

Appeal Decision

Site visit made on 7 November, 2016

by C. Jack, BSc (Hons) MA MA(TP) MRTPI

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

Decision date: 21st November, 2016

Appeal Ref: APP/Q1445/W/16/3156487

Hereford House, 9 Eaton Road, Hove, BN3 3AF

- 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 Mr. Samuel Jackson against the decision of Brighton & Hove City Council.
 - The application Ref BH2016/01373, dated 16 May 2016, was refused by notice dated 8 July 2016.
 - The development proposed is the replacement of existing timber and aluminium windows with uPVC sash windows to front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of existing timber and aluminium windows with uPVC sash windows to front elevation at Hereford House, 9 Eaton Road, Hove, BN3 3AF in accordance with the terms of the application, Ref BH2016/01373, dated 16 May, 2016, and the plans submitted with it, subject to the following condition:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area, including the nearby Willett Estate Conservation Area.

Preliminary Matter

3. The description of the proposed development given on the application form is very lengthy. I have therefore adopted above the more concise description used by the Council in its Decision Notice, in the interests of clarity.

Reasons

4. Hereford House is a substantial four-storey detached building, dating from the 19th Century. It is converted into a number of flats and while many traditional timber sliding sash windows are still apparent, a number of windows in the building have previously been replaced to uPVC, aluminium or casements, including in the front elevation. The proposed development is to replace all windows in the front elevation with uPVC sash windows.
 5. Eaton Road is a wide tree-lined street which is very mixed in character featuring a wide variety of buildings, including older buildings such as Hereford House, juxtaposed with more modern buildings including some substantial 20th Century blocks of flats, more modest houses, a pub and the County Cricket
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Ground. The boundary of the nearby Willett Estate Conservation Area (WECA), a designated heritage asset, lies on the opposite side of the road. There is a mix of uPVC, timber and aluminium windows in this part of Eaton Road, outside the WECA boundary, where windows other than traditional timber are commonplace and part of the general character, albeit timber windows appear prevalent within the WECA itself, where the character of nearby streets is also more uniform.

6. The Council states in its officer report that Hereford House is of historical importance at a similar magnitude to the adjacent WECA. However, it has provided no significant evidence to support this, or to indicate that the building falls within any of the categories defined as a 'historic building' for the purposes of the Council's adopted Supplementary Planning Document "Architectural features" 2009 (SPD09), such as being designated as a building of local interest. I have therefore given limited weight to SPD09 in this case. Nonetheless, I acknowledge that changes to windows can have a significant effect on individual buildings and cumulatively in a street or wider area, in certain circumstances.
7. The replacement windows would be uPVC, rather than the traditional timber which is still evident in the majority of windows in the building. However, the style of the windows would resemble the original sashes to a reasonable degree, including similar overall proportions and decorative features such as sash horns. Furthermore, the windows would utilise the existing openings and the decorative lintels and stone sills would be retained. As a result, while the uPVC frames may be somewhat heavier in appearance than the timber windows, and the uPVC material would look more uniform in character than the natural variation and grain of timber, the overall effect on the host building and the already varied character of its surroundings would be limited.
8. Hereford House is a standalone building and does not form part of a terrace or group of similar buildings. When viewed from within the WECA, the change arising from the proposed development would be almost imperceptible and, as part of the varied character of this part of Eaton Road, it would have no significant effect on the character and appearance of the area. While the use of uPVC is not consistent with the original window materials, the continuity and consistency of appearance of the building would be maintained and the replacement windows would essentially match the predominant window style of the building in scale, design, proportions, alignment and opening arrangement. In these respects the proposal would be generally consistent with the guidance of the Council's adopted Supplementary Planning Document 'Design guide for extensions and alterations' 2013 (SPD12).
9. The condition of the existing front windows appears varied, and while there is no significant evidence before me that they are incapable of economic repair, I have nonetheless found that the proposed development would not harm the character and appearance of the area. It would also have some associated benefits, including reinstating some uniformity of appearance to the front fenestration of the building through the consistent use of sash windows, and the benefits of improved thermal insulation and reduced maintenance requirements, which also attract some weight in favour of the proposal.
10. I therefore conclude that the proposed development would not harm the character and appearance of the area, including the nearby Willett Estate

Conservation Area. It would therefore not conflict with retained Policy QD14 of the Brighton and Hove Local Plan 2005 (BHLP), which among other things seeks to ensure that alterations to existing buildings are well designed and detailed in relation to the property and the surrounding area.

11. In light of my reasoning above, I further conclude that while the proposed development would cause a small measure of perceptible change to the setting of the WECA, this would be in the context of a varied street scene and would not be of a magnitude to constitute harm. Hence the effect of the development would be neutral and the setting of the WECA would be preserved. Accordingly, it would not conflict with Policy CP12 and Policy CP15 of the adopted Brighton and Hove City Plan Part One 2016 (BHCP), which together seek to ensure that development conserves or enhances the city's built heritage and its settings, among other things. It would also not conflict with retained Policy HE6 of the BHLP, which seeks to ensure that development within or affecting the setting of a conservation area should preserve or enhance the character of the area, including through the design and detailing reflecting the scale and character or appearance of the area and the use of materials that are sympathetic to the area.

Conditions

12. I have not been provided with any suggested conditions. I have imposed the standard condition for commencement. No other conditions are necessary.

Conclusion

13. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be allowed.

Catherine Jack

INSPECTOR