
Appeal Decision

Site visit made on 4 October 2017

by Mr Kim Bennett DipTP MRTPI

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

Decision date: 17 October 2017

Appeal Ref: APP/Y9507/D/17/3179839
113 Western Road, Lewes BN7 1RS

- 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 Andrew Mitchell against the decision of South Downs National Park Authority.
 - The application Ref SDNP/17/00510/HOUS, dated 17 January 2017, was refused by notice dated 20 April 2017.
 - The development proposed is the replacement of single glazed timber sash windows with double glazed timber sash windows.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development as set out on the application form was somewhat lengthy. In the interests of brevity I have therefore used the description as it appears on the Authority's decision notice in the details set out above.

Main Issue

3. The main issue is the effect of the proposal on the character of the dwelling and whether it would preserve or enhance the character or appearance of the Conservation Area.

Reasons

4. The appeal property comprises a two storey mid terraced property located on the northern side of Western Road and close to the junction with Spital Road. It is one of four similarly designed properties in the terrace and has a pleasing character with decorative brick elevations, double bay windows and front roof dormers. I noted that all the windows in the appeal property were timber and of a traditional design, but are clearly in a poor state of repair.
5. Because of its Conservation Area location, I have had regard to the statutory duty to preserve or enhance the character or appearance of the area.
6. The appellant refers to the advantages of double glazed windows in terms of their sustainability and efficiency. However, the cost of providing embedded glazing bars would be prohibitive and it is suggested that the finer details would not be visible. Comment is also made that pre application advice

suggested that a solution similar to that at Southover House (The Council's offices) might be acceptable.

7. The Council makes it clear that there is no objection to double glazing per se and recognises the efficiency advantages. The issue therefore is whether the glazing bars should be applied to the surface of the glass as proposed by the appellant, or whether they should be embedded within the frame in the traditional manner.
8. Although the appellant suggests that the detail would not be apparent except on close inspection, that is precisely the situation here given that the property directly abuts the public footpath. At the time of my site inspection the footpath was in constant use by pedestrians and I have no reason to believe that is unusual. In my view applied glazing would appear just that, in so much as it would clearly appear as applied from any oblique views of the glazing to either side. As such it would undermine the integrity of the traditional detailing found on the existing small paned windows and appear as a somewhat incongruous detail as a result. Support for that finding can be found on the adjoining property No 115 Western Road. Although the replacement windows are uPVC and the glazing bars are different to what is proposed in that they are on the inside of the external glazing, the contrived effect of the bars is very apparent and unconvincing.
9. I acknowledge that there are several examples of poor replacement windows in this part of the Conservation Area, including those on the other side of the property at No 111. However, in walking up and down both sides of the road I also observed several examples of sensitive replacement windows. Such situations are not uncommon in Conservation Areas for various historical reasons, but as noted above, one of the primary purposes of designation is to preserve or enhance the area. In my view allowing the replacement of traditional windows with non-traditional detailing would undermine that purpose and if adopted generally, lead to a gradual deterioration of historic detailing throughout the Conservation Area.
10. With regard to the pre application advice the evidence before me is somewhat unclear. I note for example that in an email dated 12 July 2016, the Design & Conservation Assistant referred to the need for glazing bars to be embedded within the frame rather than applied. The email chain then includes an unsigned email which apparently suggests that the manner in which double glazing is achieved at Southover House would be acceptable. From the correspondence, I understand that example involved the use of applied glazing bars. Whilst I can understand the appellant's frustration if he feels he has been misled, pre-application advice can only ever be advisory and is made without prejudice to the formal consideration of applications. In that respect the Council's view in considering the formal application was clear and I note that the appellant was afforded an opportunity to amend the application.
11. Notwithstanding the above, I have reached my findings based on the merits or otherwise of the particular application before me. Having regard to that and accepting the increased costs involved with embedded glazing bars, for the reasons set out above I agree with the Council that the non-traditional detailing would be inappropriate and that it would therefore fail to preserve or enhance both the character and appearance of the property and the Conservation Area.

12. Such harm would be less than substantial to the wider Conservation Area in the context of guidance within the National Planning Policy Framework, and therefore needs to be weighed against public benefits arising from the proposal. In that respect the wider benefits of increased thermal efficiency as part of the wider climate change challenge, could equally be delivered with a wholly traditional window detailing as opposed to the current proposal. Such benefits do not therefore override the visual harm which would arise from the inappropriate detailing proposed.
13. In the light of the above, the proposal would be contrary to Policies ST3 and H5 of the Lewes District Local Plan 2003, in that it would not respect the design of the existing building, the materials (in respect of the glazing bars) would not be of a quality which would be appropriate, and it would not preserve or enhance the character or appearance of the Conservation Area.
14. Accordingly, the appeal is dismissed.

Kim Bennett

INSPECTOR