

**Retrospective planning application for replacement windows  
(from timber to UPVC)**

**Case Officer:  
James Mattley**

**19 Bondgate, Castle Donington, Derby, DE74 2NS.**

**Application Reference:  
10/00474/FUL**

**Applicant:  
Mr John Needham**

**Date Registered:  
18 May 2010  
8 Week Date:  
13 July 2010  
Consultation Expiry:  
10 June 2010**

### **1. Proposals and Background**

Retrospective planning permission is sought for replacement windows at 19 Bondgate, Castle Donington. The former timber sash windows have been replaced by UPVC casement windows. The application dwelling is a two storey end terraced property located to the west of Bondgate. The site is located in a predominantly residential area with dwellings surrounding the site. The subject property is located within Limits to Development and is situated within the Castle Donington Conservation Area. The site is designated as an unlisted building of architectural or historic interest in the Castle Donington Conservation Area Appraisal and Study.

The application is accompanied by a Design and Access Statement which states that the works have been carried out as the former timber windows were rotten. The replacement windows are the same size and in the same positions as the former windows. The white UPVC casement windows that have been inserted have a 70mm profile.

Relevant Planning History:

82/0479 - pre application advice for an office use.

### **2. Publicity**

3 neighbours have been notified.

Site Notice displayed 14 June 2010.

### **3. Consultations**

Castle Donington Parish Council consulted 20 May 2010.

NWLDC Conservation Officer consulted 24 May 2010.

### **4. Summary of Representations Received**

No representations have been received from members of the public.

Castle Donington Parish Council - No objections.

### **5. Relevant Planning Policy**

The following policies of the North West Leicestershire Local Plan are considered relevant to the determination of this application:

Policy S2 sets out that development will be permitted on allocated sites and other land within the Limits to Development, where it complies with the policies of this Local Plan.

Policy E4 indicates that in the determination of planning applications regard will be had to the wider settings of new buildings; new development should respect the character of its surrounding, in

terms of scale, design, height, massing, materials of construction, the spaces between and around buildings and the street scene generally.

Other Relevant Guidance:

Planning Policy Statement 5 (PPS5) - Planning for the Historic Environment indicates that local planning authorities should consider the impact of any proposal on any heritage asset and that there should be a presumption in favour of the conservation of designated heritage assets. Heritage assets include Listed Buildings and Conservation Areas including their setting.

## **6. Assessment**

### **Principle**

The site is located within the Limits to Development as set out on the Proposals Map to the Local Plan where the principle of alterations such as replacement windows are considered acceptable subject to impacts upon design, amenity, and any other material considerations. Given the sites location in the Conservation Area the main issue with respect to this application is the impact the replacement of the existing timber sash windows with UPVC casement windows has on the Conservation Area and its setting, which is a designated heritage asset.

### **Design and Impact upon the Character and Appearance of the Conservation Area**

The Castle Donington Conservation Area Appraisal and Study, which identifies the site as an unlisted building of architectural or historic interest, states that the traditional predominant window types in the area were Yorkshire horizontal sliding sashes and vertical sliding sashes constructed in timber with a white/off-white paint finish. However, the four existing terraced properties (No.s 19, 21, 23 and 25) no longer have the traditional window types and have been replaced by a combination of timber and UPVC that are not characteristic of the original timber sash windows.

The use of white UPVC casement windows is considered to be harmful to the visual amenity of the subject property and the Conservation Area. The style and design of the former windows are significant to the appearance, character and architectural integrity of the subject property. Despite the fact that the proposed UPVC windows have attempted to replicate sliding sash windows in terms of the division of the window, it is considered that UPVC casement windows do not provide sympathetic replicas of the former timber sash windows. The proposed replacement of timber sash windows with UPVC casement windows is deemed to be unsympathetic to the style and design of the existing building and would be detrimental to its character, appearance and architectural integrity.

Planning Policy Statement 5 states that there is a presumption in favour of the conservation of designated heritage assets and also contains information regarding dealing with applications that are considered to have a harmful impact upon the significance of a designated heritage asset. The harmful impacts upon a designated heritage asset can be offset by wider public benefits of the proposal. However, in this case it is not considered that there are any wider public benefits that justify the removal of the heritage asset nor are there any sustainability benefits that could not be achieved through the use of appropriate timber windows and secondary glazing.

Some neighbouring dwellings have already replaced the original timber sash windows with UPVC windows or timber windows of a different style. Those dwellings that have altered the original windows have done so by utilising former permitted development rights. Since the amendments to the Town and Country Planning (General Permitted Development) Order 1995 which came into force on 1 October 2008, the replacement of timber windows with UPVC windows now requires planning permission on the basis that they do not have a similar appearance. Although there are some UPVC windows in close proximity to the application dwelling, they are not considered to respect the traditional character of the buildings or the Conservation Area, and this alone is not considered sufficient reason to allow further unsuitable replacement windows.

As such, the substitution of the existing timber windows with UPVC casement windows does not conserve a designated heritage asset and there are no other public benefits that would outweigh this harm. As such, the replacement UPVC casement windows are considered to be contrary to Policy E4 of the Local Plan and advice contained in PPS5.

**Conclusion**

The predominant traditional window types in the Castle Donington Conservation Area were Yorkshire horizontal sliding sashes and vertical sliding sashes with a white/off-white paint finish. The substitution of the original timber sash windows with UPVC casement windows is not considered to preserve or enhance the character and appearance of the Conservation Area and its setting, which is a designated heritage asset, and is considered to be detrimental to the character and appearance of the unlisted building of architectural or historic interest. Therefore, the application is considered to be contrary to Policy E4 of the Local Plan and advice contained in PPS5. The application is thus recommended for refusal.

**RECOMMENDATION - REFUSE, for the following reason(s):**

- 1 The site is located within the Castle Donington Conservation Area and is designated as an unlisted building of architectural or historic interest in the Castle Donington Conservation Area Appraisal and Study. Planning Policy Statement 5: Planning for the Historic Environment indicates that local planning authorities should consider the impact of any proposal on any heritage asset and that there should be a presumption in favour of the conservation of designated heritage assets which include Listed Buildings and Conservation Areas including their setting. Policy E4 of the North West Leicestershire Local Plan requires new development to respect the character of its surroundings. The traditional predominant window type in the Castle Donington Conservation Area were the Yorkshire horizontal sliding sash and vertical sliding sashes constructed in timber and with a white/off-white paint finish. The substitution of the original timber sash windows with UPVC casement windows does not preserve or enhance the character and appearance of the Conservation Area and its setting, which is a designated heritage asset, and they are detrimental to the character and appearance of the unlisted building of architectural or historic interest. As such, the replacement windows are contrary to Policy E4 of the Local Plan and the advice contained in PPS5.

Checked by (Case Officer).....*J. Matley*..... Date...*13/7/2010*.....  
Decided by.....*[Signature]*..... Date...*13.7.10*.....