows, undermining the aims and objectives of the Article 4(2) Direction. However, the Inspector concluded that the existing windows were out of character with the area and their replacement would enhance the appearance of the conservation area due to their more appropriate subdivision format which was more in keeping with the character of the area. Since then, the Council has been very successful in defending refusals where the replacement windows have been poorer than those that exist, which is the opposite of the case here.

8.07 I would therefore suggest that to replace the existing windows and door, albeit in uPVC but with better designed units, will be an improvement to this property and the area in terms of design and appearance, complying with the requirements of policy E15, making the proposal acceptable. I would not expect to be successful at appeal if this application were to be refused.

9.0 CONCLUSION

9.01 As stated above, I am of the opinion that this proposal would enhance the character and appearance of the conservation area, in accordance with Policy E15. I therefore recommend that permission should be granted, subject to the conditions below and

that no fresh material planning issues being raised in any representations received prior to the closing date of 11 March 2016.

10.0 RECOMMENDATION – GRANT Subject to the following conditions

CONDITIONS

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which permission is granted.

Reasons: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Reasons: In the interest of preserving or enhancing the character and appearance of the conservation area.

Council’s approach to the application

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was acceptable as submitted and no further assistance was required

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council’s website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

APPENDIX 1



Appeal Decision

Site visit made on 9 January 2009

by Sheila Holden
BSc MSc CEng MICE MRTPI FIHT

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Esgle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@plins.gsi.gov.uk

Decision date:
26 January 2009

Appeal Ref: APP/V2255/A/2084649
8 Newton Road, Faversham, Kent ME13 8DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs Paula Symonds against the decision of Swale Borough Council.
- The application Ref SW/07/1173, dated 4 October 2007, was refused by notice dated 13 March 2008.
- The development proposed is replacement of existing single pane louvre windows at front of property with UPVC box sash double glazed units.

Decision

1. I allow the appeal and grant planning permission for the replacement of existing single pane louvre windows at front of property with UPVC box sash double glazed units at 8 Newton Road, Faversham, Kent ME13 8DY in accordance with the application Ref: SW/07/1173, dated 4 October 2007, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) No development shall take place until full details of the proposed box sash double glazed units have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is whether the replacement windows would preserve or enhance the character or appearance of the Faversham Conservation Area.

Reasons

3. 8 Newton Road is one half of a pair of Victorian semi-detached properties within a group of three sited in a prominent site close within the Faversham Conservation Area and close to the town centre. Other properties of a similar era can also be seen along this stretch of road. Most of these properties, which are constructed of local yellow stock bricks under slate roofs, have retained their original features, including their wooden sash windows. However, No 8 differs from its neighbours as it has been painted and its roof has concrete tiles. It has also lost its original windows which have been replaced with metal

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Appeal Decision APP/V2255/A/2084649

- ones with large single panes of glass with small louvered openings at the top. I note that there is a difference of view about the physical condition of what remains of the original window frames, although photographic evidence from the appellant appeared to indicate that they are poor, at least in part. On my site visit I saw that the arched tops have been replaced by a façade in front of the windows.
4. In my view the lack of vertical and horizontal sub-division of these windows, particularly the largest section of the ground floor bay window, is incongruous in this setting and detrimental to the character and appearance of the conservation area. In these circumstances I consider their replacement with appropriately designed UPVC box sash windows would provide an opportunity to re-introduce the vertical and horizontal subdivision of the windows. This would ensure that the appearance of the building is more in keeping with its neighbours than it is at present. On my site visit I also saw that an example window has been installed, albeit unauthorised. In my view this illustrated the benefits of sub-dividing the otherwise large expanse of glass.
 5. I appreciate that this part of the Faversham Conservation Area is covered by an Article 4(2) Direction which seeks to prevent further erosion of the special character of the area through unsympathetic alterations. I understand that the Council would ideally prefer traditional materials to be used and accept that UPVC has a different appearance to that of wood. However, in this case the original wooden frames have been lost and the existing windows are out of character with others within this group of properties. For these reasons I conclude that their replacement with carefully proportioned UPVC which seeks to replicate the form of those in the adjoining houses would enhance the appearance of the Conservation Area. It would therefore comply with Policies QL1 and QL6 of the Kent and Medway Structure Plan and Policies E1, E15 and E19 of the Swale Borough Local Plan (2008) all of which seek to ensure that development respects its setting, particularly in historic environments.
 6. I will allow the appeal subject to conditions. In addition to the standard time limit I have imposed a condition requiring full details of the proposed windows to be approved by the Council prior to their installation in the interests of the appearance of the building itself and the Faversham Conservation Area.

Sheila Holden
INSPECTOR