

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE**

MAIDENHEAD DEVELOPMENT CONTROL PANEL

3 August 2016

Item: 1

Application No.: 16/00580/FULL

Location: 13 The Terrace Bray Maidenhead SL6 2AR

Proposal: Replacement windows

Applicant: Mr Roux

Agent: Not Applicable

Parish/Ward: Bray Parish

If you have a question about this report, please contact: Garry Thornton on 01628 685901 or at garry.thornton@rbwm.gov.uk

1. SUMMARY

- 1.1 Retrospective planning permission is sought for white plastic (PVC) double-glazed windows that have replaced timber windows.
- 1.2 The replacement windows are considered to have a harmful impact upon the appearance of the dwelling and the wider terrace of houses. The replacement windows are therefore considered to be detrimental to the character and appearance of the Conservation Area. The proposal fails to comply with Local Plan policies DG1 and CA2, and the NPPF.

It is recommended that the Panel:

- 1. Refuses planning permission and;**
- 2. Authorises enforcement action so that the unauthorised windows are removed and replaced with timber frame windows in the style of the original windows within 6 months.**

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager delegated powers to determine the application or to authorise enforcement action in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is on The Terrace in Bray and is within the Bray Village Conservation Area. The property is a two-storey semi-detached end of terrace house in the middle of the row with a white rendered façade.
- 3.2 13 The Terrace is within the Green Belt and is classed as an important non-listed building. The property is also subject to an Article 4 direction which removes the right to carry out development to front elevations without full planning permission because of the location of the property in the Conservation Area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 White plastic (PVC) double-glazed windows have been installed to replace the previous timber-framed windows.
- 4.2 There is no relevant planning history relating to this property.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

National Planning Policy Framework

- 5.1 National Planning Policy Framework: Core planning principles (paragraph 17); Section 7 – Requiring good design; and, Section 12 – Conserving and enhancing the historic environment.

Royal Borough Local Plan

- 5.2 The main strategic planning considerations applying to the site and the associated policies are:

	Within settlement area	Green Belt	Conservation Area
Local Plan	DG1	GB2	CA2

- 5.3 None of the supplementary planning documents adopted by the Council are relevant to the proposal.

More information on this document can be found at:

http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

- 5.4 Other Strategies or publications relevant to the proposal are:

•	Bray Village Conservation Area appraisal – view at https://www3.rbwm.gov.uk/info/200207/conservation_and_regeneration/666/conservation_areas_and_listed_buildings
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6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- i Whether the Development Preserves or Enhances Conservation Area;
- ii Impact on the Green Belt;
- iii Impact on Neighbouring Properties;
- iv Enforcement Considerations.

Whether the Development Preserves or Enhances Conservation Area

- 6.2 The Terrace is a block of three terraces of brick built dwellings within Area B of the Conservation Area. The Bray Village Conservation Area Appraisal 2009 (Section 7.10) states that the majority of the buildings within Area B are considered significant and contribute positively towards the character of the Conservation Area. The Terrace, in particular, is significant because it forms a notable and distinctive exception to the majority of buildings within Area B which are nearly all detached.
- 6.3 Section 7.11 of the Bray Village Conservation Area Appraisal highlights the Terrace's visual importance within the Conservation Area due to it forming an attractive elevation when viewed from High Street on the approach into the village from the south.
- 6.4 The dwellings in the Terrace, with the exception of the application site, have windows which share similar widths, heights and positions of glazing bars, aprons and cills. They are all timber-framed with vertical sliding sashes and are all placed within the same position within the recesses of their window openings. As per section 7.16 of the Bray Village Conservation Area Appraisal this all combines to contribute towards a common style which creates a distinct feel along the length of the Terrace.

- 6.5 The replacement windows at Number 13 result in this being the only dwelling on the Terrace with this type of modern, double glazed plastic window which detracts from the traditional appearance of this row of houses. These windows are not sash ones. They are casement windows that are openable outwards; the windows are top hung for both the lower and upper glazed elements. The plastic frames, aprons, cills and glazing bars are more obvious due to the thickness of the plastic.
- 6.6 The replacement windows are considered to be of a poor design which harms the character of the terrace of houses, which in turn has a harmful effect upon the visual amenity of the wider locality via the loss of important visual distinctiveness which contributes to the character of the area.
- 6.7 The proposal would be considered to cause less than substantial harm to the significance of a conservation area which would not be outweighed by any demonstrated public benefits or by securing the asset's optimum viable use as set out in paragraph 134 of the NPPF.
- 6.8 The replacement windows are therefore not considered to comply with National Planning Policy Framework Section 7 (Requiring Good Design), RBWM Local Plan policies DG1 and CA2 or the statutory test as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact on the Green Belt

- 6.9 In accordance with national guidance as set out in the NPPF alterations to a building within the Green Belt that do not result in a disproportionate addition over and above the size of the original building, are considered to be appropriate development.
- 6.10 The proposal would not result in a disproportionate addition. As such, the proposal is considered to comply with Green Belt policy.

Impact on Neighbouring Properties

- 6.11 It is considered that there would be no significant harm caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise.

Enforcement Considerations

- 6.12 Given the level of harm caused to the Conservation Area it would be expedient and in the public interest to serve an enforcement notice to remove the unauthorised windows and to secure their replacement with timber framed windows in the style of the previous windows at this house (see attached photograph appendix E) within 6 months of the serving of the enforcement notice. The action recommended is considered to be proportionate.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

Three occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 08/04/2016.

No letters were received supporting the application.

Seven letters were received objecting to the application, five of which were the same statement signed by different individuals. They have been summarised as follows:

Comment	Where in the
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		report this is considered
1.	The application is not inline with the village aesthetic in the terrace. One regarding rendering the archway above the front door and the other the replacement of the windows with modern PVC instead of modern double glassed sash windows.	6.10, 6.11.
2.	<p><i>The following statement was signed by four different interested parties:</i></p> <p>This application directly affects the character of all properties in the Terrace. I don't believe the residents have been informed adequately. I believe this retrospective application is in direct conflict with the Bray Village Conservation Area and the planning policies. Bray is an area of strong historical importance. The Bray Village Conservation Area Appraisal 2009 states that The Terrace is an 'important non-listed building...significant to the Conservation Area'. Section 8.3 of the Appraisal states that, 'Some traditional windows replaced by modern counterparts with different detailing appear rather incongruous.'</p> <p>The replacement windows do not preserve or enhance the character and appearance of the conservation area, they look completely out of place.</p> <p>It is a particular issue that these windows are on a property in the middle of the terrace.</p>	<p>6.3, 6.4, 6.5, 6.10.</p> <p>All statutory notification procedures were followed.</p>
3.	These windows look horrible and devalue the look of the lane.	6.10, 6.11.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Conservation Officer	The proposal would not enhance or sustain the significance of a heritage asset and would have a harmful impact upon local character and distinctiveness as outlined in paragraph 131 of the NPPF. The proposal would be considered to cause less than substantial harm to the significance of a conservation area or areas which is not outweighed by public benefits or securing the asset's optimum viable use as set out in paragraph 134 of the NPPF and would fail to meet the requirements of policy CA2 of the Borough Local Plan and the considerations as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.	6.3, 6.4, 6.5, 6.6.
Bray Village Parish Council	Recommended for refusal, contrary to policy CA2 of the RBWM Local Plan.	6.4, 6.5.

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Front elevation
- Appendix C - Side elevation
- Appendix D - Photos of replacement windows
- Appendix E - Photo of original windows

Documents associated with the application can be viewed at:

<http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

This recommendation is made following careful consideration of all the issues raised through the application. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPPF.

In this case the issues have been unsuccessfully resolved.

9. REASONS RECOMMENDED FOR REFUSAL AND TO SERVE AN ENFORCEMENT NOTICE

1. The replacement windows are top hung and have plastic frames, aprons, cills and glazing bars rather than the timber-framed, traditional sash type windows previously at this property and that are found in the rest of the terrace of houses. The widths, heights and positions of the glazing bars, aprons and cills of the previous timber windows contributed towards a common style which creates a distinct feel along the length of the Terrace. Therefore the replacement windows at 13 The Terrace are considered to harm the character of the terrace of houses and result a loss of important visual distinctiveness which contributes towards the character of the conservation area. The proposal would be considered to cause less than substantial harm to the significance of a conservation area which would not be outweighed by any demonstrated public benefits or by securing the asset's optimum viable use as set out in paragraph 134 of the NPPF. The replacement windows are not considered to comply with National Planning Policy Framework Section 7 (Requiring Good Design) and Section 12 (Conserving and enhancing the historic environment), RBWM Local Plan policies DG1 and CA2 or the statutory test as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.